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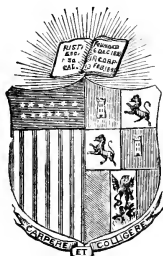




Organized November 1, 1883  
PARTS I-II

Incorporated February 12, 1891  
VOL. VIII

## ANNUAL PUBLICATIONS



# HISTORICAL SOCIETY

OF

## SOUTHERN CALIFORNIA

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1909-1910

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LOS ANGELES, CAL.

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1911

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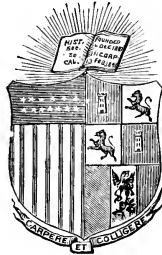


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# Officers of the Historical Society

1910

## OFFICERS

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MRS. M. BURTON WILLIAMSON.....First Vice-President  
DR. ROCKWELL D. HUNT.....Second Vice-President  
J. M. GUINN.....Secretary  
EDWIN BAXTER.....Treasurer

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J. M. Guinn             Dr. Rockwell D. Hunt  
H. D. Barrows         Mrs. M. Burton Williamson  
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1911

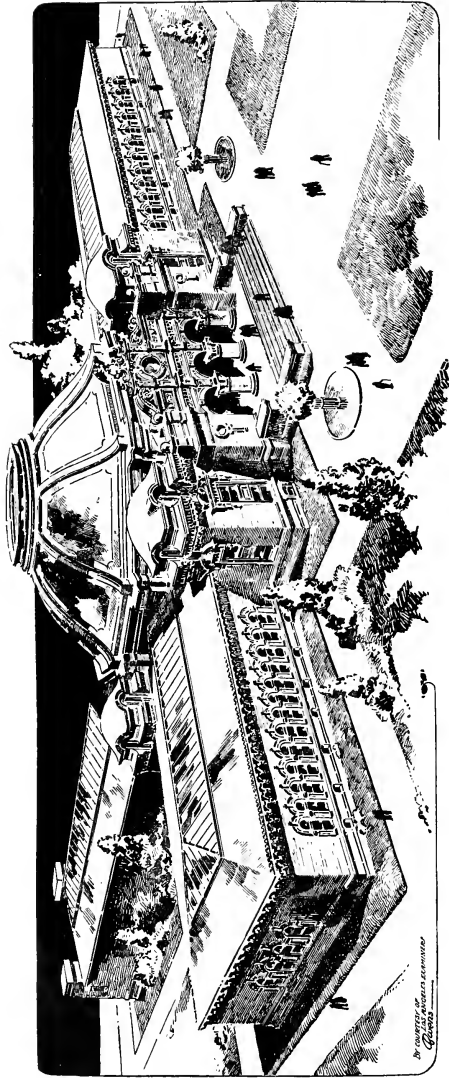
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By COURTESY OF  
MUSEUM OF HISTORY, SCIENCE AND ART,  
PARIS

MUSEUM OF HISTORY, SCIENCE AND ART.

## THE MUSEUM OF HISTORY, SCIENCE AND ART.

BY J. M. GUINN.

The Museum Building is located in Exposition Park, formerly known as Agricultural Park. This park has had a checkered career that is if any thing inanimate can have a career. In 1872, a private corporation purchased a tract of land containing 160 acres, lying at that time about a mile southwest of the city limits, but now within the city, the purchase price being \$6,000. July 3, 1872 the corporation deeded the land to the Southern District Agricultural Society. It was used for a fair-ground and a portion of it converted into a race course for horse racing. In 1873, it was mortgaged for \$5,000.

Evidently exhibiting farm product, prize cattle and race horses did not pay, for in 1879 the mortgage was foreclosed, and in July, 1880, the property was sold on a writ of execution for \$9,190, interest and cost having nearly doubled the original debt. The ruling rate of interest at that time was 15 per cent a year.

In May, 1880, the Sixth District Agricultural Association was formed. A number of public-spirited citizens combined to redeem the property and convert it into fair-grounds. They laid off a portion of it in building lots. One hundred and thirty of these were sold at \$100 each and the money turned over to the Directors of the Agricultural Association to pay off the indebtedness on the grounds.

In 1898, Mr. Wm. M. Bowen, a prominent attorney of Los Angeles, became interested in the park and set vigorously to work to redeem it from the desuetude and dilapidation into which it had fallen, and to clear the title of legal tangles which incumbered it. After considerable litigation all incumbrances were cleared and the title to the park (containing nearly one hundred acres) is now vested in the Directors of the Sixth District Agricultural Association. He secured the promise of funds from State, County and City authorities to erect public buildings and improve the grounds. The buildings designed are a Museum, an Armory, and an Exposition building. It is also designed to lay off a speeding course on the grounds a sunken garden, childrens' play-grounds and lawns and to erect fountains.

The following extract from the minutes of the Historical Society of Southern California for January 16, 1910, gives an account of the inception of the movement to secure the erection of a building for the library and collections of that Society: "Pursuant to a call by the President a meeting of the Board of Directors was held to confer with Mr. Wm. M. Bowen in regard to rooms in the projected Historical, Science and Art Museum to be erected by the County in Agricultural Park."

The meeting was held in Dr. Bovard's office in the Exchange Building, corner Third and Hill Streets. There were present Dr. George F. Bovard, Dr. James H. Hoose and J. M. Guinn. Mr. Bowen met with the Directors. He presented a rough sketch of the proposed building.

It was decided to invite the Southern California Academy of Science, the Fine Arts League and the southern branch of the Cooper Ornithological Society to unite with the Historical Society to interview the Board of Supervisors and ask that Board to appropriate funds sufficient to build and furnish a building for the collections of these societies. The Secretary of the Historical Society, Mr. J. M. Guinn, was instructed to communicate with the officers of these Societies and to ask them to assist in securing an appropriation.

February 14, 1910, Dr. George F. Bovard and J. M. Guinn, who had been elected on the Board of Governors of the proposed Museum Building. Mr. Wm. M. Bowen and representatives of the Academy of Science and the Art League, met with the Board of Supervisors. The Supervisors assured the representatives of the different societies that money sufficient to build and fit up a suitable building would be appropriated.

Mr. Wm. M. Bowen, presented the outline of a plan for the government of the building. The building and the exhibits in it will be under the management of a Board of Governors apportioned as follows: Two from the Historical Society; two from the Academy of Science; two from the Fine Arts League; one from the Cooper Ornithological Society; one at large and the Chairman of the Board of Supervisors. The plan was adopted. The following named persons constitute the board: At large, Wm. M. Bowen; Historical Society, Dr. George F. Bovard and J. M. Guinn; Academy of Science, Dr. A. Davidson and Wm. A. Spaulding; The Fine Arts League, Mrs. Wm. H. Housh and T. E. Gibbon; Cooper Ornithological Society, Howard Robertson; Board of Supervisors, the Chairman, C. J. Nellis. Mr. Wm. M. Bowen was elected President, and Howard Robertson, secretary, of the Board of Governors.

Monday, July 11, 1910, the following named members of the



Board of Governors of the Museum of History, Science and Art assembled at Agricultural Park to break ground for the erection of a building: Wm. M. Bowen, president of the Board of Governors; C. J. Nellis, Chairman of the Board of Supervisors; J. M. Guinn, Secretary of the Historical Society of Southern California; W. A. Spaulding, of the Southern California Academy of Science; Howard Robertson, of the Cooper Ornithological Society, and Mrs. W. H. Housh, President of the Fine Arts League.

The ceremonies were brief and were opened with a few remarks by Mr. Wm. M. Bowen, President of the Board of Governors. For several years Mr. Bowen has been working and planning the erection by the County and State of an Exposition Building, a Museum, and an Armory for the National Guard in Agricultural Park. Mr. Bowen introduced Mrs. W. H. Housh, President of the Fine Arts League, who had been selected to break ground for the new building. Miss Louise W. Bowen, daughter of the originator of scheme, handed Mrs. Housh the spade with which she turned the first shovelful of earth for the foundation of the building. She prefaced her action by giving a brief outline of the plan for converting Agricultural Park into an exposition park which will be a thing of beauty and a joy forever.

Concluding her remarks, Mrs. Housh said, "In the presence of these worthy representatives of a great and splendid people and for us all I turn this bit of earth, realizing that henceforth this section of the park will be to us as consecrated ground. For our hearts are in our work, and in spirit we shall be lingering about the place. And now you all, I am sure, will ask the blessing of heaven as we face the sunrise of a new day."

The following description of the building was compiled by Mr. Holdridge O. Collins, Secretary of the Southern California Academy of Science:

"The style of architecture is Spanish Renaissance. The building will be in the shape of a cross, the central portion 75x75 feet, interior finished in octagonal shape and surmounted by a dome eighty feet in height. The north and south wings are each 54x110 feet and the west wing 54x125 feet.

The building is to be entirely fire-proof, constructed of steel frame and brick, faced with tapestry brick laid in varying designs, with terra cotta cornices and trimmings. Steel trusses will support roofs of waterproof concrete slabs covered with Spanish tiles.

The vestibule will have a tile floor and terra cotta walls with ornamental staff ceiling. In the rotunda will be a circular row of sixteen Scagliola columns, two feet in diameter, supporting a balcony. The floor of the rotunda will be tile and the walls of the balcony and main floors will be wainscoted with Italian marble to

a height of twenty feet. The large dome over the rotunda will be seventy feet in diameter and eighty feet high. It will be constructed of steel trusses, supporting a concrete slab roof, the exterior finished in panels and mosaic tile in different shades. In the center will be an art glass skylight twenty-five feet in diameter. The interior of the dome will be constructed of run plaster on metal supports and ornamental staff work.

The west wing will have a cement floor and plaster cove ceiling. All light for this room will come from a large skylight seventy-five feet in length. The north and south wings will be similar to the art gallery, except they will have wood cornice instead of cove ceiling. They will also have suspended reinforced concrete balconies.

At each of the four corners of the rotunda there will be a smaller room, 22x22 feet, on both the first and second floors. Two of these will be used for offices and the other six for special collection rooms. These will also be surmounted by four small domes with mosaic tile exterior to conform to the larger dome.

The entire area under the building will be excavated and a ten-foot concrete basement constructed which will contain two storerooms, heating plant, toilets, etc.

The south wing is to be occupied by the Southern California Academy of Sciences, and the Cooper Ornithological Society, Southern branch, for a museum of Natural History. The north wing will be devoted to the library and ethnological exhibit of the Historical Society of Southern California, and the rotunda and west wing will be devoted to art under direction of the Fine Arts League of Los Angeles."

Hudson and Munsell are the architects. The building will be erected by the County of Los Angeles and will cost when completed and furnished \$250,000.

The corner stone was laid by the Masonic fraternity, December 17, 1910.

At the time of laying the corner stones of the Museum and Exposition Building. Miss Mary S. Bowen, daughter of Mr. Wm. M. Bowen, christened the grounds Exposition Park, using water brought from the head of the great aqueduct now in the course of construction to bring water to supply the city from Owen's River—two hundred and forty miles distant.

There have been two changes in the Board of Governors since its organization, viz., R. W. Pridham, present Chairman of the Board of Supervisors, succeeds C. J. Nellis, who held that position at the organization of the Board of Governors, and A. F. Rosenheim, elected by the Fine Arts League, to take the place of T. E. Gibbon, resigned.



JOHN JUDSON AMES



## A PIONEER SOUTHWESTERN NEWSPAPER AND ITS EDITOR.

BY MILLARD F. HUDSON.

In February, 1850, San Diego was a town of about five hundred inhabitants, most of them of Spanish descent. Its outport, La Playa, situated three miles west and on the northern shore of the bay, had a rival settlement of two or three hundred which had sprung up closely following the Mexican War, a majority of whom were Americans. The site of the present city was wild land, overgrown with sagebrush. These conditions were similar to those prevailing in other parts of the State, where American settlers were pouring in and filling the avenues of trade and settlement. At San Francisco, men were turning their eyes toward the southern port and discussing its possibilities as a railway terminus and the possible capital of a new Territory.

Among those attracted to the little town at the time mentioned was William Heath Davis, a young San Franciscan merchant in good circumstances. His wife was an Estudillo, with relatives at San Diego, to whom they paid a visit. Upon their arrival, Mr. Davis found the Commissioners for the Survey of the International Boundary Line encamped on the present site of San Diego. The chief of the Commission was John B. Weller, later Governor of California, and the surveyor was Lieutenant Andrew B. Gray, afterward a major-general of the Confederate Army. Their camp was three miles south of the old town, adjacent to a sand-spit known as "Punta de los Muertos," from the circumstance of an early explorer having buried some of his men there.

Gray had a scheme for founding a new town at the site of their camp, and soon succeeded in interesting Davis in it. He and Weller took the visitor in a boat to the spot and soon persuaded him that it would be a good investment. A syndicate was accordingly formed, consisting of Gray, Davis, José Antonio Aguirre, Miguel de Pedrona, Sr., and William C. Ferrell. Aguirre and de Pedrona were wealthy Spanish merchants and, with Ferrell, residents of old San Diego. Before their arrangements were completed, a ship arrived at La Playa, under command of Lieutenant Thomas D. Johns, of the U. S. Army, with a cargo of quartermaster's stores and material for the construction of buildings for an army post. The promoters of the new town at once scented danger to their

plans. La Playa was already a serious rival to the old town, and, with the added prestige of an army post, might greatly endanger their project. Gray and Davis therefore paid a visit to Lieut. Johns and succeeded in persuading him to locate the post at their townsite, although a part of his materials had been already unloaded. In return for this he was made a member of the syndicate and given a share.

With the aid of Prefect Estudillo (Mrs. Davis's uncle), a grant of 160 acres of pueblo lands at the new location was secured, in consideration of the payment of \$2304. The grant was made March 18, 1850, "for a new port," and stipulated that a wharf must be built within eighteen months. The stock was divided into eighteen shares, of which Davis, Aguirre and de Pedrona, who had advanced the purchase money, received four each; Gray, as the original promoter and the surveyor of the new town, had four shares; Johns, designated as assistant surveyor, was allowed one share; and Ferrell, an attorney, received one share in consideration of legal services.

During the summer of 1850 the brig *Cybell* arrived at San Francisco from Portland, Maine, with 300,000 feet of pine lumber, eight or ten ready-framed houses, and 40,000 bricks. Building materials happening to be a glut in the market at that time, Davis purchased the whole cargo for \$10,000 and sent it at once to San Diego. Eighty thousand feet of the lumber were shipped back to San Francisco the next winter but one, and the balance of the cargo was all used at the new town. The wharf was completed in the summer of 1851, together with a good warehouse, the two costing in all about \$60,000. They were for a time a good investment, as the Government leased them and paid \$1000 per month for their use. Davis also erected a number of the ready-framed houses and sold others to army officers; at least two of these houses are still standing at San Diego. Stores were opened, population began to flow to the new town, and its prospects seemed bright.

At this stage of their enterprise the promoters looked about for a man to establish a newspaper in their promising town, and soon found him in the person of John Judson Ames, who had been connected with the *Placer Times and Transcript* and other San Francisco papers. He was a notable man in many respects, being considerably over six feet tall and weighing about 250 pounds. He was a native of Maine and his family were from Marshfield, Mass. The family home was at Calais, but he was born at Islesborough on May 18, 1821. His father was John Gilkey Ames, a ship builder and coast trader, and his mother, Abigail Dodge.

Judson appears to have left home at an early age to make his own way. His account of this reads as follows:

"On the day on which we completed our sixteenth year, a wise father turned us out into the world with the parting words: 'Jud, you are now old enough to take care of yourself, and I think there is enough of the Yankee in you to insure your success. If you make a good beginning, I will render you any assistance you may require,—if not, you must try again. Be industrious—practice economy—*shun wine and women*—and I'll insure you for ten per cent. on your original cost.'"

Little is known about young Ames's early life, but he appears to have alternated some schooling with a number of sea voyages and several scrapes, until about his 25th year. His younger brother, Hudson N. Ames, is still living, at Relay, Baltimore county, Maryland, and was recently interviewed by the writer. He is a fine-looking and genial old gentleman, in his 82d year, and now almost blind. He himself left home when sixteen and only met his brother Jud, a few times. He gave considerable new information about his brother and, incidentally, corrected a few small errors which unfortunately crept into Smythe's *History of San Diego*. Among these errors is to be classed the story appearing in that history about J. Judson Ames having made a voyage to Liverpool as second mate and having killed a man with a blow of his fist, upon his return. The brother declares positively that none of the family ever crossed the ocean, but that all their voyages were coastwise, from Calais to points a short distance north and to the south as far as Baltimore. He never heard of Judson's having killed a man and feels certain the statement is an error. He does recall, however, that his brother was once in trouble with the customs officers on a charge of smuggling.

About the year 1847 he entered the employ of Henry O'Reilly, the great builder of pioneer telegraph lines, and aided in the construction of the first through line from Memphis southward to New Orleans. Soon after his arrival in Louisiana, he turned his attention to newspaper work and established, at Baton Rouge, the new capital of that State, a paper which he called *The Dime Catcher*, and devoted his energies to the support of General Taylor's candidacy in the campaign of 1848.

In the following year, 1849, the excitement caused by the gold discoveries in California reached Louisiana and caused an exodus for the new diggings. Ames soon caught the fever, closed his office, and went to California via the Isthmus of Panama. He landed in San Francisco on October 28, 1849, without a cent in his pocket. Borrowing a handcart, he began hauling trunks

and luggage, and always kept as a souvenir the first piece of money he earned at this employment. He was soon able to advance to the more dignified and lucrative occupation of newspaper writer, and was for a time connected, in an editorial capacity, with the *Placer Times and Transcript*. He also wrote for other papers under his favorite pen-name of "Boston." In 1850 he made a trip to Honolulu, and it was probably immediately upon his return that he learned of the opening at San Diego. The inducements held out to the energetic young man were dazzling and he lost no time in taking possession of the field.

There were similar interests at both Los Angeles and San Diego calling for the establishment of a newspaper; that is to say, an influx of Yankee immigration had followed the tide of war and demanded a medium for the circulation of news and the expression of views—things the Spanish population had got on very comfortably without. The first number of *La Estrella de los Angeles* appeared May 17, 1851, and thus it became the pioneer newspaper of the Southwest. Ames's *San Diego Herald* came out on the 29th of the same month, just twelve days later. He had paid San Diego a visit and issued a prospectus in December, 1850, and only a series of accidents prevented his being first in the field. A writer in the *Sacramento Union*, in 1859, had the following to say about the matter:

"A number of young but well defined interests called for the publication of an organ in this end of the Western American seaboard, though San Diego at that early day, no less than in later times, offered very little encouragement of the quality of local support to a newspaper. Any person who was willing to accept the chances of an easy living, and endure the dull routine of a little out of the way place, holding on for the changes that must certainly come by and by, might publish a newspaper in San Diego successfully; and such a person seems to have been found in the conductor of the organ at that place. To him belongs the merit of establishing the press on that lonely shore, etc."

There is a lingering tradition in San Diego, which the old inhabitants who know Ames will tell you for a fact, that in addition to these business interests, Ames had at first the backing of several politicians who had in view the ultimate division of the State and the construction of the first trans-continental railway with San Diego as its terminus. Among these men were Senator Gwin and Governor Weller. The former had already surprised his friends by his acquiescence in the adoption of a constitution prohibiting slavery and the acceptance of a boundary line much farther north than was satisfactory to the Americans in the Southwest, most of whom expected the retention of Lower California.



It is said that Gwin hoped to bring about the annexation of Lower California and the Sandwich Islands to South California, and thus to render the Slave States a service by extending their power and influence. Whatever the truth of all this, there is no question that Ames worked and hoped for the success of Gwin's schemes, for some time; but in 1854 he turned against him and declared that Gwin had acted with bad faith toward him individually.

Having issued his prospectus and worked up an excellent advertising patronage at both San Francisco and San Diego, Ames set about getting his office installed. There are two sharply differing accounts of this. One, an article published in a San Francisco magazine several years ago, states that he brought his press and type with him in 1849 and stored them until he went to San Diego. It also states that the press was purchased from R. Hoe & Co., of New York, in 1848, was the same on which the *Dime Catcher* had been printed, and adds the conjecture that it was also used for publishing the *Placer Times and Transcript*. That this is very inaccurate and its conjectures erroneous will best appear by the quotation of Ames's own account, as published in the first number of the *Herald*:

"After surmounting difficulties, and suffering anxieties that would have disheartened any but a 'live Yankee,' we are enabled to present the first number of the *Herald* to the public. We issued our prospectus in December last, and supposed at the time that we had secured the material for our paper; but when we came to put our hand on it, *it wasn't there!* Determined to lose no time, we took the first boat for New Orleans, where we selected our office, and had returned as far as the Isthmus, when the *Dame Mis* fortune gave us another kick, snagged our boat, and sunk everything in the Chagres river. After fishing a day or two we got enough to get out a paper, and pushed on for Gorgona, letting the balance go to Davy Jones's locker. Then came the 'tug of war,' in getting our press and heavy boxes of type across the Isthmus. Three weeks of anxiety and toil prostrated us with the Panama fever by which we lost our passage on the regular mail steamer—the only boat that touched at San Diego—thereby obliging us to go on board a propeller bound for San Francisco. This boat sprung a leak off the gulf of Tehuantepec—came near sinking—run on a sand-bank—and finally got into Acapulco where it was detained a week in repairing. We at last arrived in San Francisco, just in time to lose more of our material by the late fire! Well, here we are at last, as good as new and just as our paper is going to press the thought occurs to us we ought to make this explanation to those who gave us their subscriptions last December, to account for our tardy appearance."

The article in the San Francisco magazine gives some additional details of his difficulties in transporting his office across the Isthmus:

"At Chagres he met with much difficulty in getting his type and press transported across the Isthmus, as the only mode of travel and conveyance was by barges and canoes up the Chagres river to Gorgona or Cruces, and thence on the backs of mules to Panama. He secured a barge and hired natives to pole him and his freight up the river. The imposing stone and type made good ballast, but the press was most difficult and awkward to handle. At one time a sudden lurch caused it to fall overboard, when it sunk, of course, to the bottom, and was apparently lost. But Ames managed to make a drag by bending an iron bar and making a hook, and secured the press, which was dragged along the bottom to a place about four feet deep. He then directed the native boatmen, some half-dozen or more, to jump out and lift it into the barge, but they were unequal to the task. They could lift it by their united strength to the surface of the water, but they could get it no higher. A half day was spent in this fruitless effort, and finally Ames lost his temper, and in his impulse of rage jumped into the water himself, gathered hold of the press, and with one mighty effort lifted it out of its bed of mud and water and put it on board without any assistance whatever, while the natives looked at him with awe and astonishment, as if he were a brother to Samson.

"On reaching Gorgona he found it necessary to continue up the river to Cruces, where Ames disembarked with his press and material. After much trouble he managed to get everything packed on mules, paying most exorbitant prices for transportation to Panama, where a large number of California-bound adventurers had already arrived, and thousands were awaiting the arrival of steamers and sailing vessels for San Francisco. Judge Ames, compelled to wait with the rest for several months, immediately set up his press and soon astonished every one, both native and foreign, with a newspaper printed half in English and half in Spanish, under the name of the *Panama Herald*, which met with considerable success. As soon, however, as the most of the American passengers had left for California, he closed the publication and packed up the press and material and started with it by steamer to San Francisco."

If Ames did publish the *Panama Herald*, as stated, there ought to be a few stray copies of it still in existence, in collections of Californiana, which may come to light. It is not impossible to reconcile this account with Ames's own story, although it throws some doubt upon the ingenuousness of his excuses to the people of San Diego for the delay in issuing their paper. It is certainly

true, however, that this old press was the first ever brought to San Diego, and the second to the Southwest. It was Messrs. Hoe & Co.'s No. 2327, an old style Washington hand-press, on which a lever had to be pulled for each impression—a process called "pulling the devil's tail." The gigantic young editor did not lack strength to do this work himself, but Indian labor was cheap at San Diego, and other backs besides his own ached under the strain of working off an average edition of more than five hundred copies each week for ten years.

The situation at the new town was not one which promises ease or sudden fortune. The town consisted of eight or nine houses and stores, with the government barracks and warehouse. The post office was at Old Town, and water had to be hauled from the San Diego river. The back country was not merely undeveloped, it was an unknown quantity. But Ames appreciated the magnificent bay and climate, he had faith in the transcontinental railway, and, above all, he was young and full of enthusiasm. For the time and place, he produced a very creditable paper, and held it up to his standard with perseverance. Fortunately, an almost complete file of the *Herald* was preserved and is now treasured in the San Diego Public Library.

The paper consisted, at first, of four small pages with four columns to a page. It was to be published each Thursday, at \$10 per annum, "half in advance." In January, 1852, the publication day was changed permanently to Saturday. The advertising rates were: One square of eight lines or less, \$4 for the first insertion and \$2 for each subsequent insertion. The local advertising patronage filled two columns and came chiefly from old San Diego. On the first page was a list of 425 uncalled-for letters, doubtless the accumulation of a long period. There was some local news, domestic and foreign advices brought by steamer, and a hastily written editorial. But the most remarkable feature of this first number of the *Herald*, no less than of its subsequent issues, was the San Francisco advertising patronage. It filled more than half the space in the first number and remained always a large factor. This speaks well of Ames's ability as a "rustler." He looked after this patronage carefully and made frequent trips to the north in its interest.

The paper was twice enlarged, the first time in the spring of 1853 and the second on May 13, 1854. The last named enlargement made it a seven-column sheet, and Ames then claimed that the *Herald* had the largest general circulation of any paper in California. In 1853, at the time of the first enlargement, the subscription price was reduced to \$5 per annum, "always in advance," or \$3 for six months.

The editorial policy first announced by Ames was, that the paper would be "Independent, but not Neutral," and this course was adhered to for a time. Ames took no active part in the campaign of 1851, but two years later he cast in his lot with the Democrats and supported Bigler for Governor. In 1856 he went over to the American, or "Know Nothing" party, but later returned to the Democratic fold. He was always somewhat independent of politics, and particularly disliked and opposed President Pierce, probably because of his veto of an appropriation for the improvement of the San Diego river.

The difficulties attending the publication of a newspaper in such a far frontier town as San Diego were soon in evidence. The only mail service was a semi-monthly steamer from San Francisco and the Panama steamers which occasionally touched the southern port. It was upon the exchanges brought by these steamers that Ames had to rely for his news from "the States" and foreign lands. The San Francisco papers were fairly regular, but an occasional failure to receive them was disconcerting. The dearth of local news and failures to receive exchanges was the cause of frequent editorial growls. At one period Ames ran for several weeks a list of all the post offices and postmaster in California, and at another filled up with a circular of the General Land Office. The Indian uprising of 1851 was a godsend, while it lasted, and the doings of the military were always faithfully chronicled. The Walker filibustering expedition into Lower California, in 1853-4, must have caused the editor some embarrassment. The town was a rendezvous for filibusters and a haven of refuge for fugitives. Most of the American population, including Ames himself, hoped for the ultimate annexation of Lower California, but the presence of the military post and the influence of the army officers, with most of whom Ames was always on intimate terms, made open support or sympathy inexpedient. The *Herald* achieved its greatest journalistic feat by publishing a series of letters from one of Walker's officers, all grossly colored to favor the filibusters; but toward the last, when the hopelessness of the expedition was clear to all men, Ames denounced it in round and virtuous terms.

One of the most fruitful sources of trouble for Ames was his frequent and prolonged absences from San Diego, when he would go to San Francisco to look after his advertising patronage, collect bills, and have a convivial time. On August 27, 1852, he announced his departure for the East and that the office would be closed and the paper suspended in the meantime. Where Ames spent this vacation is not known. He appears not to have visited his father's family, which had removed to Baltimore in the same year he went to California, 1849. And now, a strange thing happened. By the

next steamer after his departure, a smooth-spoken stranger arrived and sought out Judge James W. Robinson, who was Ames's attorney and had been left in charge of his business affairs. The stranger introduced himself as William N. Walton and said he had come to take charge of the *Herald* and continue its publication. He told a plausible story to the effect that he was an old friend of Ames's, that they had met at the wharf in San Francisco, when the steamer for Panama was on the point of sailing, and concluded an agreement. There had been no time to put this in writing; but Walton seemed to know Ames and the *Herald* so well, and was altogether so glib and plausible, that Robinson was convinced and allowed him to take possession of the office.

As an usurper interested chiefly in making an easy living and keeping out of trouble, Walton's editorship shows little worthy of note. Ames returned in March, 1853, unexpectedly to Walton, it would appear; "and then," wrote Ames, "perhaps he did not leave in double-quick time!" If there is another instance where a whole newspaper office was stolen and the publication continued by the thief, without molestation, for six months, the writer has never heard of it. This incident is not so well known as the celebrated misadventure under Derby's management, but is quite as unique, in its way. Five years later Walton was arrested in Portland, Oregon, on a charge of burglary.

It was at the time of Ames's return that the office of the *Herald* was removed to the old town and the first enlargement made in its size, the editor first making a trip to San Francisco for supplies. The new town had prospered for a time, had a population of about 250, and seemed a formidable rival of the old settlement. It was called "Graytown" and "Davis's Folly;" but "hard words break no bones, and so long as it remained the government depot for the distribution of supplies to the enormous frontier army posts in the Southwest, from which wagon trains were dispatched with regularity, it continued to prosper. But shorter routes of travel were found and better means of transportation devised. State division and the railroad remained mere hopes and no such influx of settlers as the founders hoped for set in. Population began to dwindle and soon the business houses were either closed permanently or removed to the old town. Some of the houses were torn down and others removed bodily to old San Diego, on barges, until only two or three, besides the old barracks, remained. In the winter of 1861-2 the soldiers tore down the old Davis warehouse and wharf and used them for fuel. Old Town had won the first round of the fight; but the bay and climate still remained, as well as the hope of state division and a railroad, and Ames resolved to continue the struggle.

For almost seven years the *Herald* was published on the second floor of a building at the northwest corner of the plaza, and during this time it reflected more accurately than before the peculiar conditions of the Spanish-American life of the community. It was in the fall of the year 1853 that Ames for a time left his paper to the tender mercies of that incorrigible joker, Lieutenant Derby, who changed its politics from Democratic to Whig, and had a perfect riot of fun. Many of the people took the change of politics seriously, and that or some other influence caused the Whigs to carry the county by a small majority, although it had usually been Democratic. There was also some speculation as to "what Ames would do to Derby when he got back;" but Ames, although something of a fire-eater when roused, had an immense respect and admiration for Derby and was able, for once at least, to see that the joke was on himself. Two years later he compiled and edited *Phoenix-iana*, and this fact constitutes his strongest claim to fame. He also continued to publish everything of Derby's he could get his hands upon; but that merry wag never produced anything else equal to his work while in sole charge of the *Herald*.

On April 21, 1855, Ames announced his departure for the East, to be gone some time. He took occasion to say, at that time, that "we have been successful beyond our most ardent hopes \* \* \* \* and retire from the post we have occupied for the past four years with pleasure and profit." He had printed an average edition of 500 copies, and it is reasonable to suppose, that, with the good advertising patronage the paper enjoyed, with some job printing and the legal advertising of the town and county, the paper had made him a comfortable living. It is probable, however, that the language quoted was rather highly colored, and that the means which enabled Ames to travel so much were drawn from some other source,—perhaps from his father's estate. It is also highly probable that Ames thought he was bidding adieu to San Diego for good. He had tried, without success, to sell the paper. He had doubtless begun to realize that his hopes, if ever realized, would be long deferred. State division had been agitated, at intervals, for four years or more, and a convention of the Southern Counties had been held at Santa Barbara, to which Ames was a delegate. This convention broke up, however, without accomplishing anything. Surveys had been made, on the southern route, for a Pacific railroad, and a local corporation, called the San Diego & Gila Railroad Company, formed. It was apparent that the construction of the railroad depended on the ability of the Southern States to force through the legislation, and they were fast losing their influence in the national councils and drifting into the beginnings of the Civil War. But for that conflict, which destroyed the political and financial

supremacy of the South, there is little doubt that the first trans-continental railroad constructed would have been upon the southern route.

Ames was absent more than a year, but returned in May, 1856. In his absence the paper had been issued regularly by William H. Noyes, who had served in the Army, later studied and practiced law in San Diego, and was an influential citizen. He was the ablest of Ames's numerous brevet editors and took charge of the paper several times afterward during Ames's temporary absences. During this prolonged absence Ames seems to have traveled extensively and visited several cities in the East and Middle West. While in Philadelphia he collected, edited, and brought out *Phoenixiana*, published by D. Appleton & Co. He also visited his relatives in Baltimore.

Upon resuming charge of the *Herald*, Ames went over, "body, boots, and breeches," to the American party. The result of the election, in which his party was so badly beaten, seems to have given him a shock, for he entirely failed to announce the result in his paper. A week or two later, he remarked for the benefit of inquiring friends that he thought the less said about the matter, the better. One interesting feature of the *Herald* in this year was the letters which he wrote from San Francisco, describing the work of the Vigilance Committee, and the hanging of Brace and Hetherington, of which he was an eye-witness.

The *Herald* never prospered after its editor's return, in 1856. San Diego was in a decline and the towns to the north had drawn off much of its population. Ames had become involved in debt and so poor that, as he complained in the *Herald*, he was no longer able to pay his fare to San Francisco by steamer, although he had pressing business there; and he complained bitterly of the high fares and poor service. In the spring of 1860 there came an opportunity for him to remove to San Bernardino, which he eagerly accepted. Many of the Mormon settlers had sold out and left that place, and the influx of non-Mormons, together with nearby gold discoveries, made the place quite lively for a time. A newspaper was wanted and negotiations were being had with a party who offered to establish one, provided he were given a subsidy of \$250. Ames heard of this and sent word that, if the people of San Bernardino would send a man to move him and his plant from San Diego, he would come without any subsidy; and this arrangement was carried out.

The new paper was called the San Bernardino *Herald*, and was the first newspaper published at that place. Ames continued in charge from the first number, June 16, 1860, to March, 1861, when he turned the plant over to Major Edwin A. Sherman, now of

Oakland, Cal. He was indebted to Sherman and had to give up the struggle. At the time of his removal he was a broken-down and embittered man, a victim of disappointed ambition, dissipation, and private griefs. Always a man of convivial habits, drink had become his master. He did not long survive the parting, but died at San Bernardino on July 28, 1861.

Major Sherman used the old *Herald* plant for a time for the publication of a paper called the *Patriot*, but suspended it in March, 1862. He then packed up the press and materials and took them across the mountains to the town of Aurora, then in Mono County, Cal., but now in Esmeralda County, Nevada. After this the old press passed through different hands and had many vicissitudes, until the year 1870, when it was taken to Independence, Inyo County, Cal., and the *Inyo Independent* was published upon it. And in that office it is said to stand today. Whether or not it is the original *Dime Catcher* press, it is certainly the oldest press still in us (if it is still in use), on the Pacific Coast.

A personal estimate of Ames is rather difficult, because there are few witnesses surviving and he did not put much of himself into his paper. He seems to have been a rather easy-going man, good-humored in the main but dangerous when roused. He had a number of quarrels at San Diego, among them a very bitter one with Major Justus McKinstry, of the Army. Mutual friends intervened to reconcile them, just before Ames's departure for the East, in 1855. Ames was also once posted, at San Diego, for refusing to fight a duel; but whether in connection with this quarrel the writer has been unable to learn.

Touching his ability as a writer, while it is not possible to indulge in high praise, yet judged by the standards of his day, he averages fairly well. His faults were many and he also had much ability, but nothing like genius. He may be said to have been a robust, harum-scarum man, of average ability, who staked his career upon the outcome of large political and economic issues, and lost. He wrote in a clear, though rather stilted, style which compares favorably with that of the average newspaper of the day. During his frequent absences he wrote long letters to the *Herald*, which he signed "Boston," a pseudonym by which he was rather proud to be known. He attempted the humorous and wrote a series of burlesque accounts of his adventures while travelling, in 1855-56. His humor was, like his stature, somewhat elephantine. He was an admirer of Lord Byron and himself wrote sentimental verses of passable quality.

Besides the living which the *Herald* gave him, Ames enjoyed a few of the "honors and emoluments of office." During the whole of his residence in San Diego he was a notary public, part of the



time the only one, and this made a small addition to his income and helped bind up his interests with those of Bigler and Gwin. He was elected and served one term as councilman, one as justice of the peace and *ex officio* member of the court of sessions, and in this capacity sat at the celebrated trial and condemnation of "Yankee Jim." He was also county superintendent of schools and served for a time as flour inspector for San Diego County. In July, 1853, he was appointed and served for a time on the staff of D. B. Kurtz, major-general of state militia, as an aide with the rank of captain.

A few quotations from the *Herald* will shed some light upon life in San Diego in early days. In 1853, he wrote:

"INDIAN ROWS.—There is scarcely a day passes that there is not some fight among the Indians about town, in which one or more is cut or otherwise mutilated—and all through the influence of whisky or some other intoxicating drink, sold to them by Californians or Americans. \* \* \* A row occurred last Saturday night, in which some fifteen or twenty drunken Indians participated, some of whom got badly bitten or cut with knives. Sheriff Conway called upon a number of citizens, about twelve o'clock, to go and arrest these disturbers of the peace. They succeeded in capturing eleven of the tribe, who were arraigned the next day before Justice Franklin. One was fined \$10 and sentenced to ten days' imprisonment, another to receive 25 lashes, each for two offences, and two were fined \$5 each and costs. On arresting the last batch the ring-leader was put in charge of Judge Ames, to convey to the "lock-up." They had advanced but a few rods from the rest of the party, when the Indian made a sudden spring from his leviathan escort, and made tracks toward the river. The Judge commanded him to stop, but he kept on, and was fired at twice—the last ball taking a scratch at his side just under the left arm. Having no more shots, legs were put into requisition, and then came the 'tug of war.' The Indian held his own for about fifty yards, when the Judge began to gain on him, and when he got within striking distance, that ponderous right arm of his came down twice with a "slung shot," breaking the Indian's right arm and his left collar bone, which brought him to the ground, when he was secured and taken to the calaboose."

The information that the Indian was "brought to the ground," would appear superfluous. The Judge was also owner of a sword cane, as appears by an advertisement in the *Herald*, in 1854, offering a reward for its return.

In January, 1852, there was some dissatisfaction with the paper and a number of business men discontinued their subscriptions; whereupon the editor made the following remarks:

"We can't be killed off, notwithstanding a few of our kind neighbors imagined they were going to annihilate us by stopping their papers, because we wrote and published *our own* views instead of theirs. The patronage of the whole clique did not amount to a sum sufficient to pay our dog's beef bill for a month—and we may as well say here, that we do not desire to retain the name of a grumbling subscriber on our subscription books."

In November, 1853, he felt called upon to say:

GRUMBLERS.—There are several individuals in this city who don't like the *Herald*. We don't care a damn whether they like it or not, etc.

In April, 1857, he made a fierce attack upon a county official who, he said, was then filling "only" the following offices: County clerk, county recorder, county auditor, clerk of the court of sessions, clerk of the district court, clerk of the board of supervisors, and clerk of the board of equalization; and was a skunk, anyway, "accordin' to my tell," as old Mis' Means would say. Possibly it was of the same official that he wrote, in the ensuing July:

INSOLENCE.—There is a man in this town, holding a public position, who has got to using his tongue pretty freely of late, and but that we esteem him beneath the notice of responsible citizens, we have been half inclined, on several occasions, to knock him down and give him a good sound thrashing. If we thought the better portion of the community would justify us, and the District Attorney would not bear down too hard upon us for a fine, we would try what good a little pummiling would do an insolent official.

In May, 1854, he wrote and published the following:

#### A LIAR!

The person who fabricated and put in circulation the report that we ever had a personal difficulty of any kind with Vi Turner, Esq., of San Francisco, is a SNEAKING, CONTEMPTIBLE VILLAIN AND LIAR!

But, although Ames had a few enemies and hated them heartily, he was not unpopular, but had many steadfast friends. He was a Mason in good standing, helped to organize the first lodge in San Diego (which was also the first in Southern California), and was for a time its Master. On at least one occasion he delivered the oration upon the occasion of the celebration by this lodge of the feast of St. John.

Ames was three times married. His first wife was Miss Emily Balch, of Lubeck, Maine. They had two children: a daughter, Helen, who died at about eighteen; and a son called George Gordon (after Lord Byron), who died in infancy. This marriage was unhappy and ended by the wife's securing a divorce. His second

wife's maiden name has not been learned. Her name was Eliza A., and her home was at Carroll, Maryland. There is a tradition of his having met her, under rather romantic circumstances, on the steps of the Patent Office, at Washington, D. C., about 1855. She died, at San Diego, March 14, 1857. Soon after her death, the stone at her grave was broken, as it was supposed, by vandals; and Ames published an offer of a reward of \$100 for their discovery. This was one of the misfortunes which preyed upon his mind in his last days. His third wife survived him and was re-married, after his death, to C. A. Houston, of San Bernardino. By her Ames had one son, called Hudson ("Huddie"), born at San Diego November 19, 1859, and died, at San Bernardino, March 27, 1863. Mrs. Houston has been dead several years.

Today, the scene of John Judson Ames's labors is a part of a busy city, and other men reap where he sowed. The perspective of the years is long enough to enable us to forget his faults and weaknesses and remember only his struggles, disappointments, and sufferings. And when San Diego is ready to erect a temple of fame, she will surely not forget to provide a niche for this gigantic, eccentric, impulsive, warm-hearted, and unfortunate first editor.

## SIGNIFICANT EVENTS IN THE HISTORY OF CALIFORNIA.

ROCKWELL D. HUNT.

A catalogue of first things in California might easily be presented that would prove quite astonishing in point of numbers. It may not be without interest and a certain value to attempt to set down in order at least an imperfect and necessarily incomplete list of such first things in California as are deemed to possess somewhat of real significance in the unfoldment of the history of the Commonwealth. The antiquarian may expand the limits of any such catalogue indefinitely.

The first mention of California as a name, pointed out by Edward Everett Hale in 1862, was in Montalvo's celebrated Spanish romance, "Las Sergas de Esplandian," published in Madrid as early as 1510. In this romance California is pictured as a wonderful island abounding in gold and precious stones and inhabited by the Amazon subjects of Queen Califa. Antiquarians and scholars have speculated much as to the true etymology of the name and the reasons for its application to the barren shore of Lower California a quarter of a century after the novel had been published: since complete knowledge has never been attained, further speculation is yet in order.

The first printed book to mention our California of North America is said to be an old Spanish geography called "Descriptiones Ptolemaical." In this rare quarto volume, published in 1759, "with a prettily waving shore line and her eastern bays and capes precisely defined, California is depicted as an island."

The first European known to sight the actual shore line of California was Fortuno Ximinez, sailing under orders of Cortez, the great conqueror of Mexico. This was early in the year 1534, nearly three-quarters of a century before the founding of Jamestown by the English. It is to Juan Rodriguez Cabrillo, however, that we owe the discovery of Alta or Upper California. This daring Portuguese navigator was sent out by the Viceroy of New Spain (Mexico), and in the month of September, 1542, he entered the beautiful harbor of San Diego, naming it San Miguel.

The first Franciscan mission of Alta California was founded by Padre Junipero Serra July 16, 1769, at San Diego. Theodore Hittell in his history of California suggests that July 1 of that year might appropriately be called "the natal day of California," since it was on that day that the note-worthy expedition, in four divisions, was completed. Others would celebrate, as our rightful birthday, the 14th of May of that year, since it was on that date that the land expedition arrived at San Diego and the mission site was solemnly dedicated.

The first California presidio, or garrisoned fortress, was established simultaneously, it may be said, with the mission at San Diego, in 1769. Other presidios were subsequently founded at Monterey, San Francisco, and Santa Barbara. The first real pueblo of California was founded by order of Governor Felipe de Neve in the beautiful Santa Clara Valley under the name El Pueblo de San José de Guadalupe. This was in January, 1777. Los Angeles, definitely founded in 1781, was the only other pueblo officially and successfully established during the Spanish régime.

For many generations it was very generally believed that Francis Drake was the first European navigator to enter the noble harbor of San Francisco, through the Golden Gate. In the light of most exhaustive investigations, however, few persons now profess to believe that Drake ever saw the Golden Gate or the San Francisco Bay during the course of that memorable voyage of 1579, a date almost two centuries earlier than that of the first authenticated entrance of a European vessel into that matchless harbor. On the 5th day of August, 1775, Juan de Ayala, commanding the Spanish ship San Carlos attempted to enter the harbor, which had been discovered by José Francisco de Ortega, the gallant conquistador and explorer who was acting under instructions of Caspar de Portolá in connection with the now memorable land expedition of 1769 in search of Monterey. It is said that Ayala first entered the Golden Gate with a little boat; and, finding the channel both broad and deep, steered his good ship San Carlos into the safe harbor—the first ship "that ever lay at anchor in San Francisco Bay." The first map of the harbor and of Angel Island was that made by Ayala.

Caspar de Portolá was the first Spanish governor of California. To him had been committed the difficult and delicate task of executing the royal decree ordering the expulsion of the Jesuits from Lower California, before the first Franciscan mission had been founded at San Diego. Portolá was recognized as Military Governor for the brief period beginning April, 1769, and ending July, 1770, when he was succeeded by Pedro Fages.

Pablo de Sola, whose administration as Spanish governor dates from March 31, 1815, may be called the first Mexican governor of California, since it was during this administration that Mexico achieved her complete independence from Spain: more properly, however, Sola, who remained loyal to Spain to the last, is remembered as the executive of the period of transition from Spanish to Mexican rule. Of the Mexican governors proper Luis Arguello was the first, his administration dating from November 10, 1822, and continuing about three years.

The honor of being the first American governor of California under military rule falls under Commodore John D. Sloat, who, by raising the Stars and Stripes at Monterey July 7, 1846, announced to the world that the United States would thenceforth order the destinies of California. During the brief period of the following three years there were no fewer than seven military and *de facto* governors, under the last of whom, General Bennett Riley, the State government was organized.

Peter H. Burnett, one of the most active and prominent of the hardy pioneers, was elected first governor of the new State of California. His term began December 20, 1849, although California was not actually admitted into the Union till September 9 of the following year. This is explained by the fact that the Monterey Convention of 1849 had decided not to organize as a Territory but to put the machinery of the new State into operation at once, pending favorable action of Congress. The first Republican governor was Leland Stanford (1862-63), who is justly known as "California's War Governor," and who subsequently served as United States Senator.

Monterey, the official residence of the chief executives of the Spanish and Mexican régimes, as well as of the father-president of the Franciscan mission system, was California's first capital. It was here that the first American constitutional convention was held, in Colton Hall, a substantial stone structure two stories high, the first suitable structure for such a purpose in the entire territory and one of the State's most precious landmarks at the present time.

The first capital of the American State of California was San José, where the session of the first legislature commenced December 15, 1849. This session has been dubbed "The Legislature of a Thousand Drinks," somewhat unjustly no doubt, since it has been said that a demijohn of whisky was found in every committee room, and that on a certain occasion a wag hoisted a demijohn to the top of the State House flag-pole, "as symbolical of the gathering of law makers." After a lively contest the munificent proposition of General Mariano G. Vallejo was accepted by the vote of the people, and the town of Vallejo was made the seat of the gov-

ernment early in 1851. The corner stone for the present State Capitol at Sacramento was laid in 1861, and the building was completed in 1874, the original cost being \$2,600,000.

The Bear Flag Republic of 1846 has been accorded much attention—perhaps more than the episode merited—but this was not the first California republic. One of the most brilliant and dashing representatives of the Hispano-Californian days was Juan B. Alvarado, who became dissatisfied with the almost anarchic conditions of the Mexican rule in 1836 and placed himself at the head of the first California republic. But this was short-lived, as indeed was the Bear Flag Republic of later date; for Alvarado prudently made overtures to the Mexican central government, and was in a little while formally recognized as legitimate governor.

It has been alleged that the first English speaking foreigner to settle in California was a lad named Robert Livermore, from England, entering the employ of Juan Maneisroy of Monterey in 1819. But this is a palpable error, since John Gilroy, a young Englishman of about twenty years and a cooper by trade, arrived in California in 1814 and decided to remain. In 1818 he sought naturalization as a Mexican citizen, and in 1820 he gained permission to settle as a citizen and to marry. The town of Gilroy at the southern end of Santa Clara Valley was named after this early settler. In 1822 the trading vessel *Sachem* opened the trade between Boston and California, and the English merchant, William E. P. Hartnell, started regular trade with the Franciscan missions in hides and tallow.

Jedediah Smith led the first trapping party overland to California in 1826. This was significant as signaling the historic extension of the American frontier and as typifying the great westward movement in the development of the United States. Of even more profound significance to later civilization was the entrance into California of the first regular overland immigrant train, in the year 1841. Indeed that year marks the departure from "the States" of two parties, leaving Independence, Missouri, May 6, and breaking the way to California by separate routes. The first party, under Captain Bartleson, comprised sixty-nine persons, including men, women, and children. They opened the trail by way of Salt Lake for a series of immigrant trains to California that is quite unprecedented in the world's history. The story of this illustrious trip across the great plains is told by John Bidwell (in the *Century Magazine*, 1890), who became the most distinguished of all the members of the party and one of its latest survivors. The second division proceeded by the middle or Santa Fé route to the Los Angeles country, under the leadership of William (Billy) Work-

man, afterwards for many years a prominent fellow citizen of Los Angeles.

Thomas O. Larkin, who had come to California from Massachusetts as early as 1832, was made American Consul to California in 1844. He will always be known in history as the first and only American consul to California. In the same year James A. Forbes was appointed first British Consul, and the following year Louis Gasquet was made French Consul to California, all having official headquarters at Monterey, where was located, and where stands today and a most treasured landmark, California's first Custom House.

The first gold found in California is said to have been picked up near Saugus, about thirty miles northwest of Los Angeles, in the year 1834. It is certain that gold in small quantities was found in the Los Angeles region as early as 1841; and there are several distinct records of the presence of gold previous to the epoch-making discovery by James Marshall in January, 1848. As to the exact date of Marshall's discovery, there will perhaps remain a slight element of doubt, although the best evidence points to January 24 as the exact day.

Probably the first vessel to stem the current of the Sacramento River, and thus play the role of pioneer in the extensive river navigation of California, was a launch, with rigging of a schooner, purchased by Captain Sutter from the Russians at Fort Ross. This vessel, called the Sacramento, and manned by a crew of Indians, made regular trips in the early forties between the embarcadero of Sutter's Fort and Yerba Buena, the journey up the river then requiring from six to eight days. In 1847, William A. Leidesdorff became the owner of the first steamboat introduced to the waters of the San Francisco Bay and its tributaries.

The first railroad to operate in California was the Sacramento Valley Railroad, a short line twenty-two and a half miles long, connecting Sacramento city and the town of Folsom, the present site of the State Prison. The road was opened on Washington's Birthday, 1856, or thirteen years before the completion of the Pacific Railroad; and its construction may be said to mark the dawn of a new industrial era for the State.

California's first electric telegraph dates from September, 1853. The announcement of this great achievement was made in the columns of the *Alta California* of September 23: "Yesterday the opening ceremonies of the first magnetic telegraph company established and put in operation in the State of California was performed at the marine telegraph station at Point Lobos, eight miles from San Francisco. A magnificent dinner was given by Messrs. Sweeny



and Baugh, proprietors of the line, to which about 300 of our citizens sat down." The first message sent and received by the San Francisco and San José Telegraph under date of October 12, 1853, was surely not over-sentimental. It reads thus: "Messrs. J. H. Coghill & Co. Send by the steamer Guadalupe tomorrow ten half-barrels of clear pork. G. H. Bodfish."

Diego de Borica, Spanish governor from 1794 to 1800, has been called the real founder of secular education in California. It is well understood, however, that the education of the school-room was much neglected throughout the entire period preceding the American occupation. Governor Micheltorena claims the honor of fathering the first public school, which is said to have been established at the picturesque mission of Santa Ynez in 1844, with instruction for both primary and advanced pupils. Micheltorena's plan for schools throughout the territory was sadly incomplete when the Governor himself was rudely expelled from California.

The first Protestant college of California was the University of the Pacific (first known as the California Wesleyan College), projected as early as 1849 and bearing in its charter the date July 10, 1851. From this institution, now beautifully located at San José, the first class to graduate from a full college course took their baccalaureate degrees in the spring of 1858. In the same year that the University of the Pacific was chartered (1851) the oldest college of the Roman Catholic Church, the Santa Clara College, was chartered by the Society of Jesus. The University of California celebrated its Golden Jubilee on the sixteenth of April, 1910, having been ceremoniously dedicated just fifty years before, under Congregational control, as the California College. It was not until 1868 that the University of California was regularly founded as a State institution. Saint Vincent's College of Los Angeles is the pioneer college of Southern California, having received its charter from the State in 1869. Of the group of Protestant institutions of higher learning in the southland, the University of Southern California, also of Los Angeles, is the oldest, having been founded by representatives of the Methodist Episcopal Church in 1879.

A few other firsts that would deserve mention in any cultural history of California are here given briefest enumeration. Walter Colton, well known pioneer after whom Colton Hall was named, was the first of the American *alcaldes*, assuming office in Monterey immediately after its capture by Commodore Sloat. It was Colton who, in connection with Robert Semple, published California's first newspaper, The Californian, the first issue bearing the date of August 15, 1846. It should be remembered, however, that the famous old Zamorano press of Monterey had begun work in No-

vember, 1834, with the printing of carnival ball invitations, the "Catecismo" and certain public documents. It was Walter Colton also who summoned the first jury in California under American rule: the date for this event was the fourth of September, 1846. Reverend Samuel H. Willey, well remembered as the chaplain of the Monterey Constitutional Convention of 1849, was promoter of the first public library, established in Monterey during that eventful year. The first theater of California, dating from the same year, is said to have been the conception of John A. Swan. This was a low, one-story structure, far from pretentious when viewed from a later generation, erected in the capital town of Monterey.

The first distinctly religious work to be prosecuted in California was the very extensive activity of the Order of Franciscans, dating from the year 1769, the date of the founding of Mission San Diego. Junipero Serra, the first Father-President of the Franciscan missions of Alta California, founded nine of the cordon of twenty-one missions, his official residence being at Mission San Carlos, near Monterey, where his remains now rest. In October, 1848, Reverend Isaac Owen was commissioned Missionary to California by the Central Board of the Methodist Episcopal Church, subject to the supervision of William Roberts, Superintendent of the Oregon and California Mission Conference. A little later, William Taylor, afterwards Bishop Taylor of African fame, was appointed assistant to the same field. Other Protestant denominations were similarly active. The first Presbyterian church was organized May 20, 1849; the first Baptist church to be dedicated in San Francisco was that located on Washington Street, the ceremony taking place on the fifth of August of that magical year, 1849.

Such were some of the beginnings in the marvelous development of the Empire State of the Pacific. As we contemplate these beginnings in the light of the glorious realization of destiny already achieved, we may well inquire, where else among the sons of men is there to be found such a grand conspiracy of forces that make for the development and expansion, in all phases and departments of human life and endeavor—material, political, social, cultural, religious—as in our own loved Commonwealth, California the State by the Golden Gate?

## THE SONORAN MIGRATION.

BY J. M. GUINN.

The report of the discovery of gold in California travelled very slowly. In January, 1848, the telegraph had been in use but little over three years. The possibility of an ocean cable that would flash the news of the Old World to the New with almost the speed of light was regarded as the dream of visionaries or the babbling of lunatics. That great news gathering corporation, the Associated Press, had not been formed. The newspapers of that day devoted far more space to the politics of the country than to its material progress. The occasional correspondent furnished meager reports of events that happened beyond the ken of the editor and his limited staff. Under such conditions for news gathering it is not strange that it took nine months for the report of the discovery of gold in California to reach the eastern states.

Marshall picked up the first nuggets in the mill race at Coloma either on the 18th, 19th, 20th or 24th of January, 1848. The exact date of his discovery is, 62 years after, still in doubt. During his life time he gave three different dates, viz.: January 18th, 19th and 20th; and in the years intervening since his famous find three different anniversaries of the event have been celebrated—the 18th, 19th and 24th. The change from the 18th, which for a number of years was regarded as the true date to the 24th was made about fifteen years ago on the authority of an entry found in a diary kept by H. W. Bigler, a Mormon, who was working for Marshall on the millrace. The entry reads—"Jan. 24th. This day some kind of metal that looks like gold was found in the tail race." Although the California pioneers have adopted this date, it is not certain that it is the true one and the Territorial Pioneers still celebrate the 18th. The first announcement of the discovery in a San Francisco newspaper appeared in the Californian of March 15th, nearly two months after the first find of gold, and the great rush to the mines from San Francisco did not begin until the middle of May, four months after the discovery.

The first foreigners from beyond the limits of California to reach the mines were Sonorans or Sonorenses, as they were sometimes called. While they were credited to Sonora there were among them

bands from Sinaloa, Chihuahua and Durango. Many of these had had some experience in placer mining in their own country, and the report of rich placers in California, where gold could be had for the picking up, aroused them from their lazy self-content and stimulated them to go in search for it. The first gold placers discovered in California—those located in the San Fernando mountains—discovered by Francisco Lopez, in 1841, had been worked mainly by Sonorans, most of whom left the country at the time of its conquest by the Americans. These returned with their numerous relatives.

Some of these Sonorans were intelligent men who came on their own responsibility, but the greater majority belonged to the peon class and were fitted out or grub-staked—to use a mining term—by their patrons who were to receive a share of their profits. Starting from Tubac, on the borders of Sonora they traveled over the old Anza trail to Yuma, then across the burning sands of the Colorado desert to the Pass of San Gorgonio, down the valley to Los Angeles, and up the coast to the mines.

They travelled in squads of from fifty to one hundred their meager belongings packed on mules or burros. They came in the early spring and returned to their native country in autumn. From this fact came the term, the Sonoran Migration. Some of them brought their women and children with them. Although they came early they were not welcomed to the Land of Gold. The Americans disliked them and the native Californians treated them with contempt. The men wore cotton shirts, white pantaloons, sandals and sombreros. Their apparel, like the Laws of the Medes and Persians, changed not nor did they change it as long as a shred of it held together. The native Californians nick-named them *Calzonaires blancos* (white breeches), and imposed upon them whenever an opportunity offered.

The story is told of a native California alcalde, or justice of peace, who had an office near the old mission church of San Luis Obispo. When a band of these Sonoran pilgrims came along the highway, which led past the old mission, they invariably stopped at the church to make the sign of the cross and implore the protection of the saints. This gave the alcalde his opportunity. Stationing his alguaciles, or constables, on the road to bar their progress he proceeded to collect fifty cents toll off each pilgrim. If word was passed back to the squads behind and they attempted to avoid the toll gatherer by a detour to the right or left the alcalde sent out his mounted constables and rounded up the poor Sonorans like so many cattle at a rodeo—then he and his alguaciles committed highway robbery on a small scale. Retributive justice

eventually overtook this unjust judge. The viligantes hanged him, not, however, for robbing Sonorans, but for horse stealing. Had all who mistreated and robbed Sonorans in the early 50's been hanged the population of California would have been considerably reduced.

The methods of mining immediately after the discovery of gold were very crude; at first the only instrument used was a butcher knife, and so great was the demand for that article at the dry diggings above Coloma, forty dollars was refused for one.

The Sonorans introduced two new methods—panning and dry washing.

Before the iron gold pan came into use a *batea*, or dish shaped Indian basket was used. The basket was filled with gravel containing gold and it and its contents immersed in a pool of water. By a dexterous turning of the wrists the contents of the pan were kept in a continuous swirl until the earth was washed away and the gold was left in the bottom of the pan.

Dry washing was resorted to where the placer was a long distance from water. The pay dirt was dug out and spread on a canvass and dried by the sun. Then it was pulverized into dust and tossed by the pan full into the air in the same way that grain was winnowed in olden times. The gold dust fell into the pan and the earth was blown away by the wind. So rich were the first mines discovered that it was nothing uncommon for a miner with a pick, pan and shovel to make \$100 a day. In one instance a man dug out \$12,000 in six days.

No record was kept of the number of Sonorans coming into California. In a memorial to Congress in 1850 asking for the establishment of a Custom House at San Pedro, the memorialists say, "At least ten thousand Sonorans pass through Los Angeles on their way to the mines each spring, generally returning to Mexico in the autumn." These migratory birds of passage carried to their homes a considerable amount of gold. A thousand dollars was sufficient to elevate a peon to a plutocrat. This migration begun in 1848, reached its maximum in 1850—from that time it gradually decreased until in 1854 it had almost entirely ceased. Their persecution by the Americans, the foreign miner's tax, and the increased amount of labor required to get the gold, convinced these migratory nomads that there was no place like home, so they went home and stayed there.

Not all of them, however, returned to their native land. There was a residuum left in California.

From this was evolved some of the most daring desperadoes that ever infested California. Chief among these was Joaquin Murieta.

Lesser in ability but as deeply steeped in crime were his lieutenants, Poncho Daniel, Claudio, Pedro Gonzalez and Joaquin Valenzuela, all Sonorans.

Joaquin Murieta came to California in the migration of 1849. He was a bright, keen, handsome youth of 18 years. He had a fair education, and was well behaved. He had secured a good mining claim on the Stanislaus River and was making money. One day he was visited by a gang of American desperadoes of that detestable class that later formed the border ruffians of Kansas. He was peremptorily ordered to abandon his claim. In vain he protested that he had come by it honestly that he had paid the miners' tax and all other requirements. He was knocked down, beaten and driven out of the camp. He secured another claim; he was robbed of it. Then he turned gambler. The new vocation was well suited to the suave young Sonorense and fortune for a time seemed to befriend him. The miners' uncoined gold was raked into his ever expanding purse. But the fates were against him—while riding into town on a horse he had borrowed from his half-brother, he was accosted by an American who claimed the horse was stolen from him. Joaquin's protestation of innocence and offer to pay for the horse were met with howls from the half-drunken mob of "hang the greaser," "lynch him." He was hurried back to the ranch where he and his brother stopped. His brother was summarily launched into eternity from the branch of a tree and Joaquin was tied to its trunk and cruelly flogged. He marked in memory the faces of his persecutors and vowed vengeance on them. The lynchers left Joaquin with his dead, exulting in the deed they had done. But their exultations were turned to terror. One of the leaders in the outrage was shortly afterwards found stabbed to death, and others sooner or later met the same fate; some escaped by fleeing the country. In a few months Joaquin was at the head of an organized band of robbers that sometimes numbered twenty and at other times as many as eighty. Sometimes these acted together but usually they divided into bands under tried and trusted leaders. Joaquin was supreme in command. To disobey his orders was certain death.

There was hardly one chance in a hundred that a traitor could escape, for it was the duty and pleasure of the betrayed whose lives were jeopardized by the treachery, to hunt down and slay the informer.

From Shasta to San Diego this banditti raided the country, robbing and murdering—their victims mostly Americans. Throughout the mining camps were spies who kept Joaquin informed upon the yield of the various mining claims and where the gold was kept.

There were others in the settlements whose business it was to keep the band supplied with the best horses that could be obtained by theft. Pedro Gonzalez was captain of the horse thieves.

It is impossible now in the settled condition of affairs in California to conceive of the terror that Joaquin's band spread throughout the land. Time and again officers had started out to capture the leaders, but their hunt usually ended in their assassination.

Reward after reward had been offered for the leaders alive or dead, but the band remained intact, only a few of the inferior members being taken or killed.

For three years this reign of terror had continued, then the Legislature in May, 1853, passed an act authorizing Harry Love, a law abiding desperado of acknowledged bravery to hunt down and destroy the robber band. Love organized a body of twenty well mounted rangers and started on the trail of the banditti.

In the latter part of July, 1853, Love, with eight of his rangers, came upon a party of Mexicans in camp near Tejon Pass. They were preparing breakfast and had divested themselves of their arms. Apart from the gang a short distance a handsome young man richly dressed, was rubbing down a splendid horse. Love interrogated him on where he was bound. He said to Los Angeles. Another of the band gave a different destination. At that moment Byrnes, of Love's party, came up. He knew Joaquin; Love did not. The robber chief, finding he was detected, sprang on to his horse without saddle or bridle and dashed down the mountainside. The bullets of the rangers brought down his horse. Joaquin attempted to escape on foot but three balls pierced his body, and he fell dead. The gang were all either killed or captured. Among the killed was Manuel Garcia—better known as three-fingered Jack—one of the most bloodthirsty monsters that ever lived. He was a human tiger. The leader killed, the band rapidly dissolved. Most of Joaquin's captains met violent deaths. Claudio was killed in a midnight raid at Salinas; Paucho Daniel, who fled to Los Angeles to escape the wrath of his captain, was a year or two later hung by the Vigilantes from a beam of the old jail that used to stand on the corner of North Spring and Franklin Streets. Juan Flores, a subordinate of Joaquin's, was a part of the crop of the gruesome fruit borne by the gallows tree that formerly stood on Fort Hill. The whole population of Los Angeles turned out to see his taking off. He was but 22 years of age at the time he was hanged, and Joaquin was not quite 21 when he was killed. The majority of his band were young men, and a large proportion were Sonorans. The cruel treatment they received from the rough and brutal element among the Americans had much to do with driving

them to a criminal career. Another contributing cause was the constantly occurring revolutions both in Mexico and California. These had engendered in them a contempt for rulers and an utter disregard for law and order. For them it was not a very long step from revolution to robbery. The law of reprisal came in too. They had been robbed of their country by the Americans—it was a patriotic duty to rob the robbers. The better class of the Californians did not sympathize with the robbers. In 1857, when the Manilas band was terrifying Los Angeles, the most efficient person in hunting down and destroying the gang was Gen. Andrés Pico and a company of native Californians under his command. When he captured one of the robber band he did not turn him over to the authorities but strung him up to the most convenient tree and left him as a warning to his evil associates. Between 1851 and 1857 there were 35 executions by vigilantes in Los Angeles County.



## THE FOUNDING OF THE UNIVERSITY OF SOUTHERN CALIFORNIA.

BY LESLIE F. GAY, JR.

Ideas must always precede their objective realization. Arising from thoughtful experience, ideas change with changing conditions. Only as first thought can they afterwards be given concrete expression. Having once formulated an idea, a personality may then project it into experience and clothe it with the garb of substantial reality. Every institution is the expression of ideas constructed by thought. In tracing the growth and expansion of any institution a simple description of its physical contour would be entirely inadequate. The scope of such a work must be enlarged to include a consideration of the underlying forces, which, in great measure, determine its character and the trend of its development. Only in this way can one have a clear understanding and a true conception of the nature and meaning of the progressive unfoldment both in idea and external realization. In attempting to describe the origin and work of a great educational institution, such as the University of Southern California, it would be impossible for one to omit a consideration of those agencies to which its inception and subsequent development are so largely attributable.

One of the most potent influences at work in the early inception of this University was the spirit of the Methodist Episcopal Church, that great organization of which the founders of this institution were a part. Nor has this ever ceased to be present. The spirit of Methodism standing, as it has and does, for the highest possible development of character, both individual and corporate, and believing that this is attainable only through a proper balance in the functioning of life in all of its departments, has always emphasized the need of training of intellect as well as culture of heart. Methodism holds that true education and true piety go hand in hand. Imbued with such a spirit and actuated by such principles, its representatives have always sought to raise the intellectual standard of the community, and at the same time furnish a proper moral and religious atmosphere. Wherever Methodism goes, there we may always expect to find institutions of learning growing up under her fostering care. The reason for this has been voiced in the words

of the great Bishop Simpson, "Thinkers will always dominate the affairs of the world and if the church is to exercise her proper influence, she must train men in order that they may become the leaders in thought."

It was such a conviction which actuated the pioneers of the Church in this section, filling them with an ardent desire to start some educational work. While it is undoubtedly true that a few persons connected with the church stood out as the staunch supporters and foremost advocates of the launching of an institution of learning in this vicinity, and even, may have been the first to declare it as their conviction that conditions were favorable and the time was ripe, yet, with no disparagement to the genius and work of those most actively concerned, it will not be too much to say that the founding of the University of Southern California was as much the logical outcome of the manifest tendency of Methodism, as the result of individual enterprise and initiative.

At an early date many people on this western coast seem to have been awakened to a realization of the wonderful possibilities which were in store for Southern California. The veil which hides the future seems to have been parted a little so as to enable some to gain a glimpse of the wonderful development which this favored land was to experience. They seemed to see, as with prophetic vision, this great expanse of uninhabited and sparsely settled district transformed into a densely populated section: cities with their teeming multitudes rising on what before were only vast stretches of brush covered wastes, and many thousands dwelling in their homes on the hills and in the surrounding valleys, enjoying the blessings which nature has so lavishly bestowed upon these sunny lands. They were confident that here the greatest intellectual development of the race would be reached; that literature, art and science would flourish to a degree never before witnessed; and that this section would become one of the great depots of trade and commerce. Here would be solved the great problems which have perplexed society in all ages, and that here would be realized the highest degree of civilization yet attained by man, in consequence of which, Southern California would become the world's central distributing point of knowledge and culture. A marvellous dream, indeed, one whose complete realization must be postponed even yet to the distant future.

Among the names of those whose vision was especially clear, must be mentioned that of Reverend John R. Tansey, from 1871 to 1875, Presiding Elder of the Los Angeles District. This was before the division of the California Conference. As practically all of Southern California was included within the bounds of his jurisdiction, he was enabled to familiarize himself thoroughly with

conditions throughout the entire section. It early became apparent to the far-seeing mind of Tansey that a great future lay before Southern California; and that Los Angeles was destined to become one of the large centers on the Pacific coast. A number of things strongly confirmed this conviction. The railroads were already beginning to push their way slowly from the north and east toward this southern coast, and the population of the territory was steadily increasing. Then, the great extent of rich and fertile soil, the healthful climate, and the charming natural surroundings, all combined to make this a section of exceptional promise. While laying here a sure foundation for the future upbuilding of the church, yet Tansey was not unmindful of the fact, that, along with the growth of the country and the increase of population, there must needs be an enlargement of the educational facilities as well. And true to his conviction and the mission of the church he represented, he set about to formulate plans for the establishment here of an institution of learning to be under the supervision of Methodism. Shortly after taking up his work as Presiding Elder of the Los Angeles District, Tansey had purchased a considerable tract of land near the present townsite of Florence. And now, with the idea of a school in mind, he proposed to donate a portion of this property, enough for a campus, and have the school located upon it. As far as can be learned, the first person to whom Tansey made known his plan was Reverend W. A. Knighten, a distant relative, and at the time a young minister on the District. In addition to outlining his general plan, he suggested Reverend M. M. Bovard as the best man to place at the head of the new project. Bovard was then pastor of the Methodist church at Riverside. Later Tansey went over the whole matter with him.

However, in the fall of 1875, at the session of the California Conference held that year in San Francisco, owing to failing health, Tansey sought relief from the arduous duties of the Presiding Eldership. At his own request he was granted a supernumerary relation. But the rest which he desired was of short duration, for on the 30th of June of the following year, he died. In the death of John R. Tansey Methodism lost a most valued and efficient servant. While Tansey's plan for a University never materialized, owing to his sudden taking away, yet the wisdom and foresight which he had shown is worthy of especial consideration, for his was one of the earliest movements looking toward the founding of a Methodist institution of higher learning in Southern California. Later, in commemoration of the part her husband had played in this great work, Mrs. Sarah E. Tansey gave property valued at \$20,000, to endow a chair in the University of Southern California, to be known as the Tansey chair of Christian Ethics.

Another name, closely associated with the early beginnings of the University, is that of Robert Maclay Widney. Coming to Los Angeles, in February, 1868, Mr. Widney immediately went into the real estate business. A little later he took up the practice of law. A man of strong character, broad vision and high intellectual attainment, he soon became a commanding figure in Southern California. In 1871, Mr. Widney was appointed Judge of the Seventeenth Judicial District by Governor Booth to serve the unexpired term of Judge Morrison, deceased. In this capacity he served with eminent distinction, retiring at the end of two years to resume the practice of his profession. The sagacious mind of Judge Widney early perceived that a marvellous future lay before this section. He freely voiced his conviction in the most enthusiastic and glowing terms. Being a public spirited man, interested in all efforts which had as their aim the welfare and good of the community, and having unbounded faith in the country's future, he became very desirous of laying the foundation for some work which would be of permanent and lasting benefit to the people of Southern California. Thinking the matter over, the idea of a great educational institution suggested itself to his mind. An institution which should furnish the facilities for acquiring the greatest possible intellectual development, under the best moral and Christian influences. For, being closely identified with the work of the Methodist Church, of which he himself was a member, Judge Widney was not among those who advocate a complete separation of religion and education, but rather of the number who hold that the broadest and best character is achieved only through the coördination of the two.

Soon after his arrival in Los Angeles, Judge Widney had conceived the idea of a great University and had begun to formulate plans for its establishment. He had interested the Hon. Abel Stearns, a prominent and influential citizen of this section, who had large property holdings in Southern California, in his project, and had secured his coöperation. Together they had about matured a plan whereby the Laguna Rancho, owned by Mr. Stearns, embracing some 11,000 acres adjoining Los Angeles City on the southeast, was to be put into a building and endowment fund for the proposed University. Just before Mr. Stearns left Los Angeles for San Francisco he called at Judge Widney's office and assured him that on his return they would proceed at once to carry out the proposed plan, and put the property into a satisfactory and safe educational work. But, unfortunately, while Mr. Stearns was in San Francisco, sickness came upon him and took him away. As a result of his death the plan for the University, which had nearly been brought to completion, had to be abandoned. This was in the year 1871.

While Judge Widney still retained the idea of the University, yet all active efforts were suspended for the time. The period of depression which set in shortly afterwards and which continued for the next few years throughout the entire country rendered impracticable any renewed activity. Early in 1875, the great panic which had swept over the country two years before began to make itself felt on the Pacific coast. Property values immediately depreciated, a great stringency tightened the money market, banks began to close their doors, business fell off and dull times followed throughout all Southern California. The drought of 1877 only intensified the hard times. Not until the spring of 1879 did the tide begin to turn and the pressure become appreciably reduced. Judge Widney was among the first to perceive that a change was coming on, in consequence, the University plan, which had long remained in abeyance, was again revived and carried forward to a successful issue.

In May, 1879, one evening, Judge Widney invited Reverend A. M. Hough to his residence and laid before him the plans of the University work. He had previously drawn up a deed of trust wherein Dr. J. S. Griffin and Mr. H. M. Johnston offered to convey certain real estate in East Los Angeles for a campus and endowment fund to establish the University at East Los Angeles. They discussed the opportuneness of the time to start such a work. Feeling that the dull times had reached their darkest days, they were confident that Los Angeles and Southern California were on the eve of a great rise in real estate, and that then was the best time to secure endowment lands for educational work. It was decided to invite Hon. E. F. Spence and Dr. J. P. Widney to meet with them the following evening. A consultation of these four gentlemen resulted in their determination for all to join in the enterprise of establishing a University in this city. Another meeting was arranged for, at which Reverend M. M. Bovard, then pastor of the Fort Street Methodist Episcopal Church, and Mr. G. D. Compton were invited to be present. At this meeting the general conclusion was reached, the same as before. A motion was made and carried by a majority vote to change the plan in material respects so that the Conference should select the trustees of the endowment fund, and so that debts could be incurred if desired. The minority refusing to proceed in the work with such a change, the vote was rescinded. It was also decided, on motion of Reverend A. M. Hough, by a majority vote to change the proposed name from a University to a College; also that instead of accepting the offer made, that other offers of land near the city be solicited and the most favorable one selected.

Various offers were received from out on Temple Street, Boyle

Heights, West Los Angeles, and East Los Angeles. The offer from West Los Angeles was secured by Mr. Hough. At a meeting of the Board of Trustees, the several propositions were considered, and by a majority vote the West Los Angeles offer was accepted. At this meeting Mr. Hough moved to change the name from College back to a University, and it was decided to call it "The University of Southern California," and to use every effort to make it such.

The original deed of trust of the University was executed on the 29th day of July, 1879, by Ozro W. Childs, John G. Downey and Isaias W. Hellman, donors to A. M. Hough, J. P. Widney, E. F. Spence, M. M. Bovard, G. D. Compton and R. M. Widney, as Trustees. By the terms of the deed, three hundred and eight lots, including the portion reserved for the University campus, situated in West Los Angeles, were conveyed to the Board of Trustees as an endowment fund, the income of which was to be used for the support and maintenance of the proposed University. The deed further specified that the Board of Trustees, which was a self-perpetuating body, should secure the incorporation of the University under the name, "The University of Southern California;" that the lots should not be sold for less than \$100 each; that no loan, mortgage, or encumbrance should ever be placed upon the property belonging to the endowment fund; that only the income should be turned over to the Board of Directors to be used for establishing and supporting the University; and that the first \$5000 net realized from the sale of lots should be used to erect the first building. It also stipulated that a majority of the trustees must be members of the Methodist Episcopal Church; that they were to be held personally responsible by the Board of Directors for any violation of the provisions of the trust; and finally, that the University and the Corporation were to be under the control and management of the Southern California Conference of the Methodist Episcopal Church. In addition to these lands, there were donated thirty-seven and one-half acres, by adjoining property owners on the same terms of trust as in the original deed of conveyance.

In pursuance of the provisions of the "Deed of Trust," and by the action of the Board of Trustees of the endowment fund, the incorporation of the University, in accordance with the laws of the State of California, was effected on the 5th day of August, 1880, under the corporate name of "The University of Southern California." The Articles of Incorporation stated that:

"The corporation is formed for the purpose of establishing and maintaining a University for Educational purposes, with all the powers necessary to maintain and conduct a University; with powers to confer any and all degrees, honors and evidence of degrees and honors usually conferred by Universities; with power to confer

such other degrees, honors and evidence thereof as said corporation may deem best to confer. Said corporation shall have no power or authority to contract or incur any indebtedness or liability that shall in any manner be a lien or incumbrance on any property that may belong to said corporation; provided, that any conveyance of property to said corporation may specifically provide that such property may be, in the discretion of said corporation, subjected to any lien or incumbrance. Said University shall be open in every respect for the equal education of both sexes. Said University and corporation is to be under the control and management of the Methodist Episcopal Conference of Southern California, or such other conference as it may be changed into."

Provision was also made that the number of Directors should be eleven, and that the successors of the first board should be elected by the Southern California Conference of the Methodist Episcopal Church.

An election for the Board of Directors was held in Los Angeles, California, on the 30th day of July, 1880, which resulted in the selection of A. M. Hough, Charles Shelling, E. F. Spence, P. Y. Cool, S. C. Hubbell, E. S. Chase, P. M. Green, J. G. Downey, R. M. Widney, J. A. Van Anda, and F. S. Woodcock, as the first Board of Directors of the University of Southern California. The board met on Friday, September 3rd, 1880, and organized by the election of officers and the adoption of a code of By-Laws. At this initial meeting Reverend M. M. Bovard, A. M., was elected to the Presidency and Reverend F. D. Bovard, A. M., his brother, to a Professorship in the new University. A contract was also entered into at this time with the Board of Directors by the Reverends Bovard in which they agreed to assume all responsibility for the conduct and maintenance of the educational department of an institution of higher learning, in accordance with the provisions contained in the "Deed of Trust," Articles of Incorporation and By-Laws, and the conditions imposed as a result of the control being vested in the Southern California Conference, the Board guaranteeing to furnish the campus and to erect and maintain a suitable building for educational purposes, as provided for in the "Deed of Trust," use of which should be free of charge. By the terms of the agreement the Bovards were to have entire charge of the internal organization and management of the University; they were to receive all monies from tuitions, Conference collections, endowment fund income, and donations, select all members of the Faculty subject to the approval of the Board, arrange a proper curriculum, and defray all expenses incurred in carrying on the educational work of the institution, reserving whatever balance

there might be for their own remuneration. The contract was to run for a period of five years.

The University was exceedingly fortunate in having been able, in its inception, to secure the services of two such able scholars. At that time there were few in this pioneer Conference who were college graduates, or in touch, to any degree, with higher educational work. President Bovard had received both his Bachelor's and Master's degrees from De Pauw University. Appointed in 1873 to mission work in Arizona, he came to Southern California by way of San Francisco, and took the stage from here to his new field of labor. On arriving at the Colorado River, owing to the outbreak of Indian troubles, further progress was rendered impracticable, and so he was forced to return to San Bernardino to await the cessation of hostilities. While there Reverend John R. Tansey found Bovard and sent him to Riverside to act as a supply. He met with such success and the work seemed so promising that Tansey asked for his release from the Arizona Mission, and stationed him as regular pastor of the Methodist church at Riverside. Admitted to the California Conference in 1875, with the division of the Conference, he became a charter member of the Southern California Conference organized the following year. After serving a year each at Compton and San Diego, with marked success, in 1878 Reverend M. M. Bovard was appointed to the pastorate of the Fort Street Methodist Church, Los Angeles, the leading charge in the Conference. Here he remained until the fall of 1880, when he accepted the call which came to take up the work of the University.

Professor F. D. Bovard was also an alumnus of De Pauw, having completed his work and received his Master's degree in Arts in the spring of 1875. Aware of the opportunities which a new country offered to an ambitious young man, he resolved to follow his brother to Southern California. On his arrival, in the fall of 1875, he at once took the pastorate of the church at Riverside, succeeding his brother. Reverend F. D. Bovard was also a charter member of the Southern California Conference. After serving acceptably different charges, in 1879, he was appointed to the Methodist Church at Santa Barbara, then the second charge in the Conference. Here he remained until 1880, when he decided to enter upon the University work in conjunction with his brother, M. M. Bovard. As both men were thoroughly trained and prepared, and just a few years out of College, they were the best fitted of all who were here at the time to take charge of this new and important enterprise. They did this, however, at great personal sacrifice, leaving the leading pastorates in the Conference with lucrative salaries, to enter a field which, at best, offered scant support and remuneration.



But for the church and the cause of education they cheerfully responded to the call of duty, and gave themselves heart and soul to the work of laying a sure foundation for the institution whose charge had been committed to their care.

While all the necessary legal steps had been taken for establishing the University, one thing still remained, and that was the formal acceptance of the Trust by the Southern California Conference. This was accomplished at the annual session of the Conference held during the early part of September, 1880, in the Fort Street Methodist Church, Los Angeles. By this action the University was adopted by the Conference and became the representative of the educational interests of Methodism in Southern California.

During the summer of 1880, the trustees of the endowment fund, after careful consideration, voted to sell thirty lots and with the proceeds erect and furnish a frame building in which to begin the educational work. The market value of the lots at the time was about fifty dollars each, but friends of the University purchased them at two hundred dollars each. Stakes had already been set for the lots and the streets marked out in the University tract. Four of the streets were named after the donors of the property, while the rest bore, principally, the names of Bishops or other prominent characters of the Methodist Church. The streets bounding the campus were, on the west, Hough Avenue, on the north, Downey Street, on the south Hellman Street, and on the east, Wesley Avenue. A contract was let for the erection of the first building. The corner-stone laying was held on the 4th of September, 1880, while the annual Conference was in session. On the afternoon of the day set apart for the ceremonies, which was Saturday, a large company, including the members of the Conference, friends of the University, and citizens, assembled out at the site of the proposed University in West Los Angeles. The exercises were in charge of Bishops I. W. Wiley and Matthew Simpson. Bishop Wiley was then holding the Conference, and Bishop Simpson returning from a recent visit to the Arizona Mission had stopped off for a few days in this city before continuing on his way north. It was a great occasion not only for the University and the church, but for the city as well. In that early day Los Angeles was considerably smaller than at present—the census for 1880 gave as the total population 11,145—and naturally an event of this character would assume a place of great importance in the eyes of the general public.

According to the best reports attainable, it was estimated that between five hundred and a thousand people were present. Some

came in vehicles of one sort or another, there being over two hundred such on the ground; many others came on foot, on horse-back, and by the slow and uncertain horse-car line, which ran out from the center of town passed the campus to Agricultural Park, now Exposition Park. To the inconveniences of transportation, other discomforts were added, for the day was extremely warm, and the entire country covered with a thick layer of fine dust. A rough temporary platform had been erected to serve as the speaker's stand. Promptly at 2:30 o'clock in the afternoon, the exercises were opened with the singing of a hymn by the choir of the Fort Street Church. This was followed with the reading of a Scripture lesson by President Bovard, after which Reverend Charles Shelling, Presiding Elder of the Los Angeles District, led in fervent prayer. Reverend A. M. Hough then gave a brief historical survey of the work accomplished and presented the deed of the University property to the Board of Directors for whom it was acknowledged by the President of the Board, Hon. R. M. Widney. Bishop Wiley next introduced Hon. J. G. Downey, one of the donors named in the original "Deed of Trust" who, in a short address, eulogized the enterprise and complimented the sagacity and skill of the promoters.

Following the speech of Ex-Governor Downey, the principal address of the occasion, as previously arranged, was given by Bishop Wiley. In opening, the Bishop very adroitly assured his hearers that he intended only making a few introductory remarks, after which the great Bishop Simpson would deliver the address of the occasion. However, the Bishop's remarks included a most masterly and inspiring address of about one hour in length. On being presented as the next speaker Bishop Simpson in a humorous vein referred to the remarks of the former speaker and added that, "as is always the case he is Bishop Wiley." Then followed a description, such as only the great Simpson could give in which he portrayed the marvelous possibilities that lay before the institution whose small beginnings they were then viewing, and compared its future growth and achievement to the giant Sequoia, which, starting from the little seed, at length stands forth in all of its transcendent strength and power, the mighty monarch of the forest. The speaker, after forcibly emphasizing the principles upon which the foundation of the institution rested, together with the ideals it sought to realize, proceeded to unveil the secret of the success and power which he so confidently predicted that it would achieve in these deeply significant and impressive words, "Christ shall walk these Halls and Christ shall be in these recitation rooms. This institution shall be under His government and control." The laying of the corner-stone followed, Bishop Wiley

offering the prayer of consecration, after which the Doxology was sung and the benediction pronounced by Bishop Simpson. Standing in the midst of a vast stretch of unoccupied, uncultivated plain covered with a rank growth of wild mustard, the unfinished building was, indeed, a lonely object to those who only saw the present. But for some the veil which concealed the future was lifted a little, and the coming years were in view with the possibilities of a great work presenting itself in clear and unmistakable outline, for the encouragement of those who were faithfully laying the foundation for its subsequent success.

The building, in accordance with the terms of the contract, was completed and ready for the opening of the school work by October 4th, 1880. Its cost was approximately \$5,060, with an additional expenditure of some \$1,200 for furnishings. It was a large two-story frame structure, well planned and constructed, and presented an excellent exterior. Inside it was neatly furnished. The lower floor was divided into several comfortable rooms convenient for class-room purposes, and the upper floor contained a large and ample Assembly Hall in addition to other smaller rooms. In the Assembly Hall on the evening of the 5th of October, the ceremonies connected with the inauguration of the first President of the University, Reverend Marion McKinley Bovard, were held. A large number of friends and citizens were present on this occasion. After the opening exercises, the address of installation was delivered by Judge R. M. Widney, President of the Board of Directors, at the close of which he handed over the keys of the institution to Reverend M. M. Bovard. President Bovard then delivered the inaugural address, selecting for his theme, "Education as a Factor in Civilization." It was an able, earnest and eloquent address.

On the following morning, the 6th of October, 1880, the University opened its doors for the reception of students and the beginning of its work. About fifty students were enrolled in the various departments. In addition to the regular work of the Academic and Collegiate departments, a Normal course was provided, especially for those preparing to teach, and provision was also made for such as desired to elect certain special studies out of the regular course in order to fit themselves for professional work. Classes were also organized in Business, Drawing, Elocution and in Vocal and Instrumental Music. A special class was provided for those who could not be classified in any regular course. The year was divided into three terms. The tuition in the Academic department was \$12 per term and in the College \$15, Music, Drawing and Elocution being extra. Three courses were offered in the Academic department each covering a period of two years; the English, Literary and

Classical. The English course which included the more practical branches, omitting the classics, led to the Scientific course in College; the Literary, which took in Latin, prepared the student for the Philosophical course, and the Classical, which included both Latin and Greek, led to the same course in the University. In the College department three courses of study were offered, each covering a period of four years. One, the Classical, leading to the degree of Bachelor of Arts; second, the Philosophical, which omitted Greek, giving more prominence to History and Literature, leading to the Bachelor's degree in Philosophy; and third, the Scientific, which omitted the classics altogether, and led to the degree of Bachelor of Science. All of the subjects in the regular courses, both of Academy and College, were required throughout, no electives being allowed. As there were scarcely any students of collegiate rank the first year, the work was confined almost entirely to special courses, and the Preparatory department.

During the first year the President and Professor Bovard did the large part of the teaching with the help of one other regular teacher most of the time, and the partial services of a number of other competent instructors and lecturers. Instruction of a high order was furnished in all departments. The regular Faculty consisted of Rev. M. M. Bovard, A. M., who in addition to the presidency conducted the classes in Moral, Mental and Natural Science; Rev. F. D. Bovard, A. M., Professor of Mathematics and Ancient Languages, and Mrs. Jennie Allen Bovard, M. S., Professor of English Language and Literature. J. P. Widney, A. M., M. D., delivered lectures during the year on English Literature, Physiology and Hygiene. Mrs. Anna S. Averill, M. S., was, for a time, assistant in Mathematics and Normal Instruction, but was later followed by Professor J. Newton Burgess, A. M. Rev. C. H. Bolinger taught German, Miss Josephine T. Clarke French and Instrumental Music, and Madame Marra Vocal Music, the latter being succeeded later by Professor J. E. Fiske of Boston. Maria Pruneda gave instruction in Spanish, and Miss M. D. McChain in Elocution, the latter also serving as assistant in English whenever necessary. The Bovards employed extra teachers, even though depriving themselves of needed support, rather than let the school suffer from the lack of competent instructors.

At a meeting of the University Board of Directors held in January, 1881, President Bovard submitted a proposition made by Mr. and Mrs. William W. Hodge, recently from Denver, Colorado, in which they offered to purchase some lots in the University tract and erect a large building to be used as a boarding hall and dormitory. The offer was gratefully accepted by the Board, and during

the spring "Hodge Hall," named for the donors, was built at a cost, including the furniture, of approximately \$4500. It was a large and commodious frame structure designed to accommodate about twenty-five boarders. Most of the work was done by Mr. Hodge himself, who was an expert carpenter. The entire property was secured on a reversionary deed to the Trustees of the Endowment Fund, so that at the death of the donors, it belonged to the University. The Hall was erected on a lot at the corner of McClintock Avenue and 35th Street, where it stood for a number of years, until moved to its present location on the campus.

Along with the regular University work a high moral and religious atmosphere was always maintained. The exercises of each day were opened with divine worship in the Chapel, at which the attendance of all students was required. On Sabbath mornings each student was expected to attend public worship at some church of his own choice. A special series of lectures was arranged for, to be given each Sunday afternoon throughout the year, either by members of the Faculty, or by prominent persons in the city, which were designed, particularly, for the moral and religious education of the students. During this first year the University Church was also organized for the accommodation, primarily, of the students and Faculty of the University, and those residing in the immediate vicinity. Services were held in the College Chapel, the pulpit being filled by the President, Rev. M. M. Bovard.

The government of the institution was vested in the Faculty, and a strict surveillance was kept over the conduct and work of those in attendance. At the close of each term, an examination was given on the work gone over, and a statement of the standing of each student was sent to the parent or guardian. Final examinations were always held at the end of the year covering the entire year's work. The beginnings of a Library and Museum were started during this initial year. Some seven hundred volumes in addition to three or four hundred magazines and periodicals, mostly the contribution of Rev. Alfred Higbie, a superannuated minister of the Southern California Conference, formed the nucleus for the Library. A fine collection of geological, mineralogical, and other specimens was also given to the University for the Museum. Shortly after the opening of the year a Literary Society was organized, composed of all the students in the institution who were interested along those lines. The name selected for the Society was "The Union" and the object as stated was "improvement in original composition and oratory." Meetings were held regularly on Friday afternoon of each week in the College Chapel.

The work of the first year in the history of the University of

Southern California came to a close June the 24th, 1881. It was a year of great labor and sacrifice on the part of those at the head of the institution. Commencing as it did under conditions which rendered impossible large success in numbers, with insufficient accommodations to meet the demands of those who did come, and lack of funds with which to purchase necessary apparatus and equipment for school purposes, the University found the year an especially trying one. Conference collections were small, practically no money was available from the endowment fund, and the receipts from tuitions were not large. As a result the Bovards received but a mere pittance for their efficient service. Yet in spite of the many difficulties and discouragements a good start had been made. About fifty-five students were in attendance during the year. Times were beginning to improve, property values were slowly rising, lots were selling more readily, and the prospects for the future were good.

## THE PASSING OF THE CATTLE BARONS OF CALIFORNIA.

J. M. GUINN.

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Neither sympathy, compassion nor pathos finds place in the cold recital of historic facts. The nation or the individual who goes down in the struggle for existence fills but a small space in historic narrative. Success is the measure that decides the fitness to survive; and the survival of the fittest is often decided by the minutest trifles, but the decrees of fate are as inexorable and as cruel whether the obstacle to success be a mountain or a molehill.

There are few more pathetic stories in the annals of our local history than the story of the decline and fall of the cattle barons of California; nor is there any episode in our history the causes of which are so imperfectly understood. By the cattle barons I mean the *rancheros* who, at the time of the conquest of California by the Americans, held possession in large tracts of nearly all of the arable lands between San Francisco and San Diego; and who devoted their broad leagues to the raising of cattle for their hides and tallow. These were not all of Spanish or Mexican nativity. Among them were Americans, English, Scotch, French and a few representatives of other European nations. These men had become citizens of Mexico by naturalization, married into Spanish families and had obtained land grants on the same terms as the native Californians.

The secularization of the missions returned to the public domain the vast landed possessions that these establishments had held in trust for their Indian converts. It was easy to obtain a grant of land. The individual seeking a grant made application to the local officials of the district in which the land was located. If, on examination, it was found that the land was vacant and the applicant had the means to stock it, his application was sent to the Governor for his approval. If found correct, the Governor confirmed the grant and issued an *expediente*, or official title. The largest area that could be granted in one *expediente* was eleven square leagues (a Spanish league contains 4444.4 acres). There was, however, no limit to the amount a *ranchero* could hold by purchase.

To obtain judicial possession of a grant of land, application was made to the *alcalde* of the district, who, with two witnesses and a *riata* fifty *varas* in length, would go out on horseback and measure off the tract. The survey, if it could be called such, was begun by throwing up a pile of stones or earth as an initial point, and planting a cross thereon. No compass directions were noted and a line was run by sighting to some natural landmark. This loose and indefinite method of establishing boundary lines opened a Pandora box of evils for the unfortunate landowners later on.

It cost but little to stock a range, cattle multiplied rapidly, and in a few years, with but little exertion on his part and almost no expenditure of money, the *ranchero* found himself the owner of vast herds of cattle—a veritable cattle baron. It required no continuous brain fag—no nerve-destroying worry, no scheming to outwit a competitor, no promotion of a trust to become rich in this lotus land of ease, in the halcyon days of the cattle barons.

Given thousands of acres of fertile land, an army of retainers, a continually increasing band of cattle and a *caballada* (band) of horses, the baron who ruled over all this led a life of ease with dignity. The annual *matanza* was his harvest. The hides of the slaughtered cattle were dried and packed and the *arrobas* of tallow stored in caves to await the coming of the hide droghers with their department stores of merchandise and Yankee notions to barter.

The *rancheros* devoted a few of their myriads of acres to the growing of grain, fruit and vegetables for their own use, but produced none for market because there was no market for such. The Indians did the work and took their pay in products of the soil and a scanty supply of clothing. The cattle barons built no palaces—their abodes were commodious, but not imposing—but stored away in trunks, chests and drawers in some of these adobe houses, to be worn on state occasions, were silks and satins and costly jewelry that a queen might envy. Alfred Robinson tells of a dress-suit that Tomas Yorba, the owner of the great Santiago *rancho* of 62,000 acres, used to wear on festal occasions. It cost over a thousand dollars and yet the manor of this feudal baron had an earthen floor. His daughter had 150 dress patterns of the finest silk and satin, and jewelry to match. It might be added that the fashions changed about once in fifty years and the accumulated finery of one generation descended to the next. A man might wear his grandfather's hat and the granddaughter might wear the bridal robes of her grandmother and still be in the fashion.

Bancroft, in his "California Pastoral," says of the Californians:

"As for houses, the climate was mild and the men were lazy. Opening their eyes in the morning they saw the sun; they breathed



the fresh air, and listened to the song of birds; mounted their steeds, they rode forth in the enjoyment of healthful exercise; they tended their herds, held intercourse with each other and ran up a fair credit with heaven. How many among the statesmen, among the professional and business men and artisans of our present high civilization can say as much? It was their business to live, to do nothing but exist; and they did it well."

The discovery of gold and the mad rush to the mines in '49 and the early '50s for a time increased the wealth and power of the cattle barons. Their great *ranchos* were still intact. The demand for meat, in the mines and towns that sprang into existence after the discovery of gold, could be supplied only from the vast herds of the cow counties.

From the coming of the hide droghers down to the rush of the gold-seekers the price of cattle had not changed materially. Two to four dollars for a full-grown steer was the usual rate of exchange. The overwhelming tide of Argonauts that flooded California immediately after the discovery of gold upset all previous standards of value, and inflated the price of all the products of the *ranchos*. The standing price of cattle in hide-droghing days was increased a thousand per cent by the influx of gold-seekers. Full-grown steers in the early fifties sold at prices ranging from thirty dollars to forty dollars each, and mustangs that had no marketable value in the olden time were elevated in price at least to the dignity of thoroughbreds. The *ranchero* who had cattle on a thousand hills, or even a thousand cattle on a hill, had a source of revenue more certain and more profitable than a gold mine. Cattle buyers from the mines came over the Tehachapi Mountains, or down the coast in steamers bringing with them sacks of gold; and golden twenties and octagon-shaped fifty-dollar slugs became more plentiful in the old *pueblo* of Los Angeles than silver *pesos* had been in the days of the *padres*.

This sudden accumulation of riches turned the heads of the frugal *rancheros* and they spent with the prodigality of princes. General Vallejo, one of the cattle barons of Central California, said in those early days he never thought of tipping the boy who held his horse with less than an ounce of gold, equivalent to sixteen dollars. The *rancheros* had always been accustomed to card-playing, but bets in the olden days were at most a few *pesos* or a few horses or cattle; with the sudden accession of wealth gambling became a passion and fortunes were lost at a sitting. One extravagance of the native Californian in the olden time was rich dressing—with the golden days of '49 this passion was increased a thousandfold and not alone was the passion for costly dress increased, but the taste for costly viands as well. The simple wines of their own make palled on

their taste and the costly imported wines of France alone satisfied. Cattle ranges were more productive and more profitable than gold mines. Why save—spend while you have it—*mañana* (tomorrow)—more cattle to sell, more money to spend. Come easy, go easy.

But a change was coming—slowly, but surely. The first knell in the doom of the cattle barons had been sounded, but they heard it not. Each year less drovers came over the Tehachapi and the prices of cattle were steadily falling. *Poco tiempo*—by and by—prices will go up again, said the *ranchero*. Unknowingly he was facing those problems that have been the bane of the producer since the dawn of civilization—cost of transportation and excess of production.

At the time of Marshall's discovery of gold the great valleys of the San Joaquin and the Sacramento were unpeopled except by Indians. Great bands of elk, droves of wild horses and herds of antelope and deer grazed upon the luxuriant grasses that covered these plains. The shrewd Gringo—the Nemesis of the easy-going native Californian—was not long in figuring out the possibilities of a fortune from cattle raising in these valleys. The land was taken up and the ranges gradually stocked with cattle driven across the plains. These were of a superior breed to the mouse-colored, long-horned native animals. With the advantage of 300 to 500 miles nearer market, and supplying a superior quality of beef at lower prices, the valley ranges were absorbing the trade and the cattle barons of the south found their occupation slipping away from them.

The newly-rich who have for a time revelled in wealth cannot readily return to simple living. The lush of luxuries that had come to the cattle barons and their families in the early fifties had engendered expensive habits that they could not or would not shake off. Money they must have and money they could have by mortgaging their *ranchos*. Their needs were pressing and the day of payment afar off. So mortgages were negotiated at ruinous rates of interest—five, ten and even fifteen per cent a month were promised. When the mortgages came due times were harder, money scarcer and prices of products lower, so the only recourse left was to increase the mortgages by adding the accumulated interest to the original debt and giving a new lien on their lands.

A story that well illustrates this system of financiering is told of Samuel Carpenter, an early Californian, who was the original grantee of the Santa Gertrudes *ranch*—a body of land covering all of the lower Los Nietos country. Carpenter had a passion for gambling. The newly-imported game of faro fascinated him. Faro is a banking game in which the players play against the dealer, or banker, as he is sometimes called. Fortunes are sometimes made,

but more often lost on the turn of a card. In miners' parlance, the game was called "bucking the tiger." The name probably originated from the claw-shaped hook with which the dealer raked in his winnings. The tiger had clawed in Carpenter's last dollar, but he had discovered, or thought he had, the combination in which the cards were running and he was sure with more coin to stake he could win and possibly break the bank. He hunted up a local Shylock and negotiated a mortgage on his ranch for \$500 with interest at five per cent. per month compounded monthly. Like John Oakhurst, in Bret Harte's "Outcasts of Poker Flat," Carpenter struck a streak of bad luck. The faro dealer raked in his \$500 and he could not pay the interest or principal of his mortgage. The debt soon doubled and the mortgage was again and again renewed until, with interest compounded over and over, the debt amounted to \$50,000, then the Shylock took his pound of flesh—Carpenter's *rancho*—and Carpenter committed suicide. Thus the magnificent Santa Gertrudes *rancho*, worth today a million dollars, was lost to its original owner for the insignificant sum of \$500, which now would scarce buy an acre of its 25,000.

Another element that contributed to the financial ruin of the cattle barons was litigation. The careless and easy-going methods of granting lands under Mexican domination fattened many a lean and hungry lawyer under American rule. Lost *expedientes*, indefinite boundaries, overlapping grants, and the incursions of squatters, who sometimes coolly settled upon the lands of the *rancheros* and held them without leave or license from the real owners—all these were fruitful sources of lawsuits.

As an example of indefinite boundary lines, take those of La Habra *rancho*, formerly in Los Angeles, but now in Orange County; and these are not the worst that might be found in the records.

"Commencing at the *camino viejo* (old road) and running in a right line 550 *varas*, more or less distant distant from a small corral of tuna plants, which plants were taken as a landmark, thence in a direction west by south running along the *camino viejo* 18,200 *varas* to a point of small hills, at which place was fixed as a landmark the head of a steer; from thence east by north passing a *cuchillo* (waste land) 11,000 *varas*, terminating at a hill that is in a direct line with another hill which is much higher and has three small oak trees upon it, at which place a small stone landmark is placed; thence north by east 2,000 *varas*, terminating at the right line of the small corral of tunas aforesaid, the point of beginning."

In the course of time the *camino viejo* was made to take a shorter cut across the valley, the corral of tunas disappeared, a coyote or some other beast carried away the steer's head, the three oaks were

cut down and carted away for fire-wood, the small stone was lost, the *cuchillo* was reclaimed from the desert and the La Habra was left without landmarks or boundary lines. The land-marks lost, the owners of the adjoining *ranchos*, if so inclined, could crowd them over onto the La Habra or its owner in the same way could increase the area of his possessions, and the expanding process in all probability would result in costly litigation.

Some of these legal contests over the ownership of *ranchos* were fought with persistence and bitterness, and were carried from one court to another until they reached the Supreme Court of the United States. It not infrequently happened that when the legal battle was fought to a finish all that the contestants had to show for years of litigation was a series of court decisions, from the lowest to the highest, and stacks of legal documents. The money lenders who had furnished the sinews of war were the owners of the contested property. Litigation growing out of defective titles was the bane and curse of California for at least three decades after the conquest, and more men were killed in quarrels over the disputed ownership of lands than fell in all the battles of the conquest.

The cattle industry of the south had encountered such antagonistic elements of human invention as competition, litigation and usurious rates of interest, and although crippled still survived. It was the adverse forces of nature that were to seal its doom. Deluge and drouth were to complete its final undoing.

The winter of 1855-56 heralded one of the dreaded dry years. One hundred thousand cattle starved to death in the southern coast counties during the summer and fall of 1856. That year marked the turn of the tide of prosperity in the cow counties of the south.

Wallace, editor of the Los Angeles *Star*, soliloquizing of affairs that year, writes thus:

"Dull times! says the trader, the mechanic, the farmer. The teeth of the cattle were so dull this year that they could not save themselves from starvation. Business is dull—duller this week than it was last—duller today than it was yesterday. The flush days are past—the days of large prices and full pockets are gone."

The year 1858 was another of the dreaded dry years. There was no great loss of cattle that year, but their impoverished condition rendered them unfit for market, and the failure of any return from their herds impoverished their owners as well. The winter of 1859-60 was one of excessive rainfall. During one storm in December twelve inches fell in twenty-four hours. Many cattle and horses perished from exposure.

But the Noachian deluge of California floods came in the winter of 1861-62. It began raining December 24, 1861, and continued for

thirty days with but two slight interruptions. The Los Angeles *Star* published the following local:

"A Phenomenon—On Tuesday last the sun made its appearance. The phenomenon lasted several minutes, and was witnessed by a great number of persons."

No mail was received at Los Angeles for six weeks, and some wag labeled the postoffice "To Let." Fifty inches of rain fell during the season. The valleys of the Sacramento and San Joaquin were vast inland seas. The City of Sacramento was submerged and almost ruined. Steamboats sent out to relieve flood sufferers left the channels of the rivers and sailed over inundated *ranchos*, past floating houses and wrecks of barns, through vast flotsams made up of farm products and farming implements, the carcasses of horses, cattle and sheep, all floating down the mighty currents of the swollen rivers to the sea. The loss of property by the flood in the inland valleys was estimated at \$2,000,000.

In the southern counties on account of the smaller area of the valleys the loss was not so great. The rivers spread over the lowlands, but stock found safety from the flood on the foothills. A number of the weaker animals perished from long exposure to the pitiless storm. The Santa Ana River for a time rivaled the Father of Waters in magnitude. In the town of Anaheim, four miles from the river, the water ran four feet deep and spread in an unbroken sheet to the Coyote hills, three miles beyond. The Arroyo Seco, swollen to a mighty river, brought down from the mountains and cañons great rafts of driftwood and spread them over the plains below Los Angeles. These furnished fuel for the poor people of the city for several years.

After the deluge—what? The great drouth and famine years. The successive years of excessive rainfall produced great abundance of feed and the cattle multiplied rapidly. The *rancheros*, endeavoring to make up by numbers for the decrease in value, had allowed their ranges to become heavily overstocked. From various causes the price of cattle had steadily declined, until in the winter of 1862, full-grown animals were sold in Los Angeles for two dollars a head, the price in the old hide-drogher days of thirty years before.

The great drouth began in 1863 and lasted two years. In the winter of 1862-63 the rainfall was less than four inches and in 1863-64 it was little more than a trace. By the fall of 1863 all vegetation had been licked up from the sun-baked plains by the hungry herds, and cattle were dying of starvation.

As the time for the rainy season approached the *rancheros* anxiously scanned the heavens for signs and portents of coming storms, but none appeared. The heavens were as brass and the

former and the latter rains came not. The winter passed and the hot, dry summer was upon them. Cattle were dying by the hundreds every day. Herds of gaunt skeleton-like forms, moved slowly over the plains in search of food. Here and there, singly or in small groups, poor brutes, too weak to move on, stood motionless with drooping heads, slowly dying of hunger.

In the long stretch of arid plain between Los Angeles and San Diego there was one oasis of luxuriant green. It was the vineyards of the Anaheim colonists, kept green by irrigation. The two square miles of colony grounds were surrounded by a close-set willow hedge, and the streets were closed by gates. The starving cattle, frenzied by the sight of something green, would gather around the enclosure and make desperate attempts to break through. A mounted guard, armed, patrolled the outside of the barricade, day and night, to protect the vineyards from incursion by the starving herds. There was no relief for the wretched condition. There was no means of shipping the starving cattle out of the country and no feed to ship in. The small amount of feed raised by irrigation was scarcely sufficient to keep a few domestic animals alive. Hay sold for \$150 a ton and feed barley for \$100.

The loss of cattle was fearful. The plains were strewn with their sun-dried carcasses. In marshy places and around the *cieneegas*, where there had been vestiges of green, the ground was covered with their skeletons, and the traveler for years afterwards was often startled by coming suddenly upon a veritable Golgotha—a place of skulls—the long horns standing out in defiant attitude as if protecting the fleshless bones.

It is said that 100,000 cattle starved to death on the Stearns *ranchos* alone. In Santa Barbara County the assessment roll of 1862 showed over 200,000 cattle listed for taxation. This was probably not more than one-half of the real number, counting calves and young cattle unfit for market. When grass again covered the sun-parched plains in the spring of 1865, less than 5,000 head were alive. Probably 1,000,000 cattle perished in the State. The remnants of the great herds that survived the famine years reveled in a luxury of abundant feed the succeeding years. Nature, as if atoning for her cruelty, garlanded her Golgothas with wreaths of golden poppies, and spread cerements of living green over the bleaching bones of her victims.

But what of the cattle barons? They were ruined, their power and possessions were gone. Day by day they had seen their herds diminishing and themselves sinking to financial ruin and poverty. They had prayed for rain, they had sought the intercession of the saints, they had performed *novenas* of prayer, but in vain! "It

is the will of God, why repine?" With a bravery that might be taken for stoicism and a faith that bordered on fatalism they submitted to the inevitable.

Their doom came quickly. Nearly all the great *ranchos* were mortgaged. With no means to restock them, without income to pay interest or principal, the mortgagors foreclosed and took possession of the desolated cattle ranges. Within five years after the famine nearly all the great *ranchos* had changed owners.

Looking backward from our present high standard of real estate values, it seems almost farcical that the cattle barons should have lost their possessions for the trifling amounts they owed. The possession of \$20,000, at the critical moment when dispossession threatened him, would have saved from bankruptcy the great cattle baron who owned the *ranchos* Simi, Los Posos, Conejo, San Julian and Espodo, aggregating over 200,000 acres—lost on an incumbrance of ten cents an acre. Many of the best *ranchos* were mortgaged on the basis of twenty-five cents an acre. Figure interest at five per cent per month compounded monthly, the ruling rate in early days, and it is easy to see how a principality could be lost for what was a mere pittance at the beginning of the indebtedness.

Colonel Manuel Garfias was a dashing young military officer who came to California with Governor Micheltorena. The Governor gave him a grant of the San Pasqual *ranch*, on which that city of millionaires, Pasadena, is now located. Garfias married Louisa Abila, one of the belles and beauties of the old *pueblo*. In 1853 he built a house on his *ranch*. Needing \$3,000 to complete and furnish it he mortgaged his land for that amount at five per cent a month. Ten years later, when the Government issued a United States patent for the *ranch*, it went to the mortgagor. Garfias had deeded away all his right and title in "expectancy as well as in possession" to the 13,000 acres of land in the *ranch* for a loan of \$3,000—a sum that would scarcely buy a front foot now in the business center of the city of Pasadena.

During the famine years one of the richest, if not the richest of the cattle barons of the south, owned over 200,000 acres of the most fertile lands between the Los Angeles and the Santa Ana Rivers. In 1864 all of his landed possessions in the city as well as in the country were advertised to be sold at sheriff's sale on a judgment for delinquent taxes amounting to \$4,070. Among the parcels offered were four Ord survey lots, 120x165 feet each, located in what is now the business center of Los Angeles city. These magnificent business corners, worth today two million dollars, were offered for sale for the beggarly sum of two dollars and fifty-two cents unpaid taxes, and there were no takers. The tax

on each lot was sixty-three cents and the assessed value about twenty-five cents a front foot, or thirty dollars a lot. The magnificent *rancho*, Los Alamitos, on which is located the city of Long Beach, was sold for \$152 delinquent taxes,—an amount that now would not buy a single acre of its 27,000.

The loss of cattle and horses during the famine years was one of the greatest calamities that ever visited California. The assessed value of property in Los Angeles County in 1860 was \$3,650,330; in 1864, \$1,622,370. Over two million dollars of property was swept out of existence a percentage of loss greater than that of San Francisco by the earthquake and fire in 1906. On the cattle there was no insurance or salvage,—the loss was total.

After the famine years the era of subdivision began. The great *ranchos* were parceled out into small farms and sold to settlers. With the loss of their *ranchos* the feudal barons of the cattle *regime* lost their political power and influence. The industry that had once made them rich and powerful had been the cause of their downfall. Their passing is a tale in which "unmerciful Disaster followed fast and followed faster." The newcomers, who, by purchase, took possession of subdivisions of their principalities, were not in sympathy with the olden-time customs and easy-going methods of the cattle barons. In but little more than a decade after the famine years, Southern California had been transformed from a lotus land of ease to one of resistless energy and enterprise. The phantom of famine years had been exorcised by the conservation of the water supply and the extension of irrigating facilities.

And now, four decades after, orange trees bloom and bear golden fruit amid the Golgothas of dead and forgotten herds, and fields of alfalfa grow lush and luxuriant in the one-time valleys of dry bones. The story of the famine years is a wierd tale seldom told and scarce believed. The capital, energy and the enterprise of the present generation have wrought magic transformations in this land of sunshine, and even have overcome, in a measure, the adverse forces of nature.

The conditions that wrought the undoing of the cattle barons can never return, but the story of their misfortunes, and the bravery and the fortitude with which they met the decrees of fate, and the manhood with which they submitted to conditions beyond their control, deserve record in history.



## PIONEER SCHOOLS OF LOS ANGELES.

BY H. D. BARROWS.

I have been requested to write a paper for the Pioneer Society, giving my recollections of the schools and of the educational facilities, generally, of Los Angeles in the early years of its history as an American city. As Mr. J. M. Guinn has written a valuable historical account of the early schools of Los Angeles, printed in the Historical Society's Annual for 1897, pages 76 to 81, the following sketch will consist mainly of my own desultory recollections which are given for what they are worth:

When I came to Los Angeles in the latter part of 1854, eight years after the change of government, there were two brick school buildings, one on the site of the present Bryson block, corner of Second and Spring Streets, and the other on Bath, now North Main Street.

According to Mr. Guinn, Mayor Stephen C. Foster is entitled to the credit of inaugurating the public school system of our city, and to him is due the honor of being its first active School Superintendent.

Under the Mexican regime, school facilities were very meager. Rancheros who could afford the expense, as a rule, employed private teachers whenever competent persons could be found. Thus, Don Jose Sepulveda employed at one period a Spanish teacher by the name of Domingo Quiroz, to instruct his children in the rudiments of the Spanish language. Later he sent his two sons, Ygnacio and Andronico, to a school at Monterey to prepare them for college. They then went to Boston, where they remained four or five years, taking a thorough college course. The former of these two young men, served here several years as District Judge. He is now a practicing attorney in the City of Mexico, where at one time he was Secretary of the United States Legation at that capital. Many of the older members of our Society were very well acquainted with Judge Sepulveda.

Governor Romaldo Pacheco, I believe, received his education at the Sandwich Islands. One of Bernardo Yorba's later private teachers was Pio Quinto Davila, who afterwards became a teacher at the Parish school of the old Plaza church. I knew Don Pio well.

Don Manuel Dominguez also employed private teachers at his ranch home.

Don Ignacio Coronel, father of Don Antonio, had a school at his son's place, corner of Alameda and Seventh Streets, when I came here in 1854, and for some time after, where Spanish children of the neighborhood received elementary instruction. He gave his own children a good education. The Padres also taught poor children to read and write.

Wm. Wolfskill, Pioneer of 1831, maintained a family school in the '50s, for many years, mostly in English, wherein his own children received a good education, and two of his brother's sons, John, of this county, and Joseph C. Wolfskill of Suisun, and W. R. Rowland and brothers, the children of Samuel Carpenter, of Los Nietos, relatives of the family; J. E. Pleasants of Santiago and others, also were taught for longer or shorter periods.

Rev. J. W. Douglas, founder of the first religious paper published in California, was one of the first teachers employed by Mr. Wolfskill. Following him were: Miss Goodnow, afterwards wife of Judge H. J. Wells of San Francisco and Boston; H. D. Barrows (1854-1858); A. F. Waldemar, and a Spanish teacher (whose name I forget).

Wm. Workman, Pioneer of 1841, of La Puente rancho, employed as private teachers, a Mr. Frank Carlton and Fred Lambourn.

Among the gentlemen with whom I was brought into somewhat intimate association, as a member of the School Board, between the years of 1857 and 1877, were the following: Judge W. G. Dryden, Capt. Geo. J. Clarke, M. Kremer, W. H. Workman, Dr. J. P. Widney, Alfred James, Wm. Lacy and Dr. Jos. Kurtz. My service was longest on the board with Mr. Kremer and Mr. Workman. Judge Dryden was a most interesting and picturesque character. We used to visit the schools at the close of each term to acquaint ourselves with the progress that the pupils had made during the preceding term. I remember on one occasion at the brick schoolhouse, corner of Spring and Second Streets, after a class of youngsters, boys and girls, had concluded a very creditable recitation, Judge Dryden, as chairman of the board, felt it incumbent on him to offer some remarks commendatory of the performance. He was exceedingly formal and precise in his speech, and, pointing with a long bony finger at one of the larger girls, he said, somewhat haltingly, but with much emphasis: "That female—that female girl, recited remarkably well!" Those present repressed smiles with some difficulty.

I once heard the Judge remark before a small crowd, to a prominent citizen, who came up, whose pants happened to be too

short: "Major, your trouser legs need a pair of sinkers!" On another occasion of our visit to the Spring Street school, a rather uneasy youngster, to keep him out of mischief was made by the teacher to sit on the edge of the low platform in front of our more or less dignified board. The boy sat near my feet and he wriggled and twisted about a good deal, sometimes facing me and sometimes with one side towards me, with his feet drawn up under him on the platform in such a position that he could not save himself if he lost his balance. I knew it was undignified—but the temptation was too strong, for a streak of boyishness is, and has been since my boyhood, an inextinguishable part of my nature,—I gave the youngster a slight push with my toe, and he went sprawling helplessly on the floor like a tumble-bug. He looked up at me amazed; the balance of the people did not know, and never knew who gave the impulse that started that tumble, they merely thought the boy in his wriggling lost his balance.

Judge Dryden, who understood Spanish (his first wife belonged to the Nieto family, grantees of the Santa Gertrudes rancho), negotiated with a Mexican for the purchase of a lot on the corner of San Pedro and Washington Streets, for \$100. We erected a one-story brick building on the lot, and it was used as the school-house of that neighborhood for many years. I suppose, as the school population of that vicinity has increased rapidly in recent years, that building has been replaced by a larger structure.

In 1871, Dr. Rose, one of our city teachers of wide experience as an educator, drafted a bill, which we persuaded our City Council to indorse, providing for the issue of \$20,000 school bonds for the purpose of erecting an eight-room building on the hill, which the school children called "pancake hill," where the county courthouse now stands. This bill, which was passed by the Legislature of 1872, provided that the three then existing members of the School Board (Kremer, Barrows and Workman), should constitute a building committee, which was authorized to erect the proposed edifice; and that thereafter two more members should be added to the Board, they were Wm. Pridham and Col. Geo. H. Smith, which should constitute the Board of Education of the City of Los Angeles. I should add that the building was afterwards moved to California Street, where it now stands. With the increase of school room and the increased number of classes, the problem that now confronted the Board was the matter of grading the schools. The first principal of the new building was Prof. A. G. Brown, who brought to me, as President of the Board, a strong letter of recommendation from John Swett, more than any other man "The Father of the Public Schools of California."

Before the commencement of the term for which Prof. Brown was engaged, he told me that he had been for thirteen years adjunct professor of the University of North Carolina. He was a very learned man, but he did not, he told me, believe in the theory of grading schools—that the idea was repugnant to him. To which I replied that the State, in my view rightly insisted, that in the public schools, which it supported by taxation, all pupils should be required to master certain necessary fundamentals in education, before they should be permitted to be promoted, to the neglect of said essentials; but that just as fast as pupils mastered the required studies, they could be advanced to the higher grades. Prof. Brown seemed to assent to this view, but when work commenced many of the class teachers in the new building, who had previously taught in graded schools, naturally desired to know his plans, that they might work in conformity therewith. But as he had no plans for organizing the schools on a graded basis, he was much annoyed that he should be persistently asked by his subordinates for suggestions and guidance as to their several functions in a general plan. He finally told them it was none of their business what his plans were. And so each class teacher worked on in an isolated fashion, as best she could, without much regard to any unity of action by the whole corps.

It had been determined by the Board that the engagement of the new principal should commence two weeks before the regular school term began, in view of the fact that there was much preliminary work to be done. But I became fully convinced before the expiration of these two weeks that our newly-engaged principal was not the person the situation demanded; but I was not able to convince the majority of our Board of that fact till the end of the ensuing term, when they unanimously came over to my view that a change was necessary. And so, for the next term, Dr. W. T. Lucky, an educator of wide experience who was in entire sympathy with the Public School system of this country was engaged; and under him, our schools were organized on a thoroughly efficient basis, whereby the best possible results were made possible of attainment in the education of the youth of our city.

From all of which experience I was confirmed in the belief I long had held, namely, of the unwisdom and inutility of employing any one to superintend or administer a system, which he does not believe in.

I recall with pleasure some of the names of the bright galaxy of teachers of both city and county, with whom I became acquainted as a member of the Board of Education, and as a County superintendent. Miss Mary E. Hoyt and her mother, Mrs. Gertrude

Hoyt, were among the earliest teachers under American rule. Miss Hoyt continued to teach in our city schools for many years. She was a thoroughly womanly woman, and withal, a competent teacher, and her influence on the young women who became her pupils during her long and very valuable service to this community, was most admirable. Miss Louisa Hayes, who afterward became the wife of Dr. John S. Griffin, was one of the very early teachers of Los Angeles. Miss Frankie Scott also taught for a long time and was greatly beloved. Most of these and others were teachers in the public schools before I became connected with the school board; i. e., prior to 1857.

Of the large company who taught after that date, or during the next twenty years, I can only recall a few. Dr. Rose was a teacher of wide experience, and, though his methods of disciplining bad or unruly boys, were of a summary kind, especially in those cases where he saw that no other methods were effective, yet, on the whole, he was a highly successful teacher. Some of his "boys"—now prominent professional and business men, here and elsewhere,—owe a great deal to Dr. Rose and they held him, then, as I believe they do now, in the highest estimation.

Other male teachers were Wm. McKee, C. H. Kimball and Wm. A. Wallace. Miss Anna Bryant, who afterwards was married to State Superintendent Anderson; Miss Hodgkins, Miss Hawkes, now an orange grower of San Dimas, Miss Ella Hall Enderlein, now Mrs. Shepherd of Ventura; Mrs. Averill, Mrs. Chloe B. Jones, later appointed City Superintendent, and Miss Anna McArthur were all notably excellent class teachers.

Of county teachers, with whose merits as such, I had occasion to become well acquainted there were: Mrs. Loop, wife of Rev. C. F. Loop, Episcopal minister of Los Angeles and Pomona; the Misses Hamilton of Indianapolis, who taught here in the '70s—the one in this city and at San Gabriel and the other at Anaheim,—Miss Scotchler, who married H. N. Alexander, a citizen here of prominence in early times, and some others in other parts of the county whom I did not know so well.

There were other teachers in the City schools besides those whom I have mentioned, during the period of my connection with the Board, who, though perhaps less prominent, were nevertheless, not less faithful workers in their several spheres.

Miss Marwedel, an accomplished kindergartner, established the first kindergarten in Los Angeles in the early seventies. Many parents sent their young children to her excellent private school. Her assistants were Miss Kate Douglass Smith (now the brilliant authoress, Mrs. Wiggin); and her sister, Miss Nora Smith.

At the present time I learn there are between fifty and sixty kindergarten classes connected with the public schools of this city.

Many, yes, most of these trustees and teachers whom I have mentioned and, alas, not a few of the pupils of those early days, so full then of life and hope, have departed "to that bourne from which no traveler returns."

Oh! the pathos of all these memories of persons whom I knew so well, who have passed away; and of the local school history of the now distant past, which, I at least, in some slight measure, helped to make.

The public schools of Los Angeles, now most efficiently organized and managed, have multiplied almost beyond belief in recent years.

## TWENTY-FIVE YEARS IN THE SCHOOLS OF LOS ANGELES.

BY M. C. BETTINGER.

In the fall of 1885, the writer arrived in Los Angeles, and soon after called upon the Superintendent of Schools. The Superintendent at that time was Wm. M. Freisner, who had just entered upon his duties, having been called from Iowa to take the position. He served for eight years, which, I believe, was the longest term of all superintendents to that date, and has been surpassed only once since, that instance being the superintendency of James A. Foshay. Mr. Guinn told you, in his paper, that the educational affairs of the city had been taken from the City Council, and placed in charge of a separate body, known as the Board of Education. At the beginning of this period of twenty-five years with which this paper deals, the Board of Education consisted of five members. Two of these were Dr. Jos. Kurtz and C. H. Earle, both of whom are still in the city, the others seem to have dropped out of sight. The superintendent's office was then located in the old Central School building, which stood where the Court House now is located. The building was moved, at such expense as to bankrupt the contractor, to a site on California Street, adjoining the Los Angeles High School, where it now stands, and is doing service as the California Street School.

To make clearest the wonderful growth of Los Angeles and the expansion of the school department, it may be well to give some comparative figures, showing the department at the beginning of these twenty-five years, as compared with this present year of 1909-10.

At the first teachers' meeting which the writer attended, there were present 48 people. The record shows that the number of teachers at the beginning of the year 1885-6 was 67. At the end of the present year, there will be employed in the department somewhat more than 1300. This shows a gain of very nearly 50 teachers per year for the twenty-five years.

### NUMBER OF TEACHERS BY YEARS.

|               |    |
|---------------|----|
| 1884-85 ..... | 67 |
| 1885-86 ..... | 75 |
| 1886-87 ..... | 85 |

|                 |      |
|-----------------|------|
| 1887-88 .....   | 125  |
| 1888-89 .....   | 151  |
| 1889-90 .....   | 162  |
| 1890-91 .....   | 181  |
| 1891-92 .....   | 212  |
| 1892-93 .....   | 249  |
| 1893-94 .....   | 252  |
| 1894-95 .....   | 290  |
| 1895-96 .....   | 377  |
| 1896-97 .....   | 428  |
| 1897-98 .....   | 468  |
| 1898-99 .....   | 584  |
| 1899-1900 ..... | 501  |
| 1900-01 .....   | 520  |
| 1901-02 .....   | 573  |
| 1902-03 .....   | 629  |
| 1903-04 .....   | 719  |
| 1904-05 .....   | 787  |
| 1905-06 .....   | 865  |
| 1906-07 .....   | 1020 |
| 1907-08 .....   | 1081 |
| 1908-09 .....   | 1120 |
| 1909-10 .....   | 1306 |

At the beginning of this period, the superintendent was the whole office force. The following year, he was assisted by a clerk, on part time. Miss Adele Nichols, who is now the wife of the Rev. Wm. S. Young, manager of the Hollenbeck Home, was substitute teacher and Superintendent's Clerk. The arrangement was that, whenever she was not needed for substitute work in the schools, she would act as clerk to the superintendent. A member of the board acted as secretary to the board. At the present time, the office force consists of superintendent and three assistant superintendents, secretary of the board, auditor and three assistants, two superintendent's clerks and one telephone operator, a director of compulsory education with three truant officers, making a total of twenty people. This is an increase of nineteen people in twenty-five years, coming very close to one person a year. In addition to this there are, in the manual part of the work, a foreman of buildings with two assistants, and supply clerk with two assistants; in all bringing the total to an even gain of 24 people for the twenty-five years.

The process of the payment of salaries was very simple, twenty-five years ago. At the end of a school month, the pupils were dismissed at noon on Friday, and the teachers assembled for a general teachers' meeting. At the close of this meeting, each teacher was



handed a little paper sack which contained her salary for the month which ended with that day. Under the present system a time sheet is sent in by the principal of each building, on Friday, the end of the school month, to the Auditor. The Auditor and his assistants work upon the time report, and get warrants to the County Superintendent of Schools within a week's time. One week from the end of the school month, each teacher may get her warrant from the County Superintendent of Schools, which she takes to the County Auditor for his approval, and afterwards to the County Treasurer for her cash.

At the beginning of the period covered by this paper, there was only one special subject in the course of study of the city schools. That one subject was drawing, with Mrs. C. P. Bradfield as the special teacher in charge of it. Drawing had been taught in a desultory way, since early in the '70s; but in 1880, Mrs. Bradfield was engaged to supervise the work, and she put in a set of drawing books of her own authorship. This system of drawing, like so many other phases of the school work in the past, and, to some extent, in the present, began at the wrong end of the subject. It was worked out from the adult mental level, instead of from the children's level of life. It has given way now to another system, which is founded on nature, and meets the needs of the children.

During the quarter of a century, and keeping pace with public opinion as to the so-called special subjects, others have been introduced into the system from time to time, until now we have, besides drawing, music, domestic science,—including cookery and sewing,—wood sloyd, primary manual arts, health and development, physical training and hygiene and kindergarten, although the kindergarten is only in a limited sense a special subject. Altogether the special work employs twenty people, and there are indications that demands will be made upon the Board of Education for increase in the number of teachers employed in some of these different special fields.

The order of the appearance of these special subjects in the school system is as follows:

- 1881—Drawing, J. M. Guinn, Supt.
- 1889—Kindergarten, W. M. Freisner, Supt.
- 1890—Physical training and hygiene, W. M. Friesner. Abandoned 1901.
- 1895—Music, James A. Forshay, Supt.
- 1896—Sloyd, James A. Foshay, Supt.
- 1899—Cooking, James A. Foshay, Supt.
- 1899—Sewing, James A. Foshay, Supt.

- 1900—Primary manual arts, James A. Forshay.  
1907—Health and development, Dr. E. C. Moore, Supt.  
1909—Physical training and hygiene, Dr. E. C. Moore.  
1895—Commercial Dept., High School, James A. Foshay, Supt.  
1904—Poly. High School built, James A. Foshay, Supt.  
1873—High School established, Dr. Wm. C. Lucky, Supt.

The Superintendents of the schools for the quarter of a century, with their length of term, have been as follows: Between the close of the period covered by the paper of a month ago, and the beginning of the era covered by this paper,—a period of two years,—Mr. L. D. Smith was Superintendent. He died while in office. Mr. Wm. M. Friesner, as has been before stated, became Superintendent the same year that the writer entered the school system. Mr. Friesner served eight years; LeRoy D. Brown, one year; P. W. Search, one year; James A. Foshay, 11 years; E. C. Moore, 4 years.

By far the most significant, as well as the most effective for good, of all the changes that have taken place in the organization of the school system, is that which has occurred in the personnel and organization of our boards of education. As has been stated at the beginning of this period, the Board consisted of five members. I believe that also was the number of wards in the city. In 1889, when the new charter went into effect, the membership of the Board was increased to nine, corresponding to the number of wards. However, it may have been with the integrity of the Boards preceding this day, I cannot speak, for there seems to have been no disturbance or agitation of any kind, upon which to base a record; but with the enlargement of the Board bad practices seemed to come in, and from that date, personal favor, partisan bias, and general dishonesty of practice seemed to dominate the affairs of the Boards of Education. This condition continued until it came to open bribery and blackmail, and then an upheaval. Greatly to the credit of some of the school people, and many of the citizens of Los Angeles, this corrupt state of affairs did not continue very long.

There was an investigation in 1897, which resulted in the relegation to obscurity of some members of the Board of Education and some officials, and the banishment from the city of one member of the Board. This clearing of the atmosphere resulted in a movement that gave us eventually a change in the charter, which provided for a Board of Education composed of seven members elected at large, instead of nine elected by wards. At the call of the municipal league, 100 citizens came together and selected seven of the most prominent and busiest men of the city. These were placed before the political parties for endorsement, and were largely

endorsed, although refused endorsement by one of the political conventions. They were elected with large majorities, and in the two elections of Boards of Education since, these majorities have been maintained to such an extent that there is no mistake about what the people of Los Angeles want, in the personnel of a Board of Education. We have a non-partisan Board of Education, in fact as well as in name; and we are getting toward the next step in the development, that is, toward what is better than non-partisan,—a non-personal administration of public school affairs.

The development of educational views and practice in the department, for these twenty-five years has been principally a transition from the factory notion of uniformity, to the humane notion of individuality. Our school system, in its last analysis, is a sort of composite formation, made up of two main elements, viz., mediaeval-monastery and nineteenth-century-factory. The struggle for the last fifty years and especially the last twenty-five years, has been to break away from the conventional and stereotyped uniformity that resulted from this composite structure. The conflict has been on between this uniformity on the one hand and the individuality on the other. The uniformity idea is the idea that aims to bring all matters in the schools, teaching and management alike, to the highest possible degree of uniformity of procedure, so that every day shall go off as nearly as possible the same as every other day, and every child in every school be dealt with as nearly as possible in the same way in which every other child is dealt.

On the other hand, the individuality idea aims to get down into the mass of the children, and find the individual, to give him the recognition and treatment of the individual just as far as possible, so that he will be differentiated from all the other children as far as possible, according to his own characteristics and peculiarities. Sometimes, in the last quarter of a century, one of these ideas has had the ascendancy and sometimes the other. But the human idea of individuality has gained, on the whole, and is holding the field very well at the present time.

The struggle between these two ideas became acute in the latter part of Mr. Friesner's administration, in the early '90s, in an effort to modify the rigid written examinations that were being held in the schools at that time. So much like a factory had these schools become, that a teacher's efficiency and the pupil's advancement in the work had come to be determined exclusively by written examinations. Ten questions would be prepared by some one and placed before the children to answer at the end of the term or the end of a year. All other considerations by which a teacher could determine whether a pupil was strong enough to go on and do advanced work or not, passed for nothing, and all the other

questions that might have been asked, about which those who failed on the ten might have known a great deal, passed for nothing, because uniformity demanded that all must stand or fall on those ten questions. Under these examinations, a pupil who succeeded in getting marked 65%, was strong enough to go on in advanced work, while one who reached only 64½% was so weak that he had to go back and come up over the course for another half year or year, as the case might be. The best thought of the teachers was devoted to perfecting these examinations, rather than instructing the children, and it became worked out to a nicety, just what percentage of her pupils a teacher should promote. If a teacher promoted more than this prescribed proportion, she was suspected of being dishonest. If she promoted fewer, she was accused of being incompetent. The attack was made on this rigid, factory-like uniformity of procedure as evidenced in these examinations, and the conflict has gone on until, at the present time, we do not have any stated examinations. The children are promoted on the judgment of the teacher and principal,—a judgment that is made up from daily contact with the pupil, and observation of his work in class-room and about the school premises. The only question asked now is, "Has he the strength to do the advanced work?"

Besides this general recognition of the individual by releasing the pupils from the tyranny of these examinations, there have been created special classes for taking care of different types of pupils. In the progress of affairs in this direction, toward the better recognition of the individual, it has come to be seen plainly that our course of study and our grade system of teaching were adapted to only one type of child. They met the needs of only one type, and the other types of children,—good types, fit types to be in school,—have been simply sacrificed. Special classes have been created, to take care of these other types of children whose needs the grade system does not meet. These special classes are ungraded rooms and special ungraded rooms, or truant schools. The theory behind these special classes, is that if education is good for the State, the State ought to give a fair chance to all types of children. It has no right to have a course of study and a system of teaching that blocks the passage for certain types of children. That is what our courses of study and our grade system have done in the past and are doing yet to some extent. We are trying to take care of these uncared for types of children by the special classes.

The manual work in the grades, that is, sloyd, cardboard construction, etc., and the shop work of the Polytechnic High School, are another provision in the same line, to take care of or provide education for these other types of children who are not adapted to the regulation course of study as it has been in the past.

At one time, the progress of school affairs, from the factory idea of uniformity, to the human idea of care of the individual, was badly interrupted. The interruption came in the form of precipitate action on the part of the Superintendent. This occurred during the year of the superintendency of P. W. Search, 1894-5. Mr. Search simply went ahead too fast. He had not yet learned the lesson that a leader cannot go ahead faster than his people will follow. In more recent years, the school leaders seem to have learned this lesson well.

Our Ex-Assistant Superintendent Frank F. Bunker, now Superintendent in Berkeley, has given us a good illustration of the leader who knows that he cannot lead unless the people will follow. Before putting his new course of study and gradation into effect, he not only instructed his corps of teachers, and explained fully his measures to his Board of Education, but he also held mass meetings throughout the city, and explained to the people themselves what he intended to do, and why it was to be done. Similarly, in the southern states of this country, the same thing has been done. The same south that has been lagging in educational matters shows signs now of forging to the front, and in a large measure because the leaders there have adopted the plan of explaining to the people at large. The managers of the educational funds,—Peabody funds and others,—nowadays before putting any idea or change into effect in the district which their fund covers, hold a campaign week. They begin the week with sermons from the pulpits of all the churches in the district, and on Monday they start out an itinerary of speakers who speak throughout the week everywhere that they can get an audience, explaining what is to be done, and why. At the end of the week, public opinion has been created, and the people are ready to co-operate with the educational leaders. It does not take thirty years to get the new idea lodged with the people, as it used to take in Massachusetts, in the early days of public school affairs. Mr. Search neglected not only to fully post his corps of teachers, but failed entirely to prepare the public for what was coming. The consequence was widespread misunderstanding, and, as is always the case following misunderstanding, most vigorous misrepresentation, and then almost turbulent reaction and precipitate stampede from his leadership. His idea was simply to devise a system which would meet the needs of all types of children, instead of handling them in a job-lot way, on the factory notion of uniformity. His failure gave a serious setback for the time to the progress of the movement towards better care of the individual; but gradually Los Angeles has recovered, and is now moving steadily in that direction, in step with the whole country, as is evidenced by the manual work in the school system, by the

special subjects, drawing, music, etc., by the ungraded room and special classes, by the irregular promotions, and by the general mental attitude of the department. As far as the writer is concerned, he wishes that he may be able to hold out and work toward this end, until the day shall come when there shall be study of text books only half a day, and industrial training in all good lines during the other half of the day; and both the study of text books and the industrial training shall be so flexible that every type of child will get the schooling that meets his needs, and in that way be given a fair chance alongside of every other type of child. This adjustment of school work is certainly coming, and California ought to be the first State leading off in that direction.

Another phase of school work which has undergone a very marked change in a quarter of a century, in fact, a complete, right-about change, is that which has to do with the place of play in the schools. At the beginning of the writer's connection with the Los Angeles schools, play was frowned upon. The sentiment had hold of the school teachers and officials that the children did not come to school to play, they came to study books, and accordingly the effort was made to suppress play as much as possible. The writer has known schools in which there was a rule that there should be no running on the school yard. The child who yielded to the impulse of nature, and ran a few steps, would get his running members treated with a rattan. That was the attitude of the teachers and officials. On the other hand, the same idea had possession of the parents. Three most worthy matronly women once called upon the writer, when he was a principal not very far from this building, and stated to him that they had been sent by the community to ask why the children could not be kept quiet on the school yard. "Why," said they, "we can hear your children three blocks away!" It may be stated, somewhat parenthetically, that the community was stiller then than it is now. There were no trolley rattles, automobile toots, or noises of manufacturing establishments. "Why can't your children," the ladies continued, "stand about on the school yard and talk to one another in a genteel way, just as they do at Spring Street School?" Spring Street School, by the way, has passed out of existence, so there is no danger of casting any slur upon its name. Its place is now occupied by Mercantile Place. At that time, however, it was not thought to be a slur, but rather a most creditable reputation that a school had no play on its premises. There is evidence of the folly of this idea in Los Angeles yet to be found in some of our school buildings, which are built upon just enough ground to hold the building. It is not as bad in Los Angeles in that respect as in many older cities, and be it said to the great credit of our non-partisan Boards of Education that many

of these monuments of folly have been improved in recent years by the addition of ground about the premises, so that children have some measure of a chance to play while at school.

The change in the attitude toward play has come largely within the last ten years, and the change has been a complete right-about-face. Educators have come to understand the great value of play as an educational factor. They have come to understand that play has as much to do with the character-building side of education as has their text-book study in the schools, and further, that the play of the children of our cities must be looked after, or else the citizenship of our cities is going to be a menace to our government. Good citizenship is made through the right kind of play, more than through anything else. We have now in Los Angeles, besides the public playgrounds, financed and managed by the City Council, six public school playgrounds which are kept open every afternoon until dark, and half day on Saturday, in charge of a competent, paid supervisor. In the summer vacations, the playground commission takes charge of some of these school yards, and pays the salary of the Supervisor. This phase of our school affairs should go on also, until every school yard of any size in the city is equipped with proper apparatus, and kept open during daylight. That includes Sundays, under certain restrictions. Children prefer school playgrounds to the public playgrounds, because of the animal instinct which tends to make them go back to the old places of rendezvous. The parents prefer the school playgrounds to the public playgrounds, because the children are nearer home. The city cannot spend any money unwisely in equipping and keeping open these school playgrounds as the most potent factor in the work of making citizenship.

## THE CONQUEST OF CALIFORNIA.

BY H. D. BARROWS.

Paper read before Historical Society, January 3, 1911.

The story of the taking possession of California by Commodore Sloat and the forces under his command, should always have an interest for Californians.

In 1892 I visited Monterey to obtain data for a History of Central California, and I there learned of many interesting incidents connected with the change of governments, from persons still living, who took part in, or witnessed the actual events as they transpired, and which I believed had theretofore never been published.

A few words would seem to be necessary here, to explain the situation of affairs in the Province just prior to the change.

Lieutenant Gillespie arrived at Monterey, April 17, 1846, on the United States vessel *Cyane*, bringing instructions from Washington to Consul Thos. O. Larkin and Captain John C. Fremont.

Matters were at the time rapidly approaching a crisis in California. Even as early as March 27, a meeting of leading citizens of Monterey, with the military junta, was held at Consul Larkin's house, to consider the situation, in which the several propositions were discussed, of independence, annexation to the United States, to England, or to France, by Castro, Vallejo, Prudon, Hartnell, and others.

From this it was evident that the partisans of all these schemes already believed that a political change of some kind was certain to come very soon. This belief, more or less clearly defined, extended throughout the territory; but it was probably more actively discussed at Monterey than at any other locality.

Commodore Sloat of the Pacific squadron, on his flag-ship *Savannah*, fifty-four guns, arrived at Monterey from Mazatlan, July 1, 1846. There were in port at the time of his arrival, the *Cyane*, Captain Mervine and the *Levant*, Captain Page, twenty-four guns each.

Several days passed before Sloat decided to take possession of the town, and to order Captain Montgomery of the U. S. vessel, the *Portsmouth*, then at San Francisco, (or Yerba Buena, as it then was more generally known) to raise the American flag at that port.



On July 7, however, having completed all his arrangements for the important step, he sent Captain Mervine ashore with a force of 250, who hoisted the Stars and Stripes over the custom-house, which were saluted with three cheers by the marines and spectators, and by twenty-one guns from each of the United States men-of-war in the harbor.

A proclamation in both Spanish and English, addressed "to the inhabitants of California," was posted in various public places; the necessary steps for the preservation of order were taken; and information of what had been done was sent to Montgomery, Fremont, Castro, Stearns and others.

At San Francisco Montgomery raised the American standard two days later without opposition, and on the same day Lieutenant Revere performed the same act at Sonoma.

Thus was the change of government in Central California effected quietly, as an event that was expected by all, and gladly welcomed by many.

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The foregoing is a brief skeleton account of the conquest, which will be supplemented by the stories of Dr. Ord, Thomas Bralee and others as recounted to the writer, mostly being based on matters which came within their own personal knowledge.

#### MR. BRALEE'S STORY.

Thomas Bralee, who was one of the actors in the flag-raising at Monterey, in 1846, and who was still a resident of that town in 1892, gave me some extremely interesting details concerning that event and concerning persons connected therewith.

Mr. Bralee served on the Savannah, a fifty-four gun, double-bank frigate, the flag-ship of Commodore Sloat. He said that while the Savannah, and the British man-of-war Collingwood, Admiral Sir George F. Seymour, were anchored at the Mexican port of Mazatlan, the American frigate sailed out of the harbor several times, and Admiral Seymour of the Collingwood would follow to learn in which direction the Savannah would head. But every time she would return to port, and back again would come the British admiral. Once, on the occasion of a court-martial having tried and found guilty a young sailor who had struck an officer, the penalty of which was death, the Savannah put to sea to carry out the sentence of hanging at the yard-arm, which was not permissible in a foreign port, under international law. The poor boy was pardoned by Commodore Sloat; but the incident served as a pretext to put to sea. The Admiral finally got tired of following the movements of the Commodore.

Meanwhile, on the arrival of news from Washington, Sloat set

sail in earnest for Monterey, where he arrived July 1, having entirely eluded the Briton, who supposed the sallying forth this time, as before, was only a feint.

On July 3, continued Mr. Bralee, some of the men from the Savannah were allowed to go ashore at Monterey. But on July 4, they were not given shore-leave, as they were liable to get too merry on our nation's birthday, and thereby make trouble. Neither on the 5th were they allowed to go ashore, and the men began to grumble. But on the 6th matters were made clear to them.

The Declaration of War with Mexico was read and active arrangements were made for them to go ashore the next morning. About 400 men, Mr. Bralee thought, (or one-half the force of the Savannah, and the sloops-of-war, the Cyane and the Levant) disembarked on the morning of July 7, and marched, under command of Captain Mervine, up to the custom-house to demand the surrender of the place, and detachments of the United States forces then took possession of the *cuartel*, and other points in the town.

Of course, the inhabitants recognized that they could not successfully defend the place against the guns of the United States men-of-war, and their well-armed, formidable crews, and therefore no attempt was made to do so.

It is customary for a conqueror, in taking possession of a country or port, to go through the formality of lowering the flag of the conquered before raising his own. But the Mexican flag had been removed, which caused some delay in proceedings, whilst messengers were sent aboard the frigate to bring a Mexican flag. This was raised to the top of the flagstaff. Whereupon it was duly lowered, and the United States flag was elevated in its place. Three cheers were given by the seamen and spectators, and a salute of twenty-one guns was fired by each of the men-of-war.

Dr. James L. Ord's recollections of persons and incidents connected with the conquest are interesting, although he, with his brother lieutenant, afterwards General Ord, arrived at Monterey six months after the flag-raising by Commodore Sloat. Dr. and Lieutenant Ord came to California as members of Company F, Third Artillery, on the United States ship Lexington.

The story of the conquest as learned by him from persons who took part in it, is as follows:

While the Savannah was lying at Mazatlan Surgeon Wood being in poor health, went East, and somewhere in Mexico he learned that General Taylor had crossed the Nueces river, and he sent back a courier with the news, to the American Consul, and through him to Commodore Sloat, who thereupon set sail for Monterey, where

he arrived July 1, and some two weeks ahead of Admiral Seymour of the British man-of-war, the *Collingwood*. The latter vessel arrived on the 16th of July, one day after the arrival of the American war vessel, the *Congress*, and anchored right between the *Congress* and *Savannah*. Sloat, supposing that Seymour had later news from the seat of war, and not knowing that the Oregon boundary question had been settled, ordered his guns double-shotted, with directions to aim at the water line of the *Collingwood*.

But whatever sinister appearance Seymour's act of anchoring between the two American men-of-war may have had, no further movement indicating possible hostilities on the part of the English Admiral was made; and the subsequent intercourse between the officers of the two fleets was friendly, till, not long after, Seymour sailed away.

Later (in December, 1847) Seymour met at Valparaiso the *Lexington*, which was on its way to California with Company F of the Third Artillery. The British Admiral in a friendly interview in Captain Tompkins' cabin on board of the *Lexington*, Captain Bailey, Lieutenants Sherman, Ord and Halleck being present said, "The Yankees were two weeks ahead of us in the taking of California."

Dr. Ord recounted to me this curious incident in the life of his brother, Lieut. Ord, in connection with the precipitation of the Mexican War, and the far-reaching issues which grew out of it, including the taking of California, etc.

At a meeting of President Polk and his cabinet, it was decided to send Lieutenant Ord as a bearer of dispatches to General Taylor, ordering him to cross the Nueces river and occupy the disputed territory between the Nueces and Rio Grande.

At a later meeting of the cabinet the previous determination was reconsidered and a courier was sent to countermand the previous order, but he was delayed by heavy rains and bad roads and failed to overtake Ord till it was too late, and till after the battle of Palo Alto had been fought.

Dr. Ord said his company landed at Monterey in January, 1847, and was stationed on the hill back of the town where the earth-work still existed (1892). As they occupied tents and the weather was quite cold, they moved down in February to the old custom house. Lieut. Sherman and Dr. Ord occupied the north end of the building, and the south end was used as a hospital.

Dr. Ord said that the officers of his company were received by the people of Monterey, not as enemies, but as friends. The newspaper, *The California*, was published while Dr. Ord was in Monterey.

Here is an incident related by the doctor. The officers of Company F gave a party, or *baile*, with supper and champagne, etc.,

at Mr. Hartnell's house on the hill, on the 6th of July, 1847; and, although the Californians were very friendly, they got the idea erroneously that the ball was purposely given on the anniversary of the taking of the town, and they would not come. Nevertheless the officers had a good time; Sherman, Halleck, Ord, etc., were there, as also were Mr. Hartnell's family and a few others.

Mrs. David Jacks, who came to Monterey as a child, with her parents in 1841, at the time of my visit in '92, had vivid recollection of the events connected with the American flag-raising in '46, she then being about nine years of age. She said she thought at the time that the officers and sailors of the American men-of-war, with their neat, handsome uniforms, presented a fine appearance, as they marched from the beach to the "Cuartel," in front of the Hartnell house, where she then happened to be. She remembered that the sisters, Mrs. Jimeno and Mrs. Hartnell, were much excited, and as they embraced each other and cried, she, Mrs. Jacks (or Marie Romie, for she was only a little girl then), asked a daughter of Mrs. Hartnell why her mother and aunt cried and "took on" so, and the reply was: "The Americans have come to take our country from us!"

Nevertheless even these sisters in time became reconciled to the change, and one of them, Doña Angustias de la Guerra de Jimeno, widow of Secretary Jimeno, under Governor Micheltorena, sister of Mrs. Hartnell and of Judge Pablo de la Guerra, later became the wife of Dr. Ord.

The foregoing details and many more, from original sources, directly or indirectly, illuminating the story of the Conquest, may be found in the "*History of Central California*," in our Public Library, wherein also may be found Dr. Ord's account of the three Ord brothers, and of their father, who was a morganatic son of King George IV of England, by the beautiful Mrs. Fitzherbert. Dr. Ord's story, as he recounted it to me, and as recorded by his consent in the above history, was corroborated in every essential detail by documents lodged in the vaults of a London bank three-quarters of a century ago and opened and published by order of King Edward VII a few years ago.

This imperfect sketch of an important epoch in the history of California would be incomplete if I did not mention the fact that the Americans did not take possession of Los Angeles for more than a month after the taking of Monterey. During all this interval Governor Pio Pico performed the functions of his office at Los Angeles, which at that time was the legal capital of the Territory, and the official residence of the Governor.

Governor Pico told me that he left Los Angeles on the 12th day of August, 1846.

On the 13th, the American forces entered the city, and thereupon the sovereignty of Mexico over California finally came to an end.

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Without entering into any discussion of the merits of the *beginning* of the war with Mexico or the causes which led to it I desire in conclusion to call attention to an important incident connected with its *ending*.

Instead of holding fast to *the spoils of war*; as most Nations civilized or barbarous, usually do, and which a provision of doubtful morality of International Law sanctions, the United States voluntarily returned to the Mexican people the control of their capital, and instead of arbitrarily insisting on holding as "a spoil of war" Alta California, our Government entered into friendly negotiations for the purchase of the Territory, and actually paid \$15,000,000 for the same, which has always seemed to me *a white act in a sordid and selfish world*—an act, in the history of California as an *American* or a *United States possession*, which its inhabitants justly have a right to be proud of.

## HISTORY OF THE CAHUENGA VALLEY AND THE RANCHO LA BREA.

BY J. M. GUINN.

Alta California was discovered by Cabrillo in 1542—fifty years almost to a day after Columbus landed in America. For two hundred and twenty-seven years Spain held possession of it before she made an attempt to explore it or to colonize it. She was rich in land but poor in people. Spain owned by right of discovery all of the South American continent and nearly one-third of the North American. Her proscriptive laws against foreigners prevented people from other countries settling in her domains; her own people and the natives of the conquered countries were the only settlers in her vast possessions.

The success of the Jesuits in converting and colonizing the natives of Lower California encouraged the State to attempt the settlement of Alta California in the same way.

The work of converting the aborigines of Alta California into citizens of Spain was to be jointly the undertaking of the State and the church. The State was to furnish soldiers to protect the missionaries, to keep the natives in subjection, and to punish them if they rebelled. The church was to convert them to Christianity and train them to labor. The Jesuits had been expelled from all of Spain's possessions by order of King Carlos III and the Franciscan given charge of their missions. At the head of Franciscans in Baja or Lower California was Junipero Serra, a man of untiring energy and great missionary zeal. He entered into the scheme of founding missions in Alta California with unbounded enthusiasm. Representing the State in fitting out the expedition for the founding of missions was José de Galvez, Visitador General of New Spain, an ardent religionist and a man of superior business ability.

It was not alone love of its Indians or a desire to develop the resources of Alta California that actuated Spain in her colonization scheme but the fear of the Russians and the English,—nations that had grown in power as Spain had lost. They were possessed of a land hunger and were ever ready to take from others when an opportunity offered.

By the united efforts of Galvez and Serra, the preparations for the expedition to Alta California were speedily completed. Early in 1769, two divisions of it left Santa Maria, the northern frontier settlement of Lower California, on different dates for San Diego, the first objective point of settlement, and two vessels with

supplies and a company of soldiers sailed respectively from La Paz and San Jose del Cabo for the Bay of San Diego.

On the first of July, 1769, all the divisions of the expedition had arrived at San Diego. Father Junipero Serra, president of the missions, who came overland with the second division, set about founding the first mission, and Gaspar de Portola, Governor of the Californias and Comandante of the Military, organized an expedition to explore the country and found a second mission at Monterey. The expedition consisted of a force of sixty-four men—officers, priests, soldiers, muleteers and servants—and two hundred mules and horses. The explorers carried with them on their pack animals rations for the men sufficient to last six months; the animals subsisting on the native grasses, which were very abundant. In the San Garbiel Valley, Portola, in his diary says, "The grass had grown so tall the animals had to jump to get through it." The expedition started on July 14, 1769, two days later Father Junipero Serra founded the Mission of San Diego de Alcala (St. James of Alcala). The daily marches of the expedition were short, and there were frequent halts of a day or two to examine the country, to make roads in advance, and to locate sites for Missions to be established later.

It is not pertinent to my subject to follow the explorers on their long and tedious journey up the coast. I shall give extracts from the diary of Father Crespi, one of the two priests who accompanied the expedition, descriptive of the valleys of the Santa Ana and San Gabriel rivers as the explorers found them; of their discovery of the Rio Porciuncula and the future site of Los Angeles, of their finding of the brea beds of the Rancho La Brea, and their journey through the Cahuenga Valley, and their passing out of it over the Santa Monica Mountains.

On the 28th of July, the explorers encamped on the left bank of the Santa Ana River. "At the right hand bank," says Father Crespi, "is a large Indian rancheria, the gentiles whereof received us with great cordiality. Fifty of them came to see us, headed by their Captain, who invited us by signs, which we understood perfectly, to come and live with them;—that they would build us houses and provide us with grain and meat of antelopes and hares. They insisted on their offer, telling us that all the land in sight (and it certainly was much) belonged to them and they would divide it with us."

Here the explorers experienced their first earthquake in California, at least the first recorded in their diaries. Father Crespi says, "We called this place 'El Dulcissimo Nombre de Jesus de Los Temblores'—(The sweetest name of Jesus of the earthquakes)—because four times during the day we had been roughly shaken

up by earthquakes. The first and heaviest trembling took place at about 1 o'clock and the last near 4 o'clock in the afternoon. One of the gentiles who happened to be in camp, and who undoubtedly exercised the office of priest was no less scared than we, and began to shout aloud, invoking mercy and turning toward all points of the compass. To the soldiers, this river is known by the name of Santa Ana."

Next day they resumed their journey and, says Crespi, "On account of the swift current, we had hard work crossing the river." Although this was in the midst of the dry season the river had a large flow of water in it.

They explored the upper part of the San Gabriel Valley, being well shaken up by earthquakes. They then turned back and on August 1st they were encamped near the present site of the San Gabriel Mission. Father Crespi makes this record in his diary August 1st, 1769:—"Today we rested, so that the surrounding country might be reconnoitered, and above all, for the purpose of gaining the jubilee of Our Lady of the Angels of Porciuncula. Both of us said mass, all the people took communion and complied with every requirement necessary to gain the great indulgence. At 10 o'clock in the morning we felt the earth quake; it recurred again and stronger at 1 o'clock, and anew an hour afterward."

The jubilee, or fiesta, of Porciuncula was granted to St. Francis, the founder of the Franciscan Order of Monks, while he was praying in the little church of Our Lady of the Angels, near Assisi, in Italy. Porciuncula is a hamlet where the church is located. From this fiesta comes the name of our city.

*August 2, 1759.*—"Early in the morning we left this valley and kept on the same western course. After traveling for about a league and a half through an opening formed between two low hills we came to a rather wide cañada having a great many cottonwood and sycamore trees. Through it ran a beautiful river toward the north-northeast and curving around the point of a cliff it takes a direction to the south. Toward the north-northeast we saw another river bed which must have been a great overflow, but we found it dry. This arm unites with the river and its great floods during the rainy season are clearly demonstrated by the many uprooted trees scattered along the banks. We stopped not very far from this river, to which we gave the name Porciuncula. Here, during the evening and night, we experienced three consecutive earthquakes. Today's journey may have been about three leagues.

"This plain through which this river flows is very extensive, and the soil well adapted for cultivating all kinds of grain and seeds. This is the best locality of all those we have yet seen for a mission besides having all the resources required for a large town." The



Porciuncula is now the Los Angeles River, and the dry river the Arroyo Seco. The explorers' camping place was located probably about where the Downey Avenue bridge crosses the river. Father Crespi's high praise of the locality may have had something to do with the locating of the pueblo of Los Angeles there twelve years later.

*August 3, 1769.*—"At half past six we set out and forded the Porciuncula River where it leaves the mountains to enter into the plain. After crossing the river we found ourselves in a vineyard among wild grape vines and numerous rose bushes in full bloom. The ground is of rich black clayish soil and will produce whatever kind of grain one may desire to cultivate. We kept on our road to the west, passing over like excellent pastures. After one-half league's march we approached the rancheria of this locality. Its Indians came out to meet us howling like wolves. We also greeted them and they wanted to make us a gift of seeds, but not having at hand wherein to carry it we did not accept their present. We traveled on this plain for nearly three hours, making during this time about the same number of leagues. We came to a grove of very large, thick and high sycamore trees, where quite a large spring, hidden among tall grass and covered with smelling herbs and water-cress has its source. The water afterward runs in a deep ravine toward the southwest. All the land we have seen this morning appears to us to be most excellent. We camped near the water. This evening we experienced a few more shakes and these repeated earthquakes kept us in a state of amazement.

"We judge that the mountains in front of us, running to the east, must contain volcanoes, and there are sufficient signs on the road between the Porciuncula River and the Aliso Spring to indicate their existence, because our scouts noticed some large swamps of a certain substance, something like pitch, which was boiling up in large bubbles. The pitch runs off, together with a large volume of water, separating afterward, the water taking one direction and another one the tar, which is so abundant that a great many vessels could be careened.

"To this stopping place we gave the name of El Ojo de agua de Los Alisos de San Esteban—The spring of water of the Sycamores of Saint Stephen."

Our explorers continued their journey southwestward toward the ocean and encamped at springs which presumably were in the old Santa Monica Cañon. There they found a rancheria of good and gentle Indians, who made them presents and invited them to live with them.

Their scouts reported that the mountain range extended down to the sea, where it ended in cliffs and could therefore not be crossed.

They deviated their course to the northwest and entered a cañon with perpendicular sides and after many falls and tumbles scrambled to the summit where they enjoyed a view of a most delightful and vast valley. They descended to it and found a large rancheria of Indians. More than 200 came to their camp, each bearing a gift of some article of food. Crespi, who was the nomenclator of the expedition, named it El Valle de Santa Catalina de Bononia de Los Encinos—The Valley of Saint Catherine of Bononia of the Oaks. He says the valley is nearly three leagues wide and more than eight long. The explorers had evidently crossed over a high spur of the Santa Monica Mountains and come down into the San Fernando Valley at a place still known as the Rancho El Encino.

Gaspar de Portola says of this camping place: "Some natives appeared and begged us to go to their village, which was near; there we found eight villages, together which must have numbered more than three hundred inhabitants—with a great supply of grain."

The explorers crossed over the divide to the headwaters of the Santa Clara river, which they so named and followed it down to the ocean. They kept too far to the south to discover the Cahuenga Pass on their first trip. Their route over the future site of the pueblo of Los Angeles, after crossing the river lay between the hills and the river about where San Fernando street now runs. The Indian village of Yangna was located near the river, between what is now Aliso street and First street.

The explorers skirted the western hills and passed out of the old pueblo limits about West Eighth street, and from there struck westward to the neighborhood of where Sherman is now located. Governor Gaspar de Portola in his diary, says: "On the 3rd (of August) we proceeded for three hours on a good road; to the right of it were extensive swamps of bitumen, which is called Chapapote (black wax or glue). We debated whether this substance, which flows melted from underneath the earth, could occasion so many earthquakes." They did not know that the liquid brea or asphaltum was forced up by gas and not by heat.

From July 28th, when they were encamped on the left bank of the Santa Ana River and including their stay at Aliso Spring in the Cahuenga Valley, the explorers experienced twenty earthquake shocks in six days, some of them quite severe. Gov. Portola says of the one on the 28th that it was of such violence that they supplicated "Mary, Most Holy." "It lasted," he says, "about half as long as an Ave Maria"—rather an uncertain measurement of duration.

These seismic disturbances continued for a period of forty years and finally culminated in a series of severe shocks in 1812 which was long known as *el año de los temblores*," the year of the

earthquakes. The earthquake that destroyed the Mission Church of San Juan Capistrano—killing forty-three neophytes—injured all the Mission buildings up and down the coast for 300 miles. Hugo Reid says in his letters, "The now San Gabriel River was named Rio de Los Temblores, and the building was referred to as the Mission de Los Temblores. These names were given from the frequency of convulsion at that time and for many years after. These convulsions were not only monthly and weekly, but often daily. The branding iron of the Mission was a T, initial of Temblores.

The trail that Portola's first expedition made became the main traveled road or camino real up the coast. On his second journey to Monterey made in the spring of 1770, he followed substantially this road. Portions of that trail made one hundred and forty-two years ago are still traveled. North Spring Street is a part of it. On Ord's map or plan of Los Angeles, made in 1849, that old trail or road is traced from the junction of Spring and Main Streets to the western limits of the old pueblo. It crosses the blocks between First and Third Streets, Spring and Broadway, diagonally. It intersects Hill at Fourth and Olive at Fifth Street. Skirting the hills it passes out of the old pueblo limits near Eighth Street. Here it divides, one branch leading off to the Brea Springs, doubtless part of Portola's trail—the other branch leads off to the Cahuenga Pass. Portola discovered the Pass on his return trip and the main traveled road up the coast afterwards went through the Pass. This old trail of Portola's from North Spring to Eighth Street, was used for many years after the American occupation. It is less than twenty years since the City Council quit claimed a portion of this old road to a lot owner in Block 11½, of Ord's Survey. If there was such a road as El Camino del Rey—the King's highway—in California this old brea road would have the first claim. The King's horses and the King's men may have galloped over it in the olden time bearing royal mandates from presidio to pueblo; but creaking wooden wheeled carretas loaded with brea were far more common than the King's cabelleros on this royal road.

In the adobe age of Los Angeles brea or crude asphaltum, was the material most commonly used for roofing. It was hauled in ox carts from the brea springs west of the pueblo.

James Ohio Pattie, one of a company of trappers who entered California by the southern route in 1827, and who visited Los Angeles in 1828, thus describes the buildings in it, and the manner of roofing them: "The houses have flat roofs covered with bituminous pitch brought from a place within four miles of the town, where this article boils up from the earth. As the liquid rises,

hollow bubbles like a shell of large size are formed. When they burst the noise is heard distinctly in the town. The large pieces thus separated, are laid on the roof previously covered with earth, through which the pitch cannot penetrate when it is rendered liquid again by the heat of the sun."

It is to be regretted that this roof factory that Pattie describes went out of business—not only would it have furnished us roofing material but the bursting of those huge bubbles with a noise that could be heard four miles away, would have furnished a continual 4th of July or Chinese New Year to the boys of the valley without expense.

The next mention I find in history of the Brea Springs is in the Pueblo Archives of 1835. Juan de Dios Bravo—John Brave of God—was a regidor in the Most Illustrious Ayuntamiento, or Town Council, of that year. Juan of the Holy Name was an insurgent and bitterly opposed to mission land monopoly.

Juan, in his speech before the Council, advocating the taxing of the Missions for the salt they used from the Pueblo's Salinas or salt pits at Redondo and for the brea of the springs, said, "The Ex-Missions still maintain their proud old notions of being the owners of all the natural products of forest and field. They will not allow any wood to be taken to build a hut—or to fence a field even when they are paid for it, alleging in justification of their refusal that their is not enough to supply the Indians of the Ex-Missions. Now admit," said Juan of the holy affix, "that these wretched people should have their wants supplied in preference to the people of this town, therefore, I say, the frairs of the Ex-Missions should pay tax on the salt and brea from our springs they use for their Indians."

The eloquence of Juan, the Valiant, moved the Town Council to appoint a committee to consider his revenue scheme. The committee reported in favor of taxing the Mission frairs two dollars a bushel for all salt used by them for the Indians. In regard to placing a duty on brea the committee reported that the Missions were not using any, but in future if there should be a demand for the same by said Missions the tribunal of this pueblo will fix a price which will be adjusted according to the quantity used. This is all the committee has to say on the matter.—*God and Liberty, Angeles, June 19, 1835.* The brea deposits were at first communal property, any citizen of the pueblo had a right to take brea from the beds for his own use.

As the pueblo grew into a ciudad or city special privileges and private interests got in their work. I find in the ayuntamiento records of 1845 that the city's interest in the springs were granted to Carlos Baric, he to pay 5 per cent of all sales made into the

city treasury—but, says the record, “he shall not prohibit neighbors from using all they need.” If all of the citizens should have claimed to be Baric’s neighbors, where would his profits come from?

The rancho La Brea was granted by Gov. Echeandia, in 1828, to Antonio Rocha, a Portuguese, who came to the coast in the British ship *Columbia*, in 1815. Rocha, being a Catholic, and from Portugal, next door neighbor to Spain, was allowed to remain in the country, but ten others who deserted from the ship and tried to gain a residence were promptly arrested and shipped out of the country. The rancho originally contained one square league, or 4444.4 acres. The brea deposits seem to have been reserved for the citizens’ use in the conveyance of the grant.

Antonio Jose Rocha, the grantee, built a large adobe house on what is now the site of the Phillips building, corner of Spring and Franklin Streets. It was sold in the early ’50s to the County and City for a court house and city hall. In the rear was the jail, which was built jointly by the city and county, and a large jail yard extending back to New High Street—inlosed by a high board fence. By the jail stood a scaffold on which many a criminal expiated his crimes at the end of a hempen rope; and on such occasions the Loma de Mariposa (butterfly hill), where the court house now stands was crowded thick with spectators—men, women and children—the last execution in the jail yard was in 1885. When the vigilantes, in the olden times, undertook to improve the morals of the town with a hangman’s noose the rafters of the porch in front that extended over the sidewalk on Spring Street were sometimes improvised into a gallows tree that bore gruesome fruit.

After Rocha sold the Rancho La Brea it passed to several different owners until it finally came into the possession of Major Henry Hancock, whose widow now Mrs. Judge Ross, and ex-Senator Cornelius Cole own it at the present time.

The century old history of the valley under the domination of civilized man is but a second of time in the eternity of its past history. The fossil remains of a fauna that existed in the valley two or three hundred thousand years ago, specimens of which have recently been dug from the brea beds by Prof. J. Z. Gilbert, of the Los Angeles High School, tell the story of animal life on the Pacific Coast hitherto but little known to scientists.

In these pitchy pools of bitumen myriads of centuries ago were enacted successive tragedies in that ever continued drama of Nature—The Struggle for Existence,—but the denouement of these tragedies did not end with the survival of the fittest—the strong and the weak were alike extinguished. The victor and the victim alike perished.

The huge mastodon of the Pliocene or Pre-Glacial Age, wading into what seems to be a pool of water to quench his thirst, sinks into the yielding substance and finds himself held fast by an invisible enemy. His cries of fear and distress bring upon him that ghoul of the forest, the saber tooth tiger. With a bound it is on the back of the defenceless monarch of the plain, and with its scimeter shaped fangs is tearing away the flesh and drinking the blood of its hapless victim. Gorged, the ghoul attempts to escape, but it sinks into the miry ooze and perishes by the side of its victim. The great eagles and condors sailing in the upper air, discover the feast spread for them and descend to enjoy it; a dip of the wing, the drop of the tail, a misstep of a foot, and the tenacious brea holds them in its death dealing clutch, and their efforts to free themselves only sink them deeper into a liquid grave. The great wolves, scenting a royal banquet, join in a snarling revel that ends in death to the pack.

The climate changes. As the centuries pass the snow line descends lower and lower on the great mountain chains that surround the valleys. With the increase of cold the flora decreases. The vegetable eating giants—the mastodon, the elephant, the great sloth, the camel and the huge bison from the scarcity of food, decrease and finally become extinct. The flesh eating animals, the lion, the tiger and the great wolf, deprived of their prey, disappear, and their race, too, becomes extinct.

The story of their existence here is preserved alone in those treasure vaults of science, the death traps of La Brea.

The Cahuenga Valley was but sparsely settled in early times, and consequently, there is but little of its history that pertains to human incident and adventure. During the Revolutionary period of Mexican domination in California, lasting from 1831 to 1845, no less than four governors appointed by the Mexican Congress were deposed and compelled to abdicate their office by revolutionary uprisings of the native Californians. Two of these met their Waterloo in the Valley of Cahuenga.

The first of these, Manuel Victoria, was appointed governor of California in 1830. He was a military martinet and undertook to overturn the civil government and substitute military rule. For some fancied offenses he banished Don Abel Stearns, Pio Pico and Jose Antonio Carrillo to Lower California. In Los Angeles, the Alcade Vicente Sanchez was the petty despot of the pueblo, who enforced the tyrannical decrees of his master, Victoria. He had half a hundred of the leading citizens locked up in the pueblo jail. Among them was one, Jose Maria Avila. Avila was proud, haughty and overbearing. He had incurred the hatred of Victoria and Sanchez. Sanchez to humiliate him, put him in irons. Victoria's

persecutions became so unbearable that Pio Pico, Juan Bandeni and Carrillo raised the standard of revolt at San Diego. They were joined by Portilla, the comandante of the presidio, and 50 of the presidial troops with their officers. The combined force numbering 150 men, marched to Los Angeles, released Sanchez' prisoners and chained him in the jail. Victoria was coming down from the north with a force to suppress the rebellion. The two armies met at a place known as the Lomitas de la Cañada de Brea (the Little Hills of the Brea Cañon). It was on the old trail between Cahuenga Pass and the Pueblo. There was some desultory firing between the combatants. Avila, who had joined the insurrectos, infuriated at the sight of Victoria, his persecutor, alone rushed upon him to run him through with his lance.

Captain Pacheco, of Victoria's staff, parried the lance thrust. Avila shot him dead with one of his pistols, and again attacked the governor, wounding him severely, when he himself received a pistol ball that unhorsed him. He continued his attack on the governor until he was shot and killed by one of Victoria's soldiers.

The insurgent army retreated to Los Angeles, and Victoria's men falling back through the Cahuenga Pass, carried the wounded governor to the Mission San Gabriel. He, supposing himself mortally wounded, abdicated the governorship. Some citizens who had taken no part in the battle brought the bodies of Avila and Pacheco to the pueblo. "They were taken," says Stephen C. Foster, "to the same house, the same hands rendered them the last sad rites, and they were laid side by side. Side by side knelt their widows and mingled their tears—while sympathizing countrymen chanted the solemn prayers of the church for the repose of the souls of the untimely dead. Side by side beneath the orange and the olive in the little churchyard upon the plaza sleep the slayer and the slain."

Victoria recovered from his wounds. As soon as he was able to travel he was sent to San Diego to be deported to Mexico. San Diego's exchequer was in a chronic state of collapse, so her officials borrowed \$125 from the ayuntamiento of Los Angeles to pay the expense of shipping the refuse governor out of the country.

Years passed and that borrowed money was not repaid. To repeated duns from Los Angeles, San Diego's reply was "*no dinero.*" That money is still due us. That debt has been running for 80 years at 10% compound interest. To collect it now we would have to attach all of San Diego's real estate with the bay and climate thrown in. And thus it was that California got rid of a bad governor and Los Angeles contracted a bad debt.

The last of the many battles of the revolutionary period of California history was fought in the Cahuenga Valley. These battles

were not sanguinary affairs. The combatants were simply enforcing what we flatter ourselves are new principles in government—just discovered by us—the initiative, the referendum, and the recall. These new fads of government were in full force in the old pueblo of Los Angeles three-quarters of a century ago.

A governor proved unsatisfactory. Some leading politician raised the standard of revolt fulminated a sesquipedalian pronunciamiento setting forth the sins of the incumbent and calling upon the people to rise against the tyrant. The citizen with a grouch and the politician out of a job rallied to his standard. A battle between ins and outs was fought at long range, usually so long nobody was hurt. If the *in* lost, he packed his grip sack and went back or was sent back to Mexico.

It costs us about a quarter million dollars to change governors. The native Californians, in olden times, did it for \$125 or less, and sometimes got as good an article as we do for our vast outlay in money.

Micheltorena was the last Mexican born governor to rule over California. He was deposed at the battle of Cahuenga and he and his army shipped out of the country. He was more a victim of fate than his own folly. He was sent to California to check immigration into the territory from the United States. Mexico had recently lost Texas by allowing Americans to gain a foothold in it, and she feared that California would be lost in the same way. Micheltorena brought with him an army of about 350 men.

His soldiers were cholos, petty thieves, recruited from the prisons. They were landed at San Diego in August 1842, and marched to Monterey, but it took them about 9 months to get there. The Angelenos welcomed the new governor with a grand ovation in hopes that he might make their city the capital of the territory. His cholo soldiers, who were encamped down by the river, robbed the hen roosts, the orchards, the vineyards and vegetable gardens of the citizens. To the Angelenos, the glory of their city as the capital of the territory faded in the presence of their empty chicken coops and plundered orchards. They longed to speed the departure of their unwelcome guests. Micheltorena remained in Los Angeles eight months. The citizens had all the capital they cared for. Micheltorena was governor for about two years when the old feud between Mexican dictators, as the Mexican born governors were called in California, and the *hijo del pais*—sons of the country,—culminated in another revolution.

Alvarado, Castro, the two Picos and Carrillo, all native sons, raised the standard of revolt at Los Angeles and gathered together on the old Plaza an army of 400 men. Micheltorena came down from



the north with army of about the same size. The army of the *hijo del pais* marched out through the Pass of Cahuenga. The two armies met, or rather came in sight of each other at a place above the Pass called Los Alamos (the poplars). They opened on each other at long range and kept at it at long range all day. Micheltorena had three cannon and Pico four. The roar of the battle was terrific, and as the wind was blowing from the north it could plainly be heard in the pueblo. The wives and sweethearts, the sisters, the cousins and the aunts of the bold combatants repaired to a high hill now called Mt. Lookout, where with crosses in their hands and their hair streaming in the wind they wept and wailed and besought the saints to protect their loved ones.

Wm. Heath Davis, who was in the city at that time, says the night that followed the battle was one of deepest gloom caused by the lamentations of the women and children.

When the horrid din of the battle ceased and the dead were counted the total loss on both sides was one mule, or some authorities say, a mustang, to which side he belonged is uncertain. The mustang was often called upon to die for his country—the gunners could hit a mule or a mustang, but not a man.

That night Micheltorena raised his camp, marched around the bend of the river and encamped on the Los Feliz. The Californians came back through the Pass and next morning opened the battle. After the exchange of a few shots Micheltorena surrendered and agreed to quit the country. His cholo army was marched through the Pass and down on the western side of the valley to San Pedro. This was done to protect the chicken coops of the pueblo.

Micheltorena and his cholos were shipped back to Mexico and Pio Pico, a *hijo del pais*, became governor of the two Californias with Los Angeles as the capital. The plains of Cahuenga witnessed the defeat and downfall of two Mexican governors of California.

Again and for the last time on the plains of Cahuenga two hostile armies confront each other but not in battle array. Their meeting is the last act in the tragedy of the conquest of California. It is the signing of the treaty of Cahuenga and the surrender of Pico's army to Fremont. The war of the conquest had been fought to a finish. The Californians had been defeated at the battles of Paso de Bartolo and La Mesa. Overpowered and outnumbered by the combined forces of Stockton, Kearny and Fremont, it was useless to continue the struggle.

The commissioners appointed by Fremont and those appointed by Pico met in the deserted ranch house of Cahuenga, where the articles of capitulation were signed. While the agreement made there on the part of the Californians was the delivery of their arms and a promise

to conform to the laws and regulations of the United States, they recognized in it the purchase of peace by the surrender of their country. To the Americans it meant the permanent possession of California as a territory of the United States. They well knew that no subsequent arbitrament would take its control from their government. This deserted ranch house of Cahuenga and the valley surrounding it witnessed the last act in a long continued contest between the padres of the San Fernando Mission and the citizens of the pueblo over the waters of the Los Angeles River. In 1810 the padres had a dam constructed at Cahuenga to divert the waters of the river for the purpose of cultivating the land. The citizens protested and claimed the dam cut off their water supply, causing great damage and suffering. The padres claimed a right in the waters of the river because a former occupant of the land, whose rights they claimed to have acquired, had used the water for fourteen years; but the citizens stood upon their rights to the waters of the river granted them by the King of Spain when the pueblo was founded, and won their case. But the end was not yet. Once again the padres attempted to appropriate the waters of the river and take possession of the land called Cahuenga. In the proceedings of the most illustrious Ayuntamiento of October 8, 1833 is this entry: "The Ayuntamiento of this town finding it absolutely necessary to obtain by all means possible the prosperity of our fellow citizens residing in this community so as to facilitate the greatest advantages to their interest we have been compelled to name an individual with sufficient power from this body to defend with all the power of the law the question arising between this corporation and the reverend father of the San Fernando Mission with reference to his claim on the lands called Cahuenga, where said father has built a house and made other improvements (constructed a dam in the river). Notwithstanding the lands are known as public lands." Jose Antonio Carrillo was appointed to defend the pueblo's claims. He was successful and the padre was compelled to let the waters of the river unpent flow to the pueblo. The dam was destroyed and the ranch house deserted. Next year the Nemesis of Secularization destroyed Mission rule and the contest over the waters of the river that had been waged for a generation between the pobladores (founders) of Los Angeles and the padres of San Fernando ended forever. In this historic old house a treaty was signed that virtually gave the United States a territory as large as the aggregate area of the thirteen colonies at the time of the Revolution.

## GENERAL STEPHEN W. KEARNY AND THE CONQUEST OF CALIFORNIA (1846-7).

BY VALENTINE MOTT PORTER.

Who was the "conqueror" of California? The question appears to be simple enough to admit of a ready answer, but in reality it is a poser—at least for any one who is not satisfied to accept tradition unsupported by historic facts. The title rests, it may be said safely, among three men: John C. Frémont, Robert F. Stockton, and Stephen W. Kearny, all of whom contributed by their services, in varying degrees, to add the domain to the United States. Which one most nearly deserves the title, or whether it can be justly bestowed on one to the exclusion of the other two, presents an interesting problem. Frémont, with probably the least merit, made the deepest impression on the public. His name became a household word throughout the country as well as in California. To this day, indeed, the chief historic feature in the old-time California town is invariably "Frémont's Headquarters." Only Washington seems to have had more abiding places, but then of course he had many more campaigns and battles to his credit. Frémont was an active campaigner, in the sense that he covered much ground, but he did not happen to do much fighting. It may be news to many that he was never in a single battle on California soil. Yet on the strength of his claim to be regarded as the "conqueror" he was the first United States senator elected by the new State of California, and the first candidate for president nominated by the new Republican Party. It has been said, perhaps too harshly, that in most ways he was a man of no great ability, but he seems to have approached genius in his faculty for self-advancement. Commodore Stockton, whose claim to the title was asserted with equal vigor, and who sought to monopolize all the credit for the conquest, was only partially successful in his efforts. He, too, became a senator, for a short while, but his party chose Buchanan instead of him to run for president against Frémont. Although the Commodore has almost passed out of the popular mind he has remained in the histories. The writers thereof took him pretty much at his own estimation and have handed him down as the chief figure in the conquest. In California, of course, where an important city bears his name, he is by no means forgotten. All in all, he may be said to have fared reasonably well. Neither popular tradition, however,

or popular histories have much to say about General Kearny, who commanded the troops in the three important battles in the conquest. Compared with the illustrious Frémont and Stockton, he would appear to have been a secondary figure, yet in the estimation of the authorities at Washington, as indicated by official acts, he was the only one of the triumvirate who deserved and received governmental recognition for the achievements in California. Stockton barely escaped censure and Frémont was saved by an act of clemency from being dismissed the Army. The memory of General Kearny has become so vague that were you to walk down Kearny Street in San Francisco and ask the first man you met to tell you for whom the street was named, it is an even chance that he would reply, "Why, I guess Dennis Kearney, 'the sand-lots man'." How to account for the common ignorance and historical undervaluation of General Kearny's part in the acquisition of California is not at all hard. It is simply this: He was not the kind to bother himself about rewards. Being essentially a professional soldier, not a popular hero, when one job was over he turned naturally to the next. Instead of quitting the service, as did the other two, to run for office on the strength of the California exploits, he reported for another tour of duty, was sent to join the Army in Mexico, served in unhealthy stations, fell ill, and died. He was cut off in the prime of his usefulness, only a year after he had left the Pacific Coast. Frémont and Stockton, building political careers upon their military deeds, reaped all the glory that the "conquest" yielded, leaving as memorials of their greatness an assortment of adulatory campaign biographies and a tradition that finds ready acceptance by new generations of hero-worshippers. The purpose of this paper, as may be inferred, is to try to direct attention to General Kearny's services in California, to point out some omissions, inaccuracies, and wrong conclusions in the current histories, and, for the benefit of those who regard the winning of California as a not altogether glorious chapter in American history, to hold up before them one "conqueror" upon whom there is no taint of the spoiler or the charlatan.

At the opening of the Mexican War, General (then Colonel) Kearny was at Fort Leavenworth in command of the First Regiment of United States Dragoons, no fortuitous accident having placed him already on the Pacific Coast. The Administration having in mind the acquisition of the far western country appointed Kearny to command an overland military expedition for the capture of both New Mexico and California. Before he could reach the Coast, but after he was well on his way thither, certain early steps in the struggle had been taken. In order fully to appreciate the part in it that he was to have, it will be advantageous, while he and his



*J. C. Fremont.*



cavalcade are crossing the plains, to see what had already been done in California toward throwing off the Mexican rule.

#### THE FIRST OR SUPERFICIAL CONQUEST.

Captain J. C. Frémont, of the United States Topographical Engineers, had been for some time prior to the outbreak of the war engaged in exploration in the Sacramento Valley.<sup>1</sup> His work completed he was about returning to the East, when he received information that decided him to remain in what might become an interesting theatre of military operations. At Sonoma, above the Bay of San Francisco, a party of adventurous settlers, chiefly Americans, had revolted against Mexico and had raised a standard of their own, known as the "Bear Flag." They made overtures to Frémont to join forces with them, but at the beginning they did not obtain his open support. Gradually though he became more and more identified, at least in the minds of the people of the country, with this irregular movement. While not openly espousing the Bear Flag cause it is certain that he gave encouragement to some of the aggressions perpetrated under that symbol. Commodore John D. Sloat, of the United States Navy, in command of the Pacific Squadron, had been advised that in case he heard of a declaration of war between Mexico and the United States he was to seize the ports on the California coast, but unless driven thereto he was not to attack the government of California. He was directed to try to conciliate the people and to hold them as friends of the United States. His task was made the harder for the reason that the filibustering activities of Frémont, added to the outrages perpetrated by the Bear Flag men, had weakened the confidence

<sup>1</sup>JOHN C. FREMONT was born in 1813 at Savannah, Ga.; entered Charleston College, from which he was expelled; became a teacher of mathematics in the Navy (1833); after a cruise of two and a half years he was elevated to a professorship, which evidence of learning moved his former college to give him an A.B. and A.M.; resigned from the Navy and was engaged upon R.R. engineering work until appointed a 2d lieut. in the Topographical Engineers, U. S. A., 1838; brevetted capt. in 1844 for gallant and highly meritorious services in two expeditions to the Rocky Mts.; organized the Calif. Battalion of Vols., 1846, serving as major thereof by appointment of Com. Stockton; commissioned lt.-col. in the Mounted Rifle Reg't. U. S. A., 1846; sided with Com. Stockton in a controversy with Gen. Kearny; court-martialed, tried, sentenced to be dismissed from Army for disobedience of orders, sentence commuted, but resigned from service, 1848; engaged again in exploring work, reaching Calif. in '49; elected U. S. Senator from Calif. 1850 for a short term; nominated for President by the new Republican Party in 1856; appointed maj.-gen. of vols., 14 May, 1861; resigned 4 June, 1864, without having performed any Civil War service of distinction; thereafter engaged in speculations which gradually impoverished him; appointed governor of Ariz. in 1878, serving for a brief term; placed on the Army retired list as maj.-gen., by special Act of Cong., 1890; died 13 July, 1890.

of the natives in the professed good faith of the Americans. Just about the time that General José Castro, the Mexican military commandante at Monterey, started north to suppress the uprising at Sonoma, Commodore Sloat received advices that convinced him that hostilities between Mexico and the United States had gone far enough to justify him in acting upon his instructions.<sup>2</sup> By his orders the stars and stripes were run up at Monterey on July 7, 1846, and two days later at Yerba Buena, the settlement on San Francisco Bay. At the same time the Bear Flag came down at Sonoma and was replaced by the American standard.<sup>3</sup> Castro, realizing that he would now have to cope with a superior force, hastily withdrew to the South to secure reinforcements. Commodore Stockton, who succeeded Sloat within a few days after the flag was raised, was not content merely to hold the sea-ports. After a conference with Frémont he decided to abandon any conciliatory attitude. Being personally ambitious and a receptive candidate for glory, he made up his mind, without waiting for definite instructions, to conquer the country.<sup>4</sup> Forthwith he issued a bombastic proclamation, characterized by effrontery and hypocrisy.<sup>5</sup> He had already accepted a tender of services from Frémont and his improvised force from the North, made up of some of the Bear Flag

<sup>2</sup>For Sloat's instructions see 30th Cong., 1st Sess., Ex. Doc. 60, p. 231; also, Cutts, *History of the Conquest of New Mexico and California*, ch. vii. and appendix. E. A. Sherman's *Life of Rear-Admiral John D. Sloat*, contains the instructions, an account of Sloat's information regarding hostilities in Mexico, and an eulogy on his character, all crudely arranged and incoherently presented.

<sup>3</sup>The Bear Flag Revolt, according to H. H. Bancroft, was a movement independent of the American conquest of California, being in no sense a part of it, and neither leading to or in any way promoting it. If anything, it made the conquest more difficult. H. H. Bancroft, *History of California*, v., p. 96. Although Bancroft's work stands as the leading reference source for California history, it is not safe to accept it always as infallible authority, as will be pointed out in the course of this paper.

<sup>4</sup>ROBERT F. STOCKTON was born in 1795 at Princeton, N. J.; entered college there but left to become a midshipman in U. S. N., 1 Sept., 1811; served in the War of 1812, becoming a lieut. 9 Dec., 1814; served in the expedition against Algiers; promoted to commander in 1830; capt. in 1838. Although in the Naval service, he always was active in politics, but frequently changed his party allegiance. He declined the post of Sec. of Navy, offered him by Pres. Tyler. Three years after his Calif. experience he quit the Navy (1850) and the next year was elected U. S. Senator from N. J., resigned after a short service in the Senate. He was prominently mentioned for the Democratic nomination for pres. in 1856. In later years was identified with the American ("Know Nothing") Party movement. He died 7 Oct., 1866.

<sup>5</sup>Bancroft, v., p. 255; Royce, *California*, pp. 177-8; Tuthill, *History of California*, p. 186, and *Annals of San Francisco*, p. 104.



men and of newly arrived immigrants, which was designated as the "California Battalion of Mounted Riflemen." This command was embarked for San Diego with the purpose of cutting off Castro's retreat to the South, a plan that in the turn of events proved ineffective. Stockton himself sailed for San Pedro, the port of Los Angeles, where he landed a force of sailors and marines, with some small cannon. General Castro and Governor Pio Pico at Los Angeles made a show of preparation for defense, but realizing that they could not successfully repel the invaders they tried to open negotiations with Stockton. They felt that in view of the conciliatory attitude of Sloat, the predecessor of Stockton, there might be some chance for an adjustment. Commodore Stockton, however, was not the kind of man to yield an inch of glory. Caring little or nothing for the feelings of the Californians he treated their messengers disdainfully, and demanded an unconditional surrender. As Castro and Pico could not comply without loss of honor they decided, not to resist, but to throw over the cause of the Californians and bolt! Whereupon they headed for Mexico, leaving the Californians to shift for themselves. Major Frémont and his battalion having marched up from San Diego and joined the Commodore and men from the fleet, the united force on August 13 entered Los Angeles without hindrance.

Having now completed, as he thought, the conquest of the country, Commodore Stockton sent Kit Carson, the scout, on an overland trip to Washington, bearing the tidings of the acquisition of California. He then undertook to erect a government for the inhabitants. He issued a few more proclamations, somewhat milder in tone than the first, but yet offensively condescending, signing himself "commander-in-chief and governor of the territory of California."<sup>6</sup> The conquest had been bloodless simply because the naturally unwarlike people of the country so far had lacked enthusiasm and capable leadership. They had yielded not without much bitterness of spirit. The pronunciamientos of Stockton, instead of appeasing them, served only to increase their resentment. They had been victimized, but they did not know that the wanton, ignorant, selfish course of Stockton was neither justified or contemplated in the orders from Washington. Frémont had sense enough, let it be said in his favor, to accommodate himself to the new order. Being an arch-opportunist he saw the advantage of making himself personally solid with the natives. This he did by entering into their ways and their social life.<sup>7</sup>

<sup>6</sup>29th Cong., 2d Sess., Sen. Ex. Doc. No. 1, p. 669, Doc. No. 19, p. 107, and Bancroft, v., p. 283.

<sup>7</sup>Coronel, Bancroft MS., and Royce, *California*, pp. 185-6.

Four days after the occupation of Los Angeles Commodore Stockton first learned authoritatively that war had been officially declared between the United States and Mexico. So far he had been acting on the strength of the information of hostilities gained by his predecessor.<sup>8</sup> Yet he had apparently completed the task that he had set out to perform. Nothing remained to be done but to garrison the important places. Detachments for this purpose were drawn from Frémont's battalion. Stockton and Frémont then departed for the north, the one by sea, the other by land. Lieut. Gillespie, of the Marine Corps, with fifty men was left in charge at Los Angeles. Not only was this force inadequate to hold in subjection a people whose unrest was increasing, but Gillespie himself was no man for the place. Arrogant, exacting, with intensified Anglo-Saxon inaptitude in dealing with alien peoples, he quickly had the town flaming with wrath and indignation.<sup>9</sup>

#### THE UPRISING OF THE CALIFORNIANS.

The result of Gillespie's intolerance at Los Angeles, added to the smouldering memory of the violence in the north, started up the first vehement opposition to the Americans. The people at last were willing to fight. Leaders came forward in the persons of José M. Flores and Andrés Pico, a brother of Governor Pio Pico. After a short but exciting siege Gillespie was forced to quit Los Angeles and withdraw to Monterey. Lieutenant Talbot and a small detachment at Santa Barbara fled to avoid capture.<sup>10</sup> The whole southern country was quickly reclaimed by its real owners, and the "conquest," so heroically proclaimed by Stockton and Frémont in the letters to Washington, was now undone. Worse than that, the people were now thoroughly aroused. To overcome them again would mean much hard fighting, compared with which the bloodless

<sup>8</sup>Guinn, *Hist. of Calif. and Southern Coast Counties*, i., p. 124. (See note 2, *supra*).

<sup>9</sup>ARCHIBALD H. GILLESPIE, lieut. in the U. S. Marine Corps, had an active part in the incidents connected with the acquisition of Calif. Coming out from Washington in '45 as the bearer of dispatches to Consul Larkin, at Monterey, and incidentally with letters to Frémont, all bearing on the possible annexation of California in the event of War with Mexico, he joined fortunes with the 'Pathfinder,' and served under him and Stockton in various capacities during the subjugation. He declined to be Sec. of State under Frémont's questionable governorship but served as major of the Cal. Battalion. In 1854 he resigned from the Marine Corps. Most of his subsequent life was spent in Mex. and Calif., but he achieved no later prominence. He died in San Francisco in 1873, aged 60.

<sup>10</sup>THEODORE TALBOT had joined the Cal. Bat. of Vols. in July, '46, as serg. major, rising to be 1st lieut. Later he received a commission as lieut. in the 1st Art., U. S. A., and afterwards transferred to the adj- gen'l dept. He died in 1862 as major a. a. g.

conquest just annulled was but child's play. The Americans faced a situation less favorable than when they began. The real task was ahead of them. Commodore Stockton, who so far had not lacked confidence or energy, prepared to grapple with it. He sent Captain Mervine, of the Navy, and a force of marines to the port of San Pedro with orders to march upon and re-capture Los Angeles. The advance of Mervine's party was stopped at Dominguez Rancho. In the engagement that ensued several of his men were killed and he was glad to retreat with his force to San Pedro. Stockton in his flagship arrived there two weeks later (Oct. 23). He had now altogether at this port eight hundred men. Notwithstanding this fact, and that he held a contemptuous view of the Californians, he decided it would be impracticable to march the thirty miles to Los Angeles to make another attempt at its re-capture. His excuses were that Frémont's battalion which had been recruiting in the north and was supposed to be on its way down from Santa Barbara, had not arrived to coöperate with him and that there were no provisions available to subsist the troops on the thirty-mile march from San Pedro to Los Angeles! He estimated the insurgent force at about eight hundred, the sailor-man being deceived by the old ruse practiced by the enemy of marching round and round the hill, to be counted several times, with an auxiliary force of riderless horses kicking up clouds of dust in the distance. The navigator's defective information magnified the enemy's number as a matter of fact, just about eight times. Stockton sized up the situation, according to his lights, and decided to march upon Los Angeles by way of San Diego!<sup>11</sup> Thereupon the Navy took to its ships and sailed down the coast to that place, where the men landed and went into camp early in November. The following month or so was devoted to preparations for a resumption of the campaign, but news was expected any day that Frémont would have arrived at Los Angeles and settled with the enemy, saving Stockton the necessity of sparing his own troops for that purpose. Frémont, however, was taking his time on his southward journey, caution requiring him to march by the difficult mountainous route instead of the quicker shore way. As late as Christmas day he had gotten no further than the pass above Santa Barbara. Meanwhile the Californians had things their own way.

<sup>11</sup>For an account of Stockton's backdown at San Pedro, see Guinn, *id.*, pp. 134-5, and Bancroft, v., pp. 323-4. Another excuse offered by Stockton was the superiority of San Diego harbor as a base, but it is hard to believe that he needed 800 sailors and marines to transfer the ships from one harbor to the other. The main force it would seem could have been spared to march upon Los Angeles while a few men were moving the ships. It would have saved a march of nearly 100 miles.

Such, then, was the situation in December, 1846, when Brigadier-General Kearny and his escort of dragoons approached the Eastern gate of California, after an arduous march over the desert from Santa Fé.<sup>12</sup> Before we ride along with him let us hear what he had been doing so that we may appreciate his present situation.

KEARNY'S MARCH FROM SANTA FE.

Kearny had left Fort Leavenworth with a force approximating fifteen hundred men, consisting of Missouri Volunteers and a portion of his regiment of dragoons, and known as the "Army of the West."<sup>13</sup> The march across the plains and over the mountains was one of the most hazardous and romantic undertakings in military annals. Much of the region traversed was practically devoid of wood and water. Although traders' caravans had been able to go back and forth over the trail to Santa Fé, living on the game shot from day to day, it was far more difficult for an army expected to subsist in the same way, it not being possible to carry along sufficient commissary stores for the entire march. Without going into the details of the journey, which, however interesting, we have not space to describe, the troops reached Santa Fé on August 18, a march of a thousand miles in thirty-four days. Santa Fé, the seat of government of New Mexico and the leading trading post in the Southwest, was occupied "without firing a gun or spilling a drop of blood." As soon as the General had taken formal possession of the territory in the name of the United States, established a civil government, and conciliated the inhabitants, he turned his eyes toward the

<sup>12</sup>STEPHEN WATTS KEARNY was born in 1794 at Newark, N. J.; educated at Columbia college, N. Y.; appointed 1st lieut., 13th Infantry, U. S. A., 12 March, 1812; served in the War of 1812; became capt., 1 April, 1813; ten years later rec'd brevet of major for faithful service continuously in one grade; major, 3d Infantry, 1829; when the 1st Reg't of Dragoons (later known as the 1st Cavalry) was organized, in 1833, he was made its lt.-col. and entrusted with the task of devising a system of cavalry tactics for this new arm of the service. He was thus the father of our present cavalry service. The reg't became the model corps of the Army. He was col. commanding from 1836 to '46. During this time he made many remote expeditions to the Indian tribes, over which he acquired great personal influence. Among the Osages, Kansas, and kindred tribes he was known as *Shonga Kahega Mahetonga* ("The horse-chief of the long knives"). He served in nearly every frontier army post from the northern to the southern border, and more than one he himself built. In the Mexican War he was given command of the "Army of the West," was promoted to brig.-gen., marched overland and conducted the western operations, taking possession of New Mexico and completing the conquest of Calif.; was brevetted major-gen. for gallant and meritorious conduct in this region, to date from the battle of San Pascual, Dec., 1846; was military and civil governor of Calif., 1847, of Vera Cruz, March, 1848, and of the City of Mexico, May, 1848. He died 31 Oct., the same year.

<sup>13</sup>Kearny's commission as brigadier-general reached him in August while he was on the march.

Pacific, his ultimate destination being Monterey. Taking with him three hundred dragoons, who must have presented a striking appearance in their shabby patched clothing and mounted on mules, he set out on Sept. 25th.<sup>14</sup> His orders were to gain possession of California, coöperating for that purpose with the naval forces, which probably would be found in possession of the sea-ports, and having effected a conquest of the country he was to organize a civil government.<sup>15</sup> There would follow him to California additional troops, consisting of an infantry battalion of five hundred Mormon volunteers, raised from the Nauvoo refugees, a regiment of New York volunteers and a company of regular artillery, which were en route by sea. It was also contemplated to send later on Col. Sterling Price and his regiment of Missouri volunteers from Santa Fé, not yet arrived at that point. The whole force, it was believed, would be ample to annex and hold California.

General Kearny's column on Oct. 6, when near Socorro, New Mexico, met Kit Carson, the scout, on his way to Washington with dispatches from Stockton and Frémont announcing the acquisition of California and the complete subjugation of its inhabitants.<sup>16</sup> In consequence of this news Kearny felt it would be unnecessary and unwise to take with him so large a force, especially as the other troops en route by sea would serve all needful purposes. The war was still in progress in old Mexico, and it seemed good policy to leave at Santa Fé as many men as could be spared. So the General sent back two hundred of the dragoons, retaining one hundred as a personal escort rather than as a force likely to be called upon to battle with the enemy. Notwithstanding the changed situation on the Coast he felt in duty bound to continue his march thither, because his orders required him to take command of the department of California and to establish a government for the inhabitants. As the party had still to traverse the most difficult and least known region, the General prudently decided to utilize the services of Kit Carson as a guide, and to forward his dispatches by other hands. Carson strongly protested against having to turn back and retrace his journey, and not without reason, for he was expecting to see his family in a few days more. Kearny was a warm-hearted man and probably disliked to inconvenience Carson, but military necessity justified it.

<sup>14</sup>The dragoons were mounted on mules because it was believed that horses could not travel to Calif., and even if they could they probably would be less serviceable there than mules. Letter of Gen. K. to the Adj.-Gen., 24 Sept., 1846.

<sup>15</sup>For Gen. Kearny's instructions see Bancroft, v., p. 334, note 9, and ref. cited; also 30th Cong., 1st Sess., Ex. Doc., No. 60, p. 153.

<sup>16</sup>Bancroft, v., p. 336.

The party now greatly diminished in numbers, resumed the march and soon found itself beset with hardships more severe than any yet experienced. The greatest suffering was from the lack of provisions and water. By the time the Colorado River was reached (November 22) many of the animals had been lost, some had been eaten, and the rest were in bad condition. Most of the men were obliged to trudge along on foot.<sup>17</sup> Near the junction of the Colorado and Gila Rivers they found the remains of a camp and the recent evidence of many horses, at least a thousand, as they estimated, which led them to believe that they had come upon the trail of General Castro, and that he was returning from Mexico with a fresh army to drive out the Americans. Kearny felt that his own party was too small to be able to resist an attack, and that the only way to take the enemy at a disadvantage would be *to attack him*, by surprise if possible.<sup>18</sup> If Castro's camp could be found he would fall upon it the moment night set in and beat him with the darkness concealing his own weakness. The reconnaissance that he immediately ordered to be made revealed not Castro but a small party of Mexicans on their way to Sonora with five hundred horses from California. The dragoons thought they saw a chance to get some remounts, but to their disappointment the horses proved to be unbroken and few of them were of much use. On the next day they captured a Mexican courier bearing mail from the Coast. Then they got the first intelligence that the Californians had arisen and under Flores had expelled the Americans from Los Angeles, Santa Barbara, and other places. Accustomed to Mexican exaggeration, they took this news with a grain of salt, but at the same time they felt that something serious might have happened. On December 2, at Warner's Rancho, the extreme Eastern settlement of California, they received further reports, seemingly more reliable, that the Californians were in possession of practically the whole Southern country, except the port of San Diego. General Kearny thereupon dispatched a note to Commodore Stockton, asking him if possible to "send a party to open communication with us on the route to this place and to inform me of the state of affairs in California."<sup>19</sup> The Commodore's reply, sent the next day, was as follows:<sup>20</sup>

Headquarters, S. Diego, Dec. 3d, 6:30 P. M.

Sir: I have this moment received your note of yesterday by Mr. Stokes, and have ordered Capt. Gillespie with a detachment of mounted riflemen and

<sup>17</sup>Emory, *Notes of a Military Reconnaissance*, etc., p. 94. (Contained in 30th Cong., 1st Sess., Ex. Doc. No. 41). This work gives a detailed account of the entire march.

<sup>18</sup>*Id.*, p. 94.

<sup>19</sup>Bancroft, v., p. 339, note 14.

<sup>20</sup>*Id.*, *loc. cit.*

a field piece to proceed to your camp without delay. Capt. G. is well informed in relation to the present state of things in Cal., and will give you all needful information. I need not therefore detain him by saying anything on the subject. I will merely state that I have this evening received information by two deserters from the rebel camp of the arrival of an additional force of 100 men, which, in addition to the force previously here, makes their number about 150. I send with Capt. G. as a guide, one of the deserters, that you may make inquiries of him, and, if you see fit, endeavor to surprise them. Faithfully your obedient servant,

ROBT. F. STOCKTON,  
Commander-in-Chief and Governor of the Territory of  
California, etc.

#### THE ACTION AT SAN PASCUAL.

Gillespie's party, numbering thirty-nine, reached Kearny on the 5th, when he was about forty miles from San Diego, with the first advices of the presence of the enemy in that direction.<sup>21</sup> Although after the toilsome overland march the dragoons were pretty well used up, yet the prospect of trying conclusions with the enemy gave them new ardor. Kit Carson and the men from San Diego were skeptical of the valor of the Californians and prophesied that they would not fight. A reconnoissance developed that a force of the enemy was then at the Indian village of San Pascual, about three leagues distant. Owing to the fact that the reconnoitering party had accidentally revealed itself to the enemy it was thought advisable to attack and to force a passage to San Diego. It was then after midnight and the call to horse was at once sounded. The column was arranged in the following order: an advance guard of twelve dragoons under Captain A. R. Johnston and mounted on the best horses available;<sup>22</sup> the General with Lieutenants Emory and Warner, of the Topographical Engineers, and four or five of the men;<sup>23</sup> fifty dragoons under Captain Moore, nearly all mounted on the tired and stiff

<sup>21</sup>The volunteer party that accompanied Gillespie consisted of Acting Lieut. Beale, Passed Midshipman Duncan, 10 carbineers from the U. S. S. *Congress*, Capt. Gibson and 25 of the Calif. Battalion of Vols. Stockton's report to Sec. of Navy, 18 Feb., 1848.

<sup>22</sup>Captain ABRAHAM R. JOHNSTON, the brave officer who was killed leading the charge against the enemy's lancers, was a relative of Mr. J. M. Guinn, Sec. of the Hist. Soc. of Southern Calif. See Gen. K's letter, *infra*, for a tribute to Johnston.

<sup>23</sup>Lieut. W. H. EMORY, the topographical officer and diarist of the expedition, was brevetted capt. for his gallantry at San Pascual and received subsequent brevets for later achievements. He had a distinguished Army service, rising to be a maj.-gen. of vols. in the Civil War. He retired from the Army as brig.-gen. in 1876 and died in 1887. Lieut. W. H. WARNER, the junior topo. officer in the party, also was brevetted for gallantry at San Pascual. As capt. he was killed in 1849 by hostile Indians in the Sierra Nevada.

mules they had ridden from Santa Fé,<sup>24</sup> about twenty of the California volunteers under Captains Gibson and Gillespie, and followed by a detachment of dragoons under Lieutenant Dovidson in charge of two mountain howitzers.<sup>25</sup> The rest of the men, numbering between fifty and sixty, including those from the fleet, were in the rear with Major Swords and the baggage train.<sup>26</sup> The night was intensely disagreeable on account of the cold and rain, and the clothes of the men were thoroughly soaked. They had covered the nine miles of hilly country before the break of dawn and found themselves at San Pascual in sight of the enemy. Captain Andrés Pico, in command of the hostile force, had counted on being able to withdraw to some favorable cover, from which to make a dash at the Americans, whose number he had overestimated, but seeing only a score of horsemen (the advance guard) coming toward him he resolved to make a stand. His men fired a volley and poised their lances to receive the charge of the dragoons. At the discharge Captain Johnston fell with a musket-ball in his forehead. A dragoon dropped badly wounded. Then came the clash. In the hand-to-hand encounter, the advance guard soon would have been overwhelmed, had not the main party come into view. Pico's men now turned and fled, pursued by the Americans strung out at uneven distances, owing to the inequalities of their mounts. Those on the fresh horses naturally got far in the lead, while those on the poor mules fell behind. Pico's men, all skillful riders and well mounted, were quick-witted enough to see the vulnerability of the American situation. Deftly turning on their tracks they rushed back to engage in detail. The renewed action was brief but bloody. Fire-arms were discarded because empty or rain-soaked. The fight was one of sabre against lance, the Americans on broken-down mules or half-broken horses, the Californians on trained fresh steeds, an unequal contest from every standpoint. Our men fought with great

<sup>24</sup>BENJAMIN D. MOORE, who was killed at San Pascual, was born in Ky. He had entered the Navy as a midshipman in 1829; resigned in '33 to become a 1st lieut. in the Mounted Rangers, U. S. A., but soon transferred to the 1st Dragoons; reached his captaincy in '37. When Kearny's force took possession of Los Angeles they built a fortification above the city which was named "Fort Moore" in memory of Capt. Moore.

<sup>25</sup>Capt. SAMUEL GIBSON was an Oregon immigrant who had participated in the Bear Flag revolt and had come South in Fremont's Calif. Bat. In 1848 he was engaged in mining and was drowned that winter. Lieut. JOHN WYNN DAVIDSON became a brig.-gen. of vols. in the Civil War, was brevetted maj.-gen. of vols. for gallantry and died in 1881 as col. of the 2d Cavalry.

<sup>26</sup>Major THOMAS SWORDS, of the Q.M. Dept., rose to be one of the best known officers in his dept., receiving the brevet of maj.-gen. for faithful and efficient service during the Civil War. He retired from the Army in 1869 and died in 1886.



valor against great odds and in the thick of the meleé was the General himself. Few of those in front escaped injury. He received two ugly wounds from a lance, and might have been killed but for the timely aid of Lieutenant Emory, who put a pistol-ball through the assailant as he was about to make another thrust.<sup>27</sup> For about five minutes, or until the assault had somewhat spent itself, the Californians held their ground, but when they saw the howitzer detachment coming up they fled the field, this time not to return.

The Americans, left in possession of the battle-ground, were in no condition to pursue, and went into camp. Their casualties, as finally determined, were eighteen killed, nineteen wounded, and one missing,<sup>28</sup> On the enemy's side at least a dozen were wounded, but how many were killed, if any at all, is not known, since testimony varies.<sup>29</sup> Nor is it certain how many prisoners were taken. Kearny in his report says that the Californians just previous to their last retreat "carried off all but six."<sup>30</sup> A few days later there was only one prisoner to be exchanged. Pico evidently thought there were more, for he offered to exchange four Americans just captured by him for a like number of Californians.<sup>31</sup> The others may not have fallen into the hands of the Americans, if indeed they were wanted. They might have slipped off after the fight and found places of safety in a region that they knew well, before the Americans, who had their own wounded to look after, had time, even if they had inclination, to search for them. Dr. John S. Griffin, the surgeon of the party, who afterwards became a leading practitioner in Los Angeles, saw one man shot, spoke of "two prisoners," and said, "I think the enemy suffered as much as we did." He says that later he sent to Captain Pico an offer to care for his wounded, but the Captain replied that he had none.<sup>32</sup> As all contemporaneous accounts agree that he did have some of his men wounded, Pico's own testimony is unreliable, but for that matter his broken parole had already shown that his word was not to be relied upon.

The numbers engaged in the fight at San Pascual raises a question as to the accuracy, or freedom from bias, of the historian H. H.

<sup>27</sup>Robinson, *Army of the U. S.*, vol. ii, p. 141.

<sup>28</sup>Bancroft, v., p. 346, note 19.

<sup>29</sup>*Id.*, p. 347, note 20.

<sup>30</sup>Gen. Kearny's report of the affair at San Pascual may be found in Cutts, *Conquest of Calif. and New Mexico*, p. 199, and in Cooke, *Conquest of New Mex. and Calif.*, p. 256.

<sup>31</sup>The four men composed Godey's party, which had been sent 6 Dec. to San Diego to procure conveyances for the wounded. Emory, *id.*, pp. 109-10.

<sup>32</sup>*Griffin's Doc.*, MS., 4-5, cited by Bancroft, v., pp. 346, note 19.

Bancroft, which we shall have occasion to notice also in other connections. His monumental services in the preservation of California history are worthy of great praise and gratitude, but we can not on that account always approve his statements or his reasoning. In treating of this matter he grows somewhat abusive toward General Kearny for reporting that in this fight the Americans were outnumbered. How far he was justified in thus assailing Kearny's veracity we shall now try to determine. He would like to convey the impression that Kearny had 160 effectives in the fight, instead the eighty claimed by the General.<sup>33</sup> He says that at Santa Maria there were 160, and that, *ergo*, that number must have been engaged at San Pascual. He overlooks the fact that fifty or sixty of the party were a mile in the rear with the baggage train under the quartermaster, Major Swords, and were never in the action, and that the howitzer detachment came up after the assault and did not get into the action because its appearance had caused the enemy to retire. The number of Americans actually engaged was probably between eighty and ninety, and because of circumstances already noticed, the brunt must have fallen on still less, that is, on the advance guard and main party, who of course were considerably outnumbered. But it is Kearny's statement of the *enemy's* number that particularly arouses Mr. Bancroft's scorn. Said Kearny in his report: "The enemy proved to be a party of about 160 Californians under Andrés Pico." Bancroft calls this a "deliberate misrepresentation." If the General's statement was based on belief, even though mistaken, the charge fails. Let us see if the information he had did not justify the representation. The first news of the enemy, gained on the 5th, was that eighty Californians were encamped anywhere from sixteen to thirty miles away, the informant being so uncertain in his accounts that little dependence was placed on them.<sup>34</sup> On the following day came the letter from Stockton, advising that the enemy had increased his number to 150. On the next day (6th) was the battle, which began and was over in a few minutes, with little if any opportunity, even if in the excitement and confusion one thought of taking advantage of it, to secure accurate numbers, and of course the fleeing enemy did not wait to be counted. Midshipman Beale, who valorously made his way immediately after the fight to San Diego, reported his estimate at 125.<sup>35</sup> Kearny was troubled by his wounds and did not make his report until after his arrival at San Diego, and a week after the battle. Meanwhile information had come to him, through a prisoner taken

<sup>33</sup>Bancroft, v., p. 343.

<sup>34</sup>*Journal of Capt. A. R. Johnson*, p. 614 (printed in the Wash. ed. of Emory's *Notes*.)

<sup>35</sup>*Life of Commodore Robert F. Stockton*, Anon., p. 134.

by the naval contingent, that Pico's force was 160. That is the number adopted by the General in his report and subsequently reiterated by him under oath at the court-martial of Frémont.<sup>36</sup> Soon afterward "authentic accounts" were received "that his [Pico's] number was 180 men engaged in the fight, and that 100 additional men were sent from the Pueblo [de los Angeles], who reached his camp on the 7th." This is taken from the official notes of Lieutenant Emory, of the Topographical Engineers, whose account of the whole campaign was published by the Government and has always been regarded as reliable authority.<sup>37</sup> Again, as late as March 15, after the final surrender, and after opportunity had been afforded to talk with those on the other side, when figures must have been settled, Emory still spoke of the number as 160.<sup>38</sup> The General therefore must have made his statement *upon belief well substantiated* by the information he had. Bancroft maintains, as a result of the data he has gleaned from native sources, that not over eighty men were pitted against the Americans. Withholding any comment on the reliability of such data, acquired from survivors many years afterwards, in contrast with the apparently well-founded contemporaneous belief, the charge of deliberate misrepresentation is not only ill-considered but ridiculous and insulting. What is more, even granting that Pico had no more than eighty pitted against Kearny's eighty—or, if you please, his ninety or a hundred—the fact remains that owing to the uncontrollable disposition of the forces in action, enabling the enemy intact to engage our men in detail, they outnumbered them in effect at every stage of the fight until the last, when the howitzer detachment arrived and the enemy as a result fled.

Mr. Bancroft further shows his bias in passing judgment on the General in these words: "It is difficult to regard the affair at San Pascual otherwise than as a stupid blunder on the part of Kearny, or to resist the conclusion that the official report of the so-called 'victory' was a deliberate misrepresentation of facts."<sup>39</sup> We have just seen how easily his "conclusion" as to the report of numbers could have been "resisted," had the historian examined his sources with more care. Now let us discuss his arm-chair comments on the sagacity displayed by an experienced and seasoned Army man, of highly rated ability, who was engaged in the invasion of a *terra incognita*, his force reduced to a mere escort, as a result of the boastful claims of Stockton and Frémont, his men worn out by an unprecedented march over arid desert and trailless hills, and the

<sup>36</sup>Frémont's *Court-martial*, p. 43.

<sup>37</sup>Emory's *Notes*, p. 112.

<sup>38</sup>Letter from Lt. W. H. Emory, U. S. A., to *N. Y. Courier and Enquirer*, reprinted in Robinson, *Army of the U. S.*, appendix, p. 322. See also Emory's testimony in Frémont's *Court-martial*, p. 162, *et seq.*

last step in the journey now disputed by an active foe. The historian specifies that there was no need to attack Pico; that Pico was not anxious for a fight, but was drawn into it by Kearny's course; that the Americans in their weakened condition should have gone on to San Diego without risking a contest with the well-mounted Californians, especially on a cold, wet night, when fire-arms were useless. It seems a cruel trick of fate that Kearny could not have had the services of the historian as a scout to advise him that Pico did not want to fight. To learn what the enemy intends to do is the chief concern of every commander. If one could only know what is in the enemy's mind it would so simplify matters! Not having such information and not being a necromancer, Kearny had to depend on such advices as he could obtain. Commodore Stockton himself had encouraged an attack. "If you see fit," said he, in the letter above quoted, "endeavor to surprise them." Kearny did see fit to try to do so, and for independent reasons. After the long arduous march he did not intend to be cut off, if he could help it, within two days of his goal. His numbers were too few to be able to resist a formidable attack. His reconnoitering party had revealed his presence in the region. As soon as it became day the enemy would learn his real weakness and fall upon him. While it was still night he must try to cut his way through and by his boldness probably disperse the enemy. Any delay would not only jeopardize his position, but it would enable the enemy to obtain recruits from the vacqueros in the surrounding country. Says Emory: "We were now on the main road to San Diego, all the by-ways being in the rear, and it was therefore deemed necessary to attack the enemy to force a passage."<sup>40</sup> The other officers were consulted and all agreed with Kearny in the necessity of an aggressive movement at once. They were not inexperienced volunteers, but professional soldiers, some of them being West Pointers and officers of recognized ability. In view of all the circumstances surrounding him at the time and the unanimity of opinion among his subordinates the General seems to have pursued a reasonable course.

Now *did* Kearny misrepresent in claiming San Pascual as a victory? Bancroft asserts it was not a victory, but a "defeat." But did you ever hear of a defeated party being left in complete possession of the field, the victorious enemy having fled because of the suddenly increased effectiveness of the defeated? A severe blood-letting or the failure to pursue does not spell defeat, else the honors at Gettysburg belonged to the South. Many a hard-fought battle has begun in seeming disaster and ended in complete victory. At San Pascual the Americans never for a moment yielded their

<sup>39</sup>Bancroft, v., p. 353.

<sup>40</sup>Emory's *Notes*, p. 108.

ground, however vigorously pressed, and they succeeded in driving off the enemy. Obviously then there was every reason to claim a victory, but Commodore Stockton, who resented Kearny's advent in California, because it diminished his own renown, and whose subsequent quarrel with Kearny increased his bias, took great delight in referring to the affair at San Pascual, on each and every possible occasion, as a "defeat," sometimes as a "sad defeat," sometimes as a "disastrous" one. At the court-martial proceedings of Frémont, after the close of the war, Senator Benton, Frémont's counsel, reiterated it with great gusto. Writers of histories influenced by Stockton's lengthy and one-sided accounts of the military operations in California, have accepted the term apparently without question. It has been transmitted through later secondary histories and even Bancroft could not escape the traditional view. That the President and the Senate took a different one is evidenced by their action in giving Kearny a brevet of major-general in recognition of his conduct in the action.

We have considered at some length the affair at San Pascual, not because it happened to be the bloodiest and most severe contest in the struggle for California, but because of the injustice the historians have done General Kearny. I refer particularly to Bancroft, because his massive and presumably exhaustive work is the chief source of reference for writers of secondary history and special articles on California subjects in magazines and Sunday papers. To correct this injustice, in so far as may be possible, and to warn future writers, is the excuse for the discussion.

#### RESUMPTION OF THE MARCH TO SAN DIEGO.

Taking up again the thread of our narrative, which we dropped on the battle-field, we note that General Kearny's party remained in camp during the day, to give the sick a chance to recover some strength and to enable the active ones to bury the dead. In consequence of the General's wounds Captain H. S. Turner was temporarily in command.<sup>41</sup> He dispatched a report of the situation to

<sup>41</sup>HENRY SMITH TURNER, born in Va. Cadet, U. S. M. A., 1 Sept., '30; bvt. 2d Lt., 1st Dragoons, 1 July, '34; 2d Lt., 15 Aug., '35; r. adj., 1 June, '36, to 17 Nov., '38, and again, 1 Dec., '41, to 17 June, '46; bvt. capt. a.g., 17 Nov., '38, to 16 April, '39; capt., 1st Drags., 21 April, '46; bvt. major, 6 Dec., '46, for gallant and meritorious conduct in the battles of San Pascual, San Gabriel, and Mesa. Resigned, 21 July, '48. Served as A. D. C. to Gen. Atkinson in '39; on professional duty at Cavalry School of Saumar, in France, and assisted in preparation of cavalry tactics for U. S. service. After resigning from Army became a farmer and banker at St. Louis, Mo. Ass't Treas. of U. S. at St. Louis 1850-53; banker at San Francisco, Cal., 1853-7; farmer near St. Louis, 1857-63; pres. Union Nat. Bank, St. Louis, 1863. Died 16 Dec., 1881. Major Turner, at the time of his death, was one of the foremost citizens of St. Louis.

Commodore Stockton and suggested that a reinforcement be sent out to meet the party on the route to San Diego. The morning after the battle "dawned on the most tattered and ill-fed detachment of men that ever the United States mustered under her colors," to use the words of Lieutenant Emory. "The enemy's pickets and a portion of his force were seen in front. The sick, by the indefatigable exertions of Dr. Griffin, were doing well, and the General enabled to mount his horse. The order to march was given, and we moved off to offer the enemy battle, accompanied by our wounded, and the whole of our packs. . . . The General resumed the command, placing Captain Turner in command of the remnant of dragoons."<sup>42</sup> While the column was moving along slowly, after having made but nine miles, the enemy suddenly appeared again, charging furiously from the rear. About forty of his number rushed ahead and occupied a hill that must be passed, the remainder stayed behind to cut off a possible retreat. General Kearny ordered a half dozen of his foremost men to clear the hill. This they did in a lively skirmish, without receiving a scratch. It was evident that Pico intended to harass the incumbered Americans by disputing every pass on their route, a course comparatively easy because of his superior mounts. The skirmish had resulted in the loss of the cattle which were being driven along for subsistence, and further marching might mean the loss of the ambulance with the sick, as well as the baggage. The General therefore decided to rest at this point, which seemed to be a strong position, and later cut his way to San Diego. But on the following day the wounded were still in bad shape, and the watchful enemy, now in greater number, was ready to dispute all the passes leading to San Diego, thirty miles away. A further delay seemed inevitable. As it turned out, the Americans remained in the camp four days. For food they were reduced to mule-flesh, but they were able to get water by boring holes. On the last day they were in such desperate straits that they began to destroy all but their most needful property in preparation for another start. That night when their spirits were heaviest, they were suddenly gladdened by the arrival of two hundred sailors and marines, who had come to their relief. Confronted by this efficient force the enemy retired to the north and the Americans without molestation made their way to San Diego.

It is not within the scope of this paper to give a complete narrative of General Kearny's movements in California. We are concerned with only so much of it as may be necessary to indicate his military policy, to show the large part he had in the real conquest of the country, and to justify his position in the dispute that he subsequently had with Stockton and Frémont over the chief control

<sup>42</sup>Emory's *Notes*, p. 109.



*S. McKeaney Brig Gen  
Gov. of Calif.*





of affairs. So far, we have gone into detail simply to elicit the facts from which wrong conclusions had been drawn. We have tried to bring out in our examination of them that General Kearny's imperiled condition was due not to his own fault, but to the misleading information from Stockton and Frémont, which had induced him to leave the greater part of his force in New Mexico; that in the face of extraordinary difficulties he pursued the wisest course open to him, so far as it was possible to estimate the situation; that in the affair at San Pascual he not only distinguished himself by his valor but wrought a victory out of what promised to be a defeat, and, finally, that historians have given him less than his full share of credit.

With the General and his battered-up dragoons now in San Diego recovering from their wounds and fatigue before being called upon to undertake the next step in the subjugation of California, we may digress a moment to read an interesting account, from Kearny's own pen, of the experiences just passed through, of the condition of affairs on the Coast as he found them a week after his arrival, and an outline of what he intended to do. The document, a letter to his wife, has recently become available historically, through the generosity of Henry S. Kearny, Esq., a son of the General. By courtesy of the Missouri Historical Society, the custodian, it is now for the first time made public:

[LETTER FROM GEN. S. W. KEARNY TO HIS WIFE, AT ST. LOUIS, MO.]<sup>43</sup>  
 San Diego, Upper California,  
 Decemb. 19, 1846.

My dear Mary,

I have been here one week—have been anxious to write to you, but no means of sending. In two days Maj. Swords will leave for the Sandwich Islands to get provisions, & I must write by him, hoping that he may find there some vessel about starting for the U. States.

I know my dear wife that you may be uneasy about me, separated as

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<sup>43</sup>MRS. KEARNY, wife of the General, was Mary Radford, a step-daughter of Gov. Wm. Clark, of Lewis and Clark fame. The Clark home was at St. Louis, and there the General's family usually stayed when they could not conveniently be with him. The General himself regarded the city as his home and ended his days there. The following items of interest about members of the family and personal friends mentioned in the above letter have been obtained from the General's son-in-law, Mr. Western Bascome, for many years British Vice-consul at St. Louis, as well as a leading insurance man, and from Major Wm. Clark Kennerly, of St. Louis, a cousin of Mrs. Kearny, himself a veteran of the Mexican War and one of the few survivors of Doniphan's Expedition. The "John" referred to was JOHN RADFORD, a brother of Mrs. K. "Sophie" was his wife. She was a daughter of Col. Pierre Menard, lieut.-gov. of Illinois. John and Sophie were married in 1842 and went to live in a double log-cabin that he built for her on a farm known as "Hardscramble," located on the Clark Tract, near St.

we are so far from each other. Let me therefore in the first place tell you that I am moving about as if nothing had happened to me, that my appetite is perfectly good, & that I feel but very little inconvenience from my wounds. They are healing up much faster than I could have expected, & in one week more I think I shall be perfectly & entirely recovered. As a good christian you will unite with me in thanks to our God, who directs all things, that he has preserved me thro' the perils & dangers that surrounded me.

I have written a report to the Adj't Gen'l of our action of the 6th Decemb. probably that may be published in the papers, when you will see it. In the meantime I have to tell you that on the 6th at daybreak with about 80 men we attacked a party of 160 Mexicans, which we defeated after an hour's fighting, & drove them from the field. This was at San Pasqual & about 40 miles from this place. We gained a victory over the enemy, but paid most dearly for it. Capts. Moore & Johnston, & Lieut. Hammond, with 2 Sergts, 2 Corpls & 10 Privs. of Dragoons were killed—about 16 of us were wounded, myself in two places in the left side by lances, one of which bled very freely, which was of advantage to me. The loss of our killed is deeply felt by all, particularly by myself, who very much miss my aid Johnston, who was a most excellent and talented soldier, & Capt. Moore, who displayed great courage & chivalry in the fight, as did Lieut. Hammond. Capt Turner is now with me—he is perfectly well—was not wounded, but had his jacket, tho' not his skin, torn. Lieut. Warner of the Topo. Engs. received three wounds, but is now nearly well. Mr. Robideaux, my interpreter, is wounded but is recovering. Poor Johnston's loss will be

Louis. She died not long afterward. "Col. Brant" was Lt.-Col. JOSHUA BRANT, a veteran of the War of 1812, whose service was chiefly in the Q. M. Dept. He resigned from the Army in 1839 and became a resident of St. Louis. "Major Stewart" was A. D. STEUART, of the Paymaster's Dept., who served through the Civil War, reached the grade of Lt.-col. and died in 1867. His wife was a Miss Bullitt, of Kentucky. When he married her she was the widow of Gen. Atkinson. "Phil," a nephew, was of course the celebrated PHIL KEARNY, who became a major-gen. in the Civil War and was killed at Chantilly, Va., in 1862. Phil married Miss "Di" (Diana) Bullitt, of Ky., a famous beauty, and a sister of Mrs. Steuart. Mrs. HUNT was a daughter of Judge J. B. C. Lucas, of St. Louis, and was married first to Col. Thos. Hunt, U. S. A., who died at old Cantonment Bellefontaine, near the junction of the Mississippi and Missouri Rivers. Her second marriage was to his brother, Wilson P. Hunt, best known as the leader of the historic Astoria Expedition. Her daughter became the wife of Major H. S. Turner (*q. v.*, note 41, *supra*). Bishop HAWKES was the Protestant Episcopal bishop at St. Louis. General Kearny had nine children. WILLIAM, the eldest, went to live in the South and served in the Confederate Army as inspector general. CHARLES lived in St. Joseph, Mo., and died about 1904. HARRIET married George Collier, Jr., of St. Louis, and died in Paris during the Civil War. MARY ("Mit") became the wife of Daniel Cobb, of Barnstable, Mass., who was in business in New Orleans, St. Louis, and Louisville. LOUISA ("Lou") married Wm. Mason, a lawyer in St. Louis. ELLEN ("Puddy") is Mrs. Western Bascome, of St. Louis. CLARENCE died in East Los Angeles, Calif., in 1887, leaving a widow and

felt by many & perhaps not least by Miss Cothéal, a sister of Mrs. Maj. Swords, to whom he was engaged. I have now my dear wife given you some items so that your own mind may be easy. Do not think that I am worse than I represent myself, for it is not so. I expect in less than a week to be on my horse & as active as I ever was.

Your brother William I learn is quite well—he is on the *Warren* & in the Bay of San Francisco, about a week's sail from here. I hope to see him ere long. He will not be able to get back to the U. S. before next summer. Commodore Stockton is at this place with 3 of his ships & has 4 or 500 of his Sailors & Marines here in Town to garrison it. Among them are many very clever fellows, & some messmates of William's, who lately left the *Warren* & from whom I have heard of him.

We had a very long & tiresome march of it from Santa Fe. We came down the Del Norte 230 miles—then to the River *Gila* (pronounced *Hela*) *g* & *i* in Spanish sounding like *h* & *e* in English. We marched 500 miles down that River, having most of the way a bridle path, but over a very rough and barren country. It surprised me to see so much land that can never be of any use to man or beast. We traveled many days without seeing a spear of grass, & no vegetation excepting a species of *Fremontia*, & the *Musquet* tree, something like our thorn, & which our mules eat, thorns & branches to keep them alive. After crossing the Colorado & getting about 100 miles this side of it, the country improved, & about here is well enough, tho' having but very little timber & but few running streams—

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son, who now reside in San Francisco. "The youngest" (at that time) was HENRY S., who now lives at Lakewood, N. J., and has an office in New York City. STEPHEN was born in 1848, subsequent to the date of the letter, and only a week before his father died, whom he never saw. S. died at St. Louis in 1895. NOBLE and MILLY were slaves belonging to the family. From other sources are obtained the following items: ANTOINE ROBIDOUX was a native of St. Louis, who had lived 15 years in Mexican provinces and married a Mex. wife. He came with Gen. K. as interpreter; went East in '47; returned to Calif. in '49, remaining till '54. From about '56 he lived at St. Joseph, Mo., (which was founded by his brother), where he died in '60, aged 66. He was a brother of Louis Robidoux, who came to Calif. in '44, and became a prominent ranchero at San Bernardino. THOMAS C. HAMMOND, the young lieut. killed at San Pascual, was a native of Pa. and a graduate of the U. S. M. A. in the Class of '42. WILLIAM RADFORD, a brother of Mrs. Kearny, was a Virginian. He reached the grade of rear-admiral in '66; retired from the Navy in '70, and died in 1890. Capt. PHILIP ST. GEORGE COOKE was one of the shining literary lights in the Army as well as a highly efficient officer. At the outbreak of the Civil War he was col. of the 2d Cavalry and at its close a brig.-gen. He had rec'd a brevet for his arduous service in bringing the Mormon Battalion to Calif. in '47. He retired in '73 and died in '95. Lieut. ANDREW JACKSON SMITH became a maj.-gen. of vols. in the Civil War and one of the distinguished commanders. He resigned in '69 and died in '97. Major E. V. SUMNER also became a maj.-gen. of vols. in the Civil War. He died in '63. Lieut. JOHN LOVE resigned from the Army as bvt. capt. in '53. During a part of the Civil War he was a maj.-gen. in the Indiana leg'n of militia. He died in '81.

the climate is very dry & tho' this is the rainy season of the year, yet we have more clouds to threaten us, than rain to fall upon us—there is no certainty of a crop in this part of the world, unless the land is irrigated from running streams.

Lieut Col Frémont is still in California, & we are daily expecting to hear from him. He went up the Coast to raise Volunteers, from the Emigrants from Missouri, to attack the Californians, 700 of whom are now said to be in Arms about 100 miles from here. Fremont, it is supposed, is not far from there—if he has not force enough, it is expected that he will send word to us. I have not heard of Capt. Cooke & the Mormons, tho' hope to see them here in less than a month. I am also ignorant where the Volunteers & the Artillery from New York are, or when to expect them. The great difficulty of getting information here renders it necessary that all our plans should be well considered before attempting to put them in execution. When I get the Volunteers into the Country, I can drive the enemy out of it with ease, tho' at present they have the advantage of us, as they are admirably mounted & the very best riders in the world—hardly one that is not fit for the Circus. This is a great Country for cattle & horses, very many of both run wild & are never caught except when wanted for beef or to be broken—a fine mare is worth about \$2.—an unbroken horse 5—a broken one 10—so you see that flesh is cheap.

If you have any curiosity to know where *San Diego* is, you will find it on the maps in lat 33° on the Pacific & not far from the lower end of Upper California. We have the ocean in sight, & hear the rolling waves which sound like rumbling thunder. We have abundance of fine fish, furnished us by the Navy, who each day catch enough in their nets to supply all. In 6 days we shall have Christmas & a week after that a New Year. May we all live my dear Mary to be re-united before the year is past. You must take good care of yourself & all our little ones, so that when I return our numbers will be complete. I have not heard from you since your letter to me of the 19th August (4 months since). I suppose Lieut. Smith may have a letter & mail for me, & that he may be coming with Capt. Cooke, who I sent back on the 6th Octob. to command the Mormons, as soon as I heard of the death of my friend Capt Allen. What great changes have taken place in the Regt [1st U. S. Dragoons], within the last 6 months! Phil has been for years sighing for a Captaincy. He is now entitled to Compy B which was poor Johnston's, who succeeded Sumner. Lieut. Love went to recruiting. Johnston was killed before Capt Moore, & thus Phil was entitled to first vacancy. Say nothing of this, except to Phil himself. My regards to Major & Mrs. Stewart—also to Mrs. Hunt and my friend Bishop Hawkes & wife. I wish I were with you now to pass at least the Christmas Holydays. But as that is impossible, I must endeavor to control myself in thinking the more of you & the children. Kiss all my dear little ones for me. I hope William & Charles are learning fast. Harriet, I am certain, is improving & Mit & Lou, no doubt also. Puddy, Clarence, & the youngest must occupy your time. I hope that you have some good

woman in your nursery to take care of them. Take care of yourself & the young ones. Regards to John & Sophie. I hope they like their farm near Saint Louis. I wonder how you get on in the management of business, & in your money affairs. I will be able in a month or two to send you some more pay accounts. I have remaining from what I brought from Fort Leavenworth, enough to carry me thro' this month, having paid for everything I have got since I left there. Should Mr. Kennerly or others pay you, so that you have more than you want for use, put it out at 10 per cent for not less than 3, nor more than 5 years. Consult Patterson or Col Brant, & let either of them attend to the business for you. Love again to you & the children.

Yours ever most truly,

S. W. K.

Remember me to Noble, Milly & the Servants—tell Noble I have my grey mule which I brought from Leavenworth. My bay horse gave out & I left him this side of the Colorado.

#### THE SECOND OR ACTUAL CONQUEST.

General Kearny had come to California with orders from the President to take possession of the territory and as a sequel thereto to organize a civil government. On his arrival he found the country, with the exception of the few sea-ports, still in possession of the inhabitants. Under his instructions it became his duty to establish the supremacy of the United States. Prior to his arrival Commodore Stockton, who had been acting as commander-in-chief and governor, being the senior American officer on the Coast, had taken a superficial possession of California, but not only had he lost the greater part of it, but the task of reconquering the people was now made harder than if he had done nothing. General Kearny exhibited to the Commodore his instructions, with the expectation, no doubt, of succeeding him at once in the chief command. The Commodore had no instructions other than those that had come to his predecessor, Commodore Sloat, and these did not go so far as to authorize a land movement by the Naval forces. Nevertheless, Commodore Stockton declined to turn over the chief command of the land forces or the position of governor. He was ambitious to be considered the conqueror of the country and he found an excuse to hang on. General Kearny, thus prevented from carrying out his orders, for he had but a handful of his own troops to back up his authority, against several hundred naval men at the command of Stockton, was in a very awkward situation. Until the arrival of other land forces, who would report to him, he was powerless. Making the best of the matter, therefore, he deferred asserting his rights, and, as gracefully as he could, tried to avoid friction with the naval officer. Although the Commodore was unwilling to resign the chief control of affairs he did offer to give the General sub-

ordinate command of the troops. This was declined for cogent reasons, among them probably that it might seem to be a waiver of rights conferred in specific orders. Any land movement that might have to be undertaken the General would naturally want to direct, but before such a movement became necessary the additional troops might arrive and enable him to carry out his instructions. As we learn from his letter it was the supposition at San Diego that the first blow at the enemy, then gathered about Los Angeles, would soon be struck by Frémont's battalion, which had been coming down the Coast, and news of an engagement was momentarily expected. The letter indicates that as late as December 19 there was no impending movement from San Diego, and that unless Frémont should call for support no advance was contemplated for the present. Three days later, however, we learn from letters that passed between them, that Stockton discussed with Kearny the propriety of taking a force from San Diego as far at least as San Luis Rey, on the route to Los Angeles, in order to be able more conveniently to coöperate with Frémont, if called upon, or to cut off a possible retreat of the enemy should Frémont defeat but not pursue him. If, on the other hand, the support were not needed, the troops could return to San Diego without having to make a long march. The General, in an opinion he wrote after the interview, advised a march not merely to San Luis Rey, but all the way to Los Angeles (inferentially without waiting to hear from Frémont), for the purpose of joining with him at once or creating a diversion in his favor. He said, in his letter to Stockton: "If you can take from here a sufficient force" for the purpose named, "I advise that you do so. . . . I do not think that Lt.-Col. Frémont should be left unsupported to fight a battle upon which the fate of California may for a long time depend." This advice the Commodore resented as being gratuitous and merely reflective of the course he himself had proposed, and also, (without seeing the inconsistency) because it would leave the base at San Diego unprotected. The General, in a polite reply, disclaiming any intention to advise a movement that would jeopardize the safety of the garrison or the ships in the harbor, said further: "My letter of yesterday's date stated that, 'If you can take from here,' &c., &c., of which you were the judge, & of which I knew nothing."<sup>44</sup> This preliminary skirmish in a controversy that later became bitter is cited merely to show that Stockton's letter to Kearny does not substantiate his subsequent claim to have been the first to suggest an unconditional movement all the way to Los Angeles to join Frémont. His plan, as we have seen, was to march only as far as San Luis Rey, a continuation to Los Angeles being contingent upon a call from Frémont. Kearny's plan was the one

<sup>44</sup>Frémont's *Court-martial*, pp. 111-2.

actually followed. They did not wait to hear from Frémont, and he never sent any word. As a matter of fact, they got to Los Angeles before he did, and fought the battle that was expected would fall to him.

A decision to advance having been arrived at by the Commodore, preparations began forthwith. Practically all the available troops, consisting of about sixty unmounted dragoons under Captain Turner, fifty California volunteers, and over four hundred sailors and marines with six pieces of artillery, were chosen to go. General Kearny reconsidered his declination to take charge of the troops, realizing probably that in the face of what might prove to be a serious campaign, requiring the exercise of military skill, it was his duty as an experienced army man to give his services and to put aside temporarily the question of rank. The Commodore acquiesced, but announced to the officers that while the General would be in command of the troops, he himself would go along as "commander-in-chief." The General let him feel that way about it, but I daresay he expected from the Commodore little if any interference with his own conduct of the movement. His orders from Washington directed him to coöperate with the naval forces, and he would do the best he could to avoid friction. His course bears out this interpretation, for while the "commander-in-chief" did issue a few orders and occasionally take a personal hand in affairs, the General in reality gave the important directions. Lieutenant Emory, who acted as the assistant adjutant-general in this campaign, subsequently wrote: "No order of any moment was given, either in the fight of the 8th or the 9th, which was not given by General Kearny in person, or through the undersigned, as his acting assistant adjutant-general. General Kearny commanded in both battles."<sup>45</sup>

The troops marched out of San Diego on December 29. Progress was slow, due to the poor condition of the animals and the difficulty in getting the clumsy *carretas*, loaded with ammunition and provisions, through the deep sand and over the rough hills. On January 8, at the crossing of the San Gabriel River, the enemy was waiting to receive them. General Flores, self-styled governor, since the abdication of Pico, was in command. He had posted five hundred men on a bluff some six or eight hundred yards back from the river and two of his cannon opposite the ford. On the flanks were squadrons of cavalry under Andrés Pico, Manuel Garfías, and José Antonio Carrillo. The Americans moved across in the form of a square, the front covered by a strong party of skirmishers, the rear by a company of carbineers, the flanks with the remainder

<sup>45</sup>See cit. note 38.

of the command. The cattle and wagon train were placed in the center of this formation, which was dubbed by the sailors a "Yankee corral." The artillery was at the four angles. This order of march was adopted as the best means of repelling the enemy's cavalry and became the habitual formation when in the presence of the enemy. The Americans had no cavalry, the dragoons being unmounted, and one of the enemy's tricks was to try to run off the cattle by sudden charges. As the square moved across the ford, the enemy opened fire. The Americans continued to advance, wading through the shallow water, and pulling along the guns. When they had gained the opposite bank they opened up with their artillery, providing a cover under which the wagons and cattle were gotten across, although with some difficulty because of quicksands. Charges by the enemy on the rear and the left flank were successfully met. Meanwhile a lively cannonading was in progress on both sides, but the enemy's powder, made at San Gabriel, was nothing to brag of. In an hour and a half all had crossed, the opposing artillery silenced, and the bluff captured. The enemy retreated in the direction of Los Angeles, but the Americans having no means of pursuit went into camp.

The next day (9th) the advance was resumed, the column moving across the open plain or *mesa* between the San Gabriel and Los Angeles Rivers.<sup>46</sup> At the end of five or six miles the enemy's line was discovered to the right in a favorable position. The Americans deflected to the left, and when abreast of the enemy were fired upon by artillery at long range. An artillery duel ensued, continuing for several hours as the army advanced in its habitual square. One or two cavalry charges were repulsed with some slight loss on both sides. Finally the Californians withdrew, carrying off their dead and wounded. A renewal of the attack was expected, but the next morning (10th) a flag of truce was brought in by residents of Los Angeles, who said no resistance would be offered to the entry of the Americans into the city. In return the citizens were guaranteed full protection. The army accordingly marched in, but not without observing due precaution against treachery, for Governor Flores had already broken faith in breaking his parole given at the time of the first occupation. Barring a few minor disturbances, the re-occupation of the town was accompanied with no disorder.

The American flag was once again raised at Los Angeles, this time not to be lowered. Speculation regarding the whereabouts of Flores and Frémont caused some excitement and many rumors.

<sup>46</sup>The Rio Los Angeles is designated in the reports as the *Rio San Fernando*. (Emory, p. 120). The official records and some histories err in speaking of the Action of the *Mesa* as that of "The Plains of the *Mesa*," an absurd phraseology.





Yours truly  
Wm. F. Howard



Flores, who fled north, should be meeting Frémont coming south. It turned out, however, that Flores, who probably expected no mercy from Stockton or Kearny, each of whom had threatened to have him shot if captured, because of his broken parole, decided to abdicate the command of his shattered forces to Andrés Pico and betake himself to Mexico. For similar reasons Pico found it inconvenient to capitulate to the Commodore or the General, and resolved to see what he could do with Frémont, who he discovered was then approaching Los Angeles via Cahuenga Pass. Frémont was not averse to receiving a surrender which might tend to enhance his reputation. Without for a moment questioning his own authority he jumped at the offer and granted decidedly favorable terms, thereby increasing his popularity with the people of the country. Stockton and Kearny were somewhat vexed at his assumption of authority, but they decided to ratify his act rather than stir up a hornet's nest. So ended all hostilities between the Californians and the Americans, and none remained excepting between the leaders on the victorious side. This phase will require but brief discussion, for the matter is fairly treated elsewhere, and the issues involved were adjudicated officially and are matters of public record.

#### THE STOCKTON-KEARNY CONTROVERSY.

We have already touched on the beginning of the controversy between Commodore Stockton and General Kearny over the governorship and chief military command. The Commodore without any specific orders from Washington, but resting on the implied authority inherent in the head of a conquering force had assumed the military command and proclaimed himself governor. He declined to acknowledge the right of General Kearny to displace him. General Kearny's instructions were that he should endeavor to gain possession of California for the United States, and that, should he conquer and take possession of it, he was to establish a temporary civil government therein; further that such troops as might be organized in California, as well as those sent there, were to be under his command.<sup>47</sup> Stockton contended that Kearny's right to establish a government was contingent upon his conquering the country, and that inasmuch as the country had been conquered by Stockton before Kearny's arrival, the instructions to him had become obsolete. This was an ingenious interpretation of Kearny's orders in support of Stockton's position, but it was inconsistent with the fact that the country was not in reality conquered prior to Kearny's arrival. The first "conquest" so-called, was specious and super-

<sup>47</sup>Calif. and New Mex. Mess. and Docs., 1850, pp. 236 and 240.

ficial. But for the folly of Stockton and Frémont it might have become permanent. As it turned out, the first real fighting took place after Kearny's arrival, and the final, actual conquest was made practically under his leadership. The final and only important campaign against the enemy was in a sense conducted under a joint leadership, as we have seen, but in their respective official reports, the one to the Secretary of War, the other to the Secretary of the Navy, each claimed to have been in command. Technically, perhaps, the Commodore was the nominal commander-in-chief, but the General was in actual command of the troops, and the one to whom credit was due for the skillful management of the movement. One or two incidents are reported in which Stockton blusteringly issued direct commands in conflict with Kearny's orders, but these were of a minor character, such as ordering the guns to be limbered again before crossing the river, after Kearny had had them unlimbered. Even Bancroft, who adopts Stockton's report as a basis for his narrative, admits that in this instance Kearny's was the more prudent course. It stands to reason that Kearny, who was a land-fighter, was more competent to direct a land movement than Stockton, who was a sea-fighter. It also seems highly probable, from what is known of Kearny's determined character, that he did not take very seriously Stockton's pretensions as "commander-in-chief." We can believe that out of courtesy he did not shut his ears to any words that Stockton may have uttered, but when it came to action there can be little doubt that he followed his own course. On this point General Kearny in his testimony at the court-martial of Frémont had this to say: "On the march I at no time considered Commodore Stockton under my directions; nor did I at any time consider myself under his. His assimilated rank to officers of the army at that time was, and now is, and will, for upwards of a year, remain that of colonel. Although I did not consider myself at any time, or under any circumstances, under the orders of Commodore Stockton, yet, as so large a portion of my command was of sailors and marines, I felt it my duty on all important subjects to consult his wishes; and so far as I consistently could do so to comply with them. He was considered by me as the commander-in-chief in California until he had of his own accord, on the 29th of December, turned over a portion of that command to me."<sup>48</sup> We have already quoted a statement of Lieutenant Emory, who acted as assistant adjutant-general in the movement, to the effect that all the orders of moment were given by Kearny.<sup>49</sup> Bancroft, with characteristic perversity, entitles his chapter covering the final movement, "The Conquest Completed by Stockton and Frémont." Although he has

<sup>48</sup>Frémont's *Court-martial*, p. 117.

<sup>49</sup>See note 38.

followed Stockton's report, rather than Kearny's, in sketching his account, he himself admits that Stockton was vainglorious, inaccurate, given to exaggeration, and even untruthful. Says he: "No witnesses support Stockton's account of the final scenes of the fight [on the 8th], reopening of the artillery fire, etc., and I have no doubt they are purely imaginative."<sup>50</sup> Stockton as the nominal commander-in-chief, even though not the directing head, may have been entitled to some of the glory, but to include Frémont, who did not take part in a single battle or skirmish in California, and to exclude from the caption General Kearny, who bore the brunt of the fighting and was in command of the troops in every one of the three serious engagements, is hard to understand. Now listen further to Mr. Bancroft: "Stockton was beyond comparison an abler and more honorable man than Frémont, yet his reputation as 'conqueror' of California—notwithstanding his energetic and praiseworthy surmounting of obstacles that but for his folly would not have existed—is *as unmerited, though not so fraudulent, as that of the 'pathfinder.'*"<sup>51</sup> "Frémont," he says, "did more than any other to prevent or retard the conquest of California, yet his fame as 'conqueror' is the corner-stone of his greatness."<sup>52</sup> Of Kearny he says, after taking him to task for San Pascual (with how much justice we have seen), his course otherwise in California "was consistent and dignified in the midst of difficult circumstances, and his military record throughout his whole career was an honorable one, the violent tirades of Benton and other partisans of Stockton and Frémont being for the most part without foundation in justice."<sup>53</sup> If we did not know that the work of Bancroft was the product of a division of labor among subordinates, and not always harmonized, we should wonder if the historian had not had a multiple personality.

#### FREMONT'S MUTINOUS CONDUCT.

The conquest having been completed and celebrated by rhetorical proclamations and addresses from the pen of the gifted Commodore, Lieutenant-Colonel Frémont, carefully balancing his own interest at the hands of that potentate and of General Kearny, decided that while mere military convention might require him to report to his superior in the Army, yet there was more in it for him, and a fairly plausible excuse, to submit to the Naval officer, who had promised to bequeath him the governorship. The result of his decision he conveyed to the General in a short note. The General sent for him and in a kind though earnest manner advised him, as a friend and

<sup>50</sup>Bancroft, v., p. 394, note 11.

<sup>51</sup>*Id.*, p. 735.

<sup>52</sup>Bancroft, iii, p. 749.

<sup>53</sup>Bancroft, iv., p. 697.

senior officer, to destroy the letter, offering to forget its contents. The young officer declined to reconsider his action, even when the General implied a willingness to make him governor in four or six weeks, on his own departure.<sup>54</sup>

As Stockton and Frémont continued to ignore Kearny's authority and instructions, and as the latter lacked troops with which to enforce his orders, he merely protested against the organization of a civil government by Stockton, and warned him in these words: "As I am prepared to carry out the President's instructions to me, which you oppose, I must for the purpose of preventing collision between us & possibly a civil war in consequence of it, remain silent for the present, leaving with you the great responsibility of doing that for which you have no authority, & preventing me from complying with the President's orders."<sup>55</sup>

General Kearny, with his dragoons, thereupon left Los Angeles and returned to San Diego. There the Battalion of Mormon Infantry, over three hundred strong, under Lieut-Colonel P. St. G. Cooke, reported to him a few days later (Jan. 29). Leaving these troops in the South the General embarked for Monterey, where he found Captain Tompkins and his company of regular artillery, with a large supply of guns, ammunition, entrenching tools, etc., waiting to report to him.<sup>56</sup> What was even more gratifying to him Commodore Shubrick had received, with orders to succeed Stockton in command of the Pacific Squadron, and unhesitatingly recognized Kearny's authority. The General was now in a position successfully to assert his authority and he set about to organize a civil government, fixing upon Monterey as the capital. On March 1 he assumed the governorship and entered upon his duties.

Meanwhile, at Los Angeles, Commodore Stockton had issued (Jan. 16) a commission to Frémont as governor. For the ensuing month or so Frémont claimed to be exercising the duties of the office, but as his sphere of influence did not extend much beyond the limits of the town of Los Angeles in that early day, they were not very onerous. From General Kearny he received an order to report to him at once at Monterey, bringing along those of his volunteers who declined to remain in the service and who wished their discharge, and also to deliver all public documents in his control pertaining to the government of California. After taking his time about it and making various excuses, meanwhile having re-

<sup>54</sup>Frémont's *Court martial*, pp. 38-9, 76, 78-81, 87, 91-2, 101, 252-3, 380-96, excerpts of which may be found in Bancroft, v., p. 427, note 23.

<sup>55</sup>Frémont's *Court martial*, pp. 79-80.

<sup>56</sup>With this company of artillery were Lieuts. W. T. Sherman, O. C. Ord and H. W. Halleck, all of whom became famous generals in the Civil War

ceived later orders to the same effect, he reluctantly came to Monterey, but instead of rendering obedience at once to the General, tried to parley with him, his manner being far from respectful. The General asked him point-blank if he intended to obey orders, telling him to take an hour, or a day, to think it over. Frémont retired for meditation. Realizing, very likely, that his absurd pretensions would not be supported at Washington, he returned in about an hour and gave an affirmative answer.

#### FREMONT'S COURT-MARTIAL.

Governor Kearny had secured permission, before he left the East, to return as soon as peace and quiet should reign in California and his instructions from Washington had been carried out. After seeing the civil government organized and in good working order, he turned over the governorship to Colonel Richard B. Mason, who had succeeded him in the command of the 1st U. S. Dragoons, and prepared to depart.<sup>57</sup> He caused Frémont to return with him across the plains. When they reached Fort Leavenworth he placed him under arrest and ordered him to report to the Adjutant-General at Washington. There he was court-martialed for mutiny, disobedience to orders, and "conduct to the prejudice of good order and military discipline." At the trial he was given great latitude in the introduction of testimony and he used the opportunity to recite with great dramatic effect his glorious services to the country in the conquest of California. Senator Benton, his father-in-law, was one of his counsel and was characteristically oratorical in his behalf. Frémont, nevertheless, was found guilty on each of the twenty-three specifications and sentenced to be dismissed from the Army. Seven of the thirteen members of the court, in recognition of his past services as an explorer, recommended clemency. In the judgment of the court nothing had been shown to affect the honor or character of General Kearny. President Polk approved in all but one detail the sentence of the court, but in view of the prisoner's former meritorious services and the recommendation, remitted the penalty of dismissal. He ordered him to resume his sword and report for duty. Frémont declined to receive clemency, because he could not admit the justice of the decision, and thoroughly embittered, he resigned from the Army. The court-martial proceedings, which had been

<sup>57</sup>Col. RICHARD B. MASON, who succeeded Kearny in command of the 1st Reg't of Dragoons, was a native of Virginia. He entered the Army in 1817 as a 2d lt. in the 8th Infantry; became a 1st lt. a few weeks later; captain in 1819; major in the 1st Drags. 4 March, '33; lt.-col., 4 July '36; col., 30 June, '46. He was brevetted a major in '29 for 10 years' faithful service in one grade and a brig.-gen. in '48 for meritorious conduct in Calif. He died in 1850. Mason was regarded as a highly efficient officer, affable and just. He made many friends during his term of military governor.

extensively reported in the newspapers, especially the oratory of Benton, proved to be a great advertisement for the young adventurer. He became a popular hero. "If his accusers at the trial had had the wish and the power to present all the facts in their true light, the popular hero's career might have been nipped in the bud."<sup>58</sup> He returned to California in '49 and was sent to the United States Senate from there in 1851. In 1856 he became the first nominee of the new Republican Party for the office of President of the United States.<sup>59</sup> Commodore Stockton's course in California was never made the subject of official investigation. He, too, quit the service, and coming into a fortune he entered politics. On the strength of his unaided achievement in the conquest of California, he too reached the Senate, representing his native state of New Jersey. He was prominently mentioned for the Democratic nomination for the presidency in 1856 to run against Frémont, but owing to the action of the Virginia delegation the nomination went to Buchanan. The American people were thus deprived of what would have been a highly interesting chapter in their annals—a campaign between the two "conquerors."

#### KEARNY'S CHARACTER AND PERSONALITY.

General Kearny having no political aspirations, reported for duty, joined the Army in Mexico, served as military governor of Vera Cruz and later of the City of Mexico, where he contracted a physical disorder, returned to his home in St. Louis, and died October 31, 1848, the year following his tour in California. While fulsome volumes in praise of Stockton and Frémont made their appearance in due time, no such work was called for in behalf of the dead. Fortunately there have been preserved a few interesting contemporary impressions of the real "conqueror" and first legally appointed American governor of California. They are the more valuable to us because of their spontaneity and undoubted sincerity, and the more remarkable because one comes from a member of Frémont's own battalion, another from a chaplain in Stockton's fleet.

Edward Bryant, in his book, "What I Saw in California," said: "General Kearny is a man rising fifty years of age. His height is about five feet ten or eleven inches. His figure is all that is required by symmetry. His features are regular, almost Grecian; his eye is blue, and has an eagle-like expression, when excited by stern or angry emotion; but in ordinary social intercourse, the whole expression of his countenance is mild and pleasing, and his manners and conversation are unaffected, urbane, and conciliatory, without

<sup>58</sup>Bancroft, v., p. 749.

<sup>59</sup>See note 1, *supra*, for Frémont's subsequent career.



the slightest exhibition of vanity or egotism. He appears the cool, brave and energetic soldier; the strict disciplinarian, without tyranny; the man in short, determined to perform his duty, in whatever situation he may be placed, leaving consequences to follow in their natural course. These, my first impressions, were fully confirmed by subsequent intercourse." In his belief, "no man, placed under the same circumstances, ever aimed to perform his duty with more uprightness and more fidelity to the interests and honor of his country; or who, to shed lustre upon his country, ever braved greater dangers, or endured more hardships and privations, and all without vaunting his performances and sacrifices."<sup>60</sup> The Rev. Walter Colton, in his "Three Years in California," said: "The intelligence of the death of Gen. Kearny has been received here [Monterey] with many expressions of affectionate remembrance. During his brief sojourn in California, his considerate disposition, his amiable deportment and generous policy, had endeared him to the citizens. They saw in him nothing of the ruthless invader, but an intelligent, humane general, largely endowed with a spirit of forbearance and fraternal regard. . . . His star set without a cloud; but its light lingers still; when all the watch-fires of the tented field have gone out, a faithful ray will still light the shrine which affection and bereavement have reared to his worth.

'Still o'er the past warm memory wakes,  
 And fondly broods with miser-care;  
 Time but the impression deeper makes,  
 As streams their channels deeper wear.'<sup>61</sup>

<sup>60</sup>Bryant, *What I Saw in California* (N. Y.: 1848), pp. 428-9.

<sup>61</sup>Colton, *Three Years in California* (N. Y.: 1850), pp. 375-6.

CONSTITUTION OF THE HISTORICAL SOCIETY OF  
SOUTHERN CALIFORNIA.

(Adopted November 1, 1883)

*Article I.* The name of the Society shall be the Historical Society of Southern California.

*Article II.* The objects of this Society shall be the collection and preservation of all material which can have any bearing upon the history of the Pacific Coast in general, and of Southern California in particular; also the discussion of historical subjects, the reading of such papers and the trial of such scientific experiments as shall be determined by the General Committee.

*Article III.* The officers of the Society, shall be a President, four Vice Presidents, a Treasurer and a Secretary.

*Article IV.* There shall be a General Committee consisting of the officers of the Society and ten other members.

*Article V.* The officers of the Society and the other members of the General Committee shall be elected annually by ballot; they shall hold office until their successors are elected, and shall have power to fill vacancies.

*Article VI.* It shall be the duty of the General Committee to make rules for the government of the Society and to transact all its business.

*Article VII.* This Constitution shall not be amended except by a three-fourths vote of the members present at an annual meeting for the election of officers and after notice of the proposed change shall have been given in writing at a stated meeting of the Society at least four weeks previously.

AMENDMENTS.

The Constitution was amended in 1887.

*Article II.* Amended by substituting "by the Society" instead of by the General Committee.

*Article III* was amended to read: The officers of the Society shall be a President, two Vice Presidents, a Treasurer, a Secretary and a Curator.

*Article IV, V, and VI* were dropped. *Article VII*, changed to *Article IV* was amended to read: *Article IV*, amendments to this Constitution may be made at any regular meeting of the Society by vote of three-fourths of the members then present, one month's notice of intention to make such amendments having been first given. The standing rules of the General Committee for the government of the Society were abolished in 1887 and By-Laws adopted.

BY-LAWS OF THE HISTORICAL SOCIETY OF  
SOUTHERN CALIFORNIA.

ARTICLE I.

MEMBERSHIP.

*Section 1.* The membership of this Society shall be divided into four classes, namely; Life, active, honorary, corresponding.

*Sec. 2.* Every application to this Society for life or active membership shall be in writing, which application may be presented at any meeting of the Society. The applicant shall be recommended by at least three life or active members of the Society, who shall vouch for the character and fitness of the applicant for such membership. Every such application shall lie over for four weeks before action thereon.

*Sec. 3.* The admission fee for life membership shall be one hundred dollars; the admission fee for active membership shall be two dollars. Applications for life or active memberships must be accompanied by the respective fees.

*Sec. 4.* All applicants for life or active membership shall be declared elected unless five or more negative votes are cast against such applicant in the ballot thereon, whereupon said applicant shall be declared rejected. Any person so rejected shall not be again eligible for membership until after the expiration of one year from the date of said rejection. (Amended. See page 134.)

*Sec. 5.* Life and active members only shall vote and hold office in the Society. A life member is always in good standing and entitled to vote. No active member whose dues are unpaid up to the quarter (of the year) in which any election may be held shall be permitted to vote.

*Sec. 6.* All life and active members shall qualify by subscribing to these By-Laws, and by filing with the Curator within one year from said time a photograph not less than cabinet size of him or herself and a genealogical record and sketch of him or herself. (Amended.)

*Sec. 7.* No person shall be elected an honorary member of the Society unless of sufficient historical, literary or scientific prominence to warrant the same or unless he or she be a benefactor of this Society, which qualification shall be determined by the Society. (Amended.)

*Sec. 8.* Any proper person not a resident of the City of

Los Angeles may be elected a corresponding member of this Society, for the purpose of contribution. (Amended. See page 134.)

*Sec. 9.* All honorary and corresponding members shall be elected free of fees, and shall not be required to pay dues; and they may be elected at the same meeting at which their application be made without the usual form. (Amended.)

*Sec. 10.* Members of all classes shall be entitled to a certificate of membership duly signed by the President and Secretary of the year wherein they were elected.

## ARTICLE II.

### OFFICERS.

*Section 1.* The officers of this Society shall be a President, a First Vice President, a Second Vice President, a Treasurer, a Secretary, and a Curator, who shall be elected by the Board of Directors from their own body and who shall serve for one year from and after the date of their election.

*Sec. 2.* All officers shall hold their respective offices until their successors are elected and qualified.

*Sec. 3.* It shall be the duty of the President to preside at all meetings of the Society or Board of Directors; to enforce a strict observance of the By-Laws and rules of the Society; to see that all other officers perform the duties of their respective positions, and to appoint all committees, unless otherwise directed by the vote of the Society or of the Board of Directors. Immediately upon his installation the President shall deliver his inaugural address, in which he shall outline his policy for the ensuing year, and make such suggestions as he shall deem for the best interests of the Society. He shall sign all certificates of membership and warrants upon the treasury and attest to the minutes of the Society and of the Board of Directors.

*Sec. 4.* In the absence of the President, or in case of his inability to act, the Vice Presidents shall take his place in the order of their election, and shall perform his duties.

*Sec. 5.* It shall be the duty of the Secretary to keep records of all meetings of the Society and of the Board of Directors, conduct the correspondence, countersign all certificates of membership, treasury warrants and other official papers and documents, and safely keep all the archives of the Society; he shall keep an alphabetical list of all members of the Society, with their respective post office addresses; he shall notify all life and active members in good standing in writing of all meetings of the Society; he shall notify in like manner all applicants for life or active membership of their election and furnish them each a certified copy of the By-Laws.

and shall notify in like manner honorary or corresponding members of their respective elections, and shall perform such other duties as pertain to his office.

*Sec. 6.* It shall be the duty of the Treasurer to collect and safely keep all moneys belonging to the Society, and to pay out the same only on the order of the Board of Directors upon warrants duly signed by the President and Secretary. He shall collect all membership dues and shall keep a separate account with each active member of the Society, and notify in writing all in arrears.

*Sec. 7.* It shall be the duty of the Curator to safely keep all property donated to, or purchased by the Society, which he shall properly classify, label and catalogue. All such collections shall be open to the inspection or examination of the members under such rules as the Board of Directors may prescribe.

*Sec. 8.* All papers read before the Society shall be filed with the Society, and any paper, document, article or other property once filed with the Secretary or the Curator shall not be withdrawn from their possession without the consent of the Board of Directors.

*Sec. 9.* It shall be the duty of all officers of this Society at the close of their respective terms of office to transfer to their respective successors all books, papers, moneys and other property of the Society in their possession.

*Sec. 10.* It shall be the duty of the Board of Directors to supervise and manage all the business of the Society to audit its accounts, to protect its interests, to have charge of all of the property of the Society, and to make such general rules and regulations for the government of the Board and its employees as may from time to time be necessary.

*Sec. 11.* At the meeting of the Society on the first Monday in January each year all officers and committees shall file written reports of their official action during the past year and of research in their respective departments and the officers elect shall qualify and be installed.

### ARTICLE III.

#### COMMITTEES.

*Section 1.* There shall be nine standing committees appointed annually by the President on the first Monday in January; each committee shall consist of not less than three members of any class who shall serve until their successors are appointed; said committees shall be known and designated as follows.

First, Publication; second, History; third, Geology; fourth, Meteorology; fifth, Botany; sixth, Genealogy and Heraldry; seventh, Mineralogy; eighth, Entomology; ninth, Conchology. New committees

may be created by the Board of Directors from time to time as may be required. (Amended.)

*Sec. 2.* The Publication Committee shall have charge of the publications of the Society. It shall publish at least annually a pamphlet of 16 mo. size, in long primer type, and uniform with the last annual publication of the Society, which pamphlet shall contain as far as practicable or advisable all reports of officers and committees for the year next preceding that of its publication and papers read before the Society. (Amended.)

#### ARTICLE IV.

*Section 1.* The regular meetings of the Society shall be held at the place in the City of Los Angeles, California, to be designated by the Board of Directors, on the first Monday evening of each calendar month.

*Sec. 2.* Special meetings of the Society may be called by the President or upon the written request of five life or active members petitioning him to call such meeting; the business to be transacted at such meeting shall be stated in the notice, and no other business shall be transacted at such meeting.

*Sec. 3.* A quorum for the transaction of business at any regular or special meeting of the Board of Directors shall consist of four members thereof; of the Society, seven life or active members entitled to vote at elections as specified in Article I, Section I, of these By-Laws.

*Sec. 4.* The Board of Directors shall hold a meeting on the first Monday of each month, and special meetings of the Board may be held upon call of the President; the Board to fix the time and place of the regular meetings.

#### ARTICLE V.

##### FINANCES.

*Section 1.* The annual dues of the Society shall be three dollars for active members, payable in quarterly installments. The dues of new active members shall begin with the date of the first quarter next succeeding their election to membership. (Amended.)

*Sec. 2.* The Treasurer shall report to the Board of Directors the names of all active members who shall become one year in arrears for dues at the time of their arrearage, and the Board shall thereupon cancel their membership, and the Secretary shall erase their names from the list of members; *provided*, that on the payment of all delinquent dues any person so dropped may be reinstated as an active member in same manner as in the election of new members.

*Sec. 3.* Notice of resignation of membership shall be given the Secretary in writing, but no action shall be taken on such notice if from an active member until he has paid any delinquent dues to the Treasurer that he may be owing.

*Sec. 4.* No debt shall be incurred by or for the Society or by any officer on account therefor, nor unless the money to pay the same be actually in the treasury at the time of the incurring of the debt.

*Sec. 5.* Upon the question of the payment of any moneys from the treasury of the Society the vote of the Directors shall be by ayes and noes, and the result shall be recorded.

## ARTICLE VI.

### ELECTIONS.

*Section 1.* All elections shall be by ballot. A majority vote shall elect all officers except Directors, who shall be seven in number, and shall be elected under the provisions of Section 307, of the Civil Code of the State of California. Voting by proxy shall not be allowed.

*Sec. 2.* The annual election of Directors shall be held on the first Monday of December in each and every year. Immediately after their election the Directors shall organize and elect from their number a President, a First Vice President, a Second Vice President, a Secretary, a Treasurer, and a Curator, who shall be the officers of the Society, and who shall serve for one year from and after the date of their election, and until their successors are elected and qualified.

*Sec. 3.* One week prior to the annual election of the Board of Directors of the Society the Secretary shall notify in writing all life and active members of the time and place of such election.

## ARTICLE VII.

### SEAL.

The Seal of the Society shall be in the possession of the Secretary and by him it shall be impressed upon all Certificates of Membership, treasury warrants and all other official documents issued by him.

## ARTICLE VIII.

### AMENDMENTS.

Amendments to these By-Laws may be made at any regular meeting of the Society by a vote of two-thirds of the life and active members then present and voting; *provided*, that one month's notice

of the intention to make such amendment, together with the proposed amendment has first been given in writing.

### CERTIFICATE.

We the undersigned being all life and active members of the Historical Society of Southern California, and being Directors thereof, hereby certify that the foregoing By-Laws, consisting of eight (8) articles, have been duly adopted as the By-Laws of said corporation.

Witness our hands and seals this 9th day of November, 1891.

|                                                |        |
|------------------------------------------------|--------|
| GEO. BUTLER GRIFFIN, <i>President.</i>         | (SEAL) |
| JOHN MANSFIELD, <i>First Vice President,</i>   | (SEAL) |
| JOHN P. P. PECK, <i>Second Vice President,</i> | (SEAL) |
| B. A. STEPHENS, <i>Secretary.</i>              | (SEAL) |
| J. M. GUINN, <i>Treasurer.</i>                 | (SEAL) |
| IRA MORE, <i>Curator.</i>                      | (SEAL) |
| N. LEVERING, <i>Director.</i>                  | (SEAL) |

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### AMENDMENTS TO THE BY-LAWS.

(Adopted June 5, 1893.)

Article I, Section 4, amended by striking out the word *five* and inserting *three*. Section 4 (Amended): All applicants shall be declared elected unless three or more negative votes are cast against such applicant. (Remainder of the Section is not changed.)

Article I, Section 6, amended by inserting "*the for these*" before the words By-Laws, and striking out all of the Section after the words, By-Laws.

Section 6 (Amended): All life and active members shall qualify by subscribing to the By-Laws.

Article I, Section 8, amended by striking out the words, "not a resident of Los Angeles."

Section 8 (Amended): Any proper person may be elected a corresponding member of this Society for the purpose of contribution.

Article I, Section 9, amended to read as follows:

Section 9. Honorary or corresponding members may be elected at the meeting at which their names are proposed but they shall not be required to pay fees or dues.

#### NEW BY-LAW ADDED TO ARTICLE 1.

Section 11. Any member of this Society may be suspended or expelled by the affirmative vote of two-thirds of all the members



present at a regular meeting of the Society and voting, but no such vote shall be taken unless notice of a motion to suspend or expell shall have been given and the charges against the party accused shall have been promulgated at a regular meeting of the Society held at least four weeks previous thereto; the accused having been notified by a written notice served personally or left at his last known place of residence.

Article III, Section 1, amended by striking from the list of subjects in standing committees Botany, Entomology and Conchology, and adding Archæology. The list will then stand: Publication, History, Geology, Meteorology, Genealogy and Heraldry, Mineralogy and Archæology.

Article III, Section 2, amended to read:

Section 2. The Publication Committee shall have charge of the publications of the Society. It shall, if so ordered by the Board of Directors, annually publish a pamphlet or volume of 8 vo. size, in long primer type or its equivalent, uniform with the last annual publication of the Society, and such other matter as the Committee may recommend subject to the Board of Directors' approval. The pamphlet shall contain papers read before the Society, and such Committee reports as may be deemed worthy of publication. The Publication Committee shall prepare a program of literary exercises for the monthly meetings of the Society, and shall report on all papers to be read before the Society.

Article V, Section 1 (Amended). The annual dues shall be three dollars, payable annually. The dues of new members shall begin with the month of their election.

#### ORDER OF BUSINESS—MONTHLY MEETINGS.

1. Call to order by the President.
2. Reading minutes of the previous meeting.
3. Reading communications.
4. Report of Publication Committee on papers to be read.
5. Reading papers or deliver of addresses.
6. Discussion of historical subjects.
7. Proposals for membership.
8. Reports of Standing Committees.
9. Reports of Special Committees.
10. Election of new members.
11. Unfinished business.
12. New business.
13. Adjournment.

## ORDER OF BUSINESS—ANNUAL MEETING.

1. Call to order.
2. Reading minutes last annual meeting.
3. The President's annual address.
4. Annual report of the Secretary.
5. Annual report of the Treasurer.
6. Annual report of the Curator.
7. Annual report of the Publication Committee.
8. Election of a Board of Seven Directors.
9. Adjournment.

## ANNUAL MEETING OF BOARD OF DIRECTORS.

1. Call to order.
2. Election of a temporary president.
3. Election of a President.
4. Election of a First Vice President.
5. Election of a Second Vice President.
6. Election of a Secretary.
7. Election of a Treasurer.
8. Election of a Curator.
9. Examination of books of Secretary and Treasurer.
10. Report on books of officers to be read at January meeting.
11. Adjournment.

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 SECRETARY'S REPORT.

Since the last publication of the Society was issued (Parts 2 and 3 of Vol. VII) published in 1909, the following papers have been read before the Society:

|                                                                             |                      |
|-----------------------------------------------------------------------------|----------------------|
| California and Manifest Destiny.....                                        | Dr. Rockwell D. Hunt |
| Passing of the Cattle Barons of California.....                             | J. M. Guinn          |
| The Sonoran Migration.....                                                  | J. M. Guinn          |
| Some First Events in California History.....                                | Dr. Rockwell D. Hunt |
| Schools and School Systems of Old Los Angeles.....                          | J. M. Guinn          |
| Twenty-five Years in the Schools of Los Angeles.....                        | M. C. Bettinger      |
| From Cattle Range to Orange Grove.....                                      | J. M. Guinn          |
| History of the Founding of the University of Southern Cali-<br>fornia ..... | Leslie F. Gay, Jr.   |
| Juan Flaco's Ride.....                                                      | J. M. Guinn          |
| California History in the Public Schools.....                               | Dr. R. D. Hunt       |
| The Boss in Politics.....                                                   | Dr. Roy Malcom       |

|                                                                |                   |
|----------------------------------------------------------------|-------------------|
| A Southwestern Newspaper and Its Editor.....                   | Millard F. Hudson |
| The Conquest of California.....                                | H. D. Barrows     |
| Phantom Cities of the Boom.....                                | J. M. Guinn       |
| Gen. S. W. Kearny and the Conquest of California.....          | V. M. Porter      |
| Place of History and Literature in the Elementary Schools..... |                   |
| .....                                                          | Dr. Grant Karr    |
| History of Cahuenga Valley and the Rancho La Brea.....         | J. M. Guinn       |

Some of the papers read were not filed with the Secretary for publication.

Thirty-four new members have been elected since the issue of our last publication. Two old members have died and two of the new members have withdrawn. Mr. Wm. M. Bowen has been elected an honorary member. A number of books have been contributed, but owing to the fact that our library and collections are boxed and stored in a dark room in the basement of the Hall of Justice it is impossible to catalogue and number our collections.

As soon as our Historical Building is completed our books will be catalogued and placed in cases where they will be accessible to members.

J. M. GUINN, *Secretary.*

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## IN MEMORIAM.

DR. JOSEPH D. MOODY.

Joseph D. Moody was born in Ashland, Ohio, November 14, 1841. There he received his education and grew to manhood. At the age of 20 years he enlisted (Nov. 2, 1861) in Co. I, 42nd Ohio Volunteer Infantry of which regiment James A. Garfield was colonel. For nearly a year he acted as Col. Garfield's private secretary. Hanging on the walls of Dr. Moody's library there is a framed autographic letter from Gen. Garfield to which the doctor with pardonable pride has sometimes directed the attention of his friends. It is dated from Battlefield of Shiloh, Tenn., April 22, 1862, with this informal salutation—"My Dear Joe." Among other things in it are these words: "I hope the fortunes of war may yet throw us together again.

"P. S. I am very sorry you are not still my clerk."

He served thirty-seven months. He was promoted to the rank of first lieutenant, and was mustered out with that rank.

After leaving the service he studied dentistry with Dr. Barclay in Dalton, Ohio, and later completed his course in the Chicago Dental College. In 1869 he married in Jessup, Iowa, Miss Kate Cameron, and, after a residence there of a few years, removed to Mendota, Ill., where they lived for 20 years. During this period Dr. Moody, in addition to his professional duties, was active in Sunday School work, both in the county and in the state, taking especial interest in the better training of Sunday School teachers, and being the county secretary for some years. For several years he served as president of the city board of education.

In 1893 they moved to Los Angeles, where they have since lived, and built up a large and lucrative practice. Here as in his former home Dr. Moody has been prominently identified with Sunday School work, and was for a number of years superintendent of Sunday School normal work in Southern California. Among the men of his profession he has been a leader, having been honored with the presidency of the Southern California Dental Association, and was at the time of his death lecturer in the Dental Department of the University of Southern California. He was held in high esteem and greatly loved by his students and associates in the school.

He became a member of the Historical Society of Southern California in 1893 shortly after locating in Los Angeles. He was

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elected one of the Directors of the Society in 1894. He filled the office of President during the years of 1897 and 1898; also the office of Vice-President several terms, and was a member of the Board of Directors at the time of his death. He contributed a number of valuable historical papers which are published in the Society's collections, among which may be named: "Echoes from the American Revolution," "Some African Folk Lore," "How a Woman's Wit Saved California," "Some Aboriginal Alphabets" and "Sequoyah."

He was a member of the Los Angeles Academy of Science. He was honored, and respected by all who knew him. He died November 17, 1909. His remains were taken to his old home, Mendota, Illinois, for interment.

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#### EDWIN BAXTER.

Edwin Baxter was born in Vermont in 1831, where he received his early education. His father removed to Michigan while he was yet a boy. He grew to manhood on the western frontier and experienced all the hardships and privations of pioneer life. He was studying law when the country was plunged into Civil War. Early in 1861 he enlisted as private in Co. C First Regiment of Michigan Engineers. He was promoted to Second Lieutenant. Losing his health he was mustered out of the service in 1863. He located in Grand Rapids, Michigan, where he practiced law for nearly twenty years. He served one term as probate judge.

He came to Los Angeles in 1881. He took part in the organization of the Historical Society of Southern California and was one of its charter members. He filled the office of Director, Vice-President and President. He was Treasurer of the Society continuously from 1895 to the time of his death, Sept. 7, 1910. He was also a Past Commander of Stanton Post G. A. R., and for many years a member of the Board of Directors of Occidental College. He is survived by a daughter, Minnie S. Baxter, a teacher in Los Angeles schools, and a son, Edwin Baxter, Secretary of the Cleveland (Ohio) Chamber of Commerce. Judge Baxter contributed several valuable papers to the Society, among others that may be named, "Leaves from the History of the Past Decade," published in the Society's Annual for 1893. He stood high among the members of the Los Angeles Bar and was regarded as a man well versed in the law and a wise counsellor.

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**ROBERT STEERE.**

Robert Steere was born in Laurens, Otsego county, New York, December 27, 1833. He was educated in the schools of his native town. Arriving at young manhood, he took Horace Greely's advice, "Go West, young man," and went to St. Paul, Minnesota, then a small town on the Western frontier. From there he drifted to Omaha, where he engaged in business.

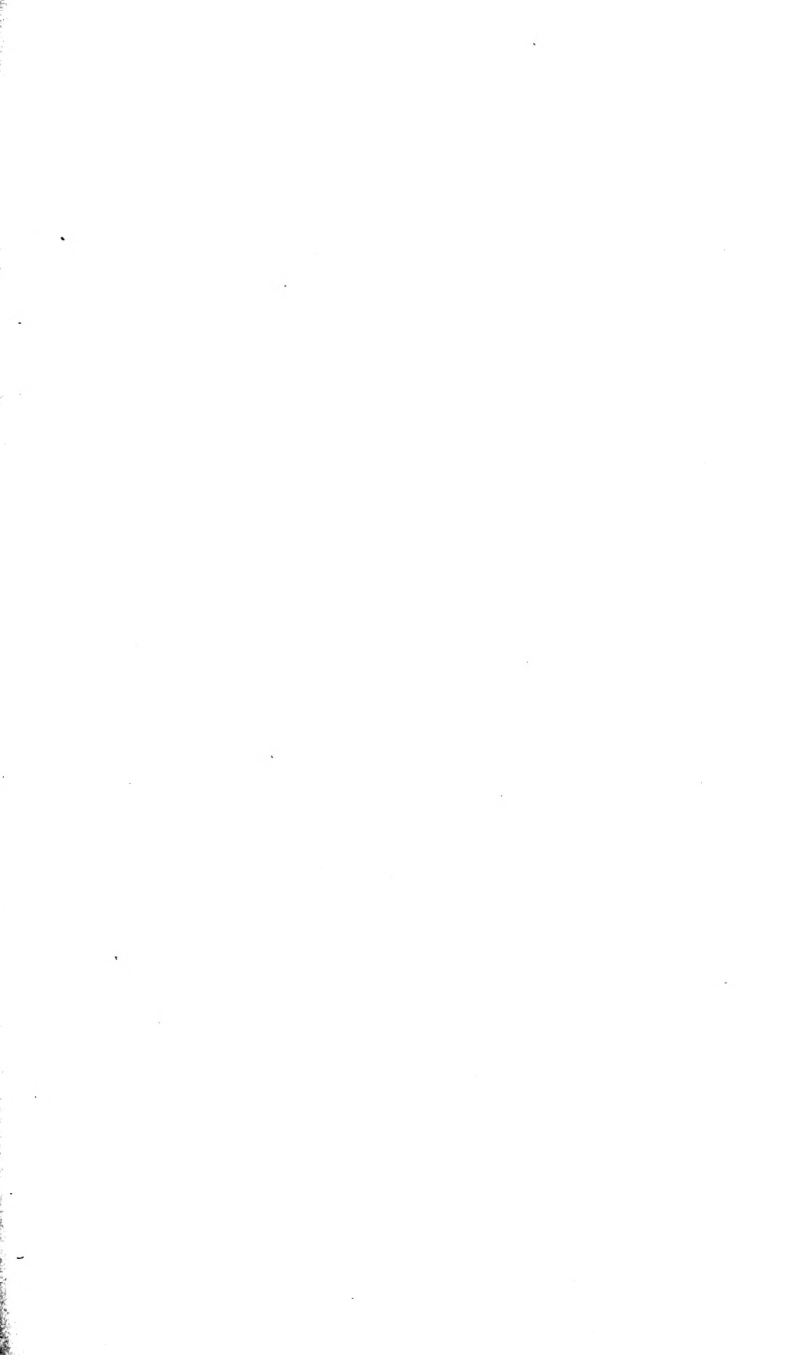
In 1859, he with seven others fitted out an ox team and wagon and joining an emigrant train, crossed the plains to California. After a long and toilsome journey they arrived in Placerville. Mr. Steere's entire capital on his arrival in the Golden State was ten cents, the smallest coin in circulation then in California. He invested his ten cents in a sheet of paper, an envelope and a postage stamp to write a letter to his mother, and this duty done, he started out to seek employment. By faithfully and honestly performing anything he found to do he earned the confidence of the business men of the town. He located in the town of El Dorado, and in 1862 was appointed internal revenue collector and postmaster. He was also agent for Wells, Fargo & Co.'s Express. The travel and freighting to the Washoe silver mines passed through his district, and it was his duty to see that the internal revenue was collected on all merchandise. Over 3000 teams were engaged in hauling goods to the mines. Hard work undermined his health, and he was obliged to resign his position. While in business at El Dorado he married Miss Anna Higgins, his estimable wife, who survives him. For the benefit of his health they took a sea voyage, returning to the Eastern States via Panama.

In 1875, they returned to California and located in Los Angeles, where he engaged in the furniture business. In 1882 he was elected a member of the City Council. He joined the Historical Society of Southern California in 1900, and was a faithful member.

He died April 29, 1910. He was a devout member of the Catholic Church and a faithful attendant of the services at the Cathedral of St. Vibiana, the congregation of which he was one of the oldest members.

He was a quiet, unostentatious citizen, deeply interested in the growth of his adopted city and devoting much of his time and means to charity.

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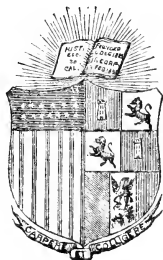






Organized November 1, 1883    Incorporated February 12, 1891  
PART III.    VOL. VIII.

## ANNUAL PUBLICATIONS



# HISTORICAL SOCIETY

OF

# SOUTHERN CALIFORNIA

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1911

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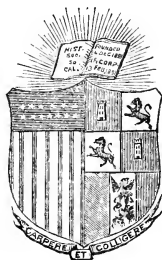
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LOS ANGELES, CAL.  
J. B. WALTERS, Printer  
105 East First Street  
1912



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# Officers of the Historical Society

1911

## OFFICERS

DR. GEORGE F. BOVARD.....President  
MRS. M. BURTON WILLIAMSON.....First Vice-President  
BURT O. KINNEY.....Second Vice-President  
J. M. GUINN.....Secretary and Curator  
M. C. BETTINGER.....Treasurer

## BOARD OF DIRECTORS

Dr. George F. Bovard      Dr. Rockwell D. Hunt  
J. M. Guinn                  H. D. Barrows  
M. C. Bettinger              Burt O. Kinney  
Mrs. M. Burton Williamson

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1912

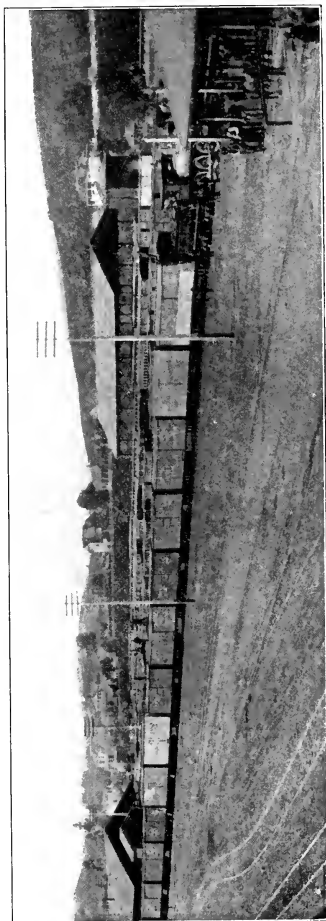
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BURT O. KINNEY.....Second Vice President  
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M. C. BETTINGER.....Treasurer

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H. D. Barrows              Dr. Rockwell D. Hunt  
J. M. Guinn                  Burt O. Kinney  
Mrs. M. Burton Williamson





#### THE FIRST SPECIAL ORANGE TRAIN

Loaded exclusively with oranges. Left the River Station, Los Angeles, February 14, 1886, via the Southern Pacific and Union Pacific Railways. Through to the Missouri River on express train time. This view is taken looking south-west. Building on the left, ticket office and hotel; on the right the freight depot. This was the only railroad depot in Los Angeles in 1886.



## FROM CATTLE RANGE TO ORANGE GROVE

BY J. M. GUINN,

Author of "The Passing of the Cattle Barons of California"

By permission of The Pacific Monthly.

During the first century after the settlement of California beginning with the rule of the Mission *padres*, and following them while under the domination of the cattle barons, the vast area of fertile land in the southern coast counties, stretching from the seashore back to the mountains, had been absorbed for cattle ranges and almost the sole occupation of its inhabitants was cattle-raising. The changed conditions of business in California under its new rulers after its conquest by the United States, and the "dry years" of 1863 and 1864, when the rainfall amounted to little more than a "trace" and cattle died of starvation by the hundred thousands, put an end to cattle rearing as the distinctive industry of Southern California, and brought financial ruin upon the cattle barons. The ancestral acres of many a proud Don passed into the possession of money-lenders.

The successors of the barons, who had obtained the great *ranchos* by foreclosure of mortgages or by purchase, soon found that they had not only one white elephant on their hands, but whole herds of them. What could they do with their new possessions to make them pay? It was useless to restock the ranges. The conditions that had caused the decline of the cattle industry still existed, and the elements that had wrought its final ruin might do so again.

It was evident that the industrial conditions of the southern counties must undergo a complete change. The great *ranchos* must be sub-divided and settlers encouraged to come to the country. The time for a transition of industries was opportune. The vanguard of that great army of home-seekers, that began its Westward march after the end of the Civil War, had reached Central California. The report of cheap lands in the South turned many of them in that direction. In 1868 and 1869 the rush for homes in the Southland was similar to a California gold rush of the early '50's. Every steamer down the coast was loaded with land buyers. A number of the great *ranchos* had been subdivided and were offered

for sale in fractions to suit the purses of the purchasers at prices ranging from two dollars to ten dollars per acre on easy terms of payments.

The new home builders were mostly immigrants from the Western States and from Central California. Their agricultural experience had been confined to grain growing. The soil of their newly acquired farms was rich and easily cultivated. Wheat, on account of the fogs, was liable to rust; so barley became the staple crop. Where a few years before lowing herds had covered the plains, now fields of golden grain billowed in the breeze. The yield of grain was enormous but harvesting machinery was expensive and labor costly and of poor quality.

After harvest came the solution of the problem of transportation. The only market for grain then on the coast was San Francisco, five hundred miles away, and there were no railroads to it from the south. Los Angeles then was a city of vast area but of limited population and little commerce. A ton of barley would have demoralized its grain market for a month. The people pastured their horses on the sites of future skyscrapers, and kept dairies on Adams Street lots now built up with the palaces of millionaires. In the olden times cattle transported themselves to market, but grain sacks, had to be carried. The farmers, after their crops were marketed, found the lighterage charges, the freight charges, the commissions, drayage, storage and all other charges that commission merchants and middlemen could trump up, as cancerous as did the cattle barons the olden-time mortgages.

The producer was fortunate indeed if after his crop was sold he did not have to mortgage his farm to pay the deficit—actually to pay a penalty for farming his own land. It was clearly evident that grain growing for a limited market five hundred miles away would not pay. The all-important query of the agriculturists of the south was: what can we produce from which transportation charges and commissions will not take all the profits? Then began an era of agricultural experiments.

One of the first of these was the sericulture venture. Louis Prevost, an educated Frenchman, who was familiar with silk culture in France, in a series of letters in the newspapers, proved beyond a doubt that California was superior to France in the conditions required for the success of the silk industry—that the Golden State would eventually outrival France in silk production and put China out of the business.

To encourage silk culture in California, the Legislature, in 1867,

passed an act giving a bounty of \$250 for every plantation of 5,000 mulberry trees two years old, and one of \$300 for every 100,000 merchantable cocoons produced. This greatly encouraged the planting of trees and the production of cocoons, if it did not add to the number of yards of silk in California. In 1869 it was estimated that in Central and Southern California there were ten million mulberry trees in various stages of growth. One nursery in San Gabriel—"The Home of the Silkworm," as its proprietor called it—advertised 700,000 trees and cuttings for sale. Two million trees were planted in and around Los Angeles City. Prevost had a plantation of fifty acres on South Main Street, and another in San Jose.

The *Los Angeles News* of April 11, 1869, says: "We risk nothing when we express the belief that in two years from this time the silk products of this county will amount to several million dollars."

The California Silk Center Association was formed with a large capital on paper. The association bought four thousand acres which now form part of the site of Riverside. It was the intention of the association to found a colony there of silk growers and silk weavers. Sixty families were reported ready to locate on the colony grounds as soon as negotiations were completed. Prevost, the great head center of the scheme, died shortly after the purchase was made, and the colony project died later. At first the profits from the seri-culture fad were large, not, however, from the manufacture of silk, but from the sale of silkworm eggs. When the industry was launched eggs sold at ten dollars an ounce and the worms were good layers. One seri-culturist reported a net profit of \$1,000 an acre made in sixty days from the sale of eggs. Another realized \$1,260 an acre in a single season. The net profits from his three acres of trees and cocoons exceeded the net profit on his neighbor's 10,000 acres of grain. With such immense returns from such small investments it is not strange that the seri-culture craze became epidemic. Mulberry plantations multiplied until the bounties paid threatened the state treasury with bankruptcy. A sanguine writer in the *Overland Monthly* of 1869 says: "It is almost startling to think that from a calling so apparently insignificant we may be able to realize in a short time a larger sum and infinitely greater gains than from one-half of all our other agricultural productions in the State." With the increased supply the price of eggs declined until it was all supply and no demand. Then the seri-culture epidemic came to as sudden a stop as yellowjack does when a killing frost nips the fever-breeding mosquito. The worms died of starvation and the bounty-bought

mulberry plantations perished from neglect. Of the millions of trees that rustled their broad leaves in the breeze not even the fittest survived. They all died.

Out of the hundreds of thousands of bounty-bought cocoons only one piece of silk to my knowledge was manufactured, and that was a flag for the State Capitol. Financially considered (not sentimentally) that was the *dearest* flag ever unfurled. Counting bounties paid and labor lost on a nonproducing industry, indirectly that flag cost the people of the commonwealth not less than a quarter of a million dollars.

The experiment failed, but not because California was unsuited to silk culture. The defects were in the semi-culturists, not in the soil or climate of the State. There was no concert of action among the producers. They were scattered from Dan to Bersheba, or what was a much greater distance, from Siskiyou to San Diego. There were not enough producers in any one place to build a factory, and not enough weavers in the country to manufacture the raw silk produced; nor could capital be induced to invest in silk factories.

Another agricultural experiment which promised good returns but resulted in failure was cotton growing. A number of experiments on a small scale made at different times and in different places in the State, had proved that cotton could be grown in California equal in quality to the finest Sea Island and Tennessee Upland of the Southern States, but no attempt had been made to produce it in quantity.

The Civil War had demoralized the cotton industry in the South and sent the price of raw material booming. The Legislature of California, to encourage cotton growing, offered a premium for a certain number of the best bales produced. About 1866 or '67 Don Mateo Keller, an old resident of Los Angeles, tried the experiment of growing cotton on irrigated lands. Eighty acres of land lying north of Jefferson Street and west of Figueroa, now covered with fine residences, was planted in cotton. The plants grew luxuriantly and produced abundantly. The bursting bolls whitened the field like the snows of winter an Arctic landscape. Enthusiastic agriculturists rejoiced over the advent of a new industry and prophesied that cotton would be "King" in California. Don Mateo built a gin and ginned a number of bales that took the premium, but the profits from his venture were not sufficient to induce him to become a cotton planter.

Colonel J. L. Strong, a cotton planter from Tennessee, in 1870 secured from the Los Angeles & San Bernardino Land Company

a lease of 600 acres located on the Santa Ana River in the Gospel Swamp country, a region famous in early times for mammoth pumpkins and monster camp-meetings. On this he planted a large field of cotton. It grew like the fabled green bay tree, and produced fabulous returns, but not in money. On the Merced River bottoms near Snellings was a plantation of a thousand acres and in Fresno County were a number of smaller ones, aggregating about 500 acres. The California Cotton Growers & Manufacturers' Association purchased ten thousand acres of land adjoining to, and covering part of the present site of Bakersfield, the oil metropolis of Kern County. On account of the difficulty of obtaining seed only 300 acres were planted the first year. A portion of this made a fine crop of excellent quality. The association announced that it would plant 2,000 acres next year; and to encourage planting would furnish growers with seed and gin their cotton free. To secure laborers, the members of the association imported a colony of negro cottonfield laborers from the South, built cabins for them and hired them to plant, cultivate, pick and gin the prospective crop. The colored persons discovered that they could get much better wages at other employments and deserted their employers. The cotton crop went to grass and the cotton growers went into bankruptcy.

The experiments tried in various parts of the State demonstrated beyond a doubt that cotton of the finest quality could be grown in California, but when it came to figuring profits in the business—"that was another story." The negro cotton-picker was not much in evidence here and those that were, were too "toney" to stoop to cotton picking in California. The Mexican peon and the Mission neophyte could pick grapes, but when it came to cotton picking they simply bucked and that was the limit with them. White labor was too scarce and too expensive. So the coast winds did most of the picking. For that which was gathered and baled there was no market nearer than Lowell or Liverpool—18,000 miles away via Cape Horn. There were no railroads then in Southern California, and no cotton factories on the Pacific Coast; so the cotton boll like the silk cocoon, disappeared from the land of the afternoon.

The next industry that came to the front guaranteed to lift the agriculturist out of the slough of financial despond, was the cultivation of the castor-bean. California from away back in the days of the *padres* has always been as famous for raising beans as Boston has been for eating them. But the castor-bean is not that kind of *frijole*. It is the bean or nut from which castor-oil is manufactured. Its cultivation was introduced into Southern California and for a time the industry paid fairly well. Somewhere along

about 1870 a castor-oil factory had been started in San Francisco. The proprietors, to secure a supply of beans, furnished the farmers with seed and contracted to buy their crop at a stipulated price. The beans were planted in rows like corn and cultivated in a similar manner. The beanstalk or bush grew to be from six to eight feet high the first season. On the branches the beans were produced in spike-covered pods that were uncomfortable things to handle. The bean-grower prepared to harvest his crop by first clearing off an earthen threshing floor and tamping the soil until it was smooth and solid. The floor he surrounded by a circular canvas or board corral. With a large box fastened on a sled drawn by a horse he drove between the rows, cutting off the clusters of bean pods and throwing them into the box. The loads were dumped into the corral and spread out over the threshing floor. As the sun dried the pods the beans came out with a pop like the report of a toy pistol. This was kept up until the pods were emptied. The popping of the beans in the corral resembled a Chinese New Year celebration. It was a source of joy to the small boy, who had Fourth-of-July's galore as long as there was any pop in the beans.

The industry held its own for several years, then the castor-bean pod joined the silk cocoon and the cotton boll in the haven of "has beens." The elements that were its undoing were similar to those that wrought the ruin of the others; scarcity and high price of labor, excessive freight rates and long distance to market.

Of all the numerous experiments tried with different agricultural products none had proved a panacea for our financial ills. Our long distance from market, and the consequent cost of transportation, made it imperative to produce some commodity to which there would be little or no local competition when transported to, and sold in an Eastern market.

For nearly three-quarters of a century oranges had been produced in Southern California, but not for exportation. The first trees were grown at San Gabriel Mission about the beginning of the last century. A few had been planted at other Missions of the South and in the gardens of some of the wealthier families. The first trees grown within the limits of the Pueblo of Los Angeles were planted in 1815. William Wolkskill, in 1841, planted the first orange grove of any extent. It was on what are now the Southern Pacific depot grounds of Los Angeles. He added to his original orchard until it covered seventy acres. In the later '60s it was reported to be paying at the rate of \$1,000 per acre net. This yield was probably exaggerated but it was sufficient to induce the planting of orange groves wherever suitable land with irrigating facilities could be procured.

The extraordinary profits made from oranges by Wolkskill and a few others who had bearing orchards in the later '60s and early '70s started an epidemic of orange growing. Like the silkworm fad large profits were made from the sale of nursery stock. It was a very scrubby sort of tree that could be bought for a dollar, and a thrifty two-year-old commanded two to three dollars at the nursery.

As it took about seventy-five trees to plant an acre it required considerable ready money to embark in the business. Many prospective orange growers, too poor to buy stock, raised their own from the seed. It required two years longer to wait for returns but with them money was more valuable than time. If oranges were apples of gold the seeds in those days were golden nuggets. The visitor to a grove might be indulged in a luscious orange but at the same time he would be solicited "to save the seeds."

It took a seedling-orange tree eight or nine years to come into bearing. The problem of subsistence until he could realize on his investment was one of the most difficult that the prospective orange producer had to solve. The space between the rows of trees was sometimes planted or sown with some cereal that might help to tide over the long wait for returns, but this was objectionable because it retarded the growth of the trees.

The expense of constructing irrigating ditches and securing water rights was another large item that must be met. In the olden days of Mexican domination the waters of the rivers had been granted to the abutting *ranchos*. The illy-defined riparian rights of these grants gave rise to interminable litigation. Sometimes these contests assumed a more formidable aspect than lawsuits in a court of justice. Water wars were not uncommon. Armed men stood guard over *zanjas* (ditches) and even fought to the death in defense of what they conceived to be their rights.

The story of the orange groves of Southern California—of trees laden with the golden apples of Hesperides in midwinter—of groves white with bloom and the air filled with perfume in the land of sunshine, "when the bleak winds of March" made the dwellers in the Eastern communities "tremble and shiver"—like that other California tale of long ago, of golden nuggets picked up in river beds and cañons, appealed to the imagination and to the pockets of home-seekers.

Then the colony era began. Men imbued with the same purpose banded themselves together in Eastern communities and either came themselves or sent representatives to "spy out the land." One of

the first and one of the most successful of these was the Riverside colony.

In March, 1870, Judge J. W. North, then living in Knoxville, Tennessee, sent to friends and acquaintances in the Northern States a circular entitled "A Colony for California." He outlined briefly what was expected as to the establishment and carrying out of the proposed colony. He said: "We expect to have schools, churches, lyceums, public library, reading room, etc., at a very early date and we invite such people to join our colony as will esteem it a privilege to build them." His invitation met with responses from a number of persons in different States.

In the summer of 1870, Judge North and several other gentlemen interested in the scheme visited Southern California. After examining a number of tracts of land offered them, in September, 1870, they purchased from the stockholders of the silk-culture association all the real estate (about 4,000 acres), water rights and franchises of that corporation.

The land was bought at three dollars and fifty cents per acre. It was mesa or tableland that had never been cultivated and so dry that one oldtimer asserted that he had seen "the coyotes carrying canteens when they crossed it." The outlook was not very promising. The nearest railroad point was Los Angeles, sixty-five miles distant, and from there the colonists' supplies and building materials had to be hauled on wagons.

It was easy enough to survey their land and plat a townsite, but to bring that land under cultivation and to produce from it something to support themselves was a more serious problem. Land was cheap enough and plentiful too, but water was dear and distant. It required engineering skill and a large outlay of capital to bring the two together. Without water for irrigation their lands were worthless and the colony a failure. The colonists set to work vigorously in the winter of 1870-71 to construct an irrigating canal to the colony lands from a point on the Santa Ana River, nine miles distant. Early in the summer of 1871, the canal, at a cost of \$50,000 was completed to the townsite—while the ultimate purpose of the colonists was citrus-fruit culture, the weary outlook of waiting eight or nine years from the seed-planting to fruitage discouraged some of them, and they turned their attention to cultivating the raisin grape, deciduous fruits and other products that would give returns sooner.

After a series of experiments, some of them costly failures, the colonists finally evolved the "fittest" product for their soil and market and that was the Bahia orange or, as it is now called, the



Washington navel orange. In December, 1873, L. C. Tibbetts, a Riverside colonist, received by mail from a friend at Washington, D. C., two small orange trees that had been imported by the United State Agricultural Department from San Salvador de Bahia, Brazil. This variety is seedless and of fine flavor. The tree does not grow tall like the seedling and its branching from near the ground reduces greatly the cost of picking the fruit. The Bahia orange became immensely popular. Buds were taken from the parent trees as fast as they could be obtained and inserted into the seedling trees. The descendants from these two trees number up into the millions.

Tibbetts died a few years since in very straightened circumstances. He was a public benefactor. The trees he introduced have been a source of untold benefit to the people of California. Men have been immortalized as heroes and canonized as saints for far less good to humanity, than he did. One of the original trees, now grown old and somewhat decrepit, has recently been presented to the City of Riverside. It is a living monument to the memory of Tibbetts.

The Indiana Colony followed next. The name of the settlement a few years later was changed to Pasadena. The colonists formed a corporation known as the San Gabriel Orange Grove Association, the capital stock of which was fixed at \$25,000, divided into one hundred shares of \$250. In December, 1873, the association purchased four thousand acres in the San Pasqual *rancho* located about nine miles east of Los Angeles. Fifteen hundred acres of the choicest land were subdivided into lots of fifteen acres each; one share was considered equivalent to fifteen acres. At the distribution of the colony lands which took place in January, 1874, in order that there might be no monopoly of the best lands by the large share-holders, the one and two share-holders were given the first choice.

Although there was not a professional horticulturist or experienced orange grower among the colonists, the colony was a success from the beginning. It was their pride and ambition to produce the finest citrus fruits in California and they succeeded. At the great citrus fair held at Los Angeles in 1881, Pasadena was awarded the first premium over all competitors for the largest and best exhibit of the kind ever made in the State. It might be added that the glory of the Pasadena groves has departed. They have been supplanted by the homes of millionaires.

During the '70s and early '80s other colonies and settlements were made—Redlands, Ontario, Fresno, Duarte, San Gabriel, Placentia, Santa Ana, and smaller settlements claimed the attention of the prospective citrus-fruit producers.

The lure that brought the colonist and the individual homeseeker to Southern California was orange growing. The profits accruing from the subdivision and sale of the great *ranchos* in small tracts aroused enthusiasm in the real estate promoter to proclaim abroad the glad tidings of great joy that awaited the colonists in this land of sunshine. "California on wheels"—railroad cars fitted up with an exhibit of the choicest and most attractive products of the State were sent forth on a pilgrimage to enlighten the people of the Far East and Middle West. At the cities and towns where the exhibit stopped, glib-tongued promoters portrayed the beauties and attractions of the Golden State in such glowing terms that the people were persuaded that Paradise had indeed been regained. Exhibits were kept up in Chicago and other large cities of the East. At the World's Fair held in New Orleans in 1885, California was awarded the sweepstakes gold medal for the best varieties of citrus fruits in the exhibit.

By the year 1885, orange growing had become the recognized industry of Southern California, and had been extended into the sheltered valleys of Central and Northern California. The great *ranchos* lying back from the sea-coast upon which water could be had for irrigation were subdivided. Where but two decades ago, on arid, sun-burned plains cattle had died by the thousands of starvation, now groves of emerald green stretched away to the horizon's tip and the bones of the dead herds were ground into fertilizers to add a more vigorous growth to the trees, and a deeper tinge to the golden fruit of the groves. It was a subject of congratulation to us that by our numerous experiments we had at last found the philosopher's stone that would transmute our baser products into gold. It was with a feeling of satisfaction that we pointed to the industry we had evolved—one that was at the same time a pleasure and a profit. But our self-complacency was to be rudely shocked by what at first appeared to be a very insignificant cause.

A few years before, Mr. T. A. Geary, a nurseryman of Los Angeles, had imported some orange trees from Australia. These were infected with the *Icerya purchasi*, or as it was commonly called, the cottony cushion scale. No attention, at the time, was paid to the parasite and no one dreamed of the baleful significance of the snowy flecks appearing here and there in the orchards and borne from tree to tree by the wind. The scale multiplied with wonderful rapidity and soon the leaves, branches and trunk of the tree affected were covered with a snowy mantle. The tender twigs died, the leaves turned a sickly yellow, the fruit shriveled and the tree was ruined.

Then it was that men realized the terrible character of the enemy

that was taking possession of the land. Relentless in its march as the ruthless host of Attila—The Scourge of God—it left ruin and desolation in its path. It was not alone trees of the citrus family that were attacked but deciduous trees, vineyards, shrubbery and flowers as well. Costly experiments were tried with sprays, mixtures and emulsions, comprising every deadly poison known to chemistry and science, but no material check was put to the increase of the insect pest. Some of the experiments were effectual, they not only destroyed the *Icerya* but the tree, too. It seemed as if the citrus industry, built up with so much care and large expenditure of capital, was doomed. Orange growers who had been deriving annual incomes of five hundred to a thousand dollars an acre found themselves threatened with financial ruin—not alone their incomes, but their capital, too, suddenly swept away.

The orange groves in and around Los Angeles were the first to succumb to the cottony plague, but it was not the *Icerya* alone that wrought their final undoing. The real estate promoter lent his assistance. The cottony scale and the great real estate boom of 1887 appeared almost simultaneously in Los Angeles. At that time, stretching southward from East Third Street to the city limits and easterly from San Pedro Street to the river, covering an area of two square miles, was a succession of orange groves, the oldest in the country. These were the first smitten. Among them was the great Wolkskill grove, the pioneer orchard, planted nearly fifty years before. The trees towered up thirty to forty feet in height and some were a foot and a half in diameter. This grove was one of the show places of Los Angeles. It had been for years an unfailing source of revenue to its owner. It was the pride of the native, the lure of the tourist and an incentive to the prospective orange grower.

The cottony scale, insignificant in size and harmless in appearance, wrought its ruin. Its productiveness destroyed, the land was divided into city lots and the trees fell before the woodman's ax and were cut into cordwood. The other groves adjoining shared the same fate. When the boom was over and the *Icerya* dead, all that was left to Los Angeles of its living border of green and gold was its blackened stumps of trees and the little white corner stakes of the real estate promoters. The growth of the city since has covered the site of the ruined groves with dwelling houses and factories, but the *urbs in horto*—a city in a garden—once the characteristic of Los Angeles, departed with her lost groves.

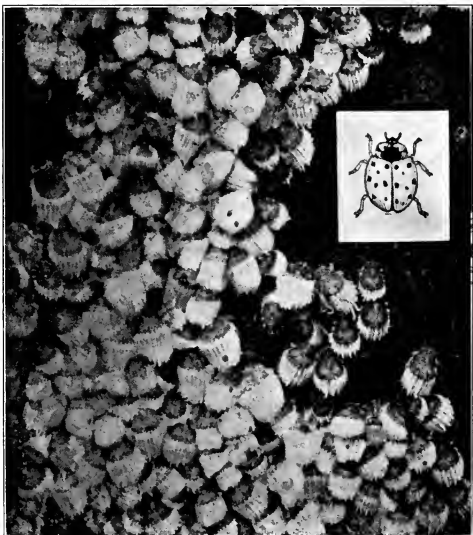
But the orange industry was not dead, notwithstanding the ravages of the *Icerya* and the wail of the pessimist. The golden apples of Hesperides had not gone to join the cotton boll and the silk cocoon in the haven of "has beens." The theory that nature always pro-

vides an antidote for every poison and a remedy for every evil within her domain proved true in this case.

There must be some parasite to prey upon the *Icerya*. As it had come from Australia there would be found its Nemesis. In the spring of 1888, Mr. Albert Koebele of Los Angeles, was sent to Australia under pay and acting under instructions from the Agricultural Division of the Department of Agriculture. On arriving there he found that although at one time the white scale had been very prevalent it had almost ceased to exist. Searching for the cause, he found its extermination was due to the *Vedalia Cardinalis*, a small bug about the size of a grain of popcorn, but with the appetite of an alligator. In California it was commonly called the Australian lady-bug. He secured a small colony of these in Australia and passing over to New Zealand he found them in much greater numbers. Several colonies were sent to Los Angeles and colonized in some of the badly infested orchards. The *Vedalia* increased almost as rapidly as the *Icerya* had done. From different distributing points hundreds of colonies were sent all over the orange-growing districts. The annihilation of the *Icerya* was rapid and complete. In a very short time after the *Vedalia* began its work all that was left of the white scale was the little cottony tuft that had aided so much in distributing it throughout the orange and lemon groves. This tuft, its winding sheet, adhered to the trees long after the *Vedalia* had sepulchered its body. The winds eventually whipped away these cottony flecks and the last evidence of the baleful presence of the cottony pest disappeared. With the disappearance of the white scale the *Vedalia* disappeared. That parasite seemed to be its natural and its only food.

After the passing of the *Icerya* the reclamation of the citrus groves began. Those that had not been injured by ineffectual remedies or too long neglected were redeemed and by careful nursing made productive. The groves in Los Angeles, Pasadena and Riverside that had fallen victims to the real estate promoter were beyond redemption. Unlike the *Icerya*, the *Vedalia* could not leave his winding sheet to flutter in the breeze. The orange industry once again was placed on a paying basis and it has remained there ever since, growing in importance and extent as the years go by.

In four decades, Southern California has been transformed from a land of cattle ranges to one of orange groves. In a third of a century the citrus industry has grown from a single carload shipment to thirty-eight thousand. Of the twenty million boxes of oranges annually consumed in the United States, California supplies twelve million five hundred thousand. The receipts from the citrus crop for the season of 1908-9 were over \$30,000,000.



THE ICERYA PURCHASI OR COTTONY CUSHION SCALE  
THE SCOURGE OF THE ORANGE GROVES  
Small picture—The Vedralia Cardinalis or Austrian Lady Bug,  
(slightly enlarged.) The Nemesis of the Icerya.



Sentiment as well as profit enters into the promulgation of the citrus industry. The æsthetic millionaire can afford to toy with an orange grove, not as a source of profit but as a plaything, as a diversion, as a pleasure in creating a thing of beauty that to him will be the joy of a lifetime. The poor man who secures a few acres of wild land in the citrus belt can, by his own labor, create a source of income that will be certain and will increase as the years pass. As an imaginative writer once put it, "a man with a counterpane of a farm and six hundred orange trees can sit in the shade and draw a star preacher's salary without passing the plate."

The first carload of oranges from California was shipped to Chicago in 1877. It went via the Southern Pacific, Central and Union Pacific Railroads. The freight charges to its destination were \$500. The building of the Santa Fe system and the completion of the Southern Pacific Railroad via El Paso, by increasing competition and shortening the route, have reduced freight rates. Refrigeration, icing and precooling of fruit cars have greatly reduced the loss from decay in transit.

But in all the decades that have passed since that first carload of oranges was shipped out of California, the problem of transportation has been the burning question of the industry. The contention between producer and carrier has gone on through all the years, and is today as vital an issue as it was thirty years ago.

No other industry has so many intelligent and progressive men enlisted in it. The California Fruit Growers' Exchange, an organization composed of a majority of all the fruit growers in the citrus belt, regulates the shipping and marketing of the annual crop so as to avoid ruinous competition, and divides the proceeds of the sales on an equitable basis both to the small producer and the large. It is one of the most complete and best-managed corporations in existence for the disposing of agricultural products.

In the "Back-to-the-Soil" movement now in progress throughout the United States, no other agricultural vocation is so alluring as orange growing. This is evident from the increased immigration to Florida and the citrus districts of California; and from the high prices paid for orange groves. In Southern California the price of a Washington navel or Valencia orange grove in full bearing, ranges from \$1,500 to \$2,000 per acre. A twenty-acre orange orchard is as much as one man can cultivate. The immigrant coming from the Middle West, the country of cheap lands and big farms, stands aghast at the prices asked for orange groves. He hesitates, questions, doubts, fears, but the lure of the golden apples is too strong to resist, he invests and his quondam farm of two hundred acres in the land of blizzards shrivels to one of twenty acres in the land of sunshine.

## HUBERT HOWE BANCROFT: HIS WORK AND HIS METHOD.

ROCKWELL D. HUNT.

At the 1911 meeting of the Pacific Coast Branch of the American Historical Association Mr. Hubert Howe Bancroft was honored by being elected to the office of President. In view of this recognition, and also of the fact that Mr. Bancroft rounds out his four score years on the 5th of May, 1912, it may be appropriate for the Historical Society of Southern California to pause in its annual meeting in order freshly to bring to memory the leading events of this interesting life, review the stages of development of that unique library known as the Bancroft Collection, and briefly consider the methods employed in bringing to early completion the thirty-nine stout volumes comprising the History of the Pacific States, the main body of his works.

In this paper much use has been made of Bancroft's supplemental volume entitled *Literary Industries*, which—we are assured—was written with his own hand. It is intended that the extracts introduced from this volume, with less frequent quotations from other volumes, shall serve to reflect somewhat of the author's style as well as to supply something of the flavor of the atmosphere (if one may so speak) in which the work that bears his name was done. The page references in parenthesis, unless otherwise indicated, are to the volume *Literary Industries*.

### BIOGRAPHY.

Bancroft was born in Granville, Ohio, on the 5th of May, 1832. He came of good New England stock, he himself informing us that his great-great-grandfather came over from London in 1632. His father was born in Granville, Massachusetts, in 1799; his mother, born the same year, was a native of Vermont. The marriage was celebrated Feb. 21, 1822; and a golden wedding was held in their son's house in San Francisco in 1872. Bancroft tells us that he was born "into an atmosphere of pungent and invigorating puritanism,"—an atmosphere which he certainly succeeded in escaping in after years. As a boy he worked hard on a farm, passing a childhood that was not "particularly happy; or if it was, its sorrows are deeper graven on my memory than its joys." (73.) A timid youth, "I threw around myself (he says) a wall of solitude within which admittance was given by few." (75)



His education was limited; indeed, so far as his school life is concerned, we should say he fell considerably short of adequate preparation for a modern college. Like so many other boys, he worked during the summer months and attended school in the winter. He hated grammar, but progressed far enough to get a smattering of Latin and Greek, and an introduction to the higher mathematics, which he greatly enjoyed. At the age of fifteen he was offered the choice of preparing for college or entering the book-store of his brother-in-law, Geo. H. Derby. Possessed of aspirations to be a scholar, and passionately fond of music, "without stopping to count the cost, childlike I struck at once for the prize. If self-devotion and hard study could win, it should be mine. So I chose the life of a student and spent another year in preparing for college." (98) But the allurements of active business and city life proved too great for him; so he decided to quit his studies and enter the book-store. "Nor am I disposed to cavil over the wisdom of my final choice." (104)

At about August 1, 1848, at the age of sixteen, he left Granville for Buffalo, where he entered the service of his relative. This he regards as his "starting out in life." (110) After six months, during which time he was "stubborn and headstrong, impatient under correction," he was discharged. Then he determined to start in business for himself; this he did by becoming, on a limited scale, a book drummer, setting out with horse, wagon, and some cases of books. His unexpected success had the effect of inspiring in the Buffalo firm a deeper respect and greater confidence; "and just as my mind was made up to enter school for the winter I was summoned back to Buffalo," where "I was to enter the store as a recognized clerk, and was to receive a salary of \$100 a year." (112) Young Bancroft now began to look upon himself as "quite a man," relaxed from his puritanical ideas, and—to quote his exact words—"I do not think I ever held myself in higher estimation before or since." (112)

In March, 1850, Bancroft's father set out for the gold fields of California, but Hubert was busy with "flirtations, oyster suppers, and dancing parties." (117) In 1852 he was sent out, in company with George L. Kenny, to found a branch house in California. Sacramento was at first decided upon as the best field for a small book-shop. His plans and purposes, however, were quickly at an end because of the death of Derby. Going to San Francisco, the future writer of history sought work for six months without success, then determined to try his fortune at Crescent City.

There he became bookkeeper and seller for Mr. Fairfield, and was so greatly prospered that by practicing frugality he was, at the

end of eighteen months, recipient of \$250 per month. He engaged in private business there, remaining in all two and a half years. But he places a very low estimate on the experience. "The two and a half years I spent in Crescent City were worse than thrown away, although I did accumulate some \$6000 or \$8000. (139) He explains that he read little but trashy novels, and spent much time at cards and billiards.

After three years in California, young Bancroft, in November, 1855, sailed for his eastern home, where, tiring of visiting in a few months, his sister (Mrs. Derby) asked him to take her money, amounting to \$5500, and use it as he thought best. This offer decided him to enter business in San Francisco; so after establishing credit relations with the leading publishing houses of the East, he returned to California, late in 1856.

Engaging a room near the corner of Montgomery and Merchant Street, he began business under the firm name of H. H. Bancroft & Co. At first he made money slowly; but his store expanded and the magnitude of his business increased.

During his eastern trip of 1859, Mr. Bancroft married Miss Emily Ketchum, a devout young woman of Buffalo. In 1862 he took a hurried trip to Europe, and it was then, he declares, "that ambition became fired, and ideas came rushing in on me faster than I could handle them." (155) In 1866-67 he spent a year in Europe with his wife, returning to San Francisco in the autumn of 1868.

His business assuming larger proportions, he soon moved to Market Street, where he had succeeded in obtaining seven lots together (three on Market Street, four on Stevenson). Here was one of the chief turning points of his life. Occasional breaking away from business, thus giving his thoughts time to form for themselves new channels, had tended to make him master of his affairs and not their slave. Building on the new Market Street site began in 1869. But before the stone structure was completed Bancroft was brought suddenly to the lowest state of depression by the death of his wife, in December of the same year. "Other men's wives had died before, and left them, I suppose, as crushed as I was, but mine had never died, and I knew not what it was to disjoin and bury that part of myself. . . . It is not a very pleasant sensation, that of being entirely alone in the universe, that of being on not very good terms with the invisible, and caring little or nothing for the visible. 'Oh the wearisome sun!' I cried, 'will it never cease shining?' Will the evening never cease its visitation, or the river its flow? Must the green grass always grow, and must birds always sing? True, I had my little daughter; God bless her! But when night after night she sobbed herself to sleep upon my breast,

it only made me angry that I could not help her. Behold the quaintness of folly! to mourn for that which is inevitable to all, to be incensed at inexorable fate, to remain for years sullen over the mysterious ways of the unknowable." (158)

The building was completed in April, 1870, and the Bancroft business rapidly became one of the most extensive of its kind. But years of trial followed hard upon growing prosperity. The effects of the opening of the Pacific Railway, of a series of dry winters and hard years for California, brought on all but a general collapse. "In time, however, with smoothness and regularity, my work assumed shape, part of it was finished and praised; letters of encouragement came pouring in like healthful breezes to the heated brow; I acquired a name, and all men smiled upon me. Then I built Babylonian towers, and climbing heavenward peered into paradise." (167)

In the meantime the Bancroft Library had risen to worthy proportions and the bookseller had launched upon a literary enterprise quite unparalleled in the history of letters. Mr. Bancroft has told us with much particularity the story of the growth of his unique library in his *Literary Industries*; (173)—but to speak of that at this point would be a digression.

Nevertheless the latter half of Bancroft's life is so completely absorbed in his literary labors that little remains to be said of his biography apart from them. He began publishing in 1875, declining, the same year the Republican nomination for Congress. Said he: "There were ten thousand ready to serve their country where there was not one to do my work in case I should abandon it." (577)

On October 12, 1876, he was married to Matilda Coley Griffing, who was thenceforth the companion not only of his bosom, but of his literary activities as well. After the second marriage he philosophizes in this strain: "It has been elsewhere intimated that no one is competent to write a book who has not already written several books. The same observation might be not inappropriately applied to marriage. No man—I will not say woman—is really in the fittest condition to marry who has not been married before. For obvious reasons, a middle-aged man ought to make a better husband than a very young man." (458)

The historical work of H. H. Bancroft required the best part of the energies of thirty years. After adding to the series of thirty-nine volumes "The Chronicles of the Builders," this indefatigable worker entered upon another literary enterprise, of little pretension to history, but more to art, "The Book of the Fair." This has been followed by still other volumes of later date.

In his prime, Mr. Bancroft, in person, was tall, stalwart, and

endowed with an iron constitution which has survived shocks otherwise crushing. I would call him a moody man, deeply morose at times, with a far from optimistic view of life, partly induced, no doubt, by extraordinary drafts upon his nervous system and fierce buffetings of his soul, and partly, perhaps, by the innumerable shafts of criticism that have been aimed at his work.

THE WRITINGS OF HUBERT HOWE BANCROFT.

I. Native Races of the Pacific States, five vols. 1. Wild Tribes; 2. Civilized Nations; 3. Myths and Languages; 4. Antiquities; 5. Primitive History. II. History of Central America, three vols. 1. 1501-1530; 2. 1530-1800; 3. 1801-1887. III. History of Mexico, six vols. 1. 1516-1521; 2. 1521-1600; 3. 1600-1803; 4. 1804-1824; 5. 1824-1861; 6. 1861-1887. IV. History of the North Mexican States (and Texas), two vols. 1. 1531-1800; 2. 1801-1889. V. History of Arizona and New Mexico, one vol., 1530-1888. VI. History of California, seven vols. 1. 1542-1800; 2. 1801-1824; 3. 1824-1840; 4. 1840-1845; 5. 1846-1848; 6. 1848-1859; 7. 1860-1890. VII. History of Nevada, Colorado and Wyoming, one vol., 1540-1888. VIII. History of Utah, one vol., 1540-1886. IX. History of the Northwest Coast, two vols. 1. 1543-1800; 2. 1800-1846. X. History of Oregon, two vols. 1. 1834-1848; 2. 1848-1888. XI. History of Washington, Idaho, and Montana, one vol., 1845-1889. XII. History of British Columbia, one vol., 1792-1887. XIII. History of Alaska, 1730-1885, one vol. XIV. Supplemental Works, six vols. 1. California Pastoral, 1769-1848; 2. California Inter Pocula, 1848-1856; 3-4. Popular Tribunals, two vols.; 5. Essays and Miscellany; 6. Literary Industries. XV. Chronicles of the Builders of the Commonwealth (Biographical section of the History, complete in seven vols.). XVI. The Book of the Fair. A history and description of the Columbian Exposition, in 1000 large and richly illustrated pages. XVII. The Book of Wealth. Companion to Book of the Fair. XVIII. The New Pacific. XIX. Some Cities and San Francisco.

The five volumes of "Native Races" were completed October 15, 1875. These volumes, which contain some of Bancroft's best work, may be considered as introductory to the great central work, "The History of the Pacific States," brought to completion in 1890 in twenty-eight volumes. Following the central work (not always chronologically) appeared the supplemental volumes. "The Chronicles of the Builders" made their appearance because of the necessity forced upon the author's mind of some method whereby the men who had made the country what it is should receive more adequate treatment than appeared possible in the History,—or, as the critic would say, more plausibly, because of expectation of gain from a commercial venture. "The Chronicles" have already

become so scarce that second-hand dealers are hardly able to supply the demand even at very high prices.

THE PACIFIC OR BANCROFT LIBRARY.

*Inception.* The inception of the famous Bancroft Library dates back to 1859. Wm. H. Knight, who was then in Bancroft's service as editor of statistical works relative to the Pacific coast, was requested to clear the shelves around his desk to receive every book in the store having reference to this country. Looking through his stock he was agreeably surprised to find some fifty or seventy-five volumes. There was no fixed purpose at this time to collect a library. Noticing accidentally some old pamphlets in an antiquarian book-store, he bethought him to add these to his nucleus; then looked more attentively through other stores and stalls in San Francisco, Sacramento, Portland and Victoria, purchasing a copy of every book relating to his great and growing subject. During his next visit to the eastern states, without special pains or search, he secured whatever fell under his observation in second-hand stores of New York, Boston and Philadelphia.

He had collected in all not far from a thousand volumes and had begun to feel satisfied. "When, however, (he declares) I visited London and Paris, and rummaged the enormous stocks of second-hand books in the hundreds of stores of that class, my eyes began to open. . . . And so it was, when the collection had reached one thousand volumes I fancied I had them all; when it had grown to five thousand, I saw it was but begun." (177) Finally, special journeys were made to all parts of Europe, as well as the Americas, in the interest of his collection. "And not only was every nook and corner of the world thus ransacked, but whole libraries were purchased as opportunity offered." While his vague ideas of materials for writing a history gradually assumed more definite form, Bancroft had as yet no idea of writing a history himself. As the collecting proceeded his subject enlarged, until the territory covered was the entire western part of North America from Panama to Alaska, including the Rocky Mountain region, all Central America and Mexico, or about one-twelfth of the earth's entire surface.

The bibliophile reached the settled determination to make his collection as complete as it was possible to make it. Neither time, nor money, nor personal attention would be spared. Agents were appointed in all the leading book marts of the world; no book must be lost because of its high price; no opportunity was to be missed to obtain everything in existence on the subject. By buying up at auction in European cities individual collections, and even libraries, the Bancroft Library was enriched beyond measure. In

1869, we are told, Mr. Bancroft found in his possession, including pamphlets, about 16,000 volumes. These were lodged on the fifth floor of the Market Street building, the original home of the library having been a corner of the second story of the building on Merchant Street.

Bancroft now decided to begin literary work, but the collecting went rapidly forward without interruption. Trembling for the safety of the library through fear of fire, he lent a willing ear to his nephew's proposal to absorb the fifth floor for the purposes of the manufacturing department, of which he had charge. He would erect on some convenient spot a fireproof library building. Among the places considered were Oakland, San Rafael, Sonoma, San Mateo, and Menlo Park; but after a careful canvass and consideration, he selected the well known site on Valencia Street, near its junction with Mission. The library was moved to the building Oct. 9, 1881. There the library stood for years, quite alone in its grandeur.

As the work of writing proceeded, the library was the recipient of a continuous stream of materials both new and old; and yet more was required. Archives were copied, rare documents were purchased, dictations from hundreds of pioneers were taken, precious collections of family papers were begged, borrowed,—and some say *stolen*. The best exposition of the contents of the library is in the author's "Essays and Miscellany," where four chapters are devoted to literature, as follows: (XV.) Literature of Central America; (XVI.) Literature of Colonial Mexico; (XVII.) Literature of Mexico during the Present Century; (XVIII.) Early California Literature. From an interesting pamphlet, "Evolution of a Library," I extract the following definite claims for the Bancroft Library:

1. "In this Valencia Street building is the largest collection of American historical data in the world.
2. "This collection contains more of original American historical data than all the libraries in America put together.
3. "Without this collection no other collection can ever hope to equal it.
4. "No collection of equal magnitude was ever before made by a single individual or within a single life time, at such cost of time and money, or with equal care, thoroughness, and discrimination.
5. "No state or nation in the world had its early annals so gathered and preserved as has thus been done by Mr. Bancroft for the states and nations of western North America.

6. "The peculiar conditions under which this collection was made having passed away, it can never be duplicated."

When the question of State purchase was taken up the Bancroft Library was said to contain from 50,000 to 60,000 volumes of books, pamphlets, maps and manuscripts; Prof. Rowell, Librarian of the State University, after careful personal examination, estimated the number at 40,000 as a total. For many years the collection had been offered for sale, Mr. Bancroft holding it at \$250,000, which is but a fractional part of the original cost and yet doubtless above the then market price, which Prof. Rowell estimated at about \$140,000, if the complete subject index be included. In 1887 a bill was presented in the State Legislature to purchase the library for the State for \$250,000. Great scandal arising, the proposition was quickly defeated. Some years later the Chicago University thought of buying it. Naturally there was strong sentiment against permitting the Library to be removed from California and the Pacific States.

In 1905 Doctor Reuben G. Thwaites, Librarian of the State Historical Society of Wisconsin, and one of the foremost book experts in America, was invited to examine the Bancroft Library, "with a view to ascertaining its condition and, so far as may be, its marketable value." In his report Mr. Thwaites characterizes this wonderful collection of documents, manuscripts, books, pamphlets, and other materials, estimating the total value at upwards of \$300,000. The report itself was published November 14, 1905, as a twenty-page pamphlet.

"The Bancroft Library, (to quote from the Report of the Secretary to the Regents of the University of California, year ending June 30, 1906) incomparably superior to any other existing collection as a mine of primary historical material for all western America, a collection which could not even remotely be imitated, at no matter what cost, was acquired by the University on November 24, 1905, at a cost of \$250,000. Of this amount Mr. H. H. Bancroft, whose ingenuity, perseverance and skill created this collection, donated \$100,000. Of the remaining \$150,000, \$50,000 was paid by the regents on November 24, 1905; \$50,000 is to be paid November 24, 1906, and the remaining \$50,000 in November 1907." (Report, p. 20.)

On June 11, 1907, the regents of the University approved the Constitution of the Academy of Pacific Coast History, submitted by the Bancroft Library Commission, thus making the Library itself "the indispensable nucleus of a great research library, like that of the British Museum," which has for its object "the promotion of the study of the political, social, commercial, and the in-

dustrial history, and the ethnology, geography, and literature of the Pacific Coast of America, and the publication of monographs, historical documents, and other historical material relating thereto.\*

#### BANCROFT'S METHOD OF WRITING.

Standing before the 39 rather sumptuous volumes of the Works of Hubert Howe Bancroft, after eliminating the Biographical section and later volumes, occupying some yards of shelving and weighing some hundreds of pounds, one is apt to inquire, How has this been done? and, What in truth is this, once done? The name Bancroft on each and every volume inspires a wholesome respect for this same Bancroft; but how is this respect transformed into worship when we open the volumes and are confronted with lists of authorities consulted *ad infinitum!* For who less than a god can accomplish such things?

How these results were accomplished can be told only in part in this paper. Given a fireproof building full of books and papers and manuscripts; given also a man with some means and fair experience in buying and selling books—an artisan, as he early calls himself—the problem is to produce—create, manufacture, *write*—the complete history of the peoples of one-twelfth of the earth's surface. The heterogeneous mass of raw material must first of all be reduced to homogeneity before it can be utilized. "On my shelves (says the master) were tons of unwinnowed material for histories unwritten and sciences undeveloped. In the present shape it was of little use. . . Facts were too scattered; indeed, mingled and hidden as they were in huge masses of *débris*, the more one had of them the worse one was off." (231) After some failures and frequent discussions, he determined "to have the whole library indexed as one would index a book." More expensive failures. In the perfected system forty or fifty leading subjects were selected, such as Antiquities, Biography, Mining, etc., which should embrace all relevant knowledge, and these formed the basis of the index.<sup>1</sup>

By this simple device, carried out to three or more sub-topics, the student gains access at once to all sources of information on the given subject. "The cost of this index was about \$35,000, but its value is not to be measured by money." (241) It went a great way in bringing the entire library completely under the command of the author and his corps of assistants. Instead of "toiling through a thousand folios in search of possible information," the student finds the title and page and each authority ready. It was found "that by constant application, eight hours a day, it would

\* See Constitution in U. C. Chronicle, July 1907, p. 259.

<sup>1</sup> For details of the index, see pp. 238-241.



take 400 years to go through the library in a superficial way.<sup>2</sup> The index thus prepared has subsequently been found rather seriously defective, and a complete new index has been made since the Collection was acquired by the University of California. However it will be recalled that library science was in its infancy when Bancroft undertook the work.

Bancroft's great plan unfolded itself gradually. Otherwise, he informs us, he would have lacked courage to undertake so vast a work. "At the beginning of my literary pilgrimage I did little but flounder in a slough of despond." (235) "It was because I was led on by my fate, following blindly in paths where there was no returning, that I finally became so lost in my labors that my only way out was to finish them. . . . I cannot but feel that in this great work I was but the humble instrument of some power mightier than I, call it fate, providence, environment, or what you will." (3)

His first intention had been to publish a bibliography of the Pacific Coast, but before that year (1870) ended his passionate fondness for writing had found expression in quite a pile of manuscript. "Literature is my love, a love sprung from my brain, no less my child than the offspring of my body." The plan of an encyclopedia of the Pacific States was proposed by several. This task Bancroft did not fancy, but finally consented to superintend such a work.

Considerable interest was taken in the projected work, and a prospectus was printed. But meantime he went on writing, for he could not do otherwise. "Whoever has lived, laboring under the terrible pressure of the *cacoethes scribendi* without promising himself to write a dozen books for every one accomplished!" (226) Interest in the cyclopedia waned, and an incident in the summer of 1871 brought him to the decision to aim high. He was roused from his lethargy by the remark of an influential lady who confronted him with the words: "The next ten years will be the best of your life; what are you going to do with them?" (227) From that day there was less wavering.

The magnitude of Bancroft's self-imposed task was such as to render ordinary methods of history writing absolutely inadequate. Clearly some co-operative system must be devised. The work must be the joint result of many hands and many brains. It will be well to notice a few of the numerous assistants employed in the library. Of the more responsible laborers there were about twenty, while there were probably 600 in all in the library; during thirty years the number seldom fell below twelve, and sometimes ran as high as fifty.

<sup>2</sup> *Literary Industries*, 238.

Henry L. Oak, a Dartmouth graduate and school teacher, became general librarian and perhaps chief of all Bancroft's assistants and advisers. A native of Sweden whom the master calls Wm. Nemos, showed special predilection for linguistics and the more abstruse subjects. He had pursued studies in mathematics and philosophy and in part prepared for Upsala University. Thomas Savage, late custodian of the library, was for many years the master's main reliance on Spanish-American affairs. He possessed a thorough knowledge of the Spanish. Frances F. Victor was surpassed by none "in ability, conscientiousness, and never-ceasing interest and faithfulness." (261) Ivan Petroff proved of great value in preparing Russian matter; Cerruti abstracted much material by fair means and by foul, from prominent families. And other names, simply to mention a few—for unfortunately they are strangers in the world of letters—include Walter M. Fisher, T. A. Harcourt, A. Goldschmidt, J. J. Peatfield, Alfred Bates, Alfred Kemp, and others. It would be extremely difficult to find one man who wrote on Bancroft's works whose name would carry the real authority of a history specialist.

There is no way of determining what work was done by individual collaborators, and of course it is impossible to tell just what historical work is from the hand of the chief of staff. The real writers are for most part unknown people,—I will not call them, with one critic, "a horde of hack writers." Yet the editor, who had once owned himself an artisan, with very doubtful modesty remarks in another connection; "The best brains of the best men were poor enough for me, and I wanted no secondary interest or efforts." (577) He early took an aversion to female helpers (except Frances Victor), and in a burst of characteristic style he thus expatiates: "Hard work, the hardest of work is not for frail and tender woman. It were a sin to place it on her. Give her a home, with bread and babies, love her, treat her kindly, give her all the rights she desires, even the defiling right of suffrage if she can enjoy it, and she will be your sweetest, loveliest, purest, and most devoted companion and slave. But lifelong application, involving lifelong self-denial, involving constant pressure on the brain, constant tension on the sinews, is not for women, but for male philosophers or—fools. So long since I forswore petticoats in my library; breeches are sometimes bad enough, but when unbefitting they are disposed of somewhat more easily." "I have today nothing to show for thousands of dollars paid out for futile attempts of female writers." (236)

Mr. Bancroft has left us a detailed account of his method of writing history. "An investigator (he urges) should have before him all that has been said upon his subject; he will then make

such use of it as his judgment dictates." (179) So far as possible all the material was brought together within instant and constant reach, "so that I could place before me on my table the information lodged in the British Museum beside that contained in the archives of Mexico and compare both with what Spain and California could yield, and not be obliged in the midst of my investigations to go from one library to another note-taking." (470) Mr. Bancroft had bought every book—solid or trashy—on his subject. We are assured that "the task of making references as well as of taking out material was equivalent to five times the labor of writing, . . . for example, in taking out the material for California history alone, eight men were employed for six years; for making the references merely, for the History of Mexico, without taking out any of the required information, five men were steadily employed for a period of ten years." (582)

The system of note-taking was perfected by Nemos. "The first step for a beginner was to make references, in books given him for that purpose, to the information required, giving the place where found and the nature of the facts therein mentioned; after this he would take out the information in the form of notes. By this means he would learn how to classify and how duly to condense. . . . The notes were written on half sheets of legal paper, one following another, without regard to length or subject. . . . The notes when separated and arranged were filed by means of paper bags, on which were marked subject and date, and the bags numbered chronologically and entered in a book." The assistants' duty was so to reduce the mass of notes and references as to lay the subject matter before the editor "weeded of all superfluities and repetitions, . . . yet containing every fact, however minute."

The numerous authors referred to were divided into three or more classes, "according to the value of the authority; the first class comprising original narratives and reports; the second, such as were based partly on the first, yet possessed certain original facts or thoughts; the third, those which were merely copied from others, or presented brief and hasty compilations." (567) By further comparison and refinement of matter the editor was shown which authors confirmed and which contradicted any statement" and thus enabled more safely to draw conclusions. He was thus not compelled to spend time in studying any but the best authorities.

The aim was to have the work in his hands in as advanced a state as possible. Several volumes and parts of volumes the author worked out with great toil alone, "not trusting any one even to take out the material in the rough." It is said that "the entire series, notes and text, was compared with the original authorities

by still other men, after the work had been put into type, but before the pages were stereotyped."

Since so much depends upon the literary staff in such a work of co-operation it is of supreme importance that every responsible assistant should be thoroughly capable and absolutely honest. The chief experienced much trouble in securing able men, but professed to use scrupulous care. "Hence, I say, love of truth for truth's sake must be to every one of these men as the apple of his eye." (246) How unfortunate, then, that persons of no name or literary standing should be intrusted with so important a work. Not that all his assistants were either incapable or untruthful, although I have been informed that certain of them were newspaper reporters who had been discharged for incompetence and lying. Again, when we are made acquainted with Mr. Bancroft's methods of securing family papers, the query becomes pertinent;—is conscience requisite to history writing? Note, for example, how "Gen." Cerruti secures material, according to Bancroft's own statement: "With equal grace he could simulate virtue or wink at vice. Hence, like Catiline planning his conspiracy, he made himself a favorite with the best and the basest. This unprincipled Italian, who practiced lying as a fine art, was directed to open correspondence with General Vallejo, with instructions to use his own judgment, for Vallejo's papers were greatly desired. If "the lie did good service" (425) in furthering Cerruti's projects in Bancroft's behalf, is it entirely unreasonable to venture the suggestion that it likewise furthered Cerruti's mercenary projects in his own evil behalf, all unsuspected by the master? There is a very damaging report that some of Bancroft's staff "faked" wantonly, and at least it would be difficult to deny that there were chances without number.

A uniform and dignified style is precluded by the very methods employed, if indeed, all style and real coherency are not rendered impossible. The semi-occasional bursts of exalted expression sometimes remind one of the "purple patch" of the *Ars Poetica*, and not infrequently they are followed by a reckless levity that causes one deep regret. In addition to the serious defects inevitable to the best co-operative writing, such as uneven style and the want of a steady purpose in an organic narration proceeding from the ground plan of a consistent philosophy of history, the writing in Bancroft's works abounds in idiosyncracies, crudities and hasty compositions ill-suited to sober history.

#### THE WORK COMPLETED.

Mr. Bancroft accomplished a herculean labor in bringing to completion the thirty-nine volumes of his *Works*. To do this required

the expenditure of a fortune of money and twenty-five years of such patient devotion and infinite toil as few men can boast. Overwhelmed by the magnitude of his task he had "sat for days and brooded, heart-sick and discouraged."

"If but one copy of Mr. Bancroft's books had been made [it is claimed] the cost of it would be, in time and money, a million of dollars." It was without much doubt the severest labor of its kind ever undertaken by a private individual. But it was accomplished in time to permit the author to turn his hand and brain to other and lighter work. And who is there that now regrets the creation of these volumes?

The opportunity was matchless; the subject enticing. The country was old enough to have a history, but yet the beginnings of things could be found out through research. Had not some one collected documents and manuscripts much would have fallen into certain oblivion. What have we, then, in these works of Hubert Howe Bancroft? Not completed history. Hold the work up before the canons of history writing, and it falls short at sundry vital points. It lacks unity of purpose, sense of proportion, and in numerous places orderly statement of related facts. It admits the trivial and the non-relevant, and for most part it is a heterogeneous mass of raw materials of history which has never been put through the crucible of literary style. In criticising the works of Mr. Bancroft one should not forget the modest pretensions with which the author entered upon his task, however much he may have overpassed these after experience that led him to more exorbitant claims.<sup>1</sup> If the work were thoroughly reliable the historical student would possess an inexhaustible fund of historical data; unfortunately, this has not been fully established.

(1) Thus in the preface to his *Native Races* (Vol. I, p. ix) we read: "Of the importance of the task undertaken, I need not say that I have formed the highest opinion. At present the few grains of wheat are so hidden by the mountain of chaff as to be of comparatively little benefit to searchers in the various branches of learning; and to sift and select from this mass, to extract from bulky tome and transient journal, from the archives of convent and mission, facts valuable to the scholar and interesting to the general reader; to arrange these facts in a natural order, and to present them in such a manner as to be of practical benefit to inquirers in the various branches of knowledge, is a work of no small importance and responsibility. And though mine is the labor of the artisan rather than that of the artist, a forging of weapons for other hands to wield, a producing of raw materials for skilled mechanics to weave and color at will, yet, in undertaking to bring to light from sources innumerable essential facts, which from the very shortness of life if from no other cause, must otherwise be left out in the physical and social generalizations which occupy the ablest minds, I feel that I engage in no idle pastime."

The supplemental volumes, we are told, are the work of Bancroft's own hands, and these are not altogether void of style. A good example is the brief description of the California pioneers, found in *Literary Industries* (40).

Other examples tend to eradicate whatever good impressions one might have received. Referring to his removal to New Madrid; "After three years of ague and earthquake agitations in that uncertain bottom sand-blown land of opossums and puckering persimmons, fearing lest the very flesh would be shaken from our bones, we all packed ourselves back, and began once more where we left off," etc. (78).

About ten years after the publication of *The Native Races*, the well-known *America* of Winsor began to appear, designated as history by a new method. Many of the features claimed for this monumental work were quite surely anticipated by Bancroft, who compares his method to that of Mr. Winsor to the disparagement of the latter, concluding, "but it is the same system of my own, though on a somewhat different plan, in my opinion not nearly so good a one, and one that will not produce the same results." But whereas Winsor "always maintained that a historical student to accomplish anything of value must handle all the books and papers with his own hands," Bancroft had the mass of his work brought to his table in a nearly or quite completed state, and through a double or treble refinement found it necessary to handle only the few books, etc., deemed valuable by clerks; whereas Winsor engaged competent men to write what they were specially qualified to write, Bancroft hired unknown clerks and reporters, wisely withholding from their works names which could carry little or no authority; whereas, finally, Winsor himself was the foremost student of American history, admittedly capable of writing a critical essay on all the topics treated by his collaborators, Bancroft was a plain business man who had never entered college and who erroneously conceived that a vast library could be reduced to a finished history by an elaborate machinery and mere division of labor. It would be manifestly unfair to compare the Works of Bancroft with the Cambridge Modern History, which under the inspiration and general plans of Lord Acton and a board of three able scholars has recently been brought to completion by "a veritable host of eminent scholars drawn from every portion of the world."

Bancroft truly, completed a stupendous labor: I am far from minimizing its value and importance,—the more I look into it the more I am compelled to respect the audacity that conceived it and the pertinacity that brought it to completion. The author, in col-

lecting his unique and unapproachable library and publishing his massive volumes has conferred a benefit on his Coast and his country that his critics are slow to admit.

But one must be pardoned for regretting that he was not able to leave us some such style as that of Parkman, such dignity as that of Oncken or Winsor, such mastery of his splendid subject as is shown by Gibbon; one must be pardoned, finally, for regretting that Bancroft should have written so largely without sympathy—and hence perfect understanding—with his subject, as in the case of the aborigines of California, that he should have consented to collect materials by means charged with being questionable if not clearly dishonest, that he should have laid himself open to the suspicion of degrading biography by writing up individuals for money.

## PIONEER COURTS AND JUDGES OF CALIFORNIA

BY J. M. GUINN

Although California for nearly four years after its conquest by the United States was governed by Mexican laws, very few of its present inhabitants have any idea of what those laws were or how they were administered.

Our Historical Society has in its possession a pamphlet of 26 pages, which purports to be "A Translation and Digest of Such Portion of the Mexican Laws of March 20 and May 23, 1837, as are supposed to be still in force and adapted to the present condition of California, with an introduction and notes." It was compiled by J. Halleck, Attorney-at-Law, and W. E. P. Hartnell, Government Translator. It was published at San Francisco early in 1849. Gen. Bennett Riley, Governor of California, approved this Digest and ordered 300 copies for distribution among the officers of the existing government—the same to be paid for out of the Civil Fund. It is one of the earliest books published in California.

It was held by the government that in accordance with a decision of the Supreme Court of the United States given in 1823, in the case of Florida that "The laws which were in force in this country previous to its conquest and which do not conflict with the Constitution, Treaties and Laws of the United States, and the government recognized in those laws, which was Mexico, is the only one which can be recognized in any legal court, and these laws and this government must continue until changed by, or with the consent of Congress."

During the military occupation of California the commanding officer here, under the general authority conferred on him by the laws of war, could suspend or change any of the laws of Mexico affecting the people of this territory; but all such suspensions and changes were only of a temporary character; and ceased with the war. There were but very few suspensions made. The governors were instructed by the Secretary of War to allow the people to conduct the government of the pueblos without interference.

Under the Mexican government there were three forms of courts—courts of first, second and third instance.



The lowest court was the court of first instance (*Primera Instancia*). It was presided over by an alcalde. He had both civil and criminal jurisdiction over a district and reported to the Superior Tribunal.

The Superior Tribunal consisted of four judges (*ministros*) and one attorney-general (*fiscal*). The three senior judges composed the first bench (or *sola*), and the junior one the second. Besides the judges of the courts of first, second and third instance there were justices of the peace in the small settlements and at some of the ranchos.

In addition to the judges, there were prefects and sub-prefects. these ruled over districts. They were both executive and advisory officers. They were sort of quasi governors. Their duties were multitudinous and multifarious. It was incumbent on them to take care of the public order and tranquillity in their districts, publish the laws and see that they were enforced, establish schools and see to it that "the masters and mistresses not only possess the necessary instruction, but that they be of good moral character, the circumstances of the place being taken into consideration." It would seem from this that the education and the morals of the teachers were to be modified by location. The prefects were to advise with the governor in regard to encouraging agriculture and other industries and to order vagabonds and tramps with the consent of the governor, to such manufactories and agricultural establishments as may choose to receive them voluntarily, and finally, as Article 24 defining their duties, says, "They shall be the ordinary channel of communication between the governor and the subaltern authorities of the district."

Under the domination of Spain and Mexico there were no jury trials in California. The first jury summoned in California was impaneled in 1846 (seventy-five years after its first settlement), by Walter Colton, Alcalde of Monterey. Colton's jury had in it four Spaniards, four native-born Californians, and four Americans. It was a cosmopolitan jury. The plaintiff had been damaged in his property and the defendant in his character. "Neither recovered all that he claimed," says Colton, "but both were satisfied with the verdict," and jury trials became so popular that the natives wanted to settle all their disputes by juries.

During the interregnum between the conquest and the adoption of the State Constitution there seems to have been no superior tribunal appointed. The pueblos elected alcaldes and when none were elected the governor appointed, and if these judges of the court of first instance reported to any one it must have been to the

governor. During the transition stages while the government was in a chaotic condition, there was but little limitation on their powers, Colton says while he was Alcalde at Monterey in 1846 and '7, he had greater power than the Lord Chief Justice of England or the Chief Justice of the United States. Even under Mexican domination the alcalde sometimes took upon himself all the functions of the different departments of government—law-giver, judge, jury and executioner.

In my researches among the old Spanish archives in the City Hall, I found the records of a case where José Sepulveda, Alcalde of Los Angeles in 1837, reported to the Ayuntamiento or Municipal Council, that he had tried the prisoners Timato and Mateo, Mission neophytes, and had found them guilty of murder. He had condemned them to be shot on next Sunday. He invited the regidores to witness the execution. At the next meeting of the Ayuntamiento he reported the governor had reversed his decision and had referred the case to the superior tribunal.

This he characterized as a useless waste of time. He had given the culprits a fair trial. They had confessed their guilt and deserved to die.

There was another class of judges in California under Mexican rule, and during the earlier years of American domination who filled a very important place in the local government, but who have passed down and out and have been forgotten. These were the jueces del campo, judges of the plains. Their chief duty was to decide the disputed ownership of cattle at the rodeo. Their courtroom was the cattle corral and their woosack the saddle. From their decision there was no appeal.

Some of these judges put great dignity into their office. In the old archives in the City Hall are the records of an impeachment trial, held in 1828, of Don Antonio Maria Lugo, who at that time owned about all the land between Los Angeles and the sea. It was the first impeachment trial of a judge ever held in California.

One witness told how the judge beat a boy who gave him a disrespectful answer, and had not the judge fallen over a chair, said the witness, he would have been beating the boy yet, six months after. Another witness, young Pedro Sanchez, testified that he met the judge on the Calle Principal of the Pueblo and because he, Sanchez, did not take his hat off and remain uncovered while Lugo rode past, the judge tried to ride his horse over him.

The office of jueces del campo was continued for twenty years after the American conquest. It ceased to be an office held for the mere honor. The Americans made it a salaried office, and it was

sometimes hinted that the decisions had the jingle of coin in them. After the discovery of gold and the consequent rush to the mines the governors found considerable difficulty in getting men to act as alcaldes in the rural districts, and some that they did appoint gave them a great deal of trouble. Some that were elected by the people considered themselves superior to the governor. One by the name of John H. Nash was elected Alcalde of Sonoma. In the division of the offices in the Pacific Republic after the raising of the Bear Flag he had been appointed by Ide supreme judge of the embryo republic. As alcalde, his tyrannical acts caused a great many complaints. Governor Mason appointed another man in his place. Nash refused to give up the office and defied the United States government to remove him. He had quite a following of rough characters, and it was considered a hazardous undertaking to arrest him. Governor Mason sent Lieutenant William H. Sherman to capture him. Sherman secured a detail of sailors from Commodore Biddle and proceeded by boat to the nearest point to Sonoma. He slipped in during the night and with his detail of sailors seized Nash and bore him to the boat. He was shipped to Monterey, where Governor Mason took the rebellion out of him, and he was willing to recognize the United States government.

Another eccentric alcalde but of a very different type from Nash, was Bill Blackburn. Bill was a shingle-maker at Santa Cruz when he was made a judge of the court of the first instance. He had but little knowledge of law and a very limited acquaintance with books, but he had a good supply of hard common sense.

Some of his court proceedings and his decisions were new to the codes, but they were effective. A Mexican, Pedro Gomez by name, had killed his wife in a drunken fit. Bill arrested him and brought him before his court, summoned a jury on Thursday, tried him and found him guilty on Friday, and sentenced him on Saturday to be executed on Monday. The sentence carried out, he administered on his estate and bound out to service his two minor daughters. Then he reported the case to Governor Mason. The governor was horrified and severely censured Bill for his hasty action. Bill said the fellow was guilty; he had had a fair trial. What was the use of shutting him up in jail and feeding him at the expense of the state?

One of Bill's decisions probably has no parallel or precedent in the history of jurisprudence.

Two young Californians were in love with the same *senorita*. One owned a fine horse with a beautiful mane and tail. His rival possessed a beautiful head of curly hair of which he was quite

proud. The young lady was inclined to look with favor on the *paisano* of the horse and the *paisano* of the hair became jealous.

Watching his opportunity while the horse was staked out to feed he clipped the hair of its mane and tail off to the skin. Complaint was made to Judge Blackburn. He summoned the horse clipper into his court. There was no difficulty in proving him guilty. The judge looked through all the law books in his possession but failed to find any penalty to fit the offense.

Finally he bethought himself of the Law of Moses, "An eye for an eye and a tooth for a tooth." He had Pedro of the raven locks seated on a stool in front of his office; he summoned a barber and ordered him to clip Pedro's curly locks close to the skin and then shave his head. This done he turned man and horse loose to grow crops of hair.

Blackburn's prompt administration of justice soon made his district one of the most orderly in the territory.

Under the old constitution of California we had the Court of Sessions, the County Court and the District Court. Some of the performances of the early judges and the court customs are quite amusing in the light of the present dignified demeanor of our courts and judges.

One custom quite common in early days went out of use about 30 years ago when the telephone came in. In the old court house which stood where the Bullard block now stands, the court room was small and uncomfortable. Clients, witnesses and attorneys waiting their turn would go down stairs and seat themselves in the shade of the building or in some of the offices near the court house. When some of these were needed in the court room the bailiff would poke his head out of a window and yell at the top of his voice the name of the party wanted; he always appended esquire to the party's name, and called it three times.

One day in that stentorian voice of his that he had cultivated in driving an ox team across the plains he yelled John W. Horner, Esquire, John W. Horner, Esquire, John W. Horner, Esquire. Across the street came a prompt response. Gone round the corner a square, gone round the corner a square, gone round the corner a square.

Imagine if you can a more comical scene if the custom was still continued than twelve bailiffs of the twelve courts with their heads stuck out of their respective court rooms and each bawling at the top of his voice the name of some esquire that was wanted in court.

Under Mexican domination in California the alcade of a town acted as police judge. In Los Angeles after the conquest this custom was continued down to quite a recent date. The adoption of the new charter in 1889 relieved the mayor's office of this onerous duty. Among the last mayors who performed this duty were Edward F. Spence and Wm. H. Workman, both members of our Historical Society.

Spence was a representative of that virile race which has exerted a powerful influence in the history and development of our country—the Scotch Irish. He had an unlimited fund of Irish wit and repartee at his command. It was as amusing as a comedy and sometimes as pathetic as a tragedy to see Mayor Spence on a Monday morning dispensing justice to a motley collection of tramps, drunks and police pick ups.

His sentences were sometimes preceded by fatherly advice, sometimes by rebukes sizzling hot and sometimes by a lecture interspersed with wit and humor that put the culprit in good humor to receive his doom. And no doubt made it feel lighter. Mayor Spence died nearly twenty years ago, respected and esteemed by all who knew him.

There are many amusing stories that might be told of the courts and judges of long ago but my paper is already too long.

## THE CIVIC ASSOCIATION AS A FACTOR OF GREATER LOS ANGELES.

BY MRS. M. BURTON WILLIAMSON.

(Read at a meeting of the Hist. Soc., Feb. 5, 1912.)

We are making history at so rapid a rate we fail to appreciate the value of materials lying waste or becoming destroyed for want of proper recording. It is the historian's pleasure, as well as duty, to properly index some of this rich material for future reference, or, much will be lost to history thro failure to "gather and preserve."

The rise and progress of the various women's clubs in our city has been phenomenal. It was my pleasure, 18 years ago, to be able to collect data relative to the history of all the women's clubs in Los Angeles. Since that volume was edited a large number of other clubs have been organized and a second volume is now in progress for the archives of our historical society.

The paper this evening will give a brief history of a society formed for city betterment, The Civic Association of Los Angeles.

I am greatly indebted to Mrs. Oliver C. Bryant, President of the Civic Association, and Mrs. C. S. Ward, Recording Secretary, for much material and free access to the records of the Association.

The Civic Association is a club containing 24 active committees, the chairman of each committee appointed by the President, each chairman empowered to add to her own committee at her discretion, each committee raising its own funds to carry on the work; this, briefly stated, may give some idea of the plan of work of an association which holds an important place in the city's activities.

This society had its inception Oct. 23, 1899, when Mrs. D. G. Stephens, President of the Los Angeles Orphans' Home Board, and at present, President of the Board of Education of Santa Monica, with Mrs. R. L. Craig, member of the Board of Education of our city, called a meeting of a number of well known women to discuss the question of forming a Civic League in Los Angeles. Besides the following ladies, Mr. Chas. Casset Davis, President of the Board of Education and Mr. Wm. Wincup, member of the Board, were present.

The list of those who responded to the call to meet in the parlors of the Westminster Hotel,\* is as follows: Mrs. S. C. Hubbel, Mrs. Chas. N. Flint, Mrs. J. T. Sartori, Mrs. W. J. Washburn, Mrs. W. W. Murphy, Mrs. Allan C. Balch, Mrs. W. H. Hamlin, Mrs. A. L. Danskin, Mrs. Robert N. Bulla, Mrs. J. B. Millard, Mrs. Augustus Hine, Miss A. E. Wadleigh, Mrs. J. W. Hendrick, Mrs. D. M. Meserve, Mrs. E. A. Pickerell, Mrs. Margaret J. Frick, Mrs. J. W. Vancleve, Mrs. A. M. Whitson, Mrs. Geo. A. Caswell, Mrs. Henry T. Lee, Mrs. C. P. Bradfield, Mrs. W. W. Stilson, Mrs. Ella H. Enderlein, Mrs. Sarah H. Longstreth, Mrs. M. E. Threlkeld, Mrs. Geo. Rice, Jr., and Mrs. M. Burton Williamson.

With far-seeing vision, Mrs. D. G. Stephens, as chairman, outlined a plan of work that indicated "coöperation" as the keynote of procedure. "To coöperate with the City Council, Chamber of Commerce, Board of Trade, Merchants and Manufacturers' Association, Health Office, School Board, Principals and Teachers, Associated Charities, and all other organized bodies in the city, to make this the most beautiful, intellectual, moral and sanitary city in the land; a city where slums may never enter, where it may never be said that its youth are over-educated in books but wanting in practical common sense, a city where moral, physical and industrial training may go hand in hand with mental training."

Mrs. Stephens gave the following as some of the needs of the hour: "Improving schools, visiting schools, arranging for suitable luncheon for school children, visiting charitable institutions, visiting city and county jails, visiting parks and encouraging their improvement, encouraging manual training, instituting free baths, starting traveling libraries, opening public playgrounds, assisting in municipal reform and urging the legislature to pass helpful enactments toward the accomplishment of various reforms."

As Mrs. Stephens' plan of work indicated, the League was formed for a very active campaign along civic lines.

It soon became apparent that public sentiment stood back of the society, which, during its dozen years of activity, has been a powerful agent in civic reforms. Mrs. D. G. Stephens and Mrs. Allan C. Balch were chairman and secretary until a permanent organization was formed with Mrs. R. L. Craig as President, Mrs. D. G. Stephens, First Vice-President, Mr. W. H. Housh, Principal of Los Angeles High School, Second Vice-President, Miss A. M. Davis, Recording Secretary, Mrs. W. J. Washburn, Corresponding Secretary, Mrs. Frank W. Gibson, Treasurer, Mrs. H. A. Hamlin, Auditor, and Prof. J. M. McPherron, Financial Secretary.

\* Meetings were also held at the Nadeau Hotel.

When we see the vast school system of our city today it is hard to realize that only a dozen years ago the needs of the schools were so urgent that the first work of the Civic League was in connection with the public schools in having the buildings cleaned, tinted and decorated. The attention of the Board of Education being called to the needs of the various schools, and, when the Board could not undertake the work it was taken up by the committees of the League.

The report of Mrs. Sumner P. Hunt of the Decorating Committee gives some idea of the work of the school committees. Mrs. Hunt reported for the Amelia Street school, that the Board of Education had been asked to, "put up picture molding in some of the rooms, a shelf in the reading room and to tint the blackboards green." These requests had been granted. The committee acting for the Ebell Club had furnished the school with 72 pictures. Curtains, burlaps for a background, casts, etc., had also been supplied. At one time 200 hanging baskets were furnished the schools by the committee. The Park Commission, at the request of the committee supplied all the halls of the schools with decorative plants.

A circulating art cabinet, with Mrs. W. H. Housh as chairman, was most effective in cultivating a taste for art in the schools. The Ruskin Art Club very ably assisted the League in procuring pictures, among them a flower piece by Miss Edith White and an autumn scene by Mr. Elmer Wachtel.

Besides those mentioned the following ladies, as chairmen, were unremitting in their efforts to beautify the various schools: Mrs. W. J. Washburn, Mrs. A. N. Davidson, Mrs. W. W. Stilson, Mrs. Augustus Hine, Mrs. L. H. Meserve, Mrs. Margaret Frick, Mrs. Frank Prior, Mrs. J. D. Gibbs, Mrs. E. T. Pettigrew, Mrs. I. L. Hibbard, Mrs. S. K. Lindley, Mrs. F. C. Potter, and Miss M. E. Abbott. At a later period other names were added to the list.

Coöperation between the League and teachers was apparent in some of the requests that came to it. Among others, Miss Joy, of the Custer Street School, stated that a "sand pile for the little children would be of great service."

A number of the principals and teachers of the various schools joined the League and some of them served as members of the Decorative and Improvement Committee in their own schools.

It would be tedious to enumerate the names of all the principals and teachers who aided the efforts of the League, but mention should be made of the coöperation of Miss Rose Hardenburg and Mr. M. C. Bettinger, who were most efficient aids in the betterment of school conditions.



A committee on Course of Study, with Mr. M. C. Bettinger as chairman; Manual Training, Mr. J. H. Francis, chairman; Vacation Schools, Mr. H. A. Pearis, chairman; Domestic Science, Miss Evelyn Stoddart, chairman; School Lunches, Mrs. Margaret Frick, chairman, gives some idea of the work of the League in connection with schools.

Besides the assistance of Mr. Chas. Cassat Davis, President of the Board of Education, and other gentlemen connected with the Los Angeles Public School system, the following gentlemen, as members of the Council and Advisory Committee, were ever ready to assist the League: Mr. Henry W. O'Melveny, Judge Enoch Knight, Judge M. T. Allen, Mr. H. T. Lee, Mr. J. R. Newberry, General H. G. Otis, Mr. W. J. Washburn, Mr. C. D. Willard, Jr., and Mr. Willoughby Rodman.

A committee on Parents and Teachers with Miss Mary Ledyard as chairman, was soon active in the organization of numerous Child Study Circles all over the city. These circles proved to be the nucleus of the state organization of Mothers' Clubs with Mrs. W. W. Murphy as President, followed by Mrs. Chalmers Smith.

The activities of the Civic League did not tarry over schools, but, while joining with other California clubs voicing public sentiment against the destruction of the "Calaveras Grove of big trees." Mr. W. G. Kirckhoff, the commissioner for Yosemite Park, was asked to telegraph to the Hon. R. J. Waters, member of Congress, the action of the League and urge his assistance. The Civic League proceeded to take up the water question. The following letter was addressed to Mr. M. J. Newmark, President of Chamber of Commerce:

Mr. M. J. Newmark, President of the Chamber of Commerce,  
Los Angeles.

Dear Sir: The Civic League, organ for the promotion of the general interests of Los Angeles City submits for your consideration the following suggestions: As you are well acquainted with the general history of the controversies, in and out of the courts, regarding the matter of supply and distribution of water to the city's inhabitants, it is unnecessary to recite here that the results thus far have not been entirely satisfactory to either side, and it is commonly understood and asserted that the litigation now in prospect seems practically interminable. The injury likely to result to the city is too well recognized to require extended comment.

"The votes of the city have repeatedly declared by increasing majorities in favor of municipal ownership of a complete water system. The owners of the property required for such a purpose

have declared themselves ready to sell at a fair price. When two individuals are in the same relative position—one owning property which he wishes to sell and the other wishing to buy it—some way is usually found to bring about a trade. It is not the purpose of this communication to lay upon any one the blame for a different result in the water controversy, but to ask your coöperation, with others, in measures calculated to bring about a speedy and equitable adjustment.”

This extract from the circular letter, also addressed to the Board of Trade, the Merchants and Manufacturers' Association and other bodies, not only shows the activity of the Civic League but gives us a little glimpse of the feeling, at that time, on the water question. With the magnificent water system of the Owen's River project in sight as a municipal undertaking this incident furnishes a fine illustration of the rapid rate at which we are making history, for the letter just quoted was written at a called meeting of the League Feb. 24, 1900, and signed by Mrs. D. G. Stephens, Mrs. H. A. Hamlin, Mrs. A. N. Davidson, Mrs. Sarah Longstreth and Mrs. Robert N. Bulla, Mrs. R. L. Craig being President.

The question of the unsightly billboards received early attention, but it was soon found that without State legislation, condemning their presence, but little could be done toward removing them, although there has been some changes for the better. The height of billboards has been lowered to 10 feet and raised 2 feet from the ground. Obscene or objectionable pictures and advertisements removed. The city levies a tax on all billboards.

Although the city prides itself upon having several fine playgrounds, Echo Park, Slauson, Hazard, Dawney and Violet, it was through the efforts of Mrs. Willoughby Rodman and her committee that the mayor and City Council became interested and a playground committee was appointed to equip and maintain public playgrounds.

The League had appointed a chairman on Public Playgrounds as early as December, 1900, but it was not until June, 1905, that playground No. 1 was opened. Through the untiring efforts of Mrs. Willoughby Rodman the five playgrounds were opened in five years.

During the early days of the League the question of issuing bonds for the erection of a Public Library building was discussed by the press and Mrs. Allan C. Balch was appointed chairman of the Library Committee.

The Park and Outdoor Committee with Mrs. Willoughby Rodman as chairman, affiliated itself with the Municipal League in the work of improvement of the city, both Leagues being interested along certain civic lines.

In order to interest the public in the work of the Civic League, free lectures were given by well known speakers. The first one was by Dr. Daniel C. Gilman, President of Johns Hopkins University at Baltimore, Md. Although he and Mrs. Gilman were on their way east he very kindly consented to speak at the Ebell Club House, at that time on Broadway. His topic being "Art in the Cities." Judge Enoch Knight lectured on "Our American Home," at the Church of Unity, on the corner of Third and Hill streets, Charles H. Toll on "Civic Improvement, the Duty of the Citizen," "Reform in Education," Dr. Geo. F. James of the State Normal School, delivered in the assembly room of the Friday Morning Club, "Some Observations on Gardening in Southern California," by Mr. H. W. O'Melveny at the Friday Morning Club House, represent only a small number of the lectures addressed to the public.

In October, 1903, Mrs. W. A. Varcoe, chairman of Law and Order Committee, reported that efforts were making toward the establishment of a Juvenile Court in the city. The name of this committee was changed to the Juvenile Court Committee and active measures towards the establishment of the Juvenile Court was begun. Mrs. J. F. Sartori was made chairman of the committee. The probable expenses was estimated at \$3,500. A circular letter and personal appeals were made to the various women's clubs and other societies and individuals.

Miss Evelyn L. Stoddart secured the old jail as detention home which was soon fitted up for the reception of juveniles.

As members of the committee Mrs. Sartori and Miss Stoddart entered most heartily into the organization of a Juvenile Court in Los Angeles, being ably assisted by the President, Mrs. J. E. Cowles, and the Board of Directors.

Mr. A. C. Dodd was made probation officer and the services of Judge Curtis Wilbur were secured.

For the first two years, with the exception of \$25 from the Shakespeare Club of Pasadena, \$150 from the Immanuel Church of Los Angeles, \$100 from a private individual and \$30 from the Charity Ball, the expenses of this court had been borne by contributions from the various women's clubs—\$1000 was received from the Biennial Local Board, it having that amount of surplus on hands.

The Women's Clubs responded most heartily, the Wednesday Morning Club representing a 50 cents per capita tax.

A bill before the Legislature nearly resulted in defeat for the Juvenile Court in Los Angeles, but it was saved from disaster by the timely aid of Mr. W. J. Washburn, who went to Sacramento in behalf of it.

The meetings of the Civic Federation had been held in the Ruskin Art rooms in the Blanchard building, but in December, 1902, they

became permanently located at the Chamber of Commerce. In 1905 the name of the Civic Federation\* was changed to Civic Association.

The persistent efforts of the members of the Association in urging one City Council after another to adopt certain measures for the good of the city is well known.

Through the efforts of Mrs. Rodman and her committee Arbor Day was inaugurated and a strong impulse towards tree planting has been the result.

A scholarship fund was begun by three women pledging 50 cents per month if twenty other women would do the same—in this way making it possible for a child, sole support of an incapacitated parent, to attend school—the fund being in lieu of his wages.

Mrs. J. L. McLean, chairman of Garbage Collection, was able to report to the Association on March 1st, 1910, that besides the use of uniform cans for garbage, collectors of such cans would be obliged to go back at least 50 feet for the cans. This garbage question had been one of vital interest to the Association, as the health, as well as the beauty of the city, was greatly in need of better sanitation.

March 17, 1909, a Penny Luncheon Kitchen was opened at the Ann Street school, under the direction of Mrs. N. E. Wilson, 160 children were fed the first day; of this number 23 free tickets were used. This Penny Luncheon became so popular that in February, 1911, Mrs. Wilson, chairman Penny Luncheon Committee, reported that through the efforts of Mrs. Bryant, the Board of Education had built a bungalow at the Castelar School and a new kitchen was opened at this place, 230 children asking for admission the first day—the limit of the room being 150. Mrs. Bryant has most zealously worked for the Castelar Street School penny luncheon, where 150 children have been daily fed soup, bread and sometimes fruit and candy. All the equipments belong to the Civic Association. Food expenses were met by the Association, but the Board of Education assumed the payment of the matron after building the bungalow.

The Association opened a kitchen in Macy Street School, and is now getting ready for a third, through the earnest efforts of Mrs. N. E. Wilson, chairman, Mrs. Oliver C. Bryant and Mrs. C. S. Ward.

Mrs. Phillip G. Hubert, chairman of Moving Picture Committee, with Miss Evelyn Stoddart and Mrs. Oliver C. Bryant, spent some months investigating the moving picture shows and much improvement, such as a censorship of all films before they are shown, eliminating all pictures of immoral nature, etc., also having all the

\* The Club was organized as the Civic League—the name being changed to Civic Federation.

lecture rooms light enough to see all around for 20 feet. This censorship board consisted of five persons, one appointed by the mayor, one by the Police Commission, one by the Board of Education, one by the Moving Picture Exhibitors' Association, and one by the Civic Association.

Work in conjunction with the County Forestry Board, to preserve and plant trees along the county highways represent the activity of another committee with Mrs. Bryant as chairman.

Mrs. Bryant, Mrs. Lobinger and Mrs. Rodman were most untiring in their efforts to influence the county, Salt Lake R. R., and City Council in building the Arroyo Seco bridge—from South Pasadena to Garvanza—of concrete with six arches in place of the solid dirt filled one already planned.

Of their further interest in the question of the annexation of the Arroyo Seco when as Mrs. Bryant says, they "talked and talked," to arouse public interest, there has been abundant evidence.

Mrs. A. S. Lobingier has appeared before clubs and societies lecturing, with maps illustrating the fine parkway to be annexed and in this way has been a most potent factor in educating the public in regard to the proposed addition to the city's park area.

During all the years of the organization Mrs. Geo. A. Caswell has served most efficiently as a member of the Council.

Besides the committees referred to in this paper some mention should be made of the good work done by Mrs. E. T. Pettigrew, Mrs. R. J. Waters, Mrs. R. H. Boynton and Miss E. Mosgrove in connection with various reform measures undertaken under the Consumers' League chairmanship; Mrs. Chalmers Smith and Mrs. C. C. Noble in connection with the Parents and Teachers Association; Mrs. Cora Lewis, Committee on Noises, Whistles and Smoke; Mrs. Kanst on Billboards, and Mrs. Harriet Myers on Birds.

Besides Mrs. D. G. Stephens as chairman, the following have served as President of the Civic Association: Mrs. R. L. Craig, Mrs. George H. Wadleigh, Mrs. Josiah Evans Cowles and Mrs. Willoughby Rodman.

The present officers are Mrs. Oliver C. Bryant, President; Mrs. Josiah Evans Cowles, First Vice-President; Mrs. Willoughby Rodman, Second Vice-President; Mrs. Andrew S. Lobingier, Third Vice-President; Mrs. C. S. Ward, Recording Secretary; Miss Florence Mills, Corresponding Secretary, and Mrs. N. E. Wilson, Treasurer.

While working with other societies for civic betterment there are four special lines of work that had their direct origin in the Civic Association: Arbor Day, Public Playgrounds, the Juvenile Court and the Penny Lunch.

## PIONEER RAILROADS OF SOUTHERN CALIFORNIA.

BY J. M. GUINN.

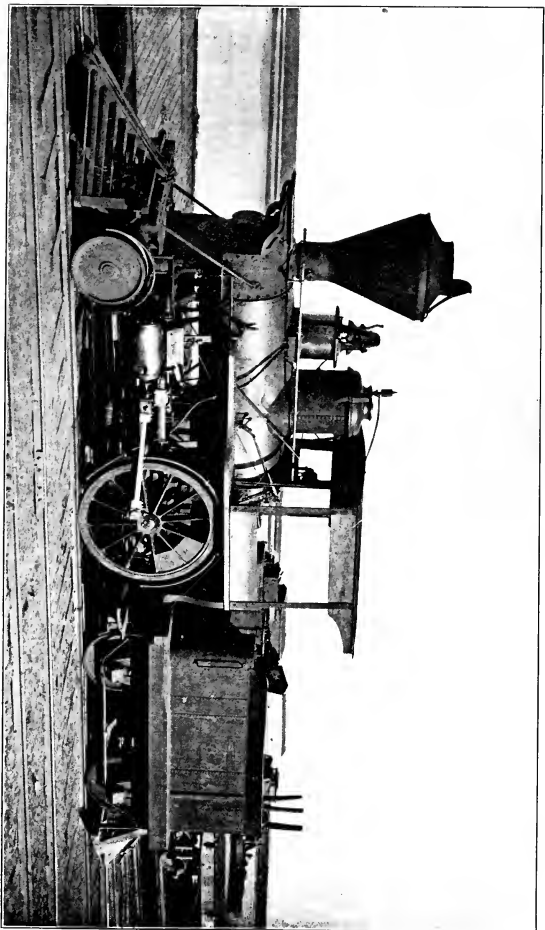
The project of building a municipal railroad from Los Angeles city to the bay of San Pedro promises to become one of the live issues of the day. The fact that the city and the county of Los Angeles once conjointly aided in building such a railroad between this city and Wilmington and then in a spasm of liberality or of business sagacity gave their interest in it to the Southern Pacific Railroad Company seems to be forgotten, or probably to state it more correctly to be unknown to the great majority of our people.

In a recent court decision on the ownership of the tide lands of San Pedro bay, it is stated, "about 1875 a railroad was constructed from these wharves (wharves at Wilmington) to the city of Los Angeles." This is an error of six years in the date of the construction of the road. It was completed in October 26, 1869, and the Southern Pacific Company obtained possession of it in 1873, two years before the date given in the decision for its construction.

The history of our pioneer railroad—the old Los Angeles and San Pedro road—that came to an end at the head of the Wilmington slough and what we did with it may be interesting to our modern statesmen who are agitating the question of a second municipal railroad. The project of building a railroad from Los Angeles to San Pedro bay had been discussed for more than a decade before it culminated in an effort to launch the enterprise.

In January, 1866, Gen. Phineas Banning, then state senator from Los Angeles county, communicated with the members of the board of supervisors asking them to petition the legislature to grant a franchise to construct a railroad between the port of Wilmington and the city of Los Angeles; and to authorize the issuing of \$200,000 in ten per cent bonds to aid in its construction.

The supervisors did so, a bill was introduced but remonstrances against it from the men afraid of taxes poured in upon the legislators. The total assessed wealth of the county only amounted to \$2,350,000. To pledge ten per cent of their earthly possessions for a doubtful utility appalled them. It was true it cost then \$10 a ton freight by wagon to the city and \$7.50 by stage and tug to reach a steamer out beyond Isle del Muerto (Dead Man's island), but it was better to endure the ills they had than to plunge hopelessly into debt. The bill was defeated.



SAN GABRIEL

THE PIONEER LOCOMOTIVE OF SOUTHERN CALIFORNIA

Landed at Wilmington, Los Angeles County, December, 1868.

Cylinders 9 x 18 inches; Drivers 5 feet 2 inches.





February 1, 1868, the legislature passed an act authorizing the supervisors, if approved by the voters of the county, to subscribe \$150,000; and the mayor and Council of Los Angeles City to subscribe \$75,000 to build a railroad from Los Angeles to San Pedro bay. An election was called March 28, 1868, to vote upon the railroad issue. In the county the vote stood 700 for and 672 against a railroad; in the city, 347 for and 245 against. The scheme evidently was far from unanimous.

Work was begun on the road at Wilmington and the turning of the first spadeful of earth was celebrated with imposing ceremonies which ended with a grand baile (ball) and the beauty and chivalry of the Southland were gathered there.

The first locomotive ever seen in Southern California, the "San Gabriel," was landed at Wilmington in December, 1868, and the work was pushed as rapidly as possible on the road. A ship yard was established at Wilmington and lighters were built to transport freight to and from ship and shore; freight and passenger cars were built there also.

The locomotive was a great novelty to the native Californians, many of whom had never before heard the neigh of the iron horse. A favorite pastime of the vaqueros (cowboys) was racing their mustangs against the locomotive. In a short run the bronco had the best of it, but in a long run the iron horse outwinded him.

At the public road crossings, it was necessary to have the warning signs both in English and Spanish. The English sign read, "Look out for the Locomotive," the Spanish, "Quidado por La Maquina de Vaho del Camino de fierrio" ("Look out for the machine of steam on the road of iron"). By the time the traveller had deciphered the Spanish warning the danger was past and the locomotive was disappearing in the distance.

The road greatly reduced freight rates and passenger fares. The oldtimers who had paid \$10 fare by stage and tug to the steamer, or had chartered a train of Mexican oxcarts at \$20 a ton to transport freight from the old wharf at San Pedro to Los Angeles, were happy over the reduction of the fare to \$2.50 and freight to \$5 a ton. Two trains a day to Wilmington and return amply accommodated the travelling public. The passenger and freight depot was located at the southwest corner of Commercial and Alameda Streets.

The completion of the first trans-continental railroad—the Union and Central Pacific in 1869, gave an impetus to railroad building in California. The Legislature in 1870 enacted a law authorizing a county to bond itself to the amount of 5 per cent of the assessed value of all the property within its limits to aid in railroad building.

A new transcontinental road was projected by a southern route.

Starting at Lathrop on the Central Pacific, it was proposed to build a road up the San Joaquin valley to its head, then cross over the Tehachapi range and down into the Mojave desert; from there its route was uncertain. It might build eastward to the Colorado River on the thirty-fifth parallel or it might swing around the mountains and by a desert route reach the Colorado at Yuma and unite with Tom Scott's Texas and Pacific, that was building westward.

Los Angeles might be left off the main trunk line, and be compelled to content itself with a branch road, but it was reported that if sufficient inducements were offered, the main line might be built down the Soledad canyon, then over or under the San Fernando mountains into Los Angeles, and thence eastward by the San Geronia pass to Yuma.

Rumors that Los Angeles would be sidetracked unless inducements were offered alarmed the people and a committee of thirty leading citizens was appointed to interview the magnates of the Southern Pacific, as the road was called, and offer inducements to secure the building of the main trunk line through the city. After considerable parleying the following agreement was reached:

The Southern Pacific Railroad Company would within 15 months after the announcement of a favorable vote on the propositions hereinafter named agree to construct within the county of Los Angeles 50 miles of its main trunk road leading from San Francisco via Visalia, through San Bernardino County to the Colorado River, and connecting with the Texas and Pacific Railroad. Twenty-five miles of it were to be built northward and 25 eastward from Los Angeles City. This left the people of the southeastern portion of the county out in the cold and they objected to the scheme. To appease them and secure their votes for the railroad's proposition the company proposed to build a branch road to Anaheim, to be completed within two years.

In consideration of the foregoing propositions the people were to vote the railroad company a subsidy of 5 per cent of the total assessed value of all the property in the county. The county assessment for 1872 was \$10,550,000—5 per cent of this in even thousands being \$527,000. Of this \$150,000 was to be paid in the stock the county held in the Los Angeles and San Pedro Railroad and \$375,000 in 20-year bonds bearing 7 per cent interest.

In addition to this subsidy from the county the city of Los Angeles was to transfer its \$75,000 of capital stock of the San Pedro road to the Southern Pacific Railroad Company, donate 15 acres for freight and passenger depots, 50 acres for workshops, and to secure all rights of way, entering or passing through the city, for

the main trunk line were to be secured free of any charge to the Southern Pacific Company.

An election was called for Nov. 5, 1872, to vote on these propositions. The San Diego and Los Angeles Railroad—a branch of the Texas and Pacific—entered the contest with a proposition to connect Los Angeles with San Diego by a road up the coast, which would give Los Angeles County 70 miles of road for \$377,000 in bonds.

The previous year (1871) a bill had been passed by Congress empowering the Texas and Pacific Railroad Company to build a road from some point in Texas to San Diego. The agent of the Southern Pacific protested vigorously against the supervisors submitting the San Diego proposition to the people, but by a vote of 3 to 2 the supervisors decided to let the voters have a chance at it.

A vigorous campaign ensued between the two roads to secure the acceptance of their several propositions. It was really a triangular contest. The voters were divided between the Texas and Pacific, the Southern Pacific and no subsidy to any railroad. Orators and newspaper correspondents painted in roseate hues the era of prosperity that would dawn upon us when the whistle of the locomotive broke the stillness in our unpeopled valleys. Taxpayer and pro bono publico bewailed the waste of the people's money and bemoaned the increase of taxes should the subsidy be voted. The battle was fought to a finish and at the election, Nov. 5, 1872, the Southern Pacific won by a majority of 1018 over its competitors. The total donation to the company stocks and bonds, amounted to \$602,000.

The giving away of our municipal railway—the Los Angeles and San Pedro Railroad—virtually gave the Southern Pacific control of San Pedro harbor and a monopoly of our transportation.

A number of our public-spirited citizens raised by subscription \$7500 and purchased from Dona Arcadia Stearns the tract known as the "Huerta del Molino" (orchard of the mill), containing 15 acres, and presented it to the Southern Pacific Company for a passenger and freight depot. This is the southern portion of the River station grounds. Dr. John S. Griffen deeded the company 50 acres, lying on the east side of the river, for workshops. The railroad company failed to comply with the conditions on which the land was granted and it reverted to the grantor. It was donated to the city for a park and is now known as Eastlake Park.

The northern 25 miles of road, terminating at San Fernando, and the eastern 25, ending at Spadra, were completed and trains passed over them April 24, 1874. The Anaheim branch was finished January, 1875. On the Anaheim branch the railroad company

secured a gift of 10 acres at Downey and 20 acres at Anaheim for depot grounds. The northern and southern ends of the main trunk line were united Sept. 6, 1876.

The president and board of directors of the company with a number of invited guests from San Francisco and Los Angeles, met at Soledad station in the Soledad canyon—the point where the uniting took place. Col. Charles Crocker, president of the road, drove the last spike, made of solid gold, with a silver hammer. The spike and hammer were made by L. W. Thatcher, a prominent jeweler of Los Angeles, and presented to the company.

After years of waiting, Los Angeles at last had railroad connection with the rest of the United States, although by a roundabout route; but the waves of prosperity that were to bear us on to wealth and commercial greatness on the completion of the road did not materialize; instead, billows of adversity submerged us. The dry season of 1877 destroyed the sheep industry, that had taken the place of the cattle industry, killed by the famine years of 1863 and 1864.

About the only resource left us was grain raising. High freights and the low price of our products in the only grain market on the coast—San Francisco—involved the necessity of a farmer mortgaging his ranch to pay the cost of farming it. From our attempts at the solution of the traffic question we learned several lessons in the school of experience, where tuition is expensive—learned that increased facilities of transportation without competition do not increase the profits of the producer nor lessen the cost to the consumer—learned that railroads, where the opportunity exists, will charge all the traffic will bear.

So we floundered around in a slough of financial "despond" for a decade or more until the extension of the Southern Pacific to El Paso and the completion of the Santa Fe railroad system gave us competing transcontinental routes, reduced freights and fares, brought colonists and tourists to our land of sunshine, who helped to develop its resources, produced a home market for many of our products and allowed a living profit on the surplus shipped out of the country.

I have given in brief the history of our first municipal railroad, how we built and how we disposed of it. For a third of a century, under its present managers, and their predecessors, it has been one of the best paying pieces of railroad in the United States. To build another municipal railroad—"that is the question" that confronts our civic statesmen and financiers of today. "To make good" and not "lose out" as we did—"that is another story."

## CRABBE'S FILIBUSTERS.

BY H. D. BARROWS.

The lawless spirit of Filibusterism which prevailed in the good old slavery times when the Democratic Party ruled the country and slavery dominated the Democratic Party, met with some pretty rough back-sets along in the latter part of the decade of the '50s. Crabbe and his crowd were exterminated and the fate of Walker and his ragamuffins was not much better.

"Manifest destiny," proclaimed that Mexico and Central America, by right, or by a better title still, superior force, ought to belong to us, and for our people to overrun our neighbors for the purpose of spreading our institutions (including by implication, the "divine institution" slavery), was to engage in a "crusade" compared with which in practical results, that of the middle ages, was unimportant.

Henry A. Crabbe, a prominent politician in the early history of this state, enlisted a lot of adventurous spirits, in the winter of 1856-7, in an expedition to the Gadsden Purchase and to Sonora, Mexico. The members of the party, who came down in small squads from San Francisco by steamer and otherwise, rendezvoused at Los Angeles were fitted out for their journey by land via Yuma to Sonora. Although they talked "settlement on the Gadsden Purchase," etc., whilst they were here, it was strongly suspected that their real destination was northern Mexico, and that their intention was not altogether peaceable. After the party left here, quite a number of the members fell out with the leaders and came back here and returned by steamer to their homes in the upper country. They said they enlisted in good faith to go as settlers to the new territory belonging to the United States, and that they had no sympathy with filibusters. They also said that after they set out from here, the leaders of the party made no secret of their intentions of going to Sonora to join the rebel Gandara faction, and then to take the government into their own hands and set up for themselves, after the fashion of Walker.

Crabbe, who was a man of considerable character and ability, claimed to have been invited thither by Gandara, Ainsa and other influential citizens of Sonora. Two leaders of the filibusters, it seems had married sisters of Ainsa.

The Sonorians were well advised of the approach of the filibusters, and they made preparations as any people having a spark of patriotism would have done under similar circumstances, to receive them in a manner befitting the character and objects of such an expedition. The first news concerning the fate of the party

was received here about the first of May, (1857), which was to the effect, that the entire party including Crabbe, the leader, consisting of nearly 100 men, had been slain. Afterwards this news was substantially confirmed, and we also learned that Crabbe and his forces were besieged at a small town, Cavorca, near Altar, in the state of Sonora, and after several days of fighting, and after the house or houses in which they fortified themselves had been cut off from the only water within their reach they were compelled to surrender unconditionally to the Sonorians as prisoners of war, when the entire party except one boy, was taken out in detachments and shot. Later Majors Wood and Tozer of the Crabbe party arrived here bringing further details.

It appears that these two men had been dispatched by Crabbe after crossing the Colorado River, to the Gadsden Purchase to raise additional forces; and it was owing to this fact that they were not shot with the rest of the party. Something like two thousand men were said to have been in the vicinity of Cavorca and the Mexican official account of the affair with the filibusters represented the people and the authorities of Sonora as enthusiastic in the defence of their soil, and as having done a praiseworthy act in their own and the world's eyes, in having completely annihilated their invaders.

And thus ingloriously ended another of the numerous filibuster expeditions of those times, which brought disgrace and only disgrace on the American name. The lesson taught in each case was bitter but it was wholesome. There were some good and true-hearted men in Gen. Crabbe's band, the writer had known one of them, Frank Wilder, a young clerk in Boston, of good family; but he and others of the party, in an evil hour, permitted themselves to be seduced into an expedition which was neither lawful among nations nor individuals.

It is not surprising that Crabbe and his followers met the fate they did. The Sonorians knew of their coming, and very naturally they took one of the two courses left them; they must meet and destroy their invaders—or be overrun and plundered themselves. From the disastrous results of the experiments in Lower California, Sonora, Nicaragua and Cuba, the American people learned, and not wholly in vain, the salutary lesson that if their institutions were ever to be spread over this continent it must be by other means than by filibusterism.

As a writer of that time, commenting on the sad ending of Crabbe's expedition, said: "Let the horrible suffering and miserable deaths of these immolated victims of the Juggernaut of Anglo-American rapacity, constrain the people and the press of our country to lure no more young men into the jaws of dishonorable death!"

## THE BEGINNINGS OF THE SCHOOL SYSTEM OF LOS ANGELES.

J. M. GUINN.

(Delivered before the History Section of the Southern California Teachers' Association, December 23, 1909.)

The subject upon which I am to address you this afternoon is not one of my own choosing. It was assigned me or I was assigned to it. It reads "Beginnings of the School System of Los Angeles." The originator of that title evidently thought that the Los Angeles school system had several beginnings—that it broke out at certain times like juvenile epidemics, such as whooping cough, measles, or mumps.

In the one hundred and twenty-eight years that have passed since good old Governor Filipe de Neve and his little band of pobladores founded the Pueblo de Neustra Señora La Riena de Los Angeles (the town of our Lady the Queen of the Angels), Los Angeles has had several school systems, and I might add several schools without system. A certain ancient party very much addicted to matrimony once remarked "There is nothing new under the sun." In an historical review of the schools of Los Angeles under the rule of Spain, of Mexico and the United States that I propose to give, I shall endeavor to show that some of the fads and foibles that have been inoculated into or engrafted upon our system of late years had their counterparts in the olden time, that some of the methods and theories that we point to with pride now, had their beginnings in the dark ages of the profession. These have been developed and built into a system by successive generations of teachers.

The evolution of a school system in Los Angeles was slow. The conditions incident to its development were not favorable. Not one of the original settlers of the town could read and write. They were an easy-going *poco tiempo* sort of people, content to labor and wait, particularly to wait. They were so slow that it took them thirty-six years to open a school and forty years to start a graveyard.

Maximo Pino was the pioneer schoolmaster of Los Angeles. He taught during the years 1817 and 1818. His salary was \$140 a year. After two years of brain fag the school took a vacation of ten years to allow the knowledge acquired time to settle. The people then were opposed to educational cramming just as they are in theory today.

During the Spanish era in California the schoolmasters were mostly superannuated soldiers grown too old to be of use at their trade of killing. They possessed that dangerous thing, 'a little learning.' About all they could teach was reading, writing and the doctrina Christiana or catechism. The school system of these old masters was like that laid down by Pete Jones for the Hoosier schoolmaster—"No lickin, no larnin," said Pete. These were not the days of painless education.

Draco, an old Spartan code commissioner, had but one penalty for all crimes—death. The least, he said, deserved death, and there could be no greater for the greatest. The old soldier schoolmasters had but one penalty for all juvenile offenses—whipping. Whether the offense was a blot on his copy book, or neglect to commit to memory the doctrina, the penalty was a scourging with a hempen cat-o'-nine-tails, and the yells the culprit emitted were the beginnings of the class yell, and the dullest boy was usually the yell leader because he had the most practice. So you see that the class yell instead of being an innovation of a decade or two ago is a century old.

Mexico did better for education in California than did Spain. The school terms were lengthened. The first school of which we have any record in the Mexican regime was taught by Luciano Valdez. He kept the pueblo school open at varying intervals from 1827 to 1832. Luciano was one of the martyrs of the profession sacrificed on the altar of a system. The following entry in the minutes of the Ayuntamiento or town council proceedings (the members of which acted as a board of education) tells his fate:

"The Most Illustrious Ayuntamiento dwelt on the lack of improvement in the public school of the pueblo, and on account of the necessity of civilizing and morally training the children it was thought wise to place citizen Vicente Morago in charge of said school from this date, recognizing in him the necessary qualification for the discharge of said duties; allowing him \$15 monthly, the same as was paid the retiring citizen Luciano Valdez."

The regidores of the Ayuntamiento had been educated under the old soldier system of "no lickin, no larnin," and when Schoolmaster



Valdez spared the rod, in their estimation he spoiled the child, so they discharged him. Valdez lost his job and the profession lost a reformer.

Schoolmaster Morago flagellated and civilized the village school boys for a year and a day; then he was appointed secretary of the Ayuntamiento at the munificent salary of \$30 monthly, so he resigned. Francisco Pantojo was appointed preceptor of the public school. He wielded the birch or plied the ferule to January, 1834; then he demanded that his salary be increased to \$20 per month. The Ayuntamiento refused to grant it and have left this stigma on Pantojo's professional ability: "At the same time, seeing certain negligence and indolence in his manner of advancing the children, it was decided to procure some other person to take charge of the school." Citizen Cristoval Aguilar was appointed to the position at \$15 per month. So Francisco Pantojo quit the profession. The Ayuntamiento proceedings of January 8, 1835, tell the fate of Aguilar: "Schoolmaster Cristoval Aguilar asked that his salary be increased to \$20 per month. After discussion it was decided that as his fitness for the position was insufficient, his petition could not be granted." So Aguilar retired from the profession, another victim to the system of \$15 monthly.

Then Vicente Morago, whom either the machine or the good government organization had fired out of the office of syndic or town treasurer, took up the discarded pedagogical birch and resumed his old occupation at the old salary of \$15 per month. The system had fixed the standard of fitness for the schoolmaster of the pueblo by his capacity to subsist on \$15 per month.

In 1836 and 1837 the pueblo school took a two years' vacation. The civil war between Monterey and Los Angeles was raging and the big boys were needed for soldiers. This was the beginning of military instruction of the school boys of Los Angeles. Some of them participated in the bloodless battle of San Buenaventura when the mission building was severely wounded in several places. They could hit a mission, but not a man. Others of them took part in the battle of Las Flores where the rawhide barricades of General Tobar were battered down and the army of Carlos Carrillo, the Pretender, captured.

Don Ygnacio Coronel took charge of the public school July 3, 1838, "he having the necessary qualifications, he shall be paid \$15 from the municipal funds and every parent having a child in the school shall be made to pay a certain amount according to his means." So say the records. This was the beginning of the system or rate bills that was continued for more than twenty years under

American rule. Coronel taught at various times between 1838 and 1844, the length of term depending on the condition of the public funds and the liberality of the parents. Don Ygnacio's methods were a great improvement on those of the soldier schoolmasters. There was less lickin and more larnin. His daughter, Señorita Soledad, was his assistant. She was the first woman teacher of Los Angeles. She introduced music into the school. When a class had finished a book or performed some other meritorious educational feat, as a reward of merit she improvised a dance in the schoolroom and played on the harp that you may still see in the Coronel collection in the Chamber of Commerce. She was the first teacher to introduce gymnastics into the schools of Los Angeles and she taught the first girls' school. She deserves a monument. Governor Arellaga years before had declared against teaching girls to write, fearing that they would waste their time in writing love letters.

The most active and earnest friend of the public schools among the Mexican governors was the much abused Micheltorena (I am glad to say we have a schoolhouse named for him). He made a strenuous effort to establish a public school system in the territory. Through his efforts schools were established in all of the principal towns and a guarantee of \$500 from the territorial funds was promised each school. This was the beginning of state aid to the schools—before that time the schools had been supported from local funds.

January 3, 1844, a primary school was opened in Los Angeles under the tutorship of Ensign Guadalupe Medina, an officer in Micheltorena's army, permission having been obtained from the governor for the lieutenant to lay down the sword and take up the pedagogical birch. Medina was an educated man and taught an excellent school. His school attained an enrollment of 103 pupils. It was conducted on the Lancasterian plan, which was an educational fad imported from Europe via Mexico to California. This fad, once very popular, has been dead and forgotten for half a century or more. The gist of the system was that the nearer the teacher in education to the pupil the more successful he would be in imparting instruction. So the perceptor taught the more advanced pupils; these taught the next lower grade, and so on down the line to the lowest class. By this system it was possible for one teacher to instruct or at least to manage two or three hundred pupils. It was a very economical system and as inefficient as it was economical. Don Manuel Requena, the alcade, in an address to the outgoing Ayuntamiento, speaking of Medina's school, said, "One hundred and three youths of this vicinity made rapid progress under the care of the honorable preceptor and showed a sublime spectacle announcing a happy future." The happy future of the school was

clouded by the shadow of a shortage of funds. The superior government notified the Ayuntamiento that it had remitted the \$500 territorial funds promised, and great was the gratitude of the regidores thereat, but when the remittance reached the pueblo it was found to be merchandise instead of money. The school board (regidores) filed an indignant protest, but it was merchandise or nothing; so after much dickering the schoolmaster agreed to take the goods at a heavy discount and dispose of them as best he could. Medina was the first to introduce commercial and manual training into the school system of Los Angeles. The big boys assisted the schoolmaster in disposing of the sombreros, rebosas, panas colorados, and abalaris that made up the school fund. They carried the goods to the purchasers, kept accounts and figured the percentages of profit and loss to the schoolmaster.

Medina was the first teacher in Los Angeles to hold an examination and give an exhibition of the pupils' progress. The patrons of the school were so delighted that some of the leading men of the pueblo made educational addresses. They were so pleased with their own orations that they had them copied and sent to the governor to show him the great progress the school was making. Could these old orations of sixty-five years ago be resurrected they might furnish some of our stock institute orators with new ideas for a generation to come. A few months later Medina was compelled to lay down the pedagogical birch and take up the sword. Los Angeles was in the throes of one of its periodical revolutions. The schoolhouse was needed by Pico and Castro for army headquarters and the big boys for soldiers. So the pupils were given a vacation—a vacation that lasted five years. The next year (1846) the Gringos conquered California and when school took up again the country was under a different government.

There was no co-education and no girls' school under Mexican rule. Very few of the girls received any education. They were taught to embroider, to cook, to make and mend the clothes of the family and their own, and these accomplishments were deemed sufficient for women. Governor Micheltorena attempted to establish girls' schools in the territory. He appointed Senora Luisa Arguello to open a girls' school in Los Angeles, but there is no record that she kept a school. And shortly afterwards a revolution headed by Pio Pico and Castro drove Micheltorena out of the country.

From an inventory made by Lieut. Medina we ascertain the amount of school books and furniture it took to supply a school of a hundred pupils sixty-five years ago; primers, 36; second readers, 11; Friar Ripalde's Catechisms, 14; table to write on, 1; benches, 6.

School supplies were few and inexpensive. Here is the expense account of the public school from February to December, 1834, ten months: primers, \$1; blackboard, \$2; earthen jar for water, \$2.50; ink, \$1; string for ruling blackboard, 50 cents; ink-well, 37 cents; total, \$7.37. Church incidentals for the same time, \$96. The people were more anxious about the hereafter than the here.

The pueblo owned no schoolhouse, either the Ayuntamiento or the teacher rented one. At one time a fine was imposed on a parent who failed to send his children to school, but the fines were never collected. There was no parental home for truants.

There were well educated and intelligent men among the wealthy class of the native Californians, but the common people were ignorant of, and indifferent to, book learning; and the children in their affection and filial reverence for their parents were unwilling to know more than their progenitors.

The discovery of gold at Coloma in 1848 carried away nearly all of the male population of Los Angeles to the mines. The standard wages of \$15 a month for the pueblo schoolmaster was not sufficient to tempt even faithful old Vicente Morago to take up the pedagogical birch in the flush days of "49." There is a contract of record in the old archives between the Ayuntamiento and Francisco Bustamente, an ex-soldier, dated June 1, 1850, in which he agrees to teach the children first, second and third lessons, and likewise to read script, to write and count, "and so much as I may be competent, to teach them orthography and good morals." Bustamente was sure of his capacity to teach counting, but was shaky on spelling and good morals. His pay was \$60 per month. He taught a term of six months and then asked for an increase of wages on the plea that he had a very large family and could not make ends meet out of his salary. The board of education promptly discharged him, but whether on account of his numerous children or failure to support them out of his salary the record does not say.

In 1850 the Ayuntamiento was merged into the City Council. The councilmen acted as a board of education, the same as the *regidores* of the Ayuntamiento had formerly done. The first attempt to establish a school for higher education was made in 1850. George Wormald asked permission to establish "a Los Angeles lyceum in which the following subjects shall be taught: Reading, penmanship, arithmetic, geography, Spanish grammar, double entry bookkeeping, religion, history, and the English and French languages." His application was referred to a committee, who rejected it. His course of study was top-heavy for the capacity of the pupils of that day, and his religion was not of the right kind.

The first school ordinance under American rule was passed July 9, 1851. Article one provided that a sum not exceeding \$50 per month should be applied toward the support of any educational institution in the city, provided that all the rudiments of the English and Spanish languages be taught therein. For instruction in the higher branches the parents were to negotiate with the owners of the school.

The early schools seem to have been run on the go when you please principle both on the part of the pupils and the teacher. The school committee of the council reported having visited the public school twice without having found the children assembled. The committee, however, had arranged with the honorable preceptor for a full attendance next Friday.

Under Spanish and Mexican rule and continued into the first years of the American regime, there was a practice of allowing a pupil a holiday on his patron saint's day. As every pupil had a patron saint and every saint had a day assigned him in the calendar, there was a continuous run of holidays in the schools.

On August 13, 1852, an ordinance was passed by the city council fixing a levy of 10 cents on the \$100 for the support of the schools. This was the first school tax levy ever made in the city. Previous to that the school fund was derived from licenses, fines, etc. On July 25, 1853, an ordinance was passed for the establishment and government of the city public schools. Having established a public school system the council then stopped the payment of subsidies to private schools. At the meeting of the city council, May 20, 1854, Stephen C. Foster, the mayor, was appointed city superintendent of schools and Manuel Requena, Francis Mellus and W. T. B. Sanford, three members of the council, were constituted a Board of Education. There was no conflict between that Board of Education and the city council. The Board of Education and the Superintendent set vigorously to work and by the beginning of the next year (1855) had erected the first school building that Los Angeles ever owned; it was a two room brick building located on the north-west corner of Spring and Second Streets where the Bryson building now stands.

Wm. McKee, an educated young Irishman, was the second principal. He was the first teacher to attempt the ornamenting of the school grounds with shade trees. The Los Angeles *Star* of March 17, 1855, in an able editorial urged the planting of trees on the school lot. "When the feasibility of growing trees upon the naked plain is fairly tested the owners of lots in the neighborhood of the school will imitate the good example," said the *Star*—to test the feasibility the Board of Education bought a dozen black locusts and had them planted on the school lot. The trees grew but when the green feed on the "naked plains" where the Boston Store,

Coulters and the City Hall now stand dried up, the innumerable ground squirrels that infested the mesa made raids on the trees, ate the leaves and girdled the branches. To protect the trees McKee procured a shot-gun and when he was not teaching the young ideas to shoot he was shooting squirrels.

There was no water system then in the city and water for domestic purposes was supplied by carriers from carts. McKee used water from the school barrel to water the trees. The hombre who supplied it reported to the Board of Education that the Gringo *maestro de escuela* (schoolmaster) was wasting the public water trying to grow trees on the mesa where any fool might know they would not grow. The school-grounds were enclosed by a Mexican picket fence, a structure made by interlacing willow poles with a network of rawhide thongs. It was not ornamental nor aesthetic but very useful in protecting the trees from straggling cattle and predatory mustangs who had the freedom of the streets in those days. The trees thrived despite the squirrels and the waterman's wrath. They were cut down in 1884 when the school lot was sold to the city for a city hall.

In the early '50's there was no uniform course of study in the country schools and no certain time for opening school. Each teacher formed his own course of study and the schools began any old time and continued as long as the public funds lasted, which was usually about three months.

The late Thomas J. Scully was the first teacher to establish a uniform course of study in the country schools. Scully was a graduate of the Toronto Normal school and probably was the first Normal school graduate to teach in our schools. In 1854-55 there were but four country districts in Los Angeles County, which included all the territory now in Orange County and about half of Kern. Scully would begin school about the first of the year say in the northern district, teach until the funds were exhausted, then packing his course of study and his ferrule in his saddle bags and mounting his mustang he moved on to the next district, and then to the next. In this way he was enabled to give the schools a uniform course of study and no change of teachers. In his pedagogical peregrinations, Scully finally reached a certain district where, neglecting the advice of the late Samivel Weller "beware of vidders," he was captured by the black eyes and winning smiles of a little widow. He laid down his ferrule, discarded his course of study, married and turned his attention to cultivating his wife's vineyards and making wine. To beat the tariff he found a home market or rather a market at home for a considerable quantity of his wine, and domestic infelicity followed. A social

eruption threw him outside the family circle. He reformed, took up the ferrule and waved it successfully until his death some twelve years ago. He was a genial whole-souled man liked by everyone who knew him. He was at the time of his death the Nestor of Los Angeles pedagogues.

Passing rapidly down the corridors of time we come to the beginning of teachers' institutes in Los Angeles County. The first one was organized in the Old Bath Street school building, October 31, 1870. This building was located north of the Plaza on what is now North Main Street. It was held there because the school house on the corner of Spring and Second Streets was too far out of town. There were no hotels or stores then south of First Street. All the business of the city was in the neighborhood of the Plaza.

The officers of that institute were Wm. M. McFadden, County Superintendent, President; J. M. Guinn and T. H. Rose, Vice-Presidents, and P. C. Tonner, Secretary. All these except the undersigned have passed over the divide between time and eternity. The entire teaching force of the city schools consisted of eight teachers; of the county (which then included all the area now in Orange) thirty all told and all present. The site of Pasadena then was in an indifferent sheep pasture, Pomona a cattle range, and Long Beach had not even a lone fisherman for an inhabitant.

The institute was pronounced a decided success by those who participated in it. One small school room held all the members and the audience, and still there was room for more. In that institute we observed or practiced one of the slogans of modern Los Angeles—"boost home products." All our essays, orations and exemplifications of methods were home made—home products. We had no money to hire pedagogical evangelists at so much per day and traveling expenses. There was one illustration of a method at that institute the most forceful I have ever known. A certain expedagogue, whom I shall call Prof. R., read a paper on scolding. Scarcely had he finished before a lady sprang to the floor and began to soundly berate the professor. At first we supposed she was giving an object lesson in scolding to illustrate the professor's essay. But when she shrieked out, "He's a thief, he stole my well," State Superintendent Fitzgerald, who was presiding, remarked in his blandest tones, "Madam, I do not find your exercise down on the program and I shall have to call you to order." We all regretted that he did not ask her to explain the professor's feat in physics, the carrying off of her well which was a hole in the ground. It was as difficult a feat as stealing the hole out of a doughnut without taking the doughnut.

The Los Angeles High School was established in September,

1873. It was the first high school founded in Southern California. Then there were then but seven in the entire state. Now there are seven in Los Angeles City alone and in the state they are legion. As late as 1868 the male teachers were in the majority in the county, the count standing schoolmasters, 17; schoolmistresses, 10. In all the years since then the masters have steadily gone down in relative numbers and the mistresses have gone up, and now the lords of creation in the profession are reduced to the condition foretold by the old prophet: when seven women shall lay hold on one man, the relative numbers in the profession standing about seven females to one male outside of the high school.

As I said in the beginning, the fads and the foibles, the theories and the methods of long ago have their counterparts and their reincarnations in our educational systems of today. The question of compulsory education was fought to a finish in the county institutes of California nearly forty years ago. I recall an institute held in the old Leck hall on Main Street when the pros and antis throughout an autumn day wrangled over the question. The pros won. A law was enacted by the legislature which purported to be an act to protect the rights of school children. Every parent was required to send his child of school age to school at least twelve weeks during the year. There was a fatal defect in the law's enforcement. Some one had to swear to a complaint against the delinquent parent and have him haled before a judge and punished. It was easier and safer to let the delinquent parent's progeny go unschooled than get yourself hated and possibly hurt. I never heard of but one attempt at enforcement and that was up in the Tulare country. A justice of the peace had a grouch against a neighbor who was neglecting his duty to his family. So the judge haled his neighbor before him and fined him a hundred dollars. The irate parent refused to pay the fine, whipped the judge and went unwhipped of justice himself. The law remained on the statute books in a state of innocuous desuetude for a decade or two and was then wiped off for a better one.

Even that modern fad of open air schools now prevailing in New York, Chicago and other eastern cities, where teachers and pupils bundled like arctic explorers keep school on the top of sky scrapers with the thermometer at zero—even this, barring sky scrapers and zero weather, had its counterpart in early Los Angeles. The first school in San Gabriel was taught under the spreading branches of a giant live-oak. The sides of the school house were made of wild mustard stalks tied to a frame-work with rawhide thongs. It needed no plenum system of fans and thermostats to ventilate that school house.



Domestic science, too, had its crude beginning away back in the dark ages of our school system. In early times it was difficult for the teachers in the country schools to find boarding places. The houses usually contained but two or three rooms and the families were large. In the Upper Santa Ana district, which was settled by Spanish people, the trustees partitioned off one end of the school house for a cooking room and fitted it up with a stove and other culinary articles for the teacher to board himself. The schoolmaster assisted by the big girls prepared lunch. He taught them the Americano methods of cooking, and if he was a jolly good fellow he shared with them the toothsome viands prepared by the joint efforts of both. It was a picnic for pupils but might mean poverty for the preceptor as he had to provide the viands and the girls had vigorous appetites.

There was another branch of domestic science taught in the schools. For twenty years after the establishment of a public school system in Los Angeles, the teachers, assisted by the big boys and girls, did the janitor work. They swept and dusted the school rooms and built the fires. It is needless to say that that branch of domestic science was not a picnic. A teachers' strike resulted in the employment of janitors in the city schools but it was a decade later before they were employed in the country schools.

The first kindergarten in California was opened in Los Angeles about 1872. Miss Merwhedel, a pupil of Froebel's, was the pioneer kindergartener of the state. She opened a school in the old Round House which stood at the entrance to the Garden of Paradise on Main Street just below Third. The Round House was a circular adobe structure built by an eccentric sailor for a residence in the early '50's. George Lehman bought it and the grounds belonging to it and fitted them up for a suburban pleasure resort and named the grounds the Garden of Paradise. To make his garden more realistic he placed in it plaster of Paris statues of Adam and Eve, Cain and Abel and the old serpent. The tree of knowledge was an orange tree. The grounds extended from Main to Spring Street. On Spring Street front was a thick cactus hedge which was more effective in keeping intruders out of Paradise than a flaming sword.

When Miss Merwhedel opened her school in Paradise, Adam and Eve had been driven out, the old serpent had been scotched, and the tree of knowledge cut down to prevent bad little boys from breaking the windows of the adjoining houses in their attempts to knock down the forbidden fruit. Amid such scriptural surroundings the kindergarten began its career. It was something unheard of by the average resident. Two citizens discussing it, one asked the other, "What is this kindergarten business down in the Round House?"

"That sign," said the other, "is spelled wrong. It should be a kinder of a garden. The little kids play that the school is a kind of garden and they play they are flowers. They sing songs and cut up funny capers."

It may seem to you from the trend of my discourse that I have been burlesquing and poking fun at the efforts of the pioneer teachers of California in building up a school system. Not so! I am one of them. I taught my first school in California forty-five years ago. I have seen the school system of California evolve from chaos to completeness or at least near to it. For the first twenty years after a public school system was established in Los Angeles the city superintendents were merchants, lawyers, doctors, preachers, anything but teachers. Public sentiment relegated the teacher to the roll of incompetents—unfit to wrestle with the business end of his profession, a sort of a mild lunatic harmless among children but hurtful among business men.

The pioneer teachers were missionaries—not, however, of the revival evangelist kind who make converts by the wholesale. Our work of converting was a slow and tedious process of overcoming the prejudice and penuriousness of our patrons. The school patron of our day was the mid-century man of the last century. He was the product of the school of the three R's. He had battled with adverse forces of nature as a pioneer settler in the Far West, and had won out. He had little toleration for new fangled methods in education and far less for paying teachers liberal wages. I recall the attitude of one member of the Board of Education on the wage question when I was city superintendent of the Los Angeles schools twenty-five years ago. His standard of wages for all women teachers was \$30 a month. A servant girl worked thirty days for a month and twelve hours a day for \$20. The woman teacher worked twenty days for a month and six hours a day. Why should she receive more? He was willing to compromise on \$30 but that was his limit.

The battles for higher education, for improved methods, for better pay were fought to a finish by the pioneer teachers. The liberality of the patrons of the schools now is the crop from the seed sown years ago by the pioneer teachers. A word of warning: do not abuse that liberality, do not be too lavish in your expenditures, do not be too importunate with the unceasing cry of give! give! give! There may be a reaction, there may be a rebound. I have seen the hands on the dial of progress turned back by injudicious demands and unreasonable exactions.

The pioneer teachers deserve well of the present generation. They

laid the foundations of our school system broad and deep and built a substantial structure on them—incomplete, unfinished and weak in places it may be. It is yours to strengthen the weak places. If top-heavy with excessive ornamentation, trim off these. In your chosen profession don't be a poll parrot, repeating catch phrases; think your own thoughts and utter them, too. Don't be the servile imitator of other methods; invent your own and use them if they are better suited to your needs than the imported ones of the institute orator, imported also. "Boost Home Products" of brain as well as of brawn.

## WATER FOR DOMESTIC PURPOSES

versus

## WATER FOR IRRIGATION.

BY H. D. BARROWS.

A very important practical lesson in the uses of water in this semi-arid region of Southern California, may be learned from the actual experience of Los Angeles during the one hundred years and more of its existence as a municipality.

There are pioneers in considerable numbers still living who remember the time when there were many, many vineyards and orchards, big and little, extending throughout the level portions of the city from some distance up the river to the southern limits of the city, or to Jefferson Street and beyond.

There were the extensive vineyards of Andrew Boyle on the east side of the river, and of Matthew Keller, and of the Sainsevains and of Kohler & Frohling on the west side, each with their large wineries, to which the smaller vineyard owners delivered their bounteous crops each Fall. These grape crops were the principal source of income of large numbers of grape-farmers throughout the city, for the grape, in this "*land of little rain*" and of *abundant sunshine*," is extraordinarily prolific, under irrigation.

Citrus and deciduous orchards, on a large scale were cultivated within the city, profitably, aided by irrigation, for many years.

In the year 1858, Wm. Wolfskill planted an orange orchard of 2000 trees; and later, Andres Briswalter planted another of 2500 trees. These, with many smaller citrus, walnut, and other orchards, were profitably cultivated for many years or until, I think, sometime in the '90's, when the rapid increase of population required all the water of the river, especially in dry years, for domestic purposes; and the issue was squarely brought home to the people of the city: Shall we suffer in our homes for want of water, which can be brought to us economically in pipes, or shall we cut off its somewhat wasteful use in irrigation by open ditches?

The alternative was a severe one, and our orchardists met it at first with some flinching; but they quickly saw that not only was the absolute necessity of water for domestic use overwhelming as

against its use for irrigation, but that their land was worth more vastly for *homes* than it was for raising vegetables or even orange trees. And thereby they realized that, financially at least, they were fully compensated for what seemed a cruel thing to do, to chop down bearing orange orchards and dig up by the roots bearing vineyards.

In the early years of Los Angeles' history, when the settlers were few, there was plenty of water for all, both for domestic use and for irrigation; and nearly every householder had a garden, and eventually, a small vineyard and orchard, adjoining his home. The water was brought from the river in open ditches or *zanjas*; and gradually a general *zanja* system was created, extending throughout the level portions of the city, on which, for many years, during the *regimes* of Spanish rule (1781-1822), of Mexican rule (1822-1846), and for half a century of United States rule, the people largely depended for their water, and on which, their material comfort and prosperity, to a great degree depended. This system consisted, first, of the "*Zanja Madre*," and eight branches. *Zanja* number 8 was built by the Americans, I think, in the '60's, and crossed Spring Street near the site of the granite-front building now owned by Harris & Frank, but built years ago by the late Dr. Zahn.

*Zanja* number 7 supplied people living on the east side of the river.

I may be permitted to mention that I watered a vineyard of 29,000 vines, lying between the County Hospital and the river, during the two years, 1859-60, that I cultivated it. *Zanja* number 5 extended as far south as Jefferson Street, and supplied the people of that part of the city with water. The location of the other branches I was not so well acquainted with.

The cessation of irrigation by means of open ditches, in the city, caused by the prodigious increase of population in recent years, and the consequent and imperative demand for water for domestic use, have caused this entire *zanja* system to disappear almost as completely as if it never had existed; the cement conduit along the west side of Figueroa Street south of Washington, is, I think, the only vestige of it left.

When the Owens River water arrives it is believed that there will be, and that there will continue to be for many years, a big surplus beyond what will be needed for domestic purposes by the city; but if the people are wise they will never alienate *permanently*, any portions of it. Nor will they sell it *temporarily* to outsiders for irrigators only on the most carefully guarded provisions as to

reclamation whenever, if ever, the inhabitants of the city may need it for domestic use.

The water will have cost them too many millions to be lightly or carelessly alienated or lost control of, even temporarily. They will own it absolutely, and can dispose of it on whatever terms they may choose to impose.

With the aid of the immense reservoirs that are being constructed in connection with the aqueduct, it will be possible to so regulate the flow of the water that the city can insist on its own terms absolutely, as to conditions of sale to outsiders.

The merits of the "*indeterminate* franchise" so lucidly explained recently by Dr. Wilcox of New York, to our citizens, can be advantageously applied in the sale of surplus water for irrigation—irrigation being only a secondary object for which the aqueduct is being built—the primary object being to supply for all future time, the inhabitants of the city, with water for all their varied and imperative uses in their homes.

No sale of water should be made for irrigation, inside or outside the city, as its boundaries now exist or as they may hereafter be enlarged, except by contracts *indeterminate* as to time, and with careful provision against the possible acquisition of any "vested rights" whatsoever.

We should never forget that this is a semi-arid country, and that pure water and plenty of it, for domestic use, is one of the vital necessities for the existence here of animal and human life.

## THE TRUE HISTORY OF CENTRAL PARK.

BY J. M. GUINN.

There is perhaps no other great city in the United States whose inhabitants know so little of the early history of their city as do the great majority of the dwellers in Los Angeles, of theirs. This may be accounted for in part by the fact that its founders and early inhabitants were of a different nationality to its present citizens. No founders' or forefathers' day keeps alive the traditions and the memories of the olden time.

The present inhabitants are so intent on boosting the city and speculating in corner lots that they have no time to familiarize themselves with the history of their city, ancient or modern. Newspaper reporters and sensational story mongers presuming on the general ignorance of its people in regard to the early history of their city fabricate canards and publish accounts of imaginative incidents and events that are ludicrous in their absurdities and palm these off on the public for veritable historical facts, and the credulous public gulps them down with avidity and believes them religiously.

Commenting on the opening of Central Park after it had undergone extensive repairs and improvements amounting to an expenditure of over \$50,000, one of our leading daily newspapers under date of July 1, 1911, publishes the following choice bit of history:

"Central Park has been a public commons since the days of King Charles II. of Spain, that monarch having deeded the plot of ground to the pueblo of Los Angeles in 1781."

Our historian continues: "After the park, one of the oldest pieces of ground devoted to park purposes in America, had been given the public by King Charles II. it deteriorated to such an extent that in 1870 a committee of Los Angeles citizens composed of J. M. Griffith, O. W. Childs, Andrew Glassell and P. Beaudry was appointed to improve it."

Another of our leading newspapers advocated the naming of the park for King Carlos II., its donor.

Now all this is quite romantic, but in the light of the true history

of the park it is ludicrously absurd. King Charles II. died in the year 1700—sixty-nine years before the first settlement was made in California and eighty-one years before King Charles III. authorized the founding of the pueblo of Los Angeles and granted it four square leagues of land from the public domain; and he too had been dead seventy-eight years before that rectangular piece of land—Block 15 of Ord's Survey—containing about five acres—and now known as Central Park was dedicated by the City Council "for a public square or plaza for the use and benefit of the citizens in common of said City of Los Angeles."

The following historical sketch of Central Park has been compiled from official records and it also contains the author's reminiscences and observations of it covering a period of forty-three years. It was published in the Los Angeles Evening Express July 11, 1911:

Central Park is undergoing one of its many transformations. When this one is completed it will be a "thing of beauty and a joy"—until some other park commission gets busy on it. The old-timers, in early days, remember it as a treeless common where the town goats and stray mustangs nibbled the scant herbage.

There is a tradition which crops out periodically that the man who donated the park grounds to the city died in the poorhouse. It is true that the alleged donor, George Lehman, "Roundhouse George," died in the county hospital but he did not donate the park site, for the very good reason that it never was his to donate.

It is one of the few pieces or parcels of the vast municipal domain known as pueblo lands that we inherited from Spain, or, to speak more in accordance with facts, that we wrested by conquest from Mexico, which has never been sold or given away. King Carlos III of Spain was the donor of the park in about the way that a president of the United States is when government land is sold or given away. Under Spanish rule in America, a pueblo was a legally organized form of settlement entitled to a tract of land (usually four square leagues) for various community uses.

The pueblo plan of colonization was used in Spanish American countries two centuries before the time of King Carlos III. Pueblo lands were transferred by municipal authorities, not by a king. Both Westlake and Elysian Parks, as well as Central Park, are parts of the pueblo lands that have never been alienated from municipal ownership.

After the conquest of California by the Americans, a portion of the pueblo lands lying between First and Twelfth Streets, Main



and Grasshopper (now Figueroa) Streets was subdivided into lots and blocks by Lieutenant Ord, Central Park is block 15 of Ord's survey.

This survey was made in 1849 and a number of the lots fronting on Main, Spring and Fort Streets were put on sale. The maximum price for Ord Survey lots, 120x165 feet, in the "days of '49" was \$50 each. With the decadence of mining and the decreased demand for cattle—the chief product of the South—the city became a case of arrested development.

Ord's Survey lots on Main, Spring and Fort Streets could be bought in the early '60's at the prices of 10 years before, namely 30 to 50 cents per front foot. There was no temptation to invest in lots beyond the settled portion of the city; consequently the blocks west of Hill Street remained practically intact.

There was another reason why settlers did not locate on lots on Olive and Charity (Grand Avenue) Streets near the base of the western hills. The Arroyo de Los Reyes, rising in the northwestern part of the city, debouched into the plain at the base of the hill on which the Normal School now stands. It crossed Olive Street north of Sixth and cut a corner off the prospective park, then it zigzagged in a deep channel through the blocks between Hill, Olive and Charity Streets down to Washington Street.

In the Spring of the year there was considerable water in it and innumerable frogs nightly held concerts along its reedy brink. As the season advanced, millions of mosquitoes hatched in the stagnant pools of the arroyo of the kings and made night a horror to the dwellers on its banks. These appurtenances to real estate in that locality made it undesirable for first-class residences.

The Camino viejo (old road) that developed along the trail that Portola's explorers made in 1769 cut a triangle off the corner of block 15 at Olive and Fifth Streets. This old road made nearly a century and a half ago, of which North Spring Street is the last remnant, cut diagonally across the blocks between First and Third, Spring and Broadway. It crossed Hill Street at Fourth and Olive at Fifth. It passed out of the old pueblo limits near Ninth Street, where it forked one branch leading to the Cahuenga Pass and the other to the brea beds on the Racho La Brea, where the inhabitants of the old pueblo obtained their roofing material (crude asphaltum).

For nearly a century after the founding of the pueblo of Los Angeles this road was the camino real or main-traveled road leading westward out of town. More than 60 years ago the court of sessions decreed it as one of the six caminos reales that led out of the old pueblo.

For years after Ord made his survey the people ignored his streets and came into town across lots.

Thirty years ago, at the gate entrance to the park at the corner of Sixth and Olive and also at the entrance at Fifth and Hill, there were large signs that read "Heavy teams are forbidden to cross the park," but as there was no guard to prevent and no penalty to enforce, heavy teams and light, horseman and footman took the short cut into town through the park.

The setting apart of block 15 for a park dates back 45 years. In 1866 the City Council passed an ordinance "disposing of certain lots at public auction and reserving others for a public square." Section 3 of this ordinance reads as follows:

"Lots from Nos. 1 to 10 in block 15 of Ord's Survey of said city are hereby set aside for the use of said city and the residents thereof as a public square, and the same is hereby declared to be a public square or plaza for the use and benefit of the citizens in common of said city, remaining under the control of the mayor and council of said city."

The ordinance was approved and signed Dec. 11, 1866, by C. Aguilar, mayor. Cristobal Aguilar was the last Spanish-American mayor of Los Angeles.

Four years passed and still the public square was a treeless and grassless common. Times were hard and money scarce, but there were public-spirited citizens then as now, who were willing to devote their time and money to the improvement of the city.

Early in 1870 a public meeting was called to discuss the question of improving the public square. It was decided to raise by subscription funds sufficient to fence it.

In those days the mustang and the bovine were free to roam where fancy or feed attracted them, and the first preliminary was to fence them out. There was no law to compel their owners to fence them in.

At that meeting the square was named Los Angeles Park and it was decided to petition the council to dedicate it for a park and authorize a committee appointed at that meeting to improve it. The following ordinance was passed by the council:

"Section 1. Whereas the block bounded as follows: On the east by Hill, south by Sixth, west by Olive and north by Fifth Street, has been reserved for some public purpose, and whereas an association of gentlemen have subscribed funds for the purpose of fencing and ornamenting the aforesaid block of which the following gentlemen are the executive committee, J. M. Griffith,

O. W. Childs, A. Glassell, J. S. Griffin, J. G. Downey and P. Beaudry, be it ordained and by these presents do we ordain that the above named association be allowed to fence in and ornament with fruit and forest trees the aforesaid block, and be it also ordained that the aforesaid block be declared a public place forever for the enjoyment of the community in general."

The ordinance was passed Nov. 17, 1870.

The committee secured and expended \$600 in fencing and improving the park. This did not complete the work. Evidently some had wearied in well-doing.

February, 1872, the committee reported to the council that a number of the subscribers had failed to pay their subscriptions and that work on the park had been suspended. The committee recommended that the council vote \$1000 to complete the fence and plant trees. The request was granted and May 28, 1872, a sub-committee consisting of Workman, Beaudry and Macy, reported the fence completed at a cost of \$685. The balance of the appropriation would be used in painting the fence and other improvements, but the committee advised that no more work be done on the park at expense to the city.

It is said that George Lehman, "Roundhouse George," planted the first trees in the park and carried water in oil cans to irrigate them. He was one of a committee to collect subscriptions. From his activity in improving the park came the tradition that he donated it to the city.

Besides the Garden of Paradise, a suburban pleasure resort just south of Third Street and extending from Main through to Spring Street, on which was located the roundhouse, he owned the southwest corner of Spring and Sixth Street. On this lot back from the street until quite a recent date stood an old brick house on the front of which was painted, "Georgetown, 1859." That suburb of the city then was known as Georgetown.

There was no lawn planted in the park for a number of years after it was inclosed. The water was not piped that far down.

An open ditch supplied the park with water. This ditch branched off from the Zanja Madre, or mother ditch, near Requena Street (East Market) then flowed down between Los Angeles and South Main Streets, irrigating the vineyards and vegetable gardens that covered the present sites of business blocks and hotels; it crossed Main Street below Fourth Street, and passed just south of the Union Trust skyscraper, then zigzagged across the blocks from Spring and Hill Streets, entering the park at the southwest corner of Hill and Fifth Street, and running along its Fifth and Olive

Street fronts, it passed out of the park at Sixth and Olive Streets. Then it meandered out to the rural regions of Figueroa and Adams Streets. Up to 1885 this ditch was an open channel, then it was piped and carried underground across the business streets.

In the 45 years of its existence the park has had a number of different names. It was first known as the public square; later as St. Vincent Park, Los Angeles Park and Sixth Street Park. It was sometimes called La Plaza Abaja—the lower plaza. On some of the old city maps it is marked "plaza."

When the city began to develop other parks further out, it was officially named Central Park. The first plan of the park was diagonal walks or rather drives along the lines where the present bricked walks are. When the old fence was pulled down and the ditch filled, the park grounds were laid out in serpentine walks, lawns planted, and a bandstand built.

About 20 years ago a bond election was called to erect a library building in the park. The believers in the tradition of Roundhouse George's reversionary donation of the park; the windjammers who at that time infested it in great numbers, and wailed over the robbery of the poor man of a public forum in which to air his grievances; and the men afraid of taxes all combined and defeated the bond issue, and our library is still a wanderer and a homeless waif.

## EARLY MEXICAN AND CALIFORNIAN RELATIONS WITH JAPAN.

BY JAMES MAIN DIXON, LITT. D., F. R. S. E.

Pleasant with antique memories as are the Missions of California, their history is actually wonderfully modern. Father Junipero Serra and Don Portola are eighteenth century figures, whose careers cover Napoleon's boyhood. The story of San Francisco and the Golden Gate, even if carried back to Spanish days, is not an old one; and its later growth and importance begin in the same hundred years as its first discovery. And yet the coast itself is full of Elizabethan story, from Cape Mendocino southward. Nothing seems more accidental than the late finding of this noblest of harbors. Some of the ports across the ocean with whose names we are not familiar today, are even younger than San Francisco.

There is a flavor of the new and accidental in the story of Yokohama, now a city of nearly half a million. Within the memory of man it was a mere fishing hamlet, "across the bay"—as the name actually signifies—from the considerable town of Kanagawa. After the treaty ports were opened fifty odd years ago, Kanagawa proved a dangerous spot for a foreign settlement because it lay on the high road between the eastern and western capitals, and the warlike retinues of the nobles were accustomed to pass through it. Several assassinations unfortunately took place, and foreign merchants of their own accord preferred to avoid the settlement and move elsewhere.

Hongkong is another very new place. I have known men who were in charge of the operations when this barren isle at the mouth of the Canton River was converted into a modern city, free from the international complications that were always arising in the crowded city of Canton. All three of these world ports are strangely new, if we consider the history that clusters around them. To understand Yokohama we must know about the founding of Tokyo and the astonishing record of its bureaucratic centralization, which unified Japan. Tokyo or Yedo is but a few decades younger than Manila.

Much of the early voyaging on this side of the Pacific was carried on with a mistaken idea of the size and nature of the great ocean. As soon as Luzon became a Spanish possession, and the

arrival of the yearly galleon was looked for in New and Old Spain, largely because of the valuable spices that it brought from the Far East, the Spanish king and his advisers grew concerned over the safety of the vessel and its escort. Philip was afraid of French and English buccaneers, who would cross from Newfoundland by the supposed Straits of Anian, and swoop down on the galleon from the north. He imagined that their course would lie along the coasts of Japan and China, and conceived the possibility of conquering that littoral. This was one of the recommendations he made to the authorities at Manila in the early days;—"That China be immediately occupied by Spain, to circumvent the French and English buccaneers."

It was not until 1584, five years after the redoubtable Drake had captured a galleon, laden with Oriental goods, off the coast of Costa Rica that the northern route was discovered which takes advantage of the Japanese *Kuroshivo*, or "black stream." Francisco de Gali came home by this route, taking 204 days to reach Mexico by way of Cape Mendocino; and henceforth it became the regular trade route. The first vessels to return to this coast from the conquered Philippines came by the Ladronez, and sighted land at Santa Catalina off the southern coast of California.

Thereafter all kind of adventures and complications became possible and likely to these old-time vessels sailing northeast from Luzon by way of the Black Stream; and a notable occurrence took place in the year 1596, which left stinging memories behind it, in Japan, in Luzon and also in old Spain. The yearly galleon from Manila had met with foul weather on its way east, and came to anchor off the coast of Tosa in the island of Shikoku. The captain was invited to make use of the neighboring port of Urado, but the pilot who guided him in took care to strand the vessel on a sand-bank. The "San Felipe" was thus at the mercy of the Japanese, who with the connivance of the Daimyo, Chosokabe by name, made short work of looting it. No wonder the Spanish crew lost their temper, and protested vehemently, threatening a terrible vengeance from their great king at the Escorial. These threats and war talk had a great deal to do with the later isolation of Japan.

The captain of the wrecked vessel, Landecho, made representations to the Japanese government through intermediaries, and hoped to obtain some redress; but these men helped him but little, and avarice prevailed. The ruler of Japan at the time was the great Hideyoshi, a soldier of fortune who had climbed up to the highest rung of the state ladder, and acted as if there was no emperor over him. The Taiko, as he was called, sustained the extraordinary claim made by the Tosa baron that all stranded vessels and wrecks

became the property of the Japanese authorities. The cargo of the "San Felipe" had been estimated at a million and a half crowns when it left Manila, and perhaps half a million had been jettisoned. Possibly it was worth at least six hundred thousand crowns to the Japanese as it lay stranded at Urado, the modern Kochi.

Leaving his subordinates to struggle as best they could for the rescue of the plundered cargo, Landecho went up to the capital, Miaco (Kyoto), by way of Osaka, accompanied by the Franciscan fathers who had sailed with him. In this great commercial emporium, which remains to-day the center of Japanese trade and shipping, they found a Franciscan mission established. Three years before, the governor of the Philippines had sent an embassy to Hideyoshi, with handsome gifts. Accompanying it were several Franciscan fathers, who had been allowed to remain in the country while negotiations were pending, provided they did not attempt to proselytize. There was another reason why they could not well engage in any religious propagandism; by special stipulation the Japanese field was left to the Jesuit fathers who had been first on the field. The Pope Gregory XIII had in 1585 forbidden, under pain of excommunication, the intrusion of any other religious order into Japan.

Notwithstanding these obligations, the eager fathers used a house, which they had been allowed to build, for proselytizing, attached a chapel to it, and opened the place with as much religious pomp and circumstance as if they had been in Seville. They also proceeded to build a convent at Osaka, which they called Bethlehem, and preached openly in public "with an astonishing confidence." By their officiousness they gained the thorough ill-will of the Jesuits, and came in for rebuffs from the authorities, who had made special concessions to the men already in the field. The excuse on which the Franciscans fell back, that they were attached to a special embassy and were Spaniards first and *religieux* after, was very slim, and at the same time equivocal and dangerous. Although Portugal and Spain at this time owned allegiance to the same king, the old dislike and jealousy remained as bitter as ever, and the Jesuit missions, with the Governors of Goa and Macao behind them, had no use for Manila and the Franciscans. By the concordat of 1580, the Japanese field belonged to Portugal, and this intrusion from the Philippines was of the nature of poaching.

Dependent as they were for interpreting on men already attached to their jealous rivals, the Spanish visitors were really at the mercy of unscrupulous hangers-on at the Japanese court. And then, to culminate their misfortunes, the pilot of the "San Felipe" lost his head, and began to threaten the Tosa baron and his advisers. Pro-

ducing a map of the world, he showed the vast possessions of the Spanish king, and dwelt on the uselessness of opposing his policy or displeasing him. When asked how the king had come into possession of such huge dominions, he replied that the king's policy was to send *religieux* ahead, who converted a portion of the people; and that thus the way was prepared for the arrival of his forces, who found no difficulty, by combining with the native Christians, in securing the whole territory.

All this was carefully reported to Hideyoshi, and plunged him in a spasm of rage unusual even for him. Sometimes that imperious spirit feigned wrath to intimidate his enemies, but on this occasion there was no make-believe. The double-dealing of the Franciscans, whom he had allowed to remain in the country under certain conditions, was quite well known to him, even although he had for the time ignored it. But now his anger broke forth. "And so," he exclaimed, "I have been harboring traitors, who by the admission of their own nationals make religion a cloak for conquest." With the all-powerful Taiko in such a mood, there was little hope that Landecho would recover his stolen goods. Most of the crew and passengers of the "San Felipe" were sent back to Manila, but one Franciscan father remained behind, to suffer martyrdom at Nagasaki along with twenty-five others.

When the unfortunates returned with their story to Manila, the blame was all put on the Jesuits, who were accused, in a pamphlet scattered throughout the Spanish-speaking world, of using their whole influence to aid Portuguese commerce in Chinese-Japanese waters. With this end in view, it was said, they did not stop at calumny. Believing that their own missions depended for continuance and success wholly on Portuguese commerce, the Jesuits accused the Franciscans and Spaniards of political intrigue in order to bring about their ruin.

Father Organtino, who more than any other man had carried out the work begun by St. Francis Xavier in 1540, used his best endeavors to free his converts and brethren from the odium that attached to the newcomers. His friend, the Governor of Lower Kyoto, had an interview with Hideyoshi, and pleaded their cause. "Don't you know," said the great man, "that Mexico and the Philippines have been subjugated by those very men who landed in Tosa? These *religieux* will be followed by armaments which will assail these realms in open war. The Portuguese have obeyed my edict, published ten years ago; why do these new men appear, daring to preach what I forbid and to sap and subvert the Empire of Japan?" Governor Ishida was able to placate him in respect to the Fathers of the (Jesuit) Company, and came away with an assurance that Father Organtino might remain tranquil and easy in mind.



The account of the whole affair that was sent by way of New Spain the following year is interesting. Dr. Antonio de Morga is the writer, and it is an official document, prepared for dispatch by the annual galleon, and dated June 30, 1597. It goes on to say that the "San Felipe" sailed in July, 1596, and was lost in the port of Urado. Taikosama, the "Emperor" of the country, took all the treasure, which he coveted, and which was worth a million and a half crowns. Six barefoot friars of the order of St. Francis had been crucified at Nagasaki, along with eighteen native Christians, and had met death with great fervor; and many marvels and miracles had since been wrought by their bones. A marginal note is found here; somewhat characteristic of the pious Philip: "Let everything about the miracles be collected and a summary thereof be made in the most authentic manner."

So much for the Manila galleon that never reached Acapulco, and whose cargo, instead of furnishing goods for a three weeks' market in the Mexican port, was rifled by Japanese wreckers. Fifteen years elapse before we read of any movement on this side to establish relations with the island empire. I now come to a name familiar to all who are interested in the discovery of California; that of Sebastian Vizcaino. This man began life as a humble trader in the year 1593, and in the following year secured a permit from the Viceroy of New Spain to engage in pearl fishery in the Gulf of California. The new regime that began with the accession of Philip's successor in 1598, showed more activity in affairs Transatlantic, and Vizcaino was commissioned to sail as Captain-general on a northern voyage of discovery, the second of its kind. Leaving Acapulco in May, 1602, he landed in San Diego, went on to Point Pinos, and called the station Monterey in honor of the Viceroy who had dispatched him. He remarked the excellent straight pines and oaks on the hills there, and thought that they would make serviceable timber for the Philippine galleon. From Monterey he proceeded up the coast as far as Cape Blanco.

His interest in Asiatic commerce was to bear fruit nine years later. The government of New Spain had \$20,000 ducats set apart for the fitting up of Monterey as a station; but Vizcaino was anxious to find a port further west and closer to the Philippines, which would have made Monterey useless. He himself was a man of too slight social standing to be entrusted with ambassador's privileges; but he still remained the moving spirit in the famous expedition that was soon to sail. The embassy is known as Sotomayor's, and it actually left Acapulco in the beginning of April, 1611. But thereby hangs a tale.

The yearly galleon from Manila that sailed in the summer of 1609 carried with it the acting-viceroy of the Philippines, Don Rodrigo

Vivero y Velasco. There were three vessels in all, the flagship "San Francisco" and her two consorts, the "San Antonio" and "Santa Anna." Storms overtook the trio, and the "Santa Anna" was wrecked on the Bungo coast in the island of Kyushu. Not hopelessly, however, for next year they were able to float her. The crew found their way to Nagasaki; and met there a fellow-countryman, Sotelo, who was to become prominent later in international relations. The "San Antonio" successfully weathered the storm and held on its way, but the "San Francisco" in rounding Cape Nojima, S. E. of Yedo (Toyko), was driven ashore at Otaki about 40 miles from the capital, and lost thirty of her crew. She was a ship of a thousand tons. The remaining three hundred on board were treated hospitably, and the Prince of Satsuma, who happened to be in Yedo at the time, paid Don Rodrigo a friendly visit. The great Shogun Iyeyasu was then in retirement at Shidzuoka several days west of the capital, but his son Hidetada, second of the Tokugawa dynasty, received the Spaniards kindly, and sent them on to his father.

At this time that sagacious ruler was anxious to develop Japanese shipping and mining, and was deeply interested in the arrival of the Dons. They made three requests of a general nature. The first was the protection of Christian priests in the discharge of their religious duties; the second was the ratification of the standing alliance between the "Emperor" of Japan—as they termed the Shogun—and the King of Spain; and the last was the expulsion of the hated Hollanders, rebels to their royal master. The first two requests were granted, but a curt refusal greeted the last. On his part Iyeyasu spoke for the loan of thirty miners from New Spain, where the gold and silver processes were regarded as superior. To this Don Rodrigo replied that the request might be granted on the footing that half the products of the mines should go to the miners, and the other half be shared between the "Emperor" and his master, the King of Spain. He added that his sovereign might wish to have factors or commissioners in Japan, to look after Spanish interests; and these officials would bring with them priests of the different orders who would celebrate the offices of religion in public and have public churches.

Iyeyasu seemed favorably disposed to all but the dictation regarding the Hollanders, to which he showed marked dislike. In the employ of the Shogunate at this time was a sagacious Englishman, Will Adams, whose grave at Yokosuka, not far from Uraga is often visited by his countrymen and others, as I have done. On all points except religion the Spaniards found him a fair-spoken and friendly acquaintance. It was in a ship built at Uraga under Will Adams' directions, and manned by a Japanese crew, that the

stranded Spaniards returned to New Spain. They christened it the "San Bienventura," and it sailed on August 1, 1610, arriving at Matanchel (Mendocino) in California in less than ninety days. When the crew and passengers reached their destination, a magnificent reception awaited them. The city of Mexico wore a gala dress on the occasion.

And now this brings us back to Vizcaino and his Transpacific plans. With shipbuilding facilities promised at Uraga and other suitable places in Japan, why not go further west than Monterey? And so the twenty thousand ducats appropriation was applied to the fitting up of an embassy to Japan, entrusted to Don Sotomayor. A vessel, the "San Francisco," was provided, manned by a suitable crew and furnished with two pieces of artillery. It carried a cargo for sale in Japan; which was to call forth a protest from Luzon that he had broken faith by engaging in direct trade with the Japanese and encouraging them to build ships for the Pacific trade.

In the summer of 1611 Sotomayor and Vizcaino sighted the shores of Japan, and lost no time, after landing, in making their way to Yedo. The haughty Spaniard was imprudent enough to march to the palace with much military display. The standard of Castille floated proudly before his armed escort, and the bandsmen awoke the echoes with their trumpets; all which was displeasing to the jealously sensitive Japanese government. His excellency presented many rich gifts, and announced that he had a cargo of cloth for sale. The presents were accepted, and he was sent on to the ex-Shogun at Shidzuoka; with the warning, however, that there was to be no armed escort. In the private interview which he had with the great Iyeyasu, in retirement, yet still powerful, Sotomayor made four demands; he asked for free permission for his countrymen to construct vessels of every kind in Japan; permission to survey the coasts of the empire; the expulsion of the Hollanders; and liberty of sale for Spanish merchandise. Along with the latter should go freedom from search. We hear no more of the fourth demand, and the third was, of course, peremptorily refused. After some hesitation, the second request was granted. The Shogun took Will Adams into his confidence, who told him that in Europe such a demand would be regarded as an unfriendly act, and be rejected; but in this case, he thought, it might be allowed.

And so Vizcaino was able to make his much desired survey. It caused such an outcry that his name became indelibly associated with the embassy, and he is actually called the ambassador in the History of Charlevoix. Associated with him was the very active priest named Sotelo, who had been wrecked on the coast of Hizen some seven years before. He was allowed to settle in Saga, the

castle town of Nabeshima. When Don Rodrigo Vivero was consulting with the Yedo authorities, it was Sotelo who acted as interpreter, and helped to draft the treaty of 1610. The two made a careful survey of Central and Western Japan, completed in 1613. When Vizcaino left for home he was told that he might encourage traders to cross the Pacific; but no priests! The "San Francisco" finally got back to Mexico in January, 1614.

It might have been preceded by a vessel built under Sotelo's supervision. This indomitable spirit had been pressing upon the Shogun Hidetada the advisability of getting into direct relations with the King of Spain, and regarded himself as intrusted with a diplomatic mission to Philip III. For this end he had caused a vessel to be built at Yedo, and it actually started on its way, with a Japanese crew. Misfortunes soon overtook it, however, for it was wrecked in the bay of Yedo near Uraga, and Sotelo was brought back to the capital and imprisoned. At one time it seemed as if his life was surely forfeit, but he succeeded in securing the good services of the great lord of Sendai, the one-eyed Date Masamune, and was not only released but promoted to higher and wider activities than ever before. The story of Father Sotelo's brilliant appearances at the courts of New and Old Spain is one of the most romantic on record.

This move on the part of New Spain to establish direct relations between Acapulco and Japan was not looked upon with favor by the government at Manila, which desired to make that port the emporium for the China and Japan trade. It regarded the position of the Spaniards there as insecure, with but seven hundred soldiers in the presidio, and a hundred or two more at Ternate and Tidore, Portuguese-Spanish possessions. Near by was "a China incredibly populous and a strong and valiant Japan," to quote from a Governor's letter of the time. Both countries were interested in Mexico, China because it gave her supplies of silver for barter, and Japan because she wished to learn better methods of silver-refining.

It was in this year 1612 that proposals were actually made to change the Manila trade route from New Spain to the Cape of Good Hope. Since 1580 the two crowns of Portugal and Spain had been united and Portuguese ports were open to Spanish vessels. In a letter dated April 12, 1612, from Manila, Montesclaros offered four objections to the change. These were; the need of expensive convoys because of Dutch hostility; the continued unfriendliness of the Portuguese, at whose midway stations they should have to call; the comparative safety of the Pacific; the possibility of losing the Chinese trade by Malacca's taking the place of Manila, as

Chinese vessels might hug the Siamese coast and prefer to land their cargoes on the Malacca peninsula rather than Luzon. Montesclaros recommended as preferable an improvement in the Pacific route, by making use of the isthmus of Panama. Vessels from Spain might sail on to Portobello, follow the Chagres River up to Cruces, and then transport their goods the remaining twenty miles to Panama by land. It was thence but a short sea voyage to Acapulco, the regular sailing station for the Philippine galleon.

The China trade was not considered very valuable. The silk that came to Manila and was forwarded to old Spain was regarded as inferior stuff, with no wearing quality; and it was proposed to start sericulture in Mexico. To the Mexican mines came Chinese mercury for refining, but the product was impure and full of lead. At this time the Dutch East India Company was beginning to be a power in the East; and in a few years it became the dominant commercial factor in the whole Orient. Manila sank in importance and never recovered its lead.

1. Since writing the above, I find that Mrs. Zella Nuttall has gone over much of the ground that I have covered in this paper. In Vol. IV, No. 1, of *American Archaeology and Ethnology*, University of California Publications, appears her "The Earliest Historical Relations Between Mexico and Japan;" Berkeley, The University Press, 1908. The writer evidently had no adequate grasp of Japanese history or political terms, and the paper suffers throughout from annoying blunders; e. g., p. 3, "Taikun Hideyoshi" (Taiko), "Sekigakara (Sekigahara); p. 21 and foll; "Masumane" (Masamune), the mighty Lord of the Province of Oxo (Oshu), p. 8, "the Port of Uruga, the most important and flourishing port of Japan"—which it never was; p. 12, "Kino-San" (Kuno-San); p. 44, "Dashima (Deshima), etc., etc. Iyeyasu is always referred to as "emperor" although he was only retired Shogun.

But the English history in her pages is no better; e. g., p. 6, "But fifteen years had elapsed (in 1602) since Francis Drake had lain in wait at Cape St. Lucas for the galleon expected from the Philippines, and after robbing it of its treasures, abandoned its crew on the arid shores of the Peninsula of California." Cavendish is meant, who captured the "Santa Anna," Nov. 4, 1587, and left the passengers and crew at the harbor of Aguada Segura, where there was plenty of water and game, having set fire to the hulk. The crew, however, were able to put out the fire and to navigate the disabled vessel across the strait to the mainland. Again at p. 7;—"These (letters from the Japanese colony in Manila) and some gifts were intrusted (by Governor Vivero) to William Adams, who was likewise placed in command of the next Spanish

vessel which was sent to Japan." Now Will Adams was never in Manila, although he visited the Loo-Choo islands and Siam, and was twice in Cochín China.

Was Vizcaino of gentle birth, and of high enough grade in 1611 to be sent in charge of the embassy to Japan? Mr. Richman does not seem to have seen Mrs. Nuttall's pamphlet, and makes no use of her results. He refers to Vizcaino as a "humble trader" in 1593, and in a note (22) to his "California Under Spain and Mexico," cites the Viceroy Monterey, who in a letter dated August, 1595, refers to Vizcaino as too "obscure" to be intrusted with certain responsibilities. And yet (note 34) his words *seem* to imply that Vizcaino was in charge. "On April 7, 1611, Viceroy Velasco informed the King that according to royal order, Sebastian Vizcaino had set out on an embassy to Japan." Charlevoix in his history as quoted by Murdoch, calls him contemptuously "Skipper Vizcaino." Of course Vizcaino was the moving spirit; but he was not of ambassadorial grade. Using the best Japanese sources, Murdoch and Yamagata name Sotomayor as ambassador. (Vid. page 480 of their history, *footnote*.) Mrs. Nuttall declares that he was of gentle birth, p. 11: "Mexican historians have differed as to the name of the ambassador appointed, but an original document preserved in the archives of the Indies proves, beyond a doubt, that it was General Sebastian Vizcaino, who in this document is twice mentioned as being a son of the viceroy." I fear there is some blunder here.

Mrs. Nuttall has evidently not seen Meriwether's "Life of Date Masamune," in Vol. XXI, of the Transactions of the Asiatic Society of Japan. Sotelo ended his romantic career at the stake, being burned alive at Omura (not "Bomura," Nuttall, p. 44) in Shimabara, where so many Christians were put to death. He had given no little trouble to the Manila authorities. King Philip refused to confirm his appointment as Bishop of Eastern Japan. He opened a Seminary for Japanese in Manila and one day calmly took possession of a house, placed a bill upon it, and said mass. The Philippine authorities were unfriendly to his efforts to develop relations with the Japanese. "It is rash," wrote Fernando de Los Rios Coronel, procurator-general of the Philippines, "to encourage the Japanese to establish relations with New Spain, thus teaching a barbarous nation how to navigate." (Blair and Robertson, History of the Philippines, Vol. XXXII.)

It is interesting to read Fray Diego Aduarte's uncomplimentary account of Will Adams in his "History of the Dominican Province of the Holy Rosary," translated by Blair & Robertson, Vol. XXXII, p. 32: "A certain English heretic named Guillermo Adam, who

knew the Japanese language and how to please the emperor by giving him an account of European affairs, vomited forth the hate which he felt against our holy faith whenever he had opportunity. He told him that the plans of the king our Lord is to send religious first, in order to make the way plain for soldiers, citing for example Nueva España and the Philippines, although, in point of fact, neither there nor here did religious precede, but invaders who intended to conquer the country." Almost the very words of pilot de Landa of the wrecked "San Felipe," himself a Spaniard!

2. *Governors of the Philippines.* Rodrigo de Vivero, a native of Laredo, became page to the Queen of Spain. He served as an official in Mexico and was appointed Governor *ad interim*, July 7, 1607. Arrived at Manila June 15, 1608, and served as Governor till Easter, 1608. He was succeeded by Don Juan de Silva, a native of Trujillo, and knight of the order of Santiago. Arriving at Manila in April, 1609, he served as Governor till his death in April 19, 1616.

3. The sequel of all these efforts to establish commercial relations between Japan and New Spain is dramatically told in Richard Cocks's Diary, Dec. 6, 1615 (quoted by Murdoch & Yamagata, p. 603): "Also you may understand how a ship arrived at Kwanto (i. e. Uraga) in Japan this year, which came out of New Spain and brought good quantity of broadcloth, kerseys, perpetuanos, and raz of Milan, which they offer at a low rate; but I think it is the last that ever will be brought from thence, for it is said the Spaniards made proclamation with eight drums at Acapulco and other parts that, upon pain of death, there should never any more Japanese come nor trade into New Spain, and both they and all other strangers of what nation soever should forthwith avoid out of all parts of New Spain. But in requital hereof the Emperor of Japan hath made proclamation, on pain of death, that never hereafter any Japanese shall trade or go into New Spain, and commanded the friars or padres which came in this ship should avoid out of his dominions; for the truth is, he is no friend neither to Spaniards nor Portuguese." (I have modernized the spelling.)

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## THE GOLD PLACERS OF LOS ANGELES.

BY J. M. GUINN.

Note.—The Spanish plural of placer is placeres. The Argonauts of '49 Americanized it to placers.

To the gold seekers of the early '50's Los Angeles was known as a cow country. The gold miner was the aristocrat of that period and the pastoral people of Southern California were looked upon by the Argonauts as financial if not social pariahs.

The seekers after the golden fleece who came to California by the southern routes, poured into Los Angeles by the thousands through the Cajon Pass, through the San Gorgonio, and by way of Warner's ranch. Bleared and half-blinded by the burning sands of the desert, and worn out with months of travel over the arid alkaline plains, they reached sleepy Los Angeles in no mood to appreciate the salubrity of its climate or the fertility of its soil. They saw the hills and plains covered with thousands of cattle. They found the inhabitants calmly indifferent to the mad rush for gold. To the gold seekers such a country had no attractions.

They were not seeking climate and they had no use for any soil that was not mixed with gold dust. So they hurried on over the mountains to the gold fields of Northern California. Few, if any, of them knew that in the cañons and arroyos of the despised "cow country" the first gold ever discovered in California had been found; and that the first mining rush ever known in California had been to the foot hills of that same cow country.

The first authenticated discovery of gold in California was made in territory now included in Los Angeles County.

It was made March 9, 1841 by Francisco Lopez (for many years mayordomo of the San Fernando Mission) in the San Feliciano Cañon. This cañon is about forty miles northwesterly from Los Angeles City and eight miles westerly from the town of Newhall.

Don Abel Stearns gives this account of the discovery:

"Lopez with a companion while in search of some stray horses, about midday stopped under some trees and tied their horses to feed. While resting in the shade, Lopez with his sheath knife dug up some wild onions and in the dirt discovered a piece of



gold. Searching further he found more. On his return to town he showed these pieces to his friends, who at once declared there must be a placer of gold there."

The news of the discovery soon spread from Santa Barbara to San Diego and the first gold rush in the history of California began.

In a few weeks hundreds of people were engaged in washing and winnowing the sands of the gold fields.

Col. J. J. Warner, who visited the gold fields shortly after their discovery, says: "The discoveries of gold placers in that year embraced the greater part of the county drained by the Santa Clara River from a point fifteen or twenty miles from the mouth to its source and easterly beyond them to Mount San Bernardino."

There was a scarcity of water in the diggings and the methods of extracting the gold from the gravel were crude and wasteful. One of the most common was panning or washing the dirt in a *batea* or bowl shaped Indian basket.

Another method of mining was by means of a crude form of sluice or long Tom. A strip of manta or coarse unbleached muslin a yard wide and several yards long was stretched on a level gently sloping piece of ground near a stream of water. The edges of the manta on each side were raised about a foot high and fastened at short intervals to stakes with raw hide thongs. This trough or sluice was filled with gold bearing gravel and a stream of water turned onto it, from a ditch at the upper end, until the gravel was washed away. A narrow board fastened at the lower end prevented the gold from escaping. The gold which settled in the bottom of the sluice was separated from the residuum of sand by panning.

The first parcel of California gold dust ever coined at the United States mint in Philadelphia was taken from the product of these mines. It was carried in a sailing vessel around Cape Horn. It consisted of 18.34 ounces and was deposited in the mint July 8, 1843, by Alfred Robinson. Its value after coining was \$344.75, over \$19 to the ounce. It belonged to Don Abel Stearns.

Robinson in a letter dated at New York, August 6, 1843, informing Stearns of the result of the coinage of his gold shipment and other items of news says:

"How pleased you would be to make a visit to your native country. What a change you would find. What improvements! You will be enabled to come via Panama or rather I should say, per Canal. The Messrs. Baring & Co., of London, have made a contract with the 'Central Government' and in all probability the con-

tract will be finished in five years; so at last the long talked of route through the isthmus will be accomplished."

Since that letter was written nearly seventy years have passed and still that canal is unfinished. But in the interval between then and now more than a billion dollars of California gold has been taken across the isthmus of Panama.

No authentic data in regard to the yield of the San Fernando placers, as these mines were commonly called, exists. Beyond the granting by Governor Alvarado of an *expediente* or official title to Lopez for his discovery and the appointment of Don Ygnacio del Valle (on whose rancho the discovery was made) *Encargado de justicia*—commissioner of justice—to preserve order in the mining district the territorial government seems to have taken no further notice of the mines. It collected no statistics of the amount of gold taken out of the placers and enacted no mining laws.

Some of the pioneer Americans who visited the placers give estimates. Wm. Heath Davis in his "Sixty Years in California," places the amount at \$80,000 to \$100,000 for the first two years after the discovery. Don Abel Stearns states that from the time of their discovery to 1847, "Some six or eight thousand dollars were taken out per annum." Bancroft says that "by December, 1843, two thousand ounces of gold (about \$38,000) had been taken from the San Fernando Mines." Don Antonio Coronel informed the writer that he, with the assistance of three Indian laborers, in the Spring of 1842, took out \$600 worth of gold dust in two months. Don Abel Stearns says that the mines were worked "principally by Sonorenses (Sonorians) who were accustomed to work in placers. They met with good success."

In the fall of 1854 began the Kern River excitement—one of the most famous mining rushes in the history of California gold mining.

Gold was discovered on the head waters of the Kern River or Rio Bravo. Reports were spread abroad of the fabulous richness of the mines and the "rush was on." For a time it seemed as if the northern mines would be depopulated. From Stockton to the mines, a distance of three hundred miles, for weeks the plains of the San Joaquin were literally speckled with honest miners on foot, on horseback, on stages, and in wagons bound for the mines. Every steamer down the coast came loaded to the guards with miners, merchants, gamblers, and adventurers of all kinds, bound for the new El Dorado via Los Angeles. The sleepy old metropolis of the cow counties awoke to find itself transformed into a hustling mining camp. Business in mining supplies was brisk and times

were lively in other directions. The *Southern Californian* of March 7, 1855 says: "Last Sunday night was a brisk night for killing. Four men were shot and killed, and several wounded in shooting affrays." These motley collections of gold hunters made their way over the Tehachapi summit to the mines.

The mines though rich were limited and the disappointed miners beat their way back to civilization as best they could. Some of them turned their attention to prospecting in the mountains south of the Tehachapi and many new discoveries were made. In April, 1855, a party entering the mountains by way of the Cajon Pass penetrated to the head waters of the San Gabriel. Here in some of the cañons they found good prospects; but, the water failing, they were temporarily compelled to suspend operations. The Santa Anita placers, about fifteen miles from this city, were discovered and for a time worked secretly—the miners making from \$6 to \$10 each per day.

Work was actively resumed in the San Fernando diggings. Francisco Gracia working a gang of Indians in 1855 took out \$65,000. One nugget worth \$1900 was found. During 1856 and 1857 mining and prospecting were continued. In 1858 rich diggings were struck on the San Gabriel. Mining operations were begun on a more extended scale. The Santa Anita Mining Company was organized; D. Marchessault, president; V. Beaudry, treasurer; capital, \$50,000. A ditch four miles long was cut around the foot of the mountains. Hydraulic works were erected. February 15, 1859, when the works were completed, the company gave a sumptuous dinner to invited guests from the city. The success of the enterprise was toasted in bumpers of champagne, and wine and wit flowed freely. These mines paid handsomely for several years.

During the year 1859 the cañon of the San Gabriel was prospected for forty miles, and "the color" was obtained in every instance. Some of the bar claims were quite rich—as high as \$8 to the pan being obtained in some places. From a hill claim four men took out \$80 in one day. Two Mexicans with a common wooden bowl or batea washed out \$90 in two days. Two hydraulic companies were taking out \$1000 a week. In July, 300 men were at work in the cañon and all reported doing well. A stage ran from the city to the mines. Three stores at Eldoradoville supplied the miners with the necessaries of life; and several saloons, with gambling accompaniments, the luxuries.

The editor of the *Star* in the issue of December 3, 1859, indulges in roseate dreams of the mineral wealth of Los Angeles. He says:

"Gold placers are now being worked from Fort Tejon to San

Bernardino. Rich deposits have been discovered in the northern part of the county. The San Gabriel mines have been worked very successfully this season. The Santa Anita placers are giving forth their golden harvest. Miners are at work in the San Fernando hills rolling out the gold, and in the hills beyond discoveries have been made which prove the whole district to be one grand placer."

After that the deluge. The rainy season began early in December. For three days and nights it rained continuously. Nearly a foot of water fell. In the narrow cañon of the San Gabriel River the waters rose to an unprecedented height and swept everything before them. The miner's wheels, sluices, long toms, wing dams, coffer dams and all other dams went floating off toward the sea.

The year 1860 was a prosperous one for the miners, notwithstanding the disastrous flood of December, 1859. The increased water supply afforded an opportunity to work dry claims. Some of the strikes have the sound of the flush days of '49: "Baker & Smith realized from their claim \$800 in eight days." "Driver & Co. washed out \$350 of dust in two hours."

In the spring of 1862, Well-Fargo & Co. were shipping to San Francisco \$12,000 of gold dust a month by steamer and probably as much more was sent by other shippers or taken by private parties; all this the product of the San Fernando, San Gabriel and Santa Anita placers.

In the winter of 1868 an immense flood of water swept through the cañon of the San Gabriel River obliterating ever trace of mining operations and carrying with it all the flumes and other mining machinery on the river. The flood caused an abandonment of all mining operations for several years.

In July, 1871, two men, Matfield and Roberts, began the construction of a hydraulic system at the head of the cañon. In 1872 they completed the construction of a flume five miles in length and one of the most complete and substantial ever constructed in any mining camp in the state. Their venture was a success. They took out large quantities of gold. Their success induced others to try hydraulic mining. As late as 1876 there were two hydraulic companies working in the cañon, one company reported a yield of \$1,365 for a run of twenty-six days, working five men—an average of \$10.50 a day to the man.

The yield of the Los Angeles placers can be ascertained only approximately. Major Ben C. Truman in his *Semi-Tropical California* (a book written in 1874) says:

"During the past eighteen years, Messrs. Ducommon and Jones,

merchants of Los Angeles, have purchased in one way and another over two million dollars' worth of gold dust taken from the placer claims of the San Gabriel River, while it is fair to presume that among other merchants and to parties in San Francisco has been distributed at least a like amount."

Add to this estimate the amount taken out of the San Fernando placers from 1841 to 1847, and from these placers and all the other mines except the San Gabriel from 1855 down to the present time, and the yield of the Los Angeles placer mines would reach if not exceed five million dollars.

Our mineral resources are far from being exhausted. With abundant capital, improved appliances and cheaper methods of working them, our quartz lodes and gold placers will yield richer returns in the future than they have in the past. It may seem a rash statement to make—that the average yield of gold to each man engaged in the Los Angeles placers equaled if it did not exceed the average yield per man of the northern mines at the very acme of placer mining—yet the truth of it can be substantiated. Careful statisticians estimate that in 1853, the year of the greatest production of the northern placers, the average yield per man for those actually engaged in mining was less than \$2.00 per day; the average yield per man of the Los Angeles placers in 1858, '59, '60, '61 and '62 greatly exceeded that amount.

Such in brief is the history of fifty years of placer mining in Los Angeles. It is not the story of the treasure vaults of nature unlocked by the blow of a pick, nor is it a tale of disaster and loss. It is, rather, the record of fair remuneration for the labor expended and the capital employed.

## THE ROMANCE OF RANCHO REALTY

BY J. M. GUINN

The office of a County Recorder would be about the last place a sentimentalist would look for romance, and yet in many of the dry-as-dust tomes stacked on the shelves of our County Recorder's office there are the elements of romances unwritten and of tragedies unacted.

Many a conveyance of realty has been signed in tears as the ancestral acres of the grantor have passed to strangers. Hope has died in many a heart when the foreclosed mortgage has transferred the loved home to rapacious creditors. Between the lines in many a record you may read the Shylock bond for a pound of flesh cut from nearest the heart of the unfortunate whose pressing necessities compells him to pay excessive usury. Even in the real estate booms that come periodically in the development of our Western cities and towns there are romantic episodes and events that might be developed into volumes of fiction.

It is interesting and sometimes pathetic to watch the encroachments of a growing city upon the surrounding country. The expanding city reaches the boundaries of a baronial estate that for generations has belonged to the descendants of an olden time family. The last owner for a time holds out against all importunities to sell his patrimony, but seductive offers tempt him and the ancestral acres are transferred to the real estate promoter for subdivision.

The manor house of the estate may obstruct the extension of a street or interfere with the subdivision into lots. If so, it is removed or razed to the ground and the ploughshare may pass over its site. The new owners may not, like the olden time conquerors of rival cities, sow salt on its ruins, yet the family legends, traditions and romances that have clustered around it for generations are as rudely dispelled—as completely obliterated—as if the plough had passed over its site for the sowing of a crop of salt.

The ancestral acres that have passed from father to son for successive generations are cut into lots and the city builds over its new accession, then passes beyond to absorb other lands.

During the Spanish and Mexican domination in California our city was not aggressive. In its first century under the successive rule of three nations, its business district moved southward from the plaza to First street—less than half a mile. In the three decades of its second century it has moved quite compactly for three miles and the residence portion has leaped over the old pueblo limits of four square leagues and spread out beyond at irregular intervals over a hundred square miles.

Subdivision of acreage into city lots has been a profitable industry to a number of our people for the past decade. The romancing that has originated in real estate offices during that time would fill volumes, but unlike the old-time novel that was always founded on fact, the real estate romances are mostly founded on fiction that is retailed as fact.

The huge volumes that annually originate in the Assessor's office and find a final lodgment in the County Auditor's office, contain little of the romantic. They are filled with Gradgrindian records of facts that are not appreciated by the taxpayer. They record the penalties that we pay for civilization and its accessories—the amount that each owner of real estate or personal property must contribute for the privilege of being governed.

Before the Gringos possessed California, there was no compilation of Assessors' Libraries, nor were there any of those tragedies that are now enacted every spring-time when the Assessor's deputies try to extort from unwilling taxpayers facts in regard to their possessions—facts to fill these huge volumes.

There were no assessors in the Mexican scheme of local government.

The transition from the Mexican form of raising revenue to the American method forms an interesting and it may be said a little known chapter of our local history.

The adjustment of the native Californian to the methods of his conquerors was gradual. Doubtless there were romantic episodes in the process of that adjustment, but they have not been recorded and all that remains to us is a few facts. I have culled some of these from the old records, and from these pieced out a story of olden time methods of assessing and the real estate values of that time; comparing these values with our present the reader might well accuse me of romancing.

Under the rule of Spain and Mexico in California, there was no assessment of real estate for the purpose of taxation. Tariff on goods imported, fines for drunkenness and other vices, licenses for

dances, for saloons, for stores, for cock pits, bull rings and such provided the revenue for municipal expenses. Men's pleasures and vices paid the cost of governing.

The pueblo's expenses were light. The only salaried officials were the secretary of the ayuntamiento and the schoolmaster. The highest salary paid the secretary was \$40 per month. In addition to his duties as secretary of the council, he acted as alcalde's clerk. The schoolmaster's pay was fixed at \$15 per month. According to the syndico's (tax collector's) books, the largest municipal revenue collected in any one year was \$1000. The syndico and the alcalde received fees for their services. All this was changed when the Americans took possession of the offices; and they were not backward in coming forward when there were offices to fill.

In the first list of the officers of Los Angeles county the names of only two native Californians appear—Don Agustin Olvera, County Judge, and Don Antonio F. Coronel, County Assessor. Coronel was elected assessor at the first county election, which was held April 1, 1850. As nine-tenths of the inhabitants of the newly created county of Los Angeles understood the Spanish language only it was highly necessary to have some one who spoke their language to explain to them the new system of taxation introduced by the conquerors.

Don Antonio's first assessment was made in 1851. He prepared no roll. The assessment was made on loose sheets that have been lost. The total valuation of property footed up \$2,882,949.

The assessment roll for 1852 has been preserved. It is written in Spanish and has a fanciful title page—a work of the penman's art. Don Antonio did not order a number of great leather-bound volumes machine-ruled for his assessment. He made his assessment roll himself, binding, ruling and all. It consists of unruled sheets of Spanish foolscap pasted together into leaves two feet long and stitched into a book of 30 pages, covered with blue calico. This one book contained the entire assessment for that year, also the poll tax list.

The following are the principal items of that assessment:

|                                 |             |
|---------------------------------|-------------|
| Number of acres assessed.....   | 1,505,180   |
| Value of real estate .....      | \$748,606   |
| Value of improvements .....     | 301,947     |
| Value of personal property..... | 1,183,898   |
|                                 | <hr/>       |
| Total .....                     | \$3,234,451 |

The county at that time contained over thirty million acres, and only about one in twenty was assessed. The average value was



less than 50 cents an acre. The county then extended from San Juan Capistrano on the south to the Tulares and Death Valley on the north, and from the Pacific ocean to the Colorado river. Don Antonio's district exceeded in extent the aggregate area of five New England states. By far the larger part of its inhabitants were "Indians not taxed." It is not probable that Don Antonio traveled over the vast territory of the thinly-populated county. Los Angeles was the only city in the county and doubtless the inhabitants, like those in the days of old, when Herod was reducing the infant population of Judea—"went up to the city to be taxed."

Don Antonio was economical in the use of paper and ink. He did not write out lengthy involved descriptions by metes and bounds of the realty he described for assessment.

Here is a sample entry that considering the large amount involved has perhaps never been exceeded in brevity on an assessment roll:

"Eulogio De Celis—100,000 acres—Rancho Ex-Mission San Fernando—value \$12,500. Also 60 acres—huerto (orchard)—Angeles—Value, \$700

(The Rancho was assessed at one *real*, or 12½ cents an acre.)

"Value of personal property, horses and cattle, \$14,000."

The cruelty of fate decreed that in less than two score years later the son and heir to this baronial estate that would for vastness turn an English Lord green with envy should die penniless.

The American in California had already proved his ability as a land grabber. Another entry reads: Enrique (Henry) Dalton—45,280 acres—Santa Anita Rancho—Value, \$10,223; also 205 acres—huerto—Angeles—Value, \$1,000. The Santa Anita is the rancho made famous in the annals of horse racing by the late Lucky Baldwin. It is now in the process of disintegration.

Another Baldwin Rancho—La Cienega—then owned by the Abilas and assessed at \$1,000, recently changed owners at seven million dollars, and is gradually being absorbed into the city.

Juan Froster—English born—manifested the traditional land hunger of the Briton in the acquisition of three ranchos aggregating 76,000 acres, which Don Antonio valued at \$17,293. Don Juan came to California before the Gringos and had a better opportunity to acquire real estate.

Don Manuel Garfias, owner of the Rancho San Pasqual on which that city of millionaires—Pasadena—is now built, was listed for \$3,200 on 12,600 acres. The Rancho really contained 13,600 acres but Don Antonio did not consider the land on the mesa and the banks of the Arroyo Seco where multi-millionaires have since built

their castles worth assessing even at *dos reales* or 25 cents an acre. Garfias in 1853 mortgaged the Rancho for \$3,000 at 5 per cent a month, interest compounded monthly, to complete and furnish a Casa Grande (grand house) he was building. He was a right royal entertainer and a jolly good fellow, but the fates were against him. That cancerous mortgage ate into his income day and night and he never could get enough ahead to cancel it or even to meet the interest. After struggling along for nearly a decade he gave up and the magnificent rancho, worth today fifty million dollars, changed owners by the foreclosure of that beggarly mortgage of \$3,000 and accrued interest. Such were some of the realities that took the romance out of the rancheros. The rancheros of many acres were optimists, they trusted the future. *Mañana*—to-morrow—would exorcise all evils. Why worry? But the glamour of romance that glistened life on the old time ranchos was often dispelled by the Shylock bond of the usurer that knew no tomorrow, that trusted no *mañana* for payment.

There were no millionaires in the old pueblo days. Juan Temple, the builder of the Temple Block, was the richest man in Los Angeles County in 1852. His assessment footed up \$108,000. He owned the Cerritos Rancho, containing 20,000 acres, which Coronel valued at \$7,500. The city of Long Beach is located on this rancho. An acre in the suburbs of that city would today sell for more than the rancho's 20,000 acres, sixty years ago.

Julius Verdugo was the largest land holder in the county in the early '50's. He was the owner of the magnificent Rancho San Rafael, containing according to Don Antonio, 114,000 acres, and assessed at \$24,000. It lies north and west of Los Angeles city and extending to the Arroyo Seco at Pasadena. The city of Glendale, the towns of Tropic and Eagle Rock, and the Los Angeles city suburbs of Highland Park and Garvanza, are located on this rancho. It is one of the oldest, if not the oldest, ranchos in Los Angeles County. It was granted October 20, 1784, by Governor Fages to Jose Maria Verdugo. It is a genuine Spanish grant. Most of the so-called Spanish grants were made by Mexican governors.

Don Antonio estimated the Island of Santa Catalina to contain 95,000 acres, and assessed the acreage at \$6,000, about  $6\frac{1}{4}$  cents, or half a *real*, an acre. The island then was heavily stocked with wild goats. These were considered of little value and it was impossible to list them for assessment. Many years ago an Argonaut of the fall of '49, or spring of '50, told me a weird tale of disaster that befell a number of those same goats that Don Antonio failed to enumerate for assessment. In the early mining days it was difficult, and sometimes impossible, for the miners in the camps lo-

cated high up in the Sierras to procure fresh meat and scurvy sometimes broke out in those camps. A speculative genius conceived the idea of capturing a band of those Catalina wild goats and driving them up into the mountain mining camps to furnish the miners with fresh meat. The goats were good climbers and could easily scale the mountains where cattle could not go.

He hired a squad of vaqueros and crossed over to the island. They succeeded in corralling quite a herd of goats. These they loaded on barges and brought them over to the mainland and started to drive the herd up country.

The climate of the mainland did not agree with the goats, it was too hot and dry; when they arrived at that land of sunshine, the Mojave desert, they were "tuckered out." They were urged on. When the speculator reached the opposite side of the desert with the forlorn hope of his flock there was a trail of dead goats behind from the Tehachapi range to Rabbit Springs. To use a modern slang phrase, the desert "got his goat." Out of pocket, utterly disgusted and cursing his folly, he abandoned the few survivors of his flock to their fate and then disappeared from the Land of the Afternoon.

Such was the tale told me long ago by an Argonaut of '49, as we sat by a camp fire in the gloaming of an autumn evening. It may have been a reality or it may be mere romance. Who knows? Those Argonauts—those searchers after the golden fleece of Phryxus' ram—were noted for their romancing—for their vivid imaginings for their erratic memories. They often cruelly imposed upon the credulity of new arrivals.

But to return from this digression. The vast ranchos into which California was divided in early days have disappeared from our maps. Subdivisions and resubdivisions have destroyed their identity. Few of the new comers can tell in what rancho their recently acquired realty is located. With but very few exceptions not an acre of the vast areas of land that Don Antonio assessed sixty years ago, to the land rich rancheros is owned now by their descendants. Gone, all gone, to the Gringos.

The Assessor's report for the fiscal year of 1856 is the first one in which the city valuation is segregated from the county:

|                                 |           |
|---------------------------------|-----------|
| Value of city real estate.....  | \$187,582 |
| Value of city improvements..... | 457,535   |
| Value of personal property..... | 1,213,079 |

|             |             |
|-------------|-------------|
| Total ..... | \$1,858,196 |
|-------------|-------------|

The assessed valuation of personal property was nearly double the aggregate of the real estate and improvements in the city.

The first board of county supervisors was elected June 14, 1852, and one of its first acts was to sit as a board of equalization. The process of equalizing by that board differed somewhat from the methods of our present board and city council. The members of that first board of equalization equalized mainly by "arguementing" as they called it, the number of cattle and horses owned by some of the rancheros, who evidently had failed to count correctly the number of animals they owned. One rancho had 250 wild horses added to his band at \$10 each. The supervisors corralled and added to the assessment roll over a thousand wild horses. Another cattle king had a thousand cattle added to his herd on the roll at \$12 each.

But the most singular lapse of memory from the viewpoint of today was that of the land baron, who guessed 800 acres short of the true amount of land he owned. As it was worth only "two bits" an acre or a trifle of \$200, it was not strange that he forgot it. Today, the owners of that forgotten realty would scorn an offer of a thousand dollars an acre.

The first Board of Supervisors has left this stigma upon the educational qualifications of one of the early assessors:

"Be it hereby ordered that inasmuch as the Board of Supervisors is satisfied that in the Assessor's list some of the names of taxpayers are so badly spelled that it is impossible to identify them, that the Assessor be required to correct the same for the Auditor, and as many who have English names have not been listed, the Assessor be required to appoint some suitable person who is acquainted with these people and understands English to collect poll tax and assess the amount of their property for each of the Townships of El Monte, San Gabriel and Los Angeles for a supplementary list to be returned on the first Monday of October, 1854."

If property values were low the tax rate was proportionately low. The rate for 1852, city and county combined, was \$1 on the hundred and the school tax 3 cents on the hundred.

Although in the early '50s it is alleged that crime was rampant in the old pueblo, it did not cost very much to control, or at least punish the criminal element. The district attorney's salary was \$1150 a year. The jailer was allowed \$6 a day for his services, and the following items from his bill for December, 1852, give the cost of feeding and warming the prisoners: Candles for 31 days, \$31; feeding prisoners, \$10; rawhides, \$8; wood, \$10. To one not acquainted with the customs of old pueblo days it may seem strange that it cost almost as much for rawhides as for food for the prisoners. The rawhides reduced the cost of feeding the culprits. They were used mostly on the Indian prisoners, although sometimes a white man was decorated with stripes. It was useless to fine an

Indian for his transgressions, as he never had any money. It was worse than useless to imprison him; he enjoyed prison life and grew fat on prison fare. The only punishment he feared was a whipping. His sentence was so many lashes, or if his offense was great and the penalty heavy, he was given a certain number of lashes and then sold to the highest bidder and compelled to work out the balance of his sentence at "four bits" a day.

Property values increased very slowly in early times and there were periods of retrogression.

The assessment for 1856 footed up \$2,490,000; that of 1866, \$2,350,000—a decrease of \$140,000 in 10 years. The decade between those dates was a period of the greatest depression the county has ever known. The great drouth of 1863 and 1864, when for two years there was scarcely sufficient rain to sprout the grass, swept \$2,000,000 from the assessment roll in the loss of horses, cattle and sheep starved to death. After the loss of their stock the land owners were left without resources and land almost ceased to have any value.

The assessments of real estate then, in view of the high price of the same property now, seem almost farcical. A judgment for \$4070 on account of delinquent taxes of 1863 was entered against the richest man in the county and all his real estate advertised for sale at public auction, December 12, 1864. The magnificent rancho Los Alamitos, containing 26,000 acres, adjoining the city of Long Beach, was offered for sale on account of unpaid taxes amounting to \$152, a sum that would not purchase the fractional part of an acre in it today. The rancho Bolsa Chica, containing 9000 acres, was offered for sale on account of unpaid taxes amounting to \$27.34.

But of all the vast landed possessions of that great cattle baron aggregating 200,000 acres, advertised for sale 46 years ago on account of unpaid taxes, the least valued parcel then is the most valuable now. This consisted of four Ord survey lots, 120x165 feet each, located respectively on the northwest and southwest corners of Main and Fifth streets; the southwest corner of Spring and Fifth and the southeast corner of Fort (Broadway), and Fourth streets. These magnificent business corners, worth today \$4,000,000, were offered at sheriff's sale December 12, 1864, for the beggarly sum of \$2.52 unpaid taxes and there were no takers. The tax on each lot was 63 cents and the assessed value 25 cents a front foot, or \$30 a lot.

Property values advanced slowly during the '60s and '70s. In July, 1881, 30 years ago, the lot on the northwest corner of Spring and Sixth streets sold for \$1500. Its assessed valuation was about

\$500, an amount that would not buy a front inch of it now, even if the 12-story skyscraper that stands on it were removed.

No people in the world's history, perhaps, ever grew rich so rapidly on assessment rolls as we have done in the past 10 or 11 years. In 1898, the total assessment of the county was \$93,256,089. In 1909, it was \$593,861,497—an increase of a few hundred thousands over \$500,000,000 in 11 years.

No more convincing object lesson could be given to illustrate our wonderful growth than to pile up the 71 huge volumes in which the taxable wealth of our county is written this year and on the top of this stack, the tax books of Orange and San Bernardino counties, those of part of Riverside and half of Kern—all of which territory was a part of Los Angeles county when Don Antonio Coronel on his trusty mustang traversed this vast area, seeking whom he might assess; then against this sky-scraper of tax rolls place the little blue calico-covered book in which Don Antonio wrote down the estimated wealth of the Dons and Donas of 60 years ago. On that stack of tax rolls—that Tower of Terror to the taxpayers—might be written the motto of a mercantile house, "Watch us grow."

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## IN MEMORIAM

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### JOHN DUSTIN BICKNELL

John Dustin Bicknell was born in Chittendon County, Vermont, June 25th, 1838. About the year 1850 his parents removed to the state of Wisconsin. His education was begun in the public schools of his native state and completed at Albion Academy, and the University of Wisconsin.

Early in 1859 he moved to Howard County, Missouri. In the spring of 1860 he joined a company of emigrants bound for California. Early upon the trip he was chosen to take charge of the train which consisted of forty wagons. There were eighty men in the company and a number of women and children.

Accompanying the train there were about three thousand head of stock—horses and cattle. The route taken by this train was what was then known as the Landers Cut-off, which was by the way of Fort Hall and Snake River.

The Indians were hostile all along the route that year and but few emigrant trains escaped their depredations.

Bicknell's train suffered from the Bannock tribes, whose country lay along the Upper Snake River.


Although his train suffered considerably in loss of stock, Mr. Bicknell brought the train through to Sacramento without the loss of a man. The ox train was five months and a half on the journey from the Missouri River to Sacramento.

In 1862 Mr. Bicknell joined the famous "Ho! for Idaho" gold rush and spent nearly two years in prospecting and mining in the Salmon River placer mines. Late in 1863 he returned to Wisconsin and took a law course in the University of that State. After graduating, he entered the law office of H. W. and W. D. Tenney at Madison, Wis. During the year 1866 he traveled through several of the Southern States looking for a location. He finally located in Greenfield, Dade County, Missouri, where he entered on the practice of law, and built up a large and lucrative practice. His health failing, he returned to California, and in the spring of 1872 located in the city of Los Angeles. In 1876 he formed a co-partnership with Stephen M. White. The firm ranked among the leading firms of the State. It was dissolved in 1888, when Mr. White was chosen United States Senator.

Mr. Bicknell, although always interested in civic affairs, was never an office seeker. In 1904 he consented to take the nomination of a member of the non-partisan city board of Education. The other nominees of this Board were J. S. Slauson, William J. Washburn, J. M. Guinn, Charles Cassat Davis, Joseph Scott and Emmet Wilson. They were pledged to take the schools out of politics. Although the Republican party had a majority of over ten thousand in the city, the non-partisan nominees were elected over the nominees of that party by a majority of three thousand. Mr. Bicknell was elected president of the Board. He devoted himself assiduously to the settlement of several legal questions without remuneration. In December, 1905, he resigned to accompany his daughter on a return voyage to meet her husband, an army surgeon, located in the Philippine Islands.

He joined the Historical Society of Southern California March 8, 1898. He took a deep interest in its work, and was a faithful member, although not often present at its meetings.

He died July 7th, 1911.





## SECRETARY'S REPORT

*To the Officers and Members of the Historical Society of Southern California:*

The following are the titles of papers read before the Society since the last report:

The Place of History and Literature in the Elementary Schools—Dr. Grant Karr.

Phantom Cities of the Boom—J. M. Guinn.

Evolution of Geography—Dr. Wm. H. Snyder.

California Names—Dr. Gilbert Baily.

The True History of Central Park—J. M. Guinn.

C. R. Conway, a Pioneer Publisher of Los Angeles—Geo. W. Hazard.

The Civic Association as a Factor of Greater Los Angeles—Mrs. M. Burton Williamson.

Early Mexican and California Relations with Japan—Dr. James Main Dixon.

Hubert Howe Bancroft: His Methods and His Work—Dr. Rockwell D. Hunt.

Pioneer Courts and Judges of California—J. M. Guinn.

Crabbe's Filibusters—H. D. Barrows.

Passing of the Old Pueblo—J. M. Guinn.

Attitude of California in the Civil War—Miss Imogene B. Spaulding.

The Reminiscences of a Pioneer—Prof. Percival J. Cooney.

Calendar of California Princes—Dr. Rockwell D. Hunt.

Pioneer Railroads of Southern California—J. M. Guinn.

Several of the papers read were not filed with the Secretary for publication.

The Society held eight meetings during the year (1911).

Number of new members elected, twenty-two.

One member withdrew and one died.

Respectfully submitted,

J. M. GUINN, Secretary.

## TREASURER'S ANNUAL REPORT

## RECEIPTS

|                                                        |          |
|--------------------------------------------------------|----------|
| January 27, 1911—From J. M. Guinn, ex-Treasurer.....   | \$160.22 |
| December 4, 1911—Membership fees and dues to date..... | 139.25   |
|                                                        | <hr/>    |
| Total.....                                             | \$299.47 |

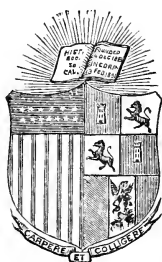
## DISBURSEMENTS

|                                                                        |          |
|------------------------------------------------------------------------|----------|
| March 13, 1911—To Mrs. E. M. Streator for maps.....                    | \$ 4.25  |
| June 6, 1911—To J. M. Guinn, stamps, envelopes, etc.....               | 14.25    |
| June 6, 1911—To Bryan. Garnier Co., engraving, etc.....                | 4.50     |
| June 6, 1911—J. B. Walters, printing .....                             | 180.55   |
| August 5, 1911—Dawson's Old Book Shop, Photos of the<br>Missions ..... | 20.00    |
| December 4, 1911—Balance on hand.....                                  | 75.92    |
|                                                                        | <hr/>    |
| Total.....                                                             | \$299.47 |

M. C. BETTINGER, Treasurer.

Los Angeles, Cal., Dec. 4, 1911.

# PUBLICATIONS



# Historical Society

OF

## Southern California

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## Volume VIII

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(ANNUAL PUBLICATIONS OF 1909-1910-1911)

PUBLISHED BY THE SOCIETY

LOS ANGELES, CALIFORNIA



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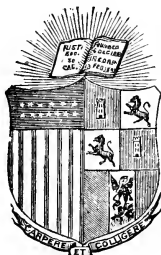






Organized November 1, 1883      Incorporated February 12, 1891  
PARTS I-II.      VOL. IX.

## ANNUAL PUBLICATIONS



# HISTORICAL SOCIETY

OF

## SOUTHERN CALIFORNIA

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1912-1913

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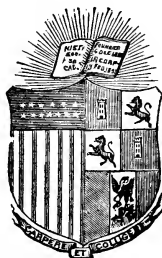
LOS ANGELES, CAL.

J. B. WALTERS, PRINTER  
105 East First Street  
1914



Organized November 1, 1883    Incorporated February 12, 1891  
PARTS I-II.    VOL. IX.

## ANNUAL PUBLICATIONS



# HISTORICAL SOCIETY

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LOS ANGELES, CAL.

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105 East First Street  
1914



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# Officers of the Historical Society

1913

## OFFICERS

GEORGE F. BOVARD, LL. D. . . . . President  
MRS. M. BURTON WILLIAMSON . . . . . First Vice-President  
ROCKWELL D. HUNT . . . . . Second Vice-President  
J. M. GUINN . . . . . Secretary and Curator  
M. C. BETTINGER . . . . . Treasurer

## BOARD OF DIRECTORS

GEORGE F. BOVARD, LL. D.    M. C. BETTINGER  
J. M. GUINN                    VALENTINE M. PORTER  
ROCKWELL D. HUNT            PERCIVAL J. COONEY  
MRS. M. BURTON WILLIAMSON



1914

## OFFICERS

GEORGE F. BOVARD, LL. D. . . . . President  
MRS. M. BURTON WILLIAMSON . . . . . First Vice-President  
ROCKWELL D. HUNT . . . . . Second Vice-President  
J. M. GUINN . . . . . Secretary and Curator  
M. C. BETTINGER . . . . . Treasurer

## BOARD OF DIRECTORS

GEORGE F. BOVARD, LL. D.    M. C. BETTINGER  
J. M. GUINN                    VALENTINE M. PORTER  
ROCKWELL D. HUNT            PERCIVAL J. COONEY  
MRS. M. BURTON WILLIAMSON





JAMES MILLER GUINN, A. M.

(From Photo of 1883)

One of the founders of the Historical Society of Southern California. Has served as Treasurer, President, Secretary and Curator. Member of the Board of Directors 1883 to date (1914). President of the Pacific Coast Branch of the American Historical Association, 1913.



## HISTORICAL SOCIETY OF SOUTHERN CALIFORNIA.

BY S. H. HALL.

(Read at the Thirtieth Anniversary of the Society's Organization, November, 1913.)

The Historical Society of Southern California owes its origin to a characteristic California trait. A citizen of a distant state, finding that his loyalty had lost nothing in transplanting to California soil, was soon seeking with patriotic fervor to preserve for posterity the story of his adopted state's past and the vital currents of her present life. Within a few months after Noah Levering had come to Los Angeles from an Atlantic state in 1875, he had seen the need for a historical society, and had determined to see this desirable end accomplished. In 1883 his perseverance was rewarded by the organization of the Historical Society of Southern California. In Vol. III, page 177, of this Society's publications, Mr. Levering tells how he began soliciting for this work during the County Fair of 1883, and how, after repeated discouragements, an organization was perfected on November 1st of that year. "I was soon convinced," says he, "that it was much easier to secure volunteers to quell a rebellion than to preserve the history of the same." One wealthy man wanted "Nothing to do with anything there is no money in." Of the twelve men who signed Mr. Levering's paper, three attended the first meeting at the Normal School and adjourned to meet at the City Court Room November 1st, when an organization was perfected.

The birth of the Society at this time was opportune, for it was a pioneer in Southern California, and it had no competitor in the state then. It had been preceded by the Historical Society of the State of California, organized April 29, 1852, but this society left no important record. Another association, known as the California Historical Society, published, in 1874, Palou's *Noticias de la Nueva California*, in four volumes, and at another time it published *Reglamento para el Gobierno de la Provincia de California*. This precocious youth seemed doomed to as early a death as its predecessor, leaving to the Southland the formation of a stable society. More than two years after the beginning of the Historical Society of Southern California a second California Historical Society was organized in San Francisco, March 6, 1886. After publishing 93

pages of general historical matter, it devoted its attention to the History of the College of California. In 1890 it published a paper by Prof. George Davidson entitled "Identification of Sir Francis Drake's Entry on the Coast of California."\* Since 1893 it has published nothing, and if now in existence it does not make known its activities.

Among all of these efforts the Historical Society of Southern California alone has persisted. In the Curator's report in 1900 he said, "Nearly all the larger states of the Union and many smaller ones have State Historical Societies supported by appropriations from the public funds. California has none. There is not to my knowledge any Historical Society now existing within her borders, except ours, which has made any collection or published any papers. If California is to have a State Historical Society, that duty seems to fall upon this body, which already has an honorable standing with state and other historical societies throughout the Union. This would be in keeping with the Society's purpose in its organization as set forth in the Constitution: viz., "the collection and preservation of all material which can have any bearing upon the history of the Pacific Coast in general, and of Southern California in particular."

Not only did the angel of death not smite this first born of the Southland, but from the day of birth, like a lusty youth, it has cried for milk, and has grown vigorous on homely fare. A homeless wanderer seeking shelter, light and warmth around both public and private hearths, it "had not where to lay its head" until far beyond its majority. Petition after petition to the city, county and state for a place of meeting met with temporary favor, only to be rejected a little later. In 1891 the Society obtained a partial promise of a room, fifty feet square, in the new court house, but the promise was not fulfilled. Then space was rented in the upper story of the northwest wing of the court house, for the nominal charge of \$5.00 a year, the lease to continue for two years if the county should not need it. The county soon needed it, and the minutes record that the Society met in the Los Angeles Public Library in May, 1892, and elsewhere the next meeting. In 1909 the Society again sought a room from the County Supervisors, but failed. At one time the state seemed about to come to the rescue, but the bill failed to receive the governor's signature. The migrations of the Society and its collection are well told by Mr. J. M. Guinn in Parts I and II, Volume VII, of the Society's publications. That the collections of the Society suffered much from lack of a proper place for storage and exhibit is shown by the report of Gen. Mansfield Feb. 1, 1886, that he found only four articles out of the many

\*From Publications of the Carnegie Society, 1908.

donated to the Society's Museum during the last two years. Because of such neglect and losses the Society found it necessary to appoint a Promotion Committee to arouse the interest of the community to the importance of securing historical material for the new Museum at Exposition Park. Sixty-four changes of places of meeting are recorded during fifteen years of the Society's history.

For some years before 1909 the Society had met at the homes of its members, but refreshments killed this, and it became necessary to find another meeting place. This is the only time that the Society has departed from its diet of homely fare, and then it paid the penalty for youthful indiscretions.

However, perseverance was soon to find its reward. In 1908 Dr. Rockwell D. Hunt became a member of the Society. Soon thereafter the Society began to meet in the halls of the University of Southern California, where with one exception it has continued to meet to the present time. One meeting was held, by request, in the Hollywood High School building, and was attended by about two hundred persons. In the following year the Society was assured of a fitting place for its Museum through the erection by the county of a Historical and Art Museum in Exposition Park. This Society was the pioneer in soliciting this building. In June, 1910, the Directors conferred with William M. Bowen in regard to quarters in the projected building. The Academy of Science, the Fine Arts League and the Cooper Ornithological Society were invited to unite in interviewing the Board of County Supervisors to ask that they appropriate funds to fit up the building. They promised means. The building and contents are managed by a Board of Governors, composed as follows: Two each from the Historical Society, the Academy of Science and the Art League, one from the Cooper Ornithological Institute, one at large and the President of the Board of Supervisors. This building cost about \$250,000. In the corner stone are deposited the names of all members of the Historical Society to December 5, 1910.

With the entry of the University influence into the Society in 1908 came a liberal increase in membership from the University faculty; as many as five or six members being admitted at a single meeting. A little later the public schools became interested, and the Superintendent and many of the principals and teachers have become members. It rests with these recent members to carry forward the work which the pioneers of the Society have borne with self-sacrifice for twenty-seven years.

An average of about sixteen papers has been read before the Society each year, or a total of about four hundred eighty papers in thirty years. Of these Mr. J. M. Guinn has read a total of eighty-six

papers, or eighteen per cent of the total. Seventy of his papers are published in the Society's annuals. He has been the Society's President, its Treasurer for seven years, and its Secretary and Curator for more than twenty years, and a member of the Board of Directors since its organization. The steadfastness of purpose of the founders is further evidenced by the fact that in thirty years of its life the Society has had but eight secretaries, but five treasurers, and but three curators, and of these sixteen names twelve are found among the twenty-two founders of the Society. The membership of the Society, however, has not been limited to a few men. The roll of members includes two hundred names. Nor has either the membership or the work been entirely local. The publication of the *Sutro* documents concerns all California, and there are papers on the history of Arizona and New Mexico, and on timely topics of statewide interest, such as "Anti-Japanese Legislation." The Society has also sought the best interests of the state, even when that involved the promotion of the welfare of other organizations. It has solicited and obtained for the Museum the collection owned by the Native Sons of the Golden West and has sought collections from Miss Fremont, Mrs. Hollenbeck, Miss Wills and from the Chamber of Commerce. It has also sought to have the Board of Supervisors take an interest in marking historical landmarks. It has joined with the University of Southern California in inviting the Pacific Coast Branch of the American Historical Association to meet in Los Angeles (in November) and the invitation has been accepted.

The Society has received about \$4,000.00, all from the purses of its own members, and it has expended about \$3,800.00 in the publications and in the purchase of books. It has published twenty-nine annuals, of which it has distributed eleven thousand copies. These publications have gone to prominent citizens and to members, to newspapers in Southern California, a number of public libraries in the United States, to the Smithsonian Institution, to Mexico, Canada, Northern Alaska, England, Germany, Spain, Italy, Sweden and Australia, and have exchanged with the leading Historical Societies of the United States and Canada and with the Library of Congress, the American Historical Association, the Bureau of American Ethnology. The requests for exchange of publications from Historical Societies, Universities and Literary Associations are far beyond the power of the Society to comply with.

It is to be expected that a being of such vigor should have dreamed dreams and seen visions in youthful days, and records bear abundant testimony to this trait. At a regular meeting January 6, 1884, when the Society was but two months old, it considered a proposition to buy all or a part of the library of Mr. Alphone L. Priest, which

was to be sold at auction in Paris one month later. It contained many books of interest to the Society. In that same year the distribution of the Society's publication was undertaken, as detailed elsewhere in this paper.

In January, 1885, the Society provided a "Historical Tablet in which shall be recorded the corrections of Apocryphal History, both local and general." In April, 1885, Mr. Levering proposed securing pictures of prominent residents of Southern California, and E. W. Jones suggested also pictures of old houses in Los Angeles, and old maps or copies of the same. In addition to the objects heretofore mentioned, *viz.*, the collection of material which can have any bearing upon the history of the Pacific Coast and upon Southern California, the first constitution also names the discussion of Historical, Literary and Scientific subjects and the reading of papers thereon, and the trial of such scientific experiments as shall be determined by the Society. The following committees were at one time maintained by the Society: Publication, History, Geology, Meteorology, Botany, Genealogy and Heraldry, Mineralogy, Entomology, Conchology. Later a committee on Archæology was appointed. In his retiring address in 1890 President E. W. Jones advised the study of records of the ancestors of Californians from every nation, their races, family, history, occupations, recreations, sports and dissipations, their soul-stirring achievements and the gentle flow of their social life.

That such hopes were not wholly visionary has already been shown by the later history of the Society. It is further evidenced by the Society's participation in exhibits of general and even world-wide interest. It loaned to the World's Fair Auxiliary "Such articles as will best represent the work it is doing," including the Sutro documents, and these were exhibited at the World's Fair in Chicago, eliciting compliments from eastern papers. An exhibit was also sent to the Midwinter Exposition at Seattle, to the Los Angeles Home Products Exposition, and to the World's Fair in St. Louis, and one has been solicited for the Panama-Pacific Exposition in San Francisco, 1915.

Every organization as well as every human being has its distinctly human side, the little incidents of daily life, sometimes humorous, sometimes serious, which make us feel the real touch of kinship. While meeting at the court room in the Nadeau Block during the winter of 1885, it became necessary to appoint a committee on lack of gas. This committee reported "That the gas was shut off purposely by the manager of the Nadeau block under the impression that the Society, finding no light in that room, would be compelled to hire another of him."

At a meeting on Nov. 20, 1885, "A Succinct History of Los Angeles for 104 Years," printed in the *Evening Express*, was criticised on matters of fact, and a committee was appointed to investigate. It was charged that the criticism was inspired by a representative of the *Los Angeles Times* because of the rivalry between the two papers. In 1891 C. C. Stephens was authorized to replevin the bound files of the *Tribune* in the hands of a certain person which had been garnisheed by creditors of the *Tribune*. (The *L. A. Tribune* that ceased publication in 1890.)

Among the books belonging to the Society are some very rare and valuable as source material. Such are the following: "Narrative of a California Volunteer," a bound manuscript volume of one hundred thirty-eight pages of foolscap, written by Judge Walter Murray; a manuscript copy of Colonel Warner's *Reminiscences of Early Days in California*; a collection of old Spanish manuscripts pertaining to the missions and the early days of California; the *Sutro Documents*, which are copies of valuable originals in the Archives of the Indies in Seville, Spain; and the log book of *Hermesilia* that made a voyage from New York to San Francisco via Cape Horn in 1849.

The collection of such books after the exhaustive work of Hubert Howe Bancroft shows the need for such a Society as this. With a permanent place for the housing and exhibition of its collection, with a regular place for meeting, with the spread of interest in the Society within the past four years, with a virgin field of current history which grows richer and more complex every year of our wonderful development, the Society looks out upon a future rich with promise.

#### NAMES OF FOUNDERS.

The organization of the Society was completed December 6, 1883.

The Society has designated the following named persons as founders:

Henry D. Barrows  
 \*Marcus Baker  
 \*Edwin Baxter  
 \*A. J. Bradfield  
 \*A. F. Coronel  
 \*J. G. Downey  
 \*George Butler Griffin  
 J. M. Guinn  
 \*George Hansen  
 \*Volney E. Howard  
 †E. W. Jones

\*Isaac Kinley  
 \*A. Kohler  
 \*N. Levering  
 \*John Mansfield  
 \*Ira More  
 \*John B. Niles  
 †J. W. Redway  
 \*J. O. A. Stanley  
 \*J. J. Warner  
 †J. P. Widney  
 †C. N. Wilson

\* Dead. † Resigned.



## PUBLISHED PAPERS.

The following is a list of the contributions to the Historical Society's publications by J. M. Guinn:

1889.

History of the Attempts to Divide Los Angeles County.

1890.

Inaugural Address (President's).

The Great Real Estate Boom of 1887.

Exceptional Years.

Report of the Committee on "Meteorology."

1893.

Early Gold Discoveries in Southern California.

Siege and Capture of Los Angeles, September, 1846.

Los Angeles in the Later '60s and Early '70s.

1894.

California Fifty Years Ago.

Historical Debris, or Myths That Pass for History.

1895.

The Plan of Old Los Angeles.

1896.

Old Time Schools and School Masters of Los Angeles.

Captain Jedediah Smith, the Pathfinder of the Sierras.

Historical Houses of Los Angeles.

Capture of Monterey, October 19, 1842.

1897.

Early Postal Service in California.

Old Pueblo Archives.

Los Angeles in the Adobe Age.

Pioneer School Superintendents of Los Angeles.

1898.

Fifteen Years of Local History Work.

Some Famous Gold Rushes.

Old Fort Moore.

El Estado Libre de Alta California.

1899.

Muy Ilustre Ayuntamiento.

In the Old Pueblo Days.

Story of a Plaza.

Battle of Dominguez Ranch.

1900.

To California Via Panama in the Early '60s.  
 Historic Seaports of Los Angeles.  
*La Estrella*, the Pioneer Newspapers of Los Angeles.  
 Rev. A. M. Hough (biography).

1901.

The Passing of the Old Pueblo.  
 Camel Caravans of the American Desert.  
 The Pony Express.

1902.

Poetry of the Argonauts.  
 El Cañon Perdido.  
 Some Eccentric Characters of Early Los Angeles.  
 Pioneer Ads and Advertisers.

1903.

Fort Moore.  
 Two Decades of Local History.  
 Yuma Indian Depredations and the Glanton War.  
 In the Days of '49.  
 The Myth of Gold Lake.

1904.

Down in Panama.  
 Some Historic Fads and Fakes.  
 Rain and Rainmakers.

1905.

How California Escaped State Division.  
 The Old Highways of Los Angeles.

1906.

Some Early California Industries That Failed.  
 Some California Place Names.

1907 and 1908.

California Under the Rule of Spain and Mexico.  
 The Pioneer Directory of Los Angeles.  
 Twenty-Five Years of Local History Work.  
 Las Salinas.  
 A Forgotten Landmark.  
 From Pueblo to Ciudad.

1909 and 1910.

Museum of History, Science and Art.  
 The Sonoran Migration.  
 The Passing of the Cattle Barons of California (from *The Pacific Monthly*, by permission).  
 The History of Cahuenga Valley and the Rancho La Brea.





### THE NADEAU BLOCK

Southwest corner of Spring and First Streets—The Historical Society completed its organization in this building Dec. 6, 1883, and occupied a room in the northwest corner for two years. The Society gave a reception in these rooms to General and Mrs. J. C. Fremont. The Nadeau was erected in 1882. The cut shows the building and its surroundings as they were in 1886. The low buildings in front cover the present site of the Wilson Hotel. Between the Nadeau and Second Street in 1882 were a horse corral, a planing mill and a school-house.

1911.

From Cattle Range to Orange Grove (by permission of *The Pacific Monthly*).

Pioneer Courts and Judges of California.

The Beginnings of the Los Angeles School System.

Pioneer Railroads of Southern California.

True History of Central Park.

The Gold Placers of Los Angeles.

The Romance of Rancho Realty.

1912 and 1913.

Juan Flaco's Ride.

The Lost Mines of Santa Catalina.

Passing of Our Historic Street Names.

## J. M. GUINN'S UNPUBLISHED PAPERS

These papers were read before the Society, but have not been published in the Society's annuals. Most of these have been published in newspapers and magazines:

The Historical Society of Southern California. Its Past, Present and Possible Future.

The Great Storm of Feb. 22, 1891.

Extracts from the Diary of a Pioneer of 1838.

Fragments of Local History.

Meteorological Myths and Superstitions.

Mission Secularization and the Passing of the Neophytes.

From Monarchy to Republic.

The Indians of Los Angeles Valley—Their Customs, Myths and Traditions.

Our Fourteenth Birthday.

The Evolution of the Pueblo de Los Angeles.

Phantom Cities of the Boom.

The Myth of El Camino Real.

Thirty Years' Work and Worry of Our Historical Society.

## OFFICERS.

## PRESIDENTS.

|                          |      |
|--------------------------|------|
| COL. J. J. WARNER.....   | 1883 |
| COL. J. J. WARNER.....   | 1884 |
| GEN. JOHN MANSFIELD..... | 1885 |
| ISAAC KINLEY.....        | 1886 |
| IRA MORE.....            | 1887 |
| HENRY D. BARROWS.....    | 1888 |
| E. W. JONES.....         | 1889 |
| J. M. GUINN.....         | 1890 |
| GEO. BUTLER GRIFFIN..... | 1891 |

|                         |                      |
|-------------------------|----------------------|
| IRA MORE.....           | 1892                 |
| E. W. JONES.....        | 1893                 |
| C. P. DORLAND.....      | 1894                 |
| EDWIN BAXTER.....       | 1895                 |
| FRANK J. POLLEY.....    | 1896                 |
| J. D. MOODY.....        | 1897                 |
| J. D. MOODY.....        | 1898                 |
| A. E. YEREX.....        | 1899                 |
| WALTER R. BACON.....    | 1900 to March, 1908  |
| WILLIAM L. JUDSON.....  | March, 1908, to 1910 |
| GEO. FINLEY BOVARD..... | 1910 to date         |

## VICE-PRESIDENTS.

|                                                                 |              |
|-----------------------------------------------------------------|--------------|
| H. D. BARROWS, E. W. JONES.....                                 | 1883         |
| H. D. BARROWS, A. F. CORONEL, J. G. DOWNEY, JOHN MANSFIELD..... | 1884         |
| A. F. CORONEL, IRA MORE, J. J. WARNER, ISAAC KINLEY.....        | 1885         |
| H. D. BARROWS, E. W. JONES, IRA MORE, REV. J. ADAM.....         | 1886         |
| H. D. BARROWS, E. W. JONES.....                                 | 1887 to 1889 |
| C. N. WILSON, EDWIN BAXTER.....                                 | 1889         |
| E. W. JONES, GEO. BUTLER GRIFFIN.....                           | 1890         |
| JOHN MANSFIELD, JOHN P. P. PECK.....                            | 1891         |
| C. P. DORLAND, MISS T. KELSO.....                               | 1892         |
| EDWIN BAXTER, H. D. BARROWS.....                                | 1893         |
| H. D. BARROWS, MRS. M. BURTON WILLIAMSON.....                   | 1894         |
| MRS. M. BURTON WILLIAMSON, REV. J. ADAM.....                    | 1895         |
| MRS. M. BURTON WILLIAMSON, A. C. VROMAN.....                    | 1896         |
| MRS. M. BURTON WILLIAMSON, E. W. JONES.....                     | 1897         |
| A. E. YEREX, MRS. M. BURTON WILLIAMSON.....                     | 1898         |
| H. D. BARROWS, REV. J. ADAM.....                                | 1899         |
| J. D. MOODY, MRS. M. BURTON WILLIAMSON.....                     | 1900         |
| A. C. VROMAN, MRS. M. BURTON WILLIAMSON.....                    | 1901         |
| J. D. MOODY, MRS. M. BURTON WILLIAMSON.....                     | 1902         |
| A. C. VROMAN, MRS. M. BURTON WILLIAMSON.....                    | 1903         |
| MRS. M. BURTON WILLIAMSON, DR. J. E. COWLES.....                | 1904         |
| MRS. M. BURTON WILLIAMSON, HON. HENRY E. CARTER.....            | 1905 to 1908 |
| MRS. M. BURTON WILLIAMSON, MILLARD F. HUDSON.....               | 1908         |
| MRS. M. BURTON WILLIAMSON, R. D. HUNT.....                      | 1909         |
| MRS. M. BURTON WILLIAMSON, DR. ROCKWELL D. HUNT.....            | 1910         |
| MRS. M. BURTON WILLIAMSON, BURT O. KINNEY.....                  | 1911 to 1913 |
| MRS. M. BURTON WILLIAMSON, R. D. HUNT.....                      | 1913         |

## SECRETARIES.

|                   |              |
|-------------------|--------------|
| MARCUS BAKER..... | 1883         |
| C. N. WILSON..... | 1884 to 1885 |

|                          |                                     |
|--------------------------|-------------------------------------|
| J. C. OLIVER.....        | 1886                                |
| EDWIN BAXTER.....        | 1887 to 1888                        |
| B. A. STEPHENS.....      | 1889, and to July, 1890             |
| C. L. GOODWIN.....       | July, 1890, to January, 1891        |
| B. A. STEPHENS.....      | 1891                                |
| GEO. BUTLER GRIFFIN..... | December, 1891, to December 5, 1892 |
| J. M. GUINN.....         | December 5, 1892, to date (1914)    |

## TREASURERS.

|                      |                     |
|----------------------|---------------------|
| J. M. GUINN.....     | 1883 to 1890        |
| H. D. BARROWS.....   | 1890                |
| J. M. GUINN.....     | 1891                |
| C. P. DORLAND.....   | 1892                |
| C. P. DORLAND.....   | 1893                |
| EDWIN BAXTER.....    | 1894                |
| H. D. BARROWS.....   | 1895                |
| EDWIN BAXTER.....    | 1896 to 1910        |
| M. C. BETTINGER..... | 1911 to date (1914) |

## CURATORS.

|                          |                     |
|--------------------------|---------------------|
| IRA MORE.....            | 1885 to 1891        |
| GEO. BUTLER GRIFFIN..... | 1892                |
| J. M. GUINN.....         | 1893 to date (1914) |

## HISTORICAL SOCIETY'S OUTLOOK.

BY ROCKWELL D. HUNT, PH. D.

In an appropriate program, the Historical Society of Southern California has just celebrated the thirtieth anniversary of its founding. It has had a checkered career, and at times its existence has been decidedly precarious. The principal founder, Mr. Noah Levering, together with an overwhelming majority of the charter members, has long since passed to the great beyond. There remains active in the Society today only one of the founders, Mr. J. M. Guinn, secretary and curator. This anniversary occasion, together with the formal opening of the Historical Museum in Exposition Park and the Thanksgiving Meeting in Los Angeles of the Pacific Coast Branch of the American Historical Association, serves to focus attention upon this non-commercial body of lovers of history and particularly on its outlook for the future.

Having laid its foundations and having passed through the vicissitudes of the period of storm and stress, the Society is in position to look toward the future with confident hope. For years it had no abiding place; now it is assured a comfortable home in the new Museum building. Its valuable collection of books and relics was for half a generation almost literally thrown about from pillar to post; today, handsome mahogany cases are at its disposal, and a trained librarian is putting its books and documents into usable form. It is indeed taking on a new lease of life. The opportunity that now presents itself to the Historical Society of Southern California seems to me to be one of splendor. What are the chief elements of this vision of the future, and what must the Society do to make its dreams come true?

In the first place, there should be a larger and more representative membership. Henceforth, there will be no excuse for not having on the roll of members teachers and writers of history from all the southern colleges and universities as well as our great secondary and intermediate schools. The Society is neither partisan nor sectarian; hence political affiliation or religious creed is no barrier to any student of history. Special welcome should be extended to Catholic scholars, since the Catholic church played so large a part in the early history of our commonwealth. Representatives of old Spanish families should be attracted, and Native Sons and Native



Daughters of the Golden West should by no means be overlooked. Indeed, there is no doubt that the application of any man or woman imbued with the spirit of our romantic history will be favorably acted upon.

The Society will not be content with a meager collection of books hidden away where they can do no one any good and a handful of relics kept away from the sight of the busy throngs; it will demand that its Library and Museum become a great and living institution. To that end the present collection of books and historical materials—by no means to be despised either as to quantity or quality—must be regarded as a mere nucleus, which will attract a steadily accelerating current of important volumes and articles. An expert librarian must be ever ready to serve the public; every facility for research work must be accorded to the investigating scholar. Through these agencies the Society must assiduously collect and preserve current materials—the deed of today becomes the history of tomorrow. Publications of other historical societies, university publications, government reports, newspaper files, programs of local celebrations, political circulars, records of industrial disputes, and all kinds of interesting ephemera must be industriously and ceaselessly gathered in, classified and made available to all comers.

The enviable record of the Society in publishing historical studies and sources must be sustained: from the vantage ground of the eight volumes of publications, sought after far and wide, the Society must go forward in putting forth still more worthy studies, substantial and authentic monographs, and translations and reprints of important but unavailable documents. If the very best is to be accomplished, there must be a great coöperative work of love among historical scholars, for no one has leisure or ability to compass the task alone. A larger number of enthusiastic members must be producing historical papers: each will prove a healthy stimulus to the others.

It should be the legitimate aim of every historical society to promote and improve the teaching of history. The true university professor must be a trained and competent investigator; the high school instructor will be a better teacher if he is spurred to be also a productive scholar; the teacher of history and civics in any grade of advancement will be more efficient for being an active member of an alert historical society. Moreover, the Society should make it a special point to note and investigate the work being done in schools of every grade, analyze the courses offered, scrutinize the teachers' syllabi, and thus stimulate to a higher standard this most important branch of study. As it enters hopefully upon a new era of endeavor, the local Historical Society will seek the efficient dis-

charge of all its more significant functions, including the following:

1. Collection and preservation of every kind of historical data, not only that which is already recognized as of historical value, but also present-day materials that will become increasingly important with the flight of the years.

2. Investigation of state and local history. The particular field for the local Society is Southern California: this field, full of richness in spite of the good work already done, must be assiduously cultivated.

3. Publication of results in permanent form. This is not only a spur to those patiently engaged in the work of research, but is also a contribution to scholarship everywhere and a genuine service to posterity.

4. Fostering better standards of history teaching, a function that has hitherto been too much obscured, but that is magnified in importance when one considers the necessity of sound instruction as a condition to sound, intelligent citizenship.

5. Creation of the historical consciousness. There is no safer antidote to wild and irrational social agitation than the sane ballast of historical-mindedness; this it is an important function of the Historical Society and of historical studies to create and sedulously preserve. Acquaintance with our history interprets the past to the present and shows us how the things that are came to be from the things that were.

Without seeking to enumerate other and more secondary functions proper enough in themselves—the marking of historical sites, the study of genealogy and heraldry, combating the more commercial if not sordid spirit everywhere so rife, the pursuit of antiquarianism, and the rest of them—it will suffice to remark that the Historical Society of Southern California, deserving well of this public, is today the possessor of a splendid opportunity. Standing upon an honorable past, let it build well the superstructure on the enduring foundations already laid.

## JUAN FLACO'S RIDE.

AN INCIDENT IN THE CONQUEST OF CALIFORNIA.

BY J. M. GUINN.

Throughout the centuries of the evolution of the human race from barbarism to civilization the horse has been, both in peace and in war, the ally of man. The monument built to honor some military hero might often be dedicated as well to the horse he rode; for the victories won may have been due as much to the prowess of the steed as to the bravery of the rider.

“And when their statues are placed on high,  
Under the dome of the Union sky—  
The American soldiers' Temple of Fame—  
There with the glorious General's name  
Be it said in letters both bold and bright:  
'Here is the steed that saved the day  
By carrying Sheridan into the fight,  
From Winchester—twenty miles away'.”

Historians have lauded the prowess of the war horse and poets from Job to Buchanan Reed have sung his praises.

Before the days of the telegraph he alone was the swift-footed messenger that bore away from the battle fields the tidings of victory or defeat, and when a beleaguered army was beset on all sides by an enemy the hope of deliverance rested in the speed of some fleet-footed horse and the endurance of his rider.

In the story of the conquest of California by the Americans in 1846 is the brief mention of one of the most daring rides and most wonderful feats of human endurance recorded in history.

It is the ride of Juan Flaco from Los Angeles to San Francisco—six hundred miles in four days.

For a better understanding of the necessity that impelled him to make his wonderful ride a brief review of the military situation at Los Angeles is necessary.

On the 7th of July, 1846, Commodore Sloat, in command of the Pacific fleet, raised the American flag on the custom house at Monterey and took possession of California in the name of the United States. The northern and central portions of the territory submitted without a show of resistance, but Pio Pico, the governor, and Juan

Castro, the military *comandante*, still maintained a form of government at Los Angeles, the capital, and were marshaling their forces to resist invasion.

Commodore Sloat resigned a few days after taking possession of California and was succeeded by Commodore Stockton. He set about organizing an expedition to complete the conquest. Captain Fremont, with his band of explorers recruited to 150 men, was sent by sailing vessel to San Diego, there to secure horses, and, with his battalion mounted, to form a junction with Stockton's forces for the subjugation of Los Angeles. On the 6th of August, Stockton with a force of three hundred and sixty sailors and marines landed at San Pedro. These were drilled in military movements on land and prepared for the march to Los Angeles, twenty-five miles distant.

On the 13th of August the forces of Stockton and Fremont united just south of Los Angeles and entered the city without resistance. Gen. Castro, at the approach of the Americans, had disbanded his army and with a few of his leading officers left for Sonora by the Pass of San Gorgonia and the Colorado desert; Pio Pico, the governor, fled southward, eventually reaching Lower California.

After remaining about two weeks in the capital, Commodore Stockton, considering the conquest of California completed; with his sailors and marines sailed for San Francisco, and Fremont with his battalion a few days later took up his line of march for Monterey. Captain Archibald Gillespie with a garrison of fifty men detached from Fremont's battalion was left to hold Los Angeles and keep the turbulent element of that hotbed of revolutions in subjection; and in accordance with the instructions of the secretary of war "to encourage neutrality, self-government and friendship."

Captain Gillespie was not a success in controlling the revolutionary element of the capital city, nor did he succeed in encouraging friendship. Historians have accused him of attempting to transform the ease-loving Californians into straight-laced Puritans by military regulations. Whether his attempt "by a coercive system to effect a moral and social change in the habits, diversions and pastimes of the people" was the cause or whether it was a patriotic impulse to free themselves from the rule of a nation foreign to them in customs and religion it is not necessary to our subject here to discuss.

The 15th of September is the national holiday of Mexico. In the olden time in California it was celebrated by festivities that might last for a week. Gillespie's quarters were in the government house which stood within a corral surrounded by an adobe wall. On the night of the 22nd of September a number of Californians and Sonorians filled with patriotism and perhaps with

wine made an attack on Gillespie's garrison. A desultory battle raged throughout the night, the Americans firing from behind the adobe wall, and the Californians from any cover they could obtain. Gillespie claimed to have beaten back his assailants "without loss to ourselves, killing and wounding three of their number." The next day he sent out Lieutenant Hensley with a squad of soldiers and arrested a number of the leading citizens and confined them in his quarters as hostages.

In less than twenty-four hours Gillespie had a full-fledged Mexican revolution on his hands. Castro's disbanded soldiers rallied at their old camp on the Paredon Blanco (White Bluff). From this camp on the 24th of September was issued the famous *Pro-nunciamento de Varela y otros Californians contra Los Americanos* (The Proclamation of Varela and other Californians against the Americans.) It was signed by Serbulo Varela, Leonardo Cota and over three hundred others. It was intended to fire the Californian heart and arouse his latent patriotism. In fiery invective and fierce denunciation it is the equal of Patrick Henry's famous "Give me liberty or give me death." Its recital of wrongs inflicted by the Americans is as grievous as are those charged to George III in our own Declaration of Independence.

Jose Maria Flores, a paroled Mexican officer, was placed in command of the insurgents. Gillespie, finding his quarters in the government house could not be defended, moved his small force to the top of a steep hill that overlooks the town from the west. He took with him three old iron cannon that had been abandoned by Castro. These placed on *carretas* (wooden-wheeled carts) were dragged up a steep ravine and mounted on commanding positions. He had hammered out from lead pipes found in a distillery cannon balls and grape shot and with home-made cartridges for his artillery he prepared for defense. Flores' soldiers numbering six to one of Gillespie's men formed a picket line around the hill and began a siege of the Americans. The Californians had one fine brass cannon, but on account of the elevation could not make effective use of it.

There was but little firing between the combatants, an occasional volley by the Californians and desultory shots from the Americans when the enemy approached too near. The Californians were well mounted but poorly armed, their weapons being principally short-range muskets, shot guns, lances and riatas, while the Americans were armed with long-range rifles of which the Californians had a wholesome dread. The fear of these arms and his cannon doubtless saved Gillespie and his men from capture and possibly massacre.

The situation of the Americans was indeed desperate. They were

surrounded by an overwhelming force, their supplies cut off and the nearest post from which they could receive assistance was San Francisco, and the country between in the hands of the enemy. To carry a message to Commodore Stockton 600 miles away, through the enemy's country was an undertaking that the bravest shrank from.

It was at this emergency that Juan Flaco volunteered to undertake the perilous feat. Captain Gillespie thus narrates the occurrence: "On the evening of the 24th of September a little before sunset Juan Flaco (called so by the country people in consequence of his exceeding leanness; and famous for the feats of express riding he had performed—his real name is John Brown), presented himself to me in the garrison and volunteered to take a dispatch to San Francisco for Commodore Stockton 600 miles distant."

"Knowing how closely we were besieged I considered the undertaking fraught with great danger. He persisted in going and I gave him several packages of paper cigaretts. On the inside of each cigar paper of one package I wrote "Believe the bearer" and affixed my seal which was known to my friends."

Flaco started at 8 P. M. on a fleet horse, "and with nothing but his riata (lasso) for his support and hope of relays of horses." Pretending to be a deserter from the garrison, he attempted to make his way through the enemy's lines, but his true character being suspected he was pursued by a squad of fifteen Californians. A hot race ensued. Finding the enemy gaining on him he forced his horse to leap a wide ravine. A shot from one of his pursuers mortally wounded his horse which after running some distance fell dead. Flaco carrying his spurs and riata made his way on foot to the rancho of an American living in the Santa Monica mountains; there he obtained another mount and again started on his long journey.

At 11 P. M. of the 25th he reached Santa Barbara. On giving one of his talismanic cigarettes to Lieutenant Talbott, who with a small force was holding that town, he was furnished with a fresh horse. After leaving Santa Barbara he was chased by a squad of the enemy's lancers. He rode his horse to death to escape his pursuers, but before it fell to rise no more he reached the rancho of Captain Robins, where he obtained a fresh mount. Late the evening of the 26th he arrived at the rancho of Louis Burton, where he procured a fresh horse. The next night he arrived at Monterey. Here he was given refreshments and allowed a short time to sleep. He was furnished a race horse by Captain Maddox and was off on the last stage of his long ride. He reached San Francisco at 8 P. M. of the 28th, having ridden 600 miles in four days. He slept on the

beach that night and next morning when the Commodore's boat landed he gave his message to Stockton.

Colton, who was the Alcalde of Monterey at that time notes Flaco's arrival there and says in his "Three Years in California" that he (Brown) "rode the whole distance from Los Angeles to Monterey, 460 miles, in fifty-two hours, during which time he had not slept. His intelligence was for Commodore Stockton, and in the nature of the case was not committed to paper, except a few words rolled in a cigar fastened in his hair. But the Commodore had sailed for San Francisco and it was necessary he should go 140 miles further. He was quite exhausted and was allowed to sleep three hours. Before day he was up and away on his journey."

Colton and Gillespie both made the distance from Los Angeles to San Francisco 600 miles. The actual distance by the coast route—the one taken by Flaco—is about 500 miles. Counting the detours Flaco made from the direct road to avoid hostile parties of Californians and the deviation from the trail to procure fresh horses he doubtless rode 600 miles.

The trail over which Flaco made his wonderful ride was not like the road from Winchester town, "a good broad highway leading down." It was what the Spaniards call a camino de herradura—a bridle path—now winding up through rocky cañons, skirting along the edge of precipitous cliffs, then zigzagging down the steep sides of the chaparral-covered mountains, now over the sands of the sea beach and again across long stretches of brown mesa; winding through narrow valleys and across rolling foothills, a trail as nature made it, unchanged by the hand of man—such was the highway over which Flaco's steeds "stretched away with utmost speed."

Take it all in all, Flaco's ride has no parallel in history for speed, distance and endurance. To paraphrase Whittier's "Skipper Ireson's Ride"—

"Of all the rides since the birth of time,

Told in story or sung in rhyme,

The *fleetest* ride that ever was sped"

Was Juan Flaco's ride from Los Angeles to San Francisco.

Longfellow has immortalized the ride of Paul Revere, Robert Browning tells in beautiful verse of the riders who brought the good news from Ghent to Aix, and Buchanan Read thrills us with the heroic measures of Sheridan's Ride. No poet has sung of Juan Flaco's wonderful ride fleetier, longer and more perilous than any of these. Flaco rode 600 miles over mountain and plain through an enemy's country to bring aid to a besieged garrison, while Revere and Sheridan were in the country of their friends or protected by an army in front.

Once entered on his perilous ride there was no stop, no stay for Flaco. To halt for rest might bring his pursuers upon him and capture meant an ignominious death at the end of a riata. To push on might be to ride into his enemies in front. To the fleetness of his steeds and to his intimate knowledge of the country Flaco owed his escape from capture and death.

It is disappointing to know that Flaco's perilous ride was made in vain. On the receipt of his message Commodore Stockton set about sending relief immediately. Captain William Mervine, commanding the frigate *Savannah*, was ordered to prepare to go to sea at once. The vessel set sail and ran down the bay with a fine breeze. "The Captain," says Gillespie, "happening to think of some frivolous thing he wanted from Sausalito, cast anchor and went ashore. Before he was ready to sail again, a dense fog set in and detained the vessel three days."

In the meantime Gillespie's men were bravely holding the hill, but were worn out with constantly watching and guarding against an assault.

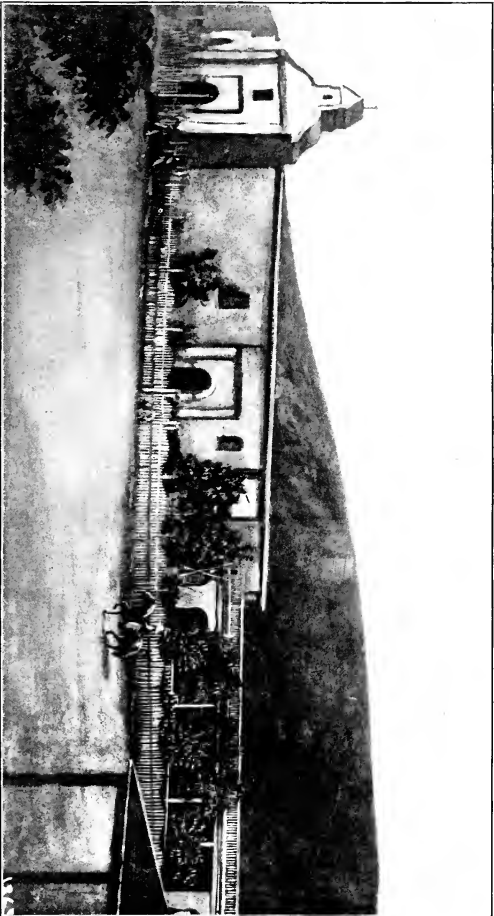
The obstinate resistance of the Americans enraged the Californians. If Gillespie continued to hold the town his obstinacy might bring down their vengeance not only upon him and his men but upon many of the American residents of the south who had become Mexican citizens by naturalization, but who sympathized with the Americans and favored them whenever an opportunity offered.

Finally, General Flores, after several attempts to negotiate terms of surrender issued his ultimatum to Captain Gillespie—evacuate the town within twenty-four hours, march to San Pedro, there to take ship and leave the country, or risk the consequences of an onslaught which might result in the massacre of the garrison. Gillespie fearing that Flaco had been killed or captured, and despairing of assistance, his supplies exhausted and his men worn out by seven days and nights of constant guarding against attack, accepted the terms of capitulation offered by Flores.

On the 30th of September he and his riflemen marched out of the town with all the honors of war, drums beating, colors flying and two of the old iron cannons mounted on the axle-trees of Mexican carts and drawn by oxen. They arrived at San Pedro without molestation and camped there till the 3rd of October, when Flores having cut off their supply of water they were forced to embark on the merchant ship *Vandalia*, which Gillespie had detained to cover his retreat. Gillespie before going aboard spiked the cannon he had brought with him and rolled them into the bay.

On the 7th of October (1846) Captain Mervine in command of the man-of-war *Savannah* arrived in the bay of San Pedro and on





**FORT HILL**—Where Captain Gillespie was besieged and from which Juan Flaco began his perilous ride.  
**THE CHURCH OF OUR LADY OF THE ANGELS**—As it appeared in 1846. The church was remodeled in 1861. A shingled roof was substituted for the flat asphaltum roof shown in the picture. Fort Moore, constructed in 1847, was located on the top of the hill directly back of the church.



the morning of the 8th the combined forces of Mervine and Gillespie numbering 300 men landed at San Pedro and took up their line of march to capture the rebellious Pueblo. Mervine had neither cavalry nor artillery. At Dominguez rancho, fifteen miles from Los Angeles he encountered a body of the enemy's cavalry numbering about 120 men. The Americans bivouacked and prepared for battle. The Californians were commanded by Jose Antonio Carrillo, one of their ablest officers. During the night they received reinforcements of forty men with one piece of artillery. Hostilities began on the morning of the 9th with a shot from the cannon. Mervine formed his men in a hollow square to resist a cavalry charge and advanced upon the enemy. The riflemen made repeated sallies to capture the cannon, but failed. The Californians with their gun loaded would await the approach of the column and when it was within easy range fire. If the ball missed a man in the front rank of the square it might strike one in the rear.

The gun discharged, the Californians with one end of their riatas fastened to the pole and axle-trees of the gun carriage and the other twisted around their saddle-bows would gallop away with their cannon to a convenient distance, load and await the advance of the column, fire and again fall back. After a running fight of several miles Mervine finding that he was losing men and inflicting no injury on the enemy, ordered a retreat. The Californians, after giving him a parting shot retreated to Los Angeles and the singular spectacle was witnessed in this anomalous battle of both victor and vanquished in full retreat at the same time.

Never before or since in American warfare was a victory won with such crude armament. The principal weapons of the Californians were home-made lances the blades beaten out of files and rasps by a blacksmith and inserted in the ends of willow poles eight feet long. A few horse pistols, flint-lock muskets, shot guns and blunderbusses completed their motley collection of arms.

The piece of artillery that did such deadly execution on the Americans was the famous "Old Woman's gun." It was a bronze four-pounder that for a number of years had stood on the plaza in front of the parish church of Los Angeles and was used for firing salutes on feast days and other public occasions. When, on the approach of Stockton's and Fremont's forces, Castro abandoned his artillery and fled, an old lady, Dona Clara Cota de Reyes, declared the Gringos (Americans) should not have the church's gun. So with the assistance of her daughter she buried it in a cane patch near her residence. When the Californians revolted against Gillespie's rule they unearthed the gun and used it against him.

Before the battle of Dominguez the old gun had been mounted on

the forward axletree of a Jersey wagon that had crossed the plains the year before. It was lashed in place by rawhide thongs and drawn by means of riatas as described above. The range was obtained by raising or lowering the pole. The gunner having neither lanyard nor pent-stock to fire it, touched it off with the lighted end of a cigarette. The cannon balls had been beaten out of scrap iron by a blacksmith, and the powder used in the gun was made at San Gabriel. When Mervine gave the order to retreat the Californians had the last shot in their locker in their gun. Had Mervine known this he could have pushed on and captured the city. The Californians with their crude arms could not have resisted the American rifles.

Mervine retreated to San Pedro carrying with him his dead and wounded. There were five killed and eight or ten wounded. The dead were buried on the Isle de Los Muertos—The Isle of the Dead, a solitary island in San Pedro bay, now called Dead Man's Island.

After the recapture of Los Angeles by Commodore Stockton and General Kearny, January 10, 1847, earthworks were constructed on the hill where Gillespie's riflemen stood siege. The redoubt was named Fort Moore, after Captain B. D. Moore of the First U. S. Dragoons, killed at the battle of San Pasqual. The earthworks have long since disappeared, but the hill, now thickly built over with residences is still known as Fort Hill. Two thousand students daily climb the hill to the halls of the High school that fronts the site of the old fort from whose bastions long ago cannon frowned on the conquered town, but the story of Gillespie's brave defense and Juan Flaco's perilous ride are tales untold in their histories.

Juan Flaco returned with Mervine and took part in the disastrous battle of Dominguez, and in all of the subsequent battles of the conquest—San Pasqual, Paso de Bartolo and La Mesa.

He was born at Calrescrom, Sweden, in 1799. He left his native country at the age of fifteen and enlisted as a cabin-boy in the English navy. He was a soldier of fortune and sometimes of misfortune. He drifted down to South America at the time the South American states were engaged in a death struggle to free themselves from the domination of Spain, and enlisted under the banner of General Simon Bolivar. He took part in most of the battles in which that patriot general was engaged. He was taken prisoner by the Spaniards and was sentenced to be shot—a common method of disposing of prisoners in the internecine wars of that country. He made his escape and eventually reached California.

He took part in the revolution of 1836, when the Mexican governor Guitierrez was deposed by Alvarado and California declared

independent of Mexico. He served under Governor Micheltorena in the revolution of 1845, and was present at the battle of the Alamo, where that governor was defeated by Pico and Castro and driven out of the territory. He enlisted in Fremont's battalion and served in it until it was mustered out of the service.

Juan Flaco never received any compensation for his perilous ride. It was but one of the many brave deeds unhonored and unsung of the daring pioneers, who explored and conquered the far west.

He died at Stockton, December 10, 1859. John Brown, but generally known and called by his California nick-name Juan Flaco (Lean John) was a man of strict integrity, of a social disposition and generous impulses. He died in very straitened circumstances.

## MY RECOLLECTIONS OF EX-PRESIDENT MARTIN VAN BUREN AND HIS FRIENDS.

BY JOHN WARD COONEY, OF MISSOULA, MONTANA.

Martin Van Buren was president of the United States from 1837 to 1841. The historians (I am told) say that his administration is not considered much of a political or administrative success, and that he is now looked upon as one of our mediocre presidents. However that may be I do not know. As a boy of twelve I knew him only as a kind and considerate employer, a pleasant and genial old man who stood high in the estimation of all who came into contact with him.

Shortly after Mr. Van Buren in 1841 returned from Washington and resumed his residence in the little Dutch village of Kinderhook, Columbia county, New York, my father, Patrick J. Cooney, moved from Plattsburgh, New York, and accepted a position with the ex-president as manager of his large estate. The ex-president's home was located near the village of Kinderhook, on one corner of the old patroon estate of old Peter Van Ness, one of the old Dutch aristocracy, and his residence, the old Van Ness homestead, which Mr. Van Buren had remodeled by building at one end a large tower which gave the old building quite a castle-like appearance. In this roomy old mansion which he rechristened "Lindenwall," Mr. Van Buren lived until the time of his death.

During ten years I had much opportunity of seeing a great deal of the personal side of the man who had been once the president of the United States. Like another and a later ex-president, Mr. Van Buren seemed to find his chief recreation in fishing and outdoor tramps across the country. On such occasions I was his constant companion, carrying his lunch basket or fishing-rods and guiding him to the best fishing spots. As a result of this I was dubbed in the village the "president's boy," an appellation which for some boyish reason I resented furiously and which cost some of my play-mates sundry black eyes, on various occasions.

As I remember Mr. Van Buren he was a little man with keen eyes, a gentle smile, a wide full forehead and gray side whiskers, which he had a habit of twisting sidewise to a point when he was very much moved. Perhaps his chief characteristic was the kindli-

ness of heart. He hated to give pain to any living creature. One incident which I remember recalls this forcibly to mind.

Returning from one of his trips to New York the President brought with him a splendid fishing-rod, which was said to have cost ten dollars, in those days an enormous price for a fishing-rod. To be able to boast that I had caught a fish with the president's wonderful new rod became at once the greatest object in my life. Eagerly I accompanied him on the next fishing trip. On the road we passed an enormous turtle and the president with the almost childish curiosity which was one of his characteristics, amused himself by poking the reptile with the end of the pole, a proceeding which the turtle resented by grabbing it and proceeding calmly on its way.

"Johnny! Why, Johnny!" gasped the old man, as he tugged at it ineffectually. "Why—he has my new rod. What shall we do to make him let go?"

We exhausted all expedients, but it was no use. Let go, the turtle would not, not even for an ex-president of the United States.

"Well," I concluded, "there are only two things we can do: Cut off the turtle's head, or cut off the end of the rod."

"No, Johnny, no; we can't kill it—we mustn't kill it."

And for over an hour we followed his turtleship, one end of the rod in the turtle's mouth, the other in the president's hand, the latter fretting and fuming, but unable to make up his mind whether to sacrifice the rod or the turtle. Finally I strongly advised killing the turtle, but Mr. Van Buren again objected.

"No, Johnny, we can't kill the poor thing. Cut off the rod as close as you can."

In vain I protested, but Mr. Van Buren's mind was made up and the ten-dollar fishing-rod was sacrificed to save the turtle's life.

With about six inches of the rod still uptilted aggressively in his mouth the creature waddled on down the road, with a triumphant air. Amused at the ludicrous sight, Mr. Van Buren sat down on a stone by the roadside and laughed heartily.

"Look at him, Johnny. Why, he looks like a drunken sailor smoking a cigar."

To the President's home at Lindenwall came many of the prominent politicians of the time,—men whom I do not doubt figure prominently in our nation's history, but I was too small at the time to remember all their names. Three names, however, I am sure of, principally on account of their generous tips, which no one at that time was too proud to refuse. Henry Clay, Commodore Singleton and Lieutenant Nicholson, the latter a naval officer. Most clearly

of all do I recall Henry Clay, the tall man who was especially generous with his coin, and whose long face seemed to my boyish imagination to bear some fancied resemblance to the head of a horse.

On one occasion when the "Big House," as we called the President's residence, was filled with visitors, the President, accompanied by several gentlemen, came down the garden path to where I was busily engaged in weeding a bed of onions.

"John, these gentlemen and I are going fishing tomorrow. Stop your work and go catch us some bait."

Sulkily I continued my work, and the President, somewhat surprised, repeated his request.

"I don't want to go catching bait for you, Mr. Van Buren."

"But, why?—My goodness!—Why, Johnny?"

I did not mince words. I had been nursing my grievance for over a week in silence.

"Because the last time I went you did not pay me."

There was a simultaneous roar of laughter from the visitors, and they proceeded to make merry at the President's expense.

"But, Johnny," he protested, "you did not catch any minnows the last time you went."

"I know it," I protested, "but I worked hard all day. It was not my fault that the rain had raised the creek. I worked for my pay and I should have it."

Again the visitors became hilarious and Henry Clay putting his hand in his pocket handed me a dollar with the remark:

"Well argued. Young man, I think you have a good case. You will be a lawyer when you grow up." All those present, even the President, who was exact in business dealings even (his critics said) to the point of penuriousness, followed suit, and I found myself the proud possessor of eight or ten dollars. Needless to say that fishing expedition was well supplied with bait.

On his visits to Lindenwall, Clay was always accompanied by his negro valet, a tall, well-dressed negro named Alexander. With what wondering awe we boys gazed upon that colored man, for not even the lilies of the field were attired as gaily as he. Garbed always in the height of fashion in his master's cast-off clothes, black suit, white vest, white spats, with a gilt chain draped across his middle, and carrying a cane hooked on his arm he daily paraded the streets of the village of Kinderhook, with his head held high in the air, as if he reflected the national importance of his master. That a mere negro should assume such airs was gall and wormwood to our boyish souls, and I have no doubt that Alexander from the height of his



self-complacency looked down on us of the village as "poor white trash." But there was to come a time when the pride and glory of Alexander were to be extinguished in a cloud of humiliation.

One morning the Kentucky statesman called for his valet, but Alexander came not. Search of the estate and the village failed to discover him. Alexander, like his historic namesake, had been longing for other worlds to conquer, and finding himself in a free state, had quietly left during the night for parts unknown.

"Let him go," said Henry Clay, when they told him the news, "he will soon be back."

And come back he did in three weeks, the guadiness of his raiment transformed to rags and patches. For a whole day he hung about the village afraid to venture near the President's house, a mark for the jibes and jeers of all the boys in the village, before he could screw his courage up to the sticking point. As he approached with crestfallen mein, Henry Clay standing on the lawn stared at him coldly.

"I am glad you have come back, Alexander. I have your freedom papers all ready for you. You can take them and go."

But two weeks washing dishes in the kitchen of an Albany hotel had given Alexander a different view of freedom. He dropped to his knees on the grass and with tears streaming down his face begged:

"For God's sake, Massa Clay, I doan't want no freedom. Take me back. Whip me, punish me ef you wants to, but take me back. I won't run away no mo'."

But his master was obdurate, while the one-time haughty Alexander for ten minutes remained on his knees wailing piteously. But Clay must have relented, for an hour after, while passing through the servants' quarters, I saw Alexander, busy blacking his master's boots and singing happily to himself.

"Those poor white trash up at Albany doan't know how to use a colored gen'leman nohow," he confided to me a few days later.

Another incident I recall with the utmost vividness. Lying one night in bed gazing out the window, I noted that the lights, though it was near midnight, were still burning in the big room of the President's house, and the sound of voices came drifting to me through the night. The temptation to play the part of an eaves-dropper overcame me, as I knew that the President and his friends were sitting up late talking politics. Barefooted and bareheaded, I crept across the dew-soaked lawn and took refuge behind a tree before the wide-open bay window.

At the table were seated a dozen men, some of them in military

uniform. On the table in front of them stood several wine bottles, for those were far from temperance days. But the gaze of the men, among them the President himself, was fixed neither upon the wine bottles or the half-filled glasses in their hands, but on the tall figure of Henry Clay, who stood with his back to the fireplace, addressing them earnestly.

Boy as I was I can remember how I was impressed by the wonderful charm of his manner, his graceful gesture, the harmony of his voice. He was pleading, explaining, arguing, and all were hanging with rapt attention on his words. Now and again the President would ask a question, to which Clay would answer in quick, short convincing sentences. Of what he was speaking, or what were his words, I could not tell distinctly, or if I did I have forgotten, but of this I am certain, that it was there and then that I heard for the first time from the lips of Henry Clay the word "California."

"Father," I remember asking in the morning, "where is California?"

"California," laughed my father. "Why, that is on the other side of the world."

And so it was in those days. That the time would ever come when California would be as near in time to New York as Washington, was then had never entered the mind of any one then living, as a possibility.

Always I will remember, the many pleasant summer days I spent alone with Martin Van Buren on our fishing trips, our midday lunches eaten in the shade of a tree, my eager questioning about Europe, where he had spent many years as American Ambassador, and the pains the old man would take to make things clear to me, the kindly interest he took in my work at school, how he would chide me in a fatherly way when I was caught in some boyish prank. In those days I looked upon him as one who had something of "the divinity that doth hedge about a king."

Martin Van Buren may not measure up to the standard of a Washington or a Lincoln, but there must indeed have been something more than mediocre in the man who almost all his life served his country with honor and dignity, as senator, ambassador to foreign countries, and as Vice-President and President, and when his tale of honors was full, spent the declining years of his life, honored and revered by his neighbors and townsmen. Quite recently I found an extract from a speech of Henry Clay, in which he speaks of Van Buren as follows:

"I have always found him in his manners and his deportment civil, courteous and gentlemanly. And he dispenses in the noble

mansion which he occupies, one worthy of the residence of the chief magistrate of a great people, a generous and liberal hospitality. Though at times Mr. Van Buren and myself have failed to see alike, an extended acquaintance of more than twenty years has inspired me with a deep respect for the man."

One incident of the Mexican war I recall very plainly, how the people came for miles around, to give a welcome home to the son of the ex-president who had been sent home from the front as an invalid.

My last recollection of the kindly old man was the day he came down to the stage to bid our family good-bye when we were leaving for Rochester.

"I wonder," he said in a disconsolate way, "who I'll get to go fishing with me now. Johnny, my boy, be a good girl," he said confusedly, as he fumbled in his pocket and handed me a coin. My eyes blinded with tears, I looked back at the old man, waving his handkerchief after us till he was lost to view.

In my possession is a faded sheet of paper now yellow with age. It is one of my proudest possessions. For the wording thereon testifies to the ability, honesty and faithfulness of my father, Patrick J. Cooney, and it bears the signature of Martin Van Buren, once President of the United States.

## THE LUGO FAMILY OF CALIFORNIA.

BY H. D. BARROWS.

The death of Mrs. Mercedes Lugo de Foster, wife of Stephen C. Foster, October 12, 1913, recalls memories of the Lugo family, which, with its several branches, was widely influential throughout California in its early history. Mrs. Foster was, I believe, the last of the third generation of the Lugos in California. Her grandfather, Francisco Lugo, founder of the family, came to California in 1771. Besides those of his own surname he was, through his four daughters, the ancestor of the numerous families of the Vallejos, Carrillos, De la Guerras, Cotas and Ruises, and also of several others at a later period, bearing Spanish and English surnames.

Don Francisco's eldest son was José Ygnacio Lugo, grandfather of the Wolfskill's of this city. His youngest son was Antonio Maria Lugo, father of Mrs. Foster, and of several other children, including the wife of Colonel Isaac Williams of El Chino rancho, maternal ancestor of Mrs. Governor Gage, and Mrs. Jeshuron, formerly Mrs. Robert Carlisle.

When I first came to Los Angeles I frequently saw Don Antonio in our streets, on horseback, with a sword attached to his saddle beneath his left knee. He sat erect on his horse and was a striking figure.

Away back in the '50s, Don Antonio told the writer at his home not far from the present town of Compton, that after having served as a soldier in California under the King of Spain, he was granted permission in 1813, (just one hundred years ago) to settle on the lands which later were included in his grant of seven leagues, the San Antonio rancho located south of the Pueblo, a part of which is now owned by the heirs of Don Abel Stearns and his widow, the late Doña Arcadia de Baker. This rancho was one of the four granted by the Spanish King, the other three (I believe) being the San Pedro (to Dominguez), the San Rafael (to Verdugo), and the Santa Ana (to the Yorbas).

Don Antonio was born at the Mission of San Antonio de Padua, California, in 1775, and died in 1860. He lived many years in a

large adobe house (this was his town home), just east of the Plaza, which was, in early times, before gamblers and Chinamen took possession of that locality, a slightly and desirable place of residence. Mrs. Foster told me that she and most of her brothers and sisters were born there.

As his boys grew up and as his flocks and herds of *ganado mayor y menor* increased to such an extent that he did not know what to do with them, he obtained a grant in his son's name of the rancho of San Bernardino, to which a part of his horses and cattle were removed.

In after years he planted a vineyard on the east side of San Pedro street, and sometimes made his home there in a long adobe house, which has recently been demolished to make way for the extension and widening of that thoroughfare.

The wife of old Sergeant Vallejo—"Sargento distinguido," as his daughter, Doña Encarnacion, wife of Captain Cooper of Monterey, once mildly intimated to me, should be his proper *apellativo*—was one of Lugo's sisters, and Mrs. Jacob P. Lease was another sister.

Mrs. Foster, whom I knew for many years, was a kind-hearted woman who was held in the highest respect by all who knew her. She never learned much English, but in her conversation in Spanish with those who understood her, the tones of her voice had that low, slightly hesitating, sympathetic quality so characteristic of well-bred Spanish women which seemed to assure you that she warmly sympathized with you and with all you had to say. These characteristics of speech and manner of Spanish women, old or young, who have never learned English, are very engaging and charming to the listener.

An exceedingly interesting episode in the life of Antonio Maria Lugo, father of Mrs. Foster, occurred in the year 1818, "the year of Bouchard, the Pirate," which I am tempted here to condense and transcribe from the account given of the affair by his son-in-law, Stephen C. Foster, who derived the facts direct from Don Antonio, and from a brother-in-law.

Mr. Foster's narrative reads substantially as follows: One day in the year 1818, a vessel was seen approaching the town of Monterey. As she drew near, she was seen to be armed, her decks swarming with men, and she was flying an unknown flag. Arriving within gunshot she opened fire on the town, and her fire was answered by the battery, while the lancers stood ready to repel a landing if it should be attempted, or cover the retreat of the families, in case the effort of repulse should be unsuccessful; for Spain

was at peace with every maritime nation, and the traditions of the atrocities committed by the Buccaneers at the end of the seventeenth century on the Spanish main, were familiar to the people. After some firing the strange vessel appeared to be injured by the shots from the battery and bore away and disappeared. The alarm spread along the coast as fast as swift riders could carry it, and all the troops at every point were ordered to be on the alert.

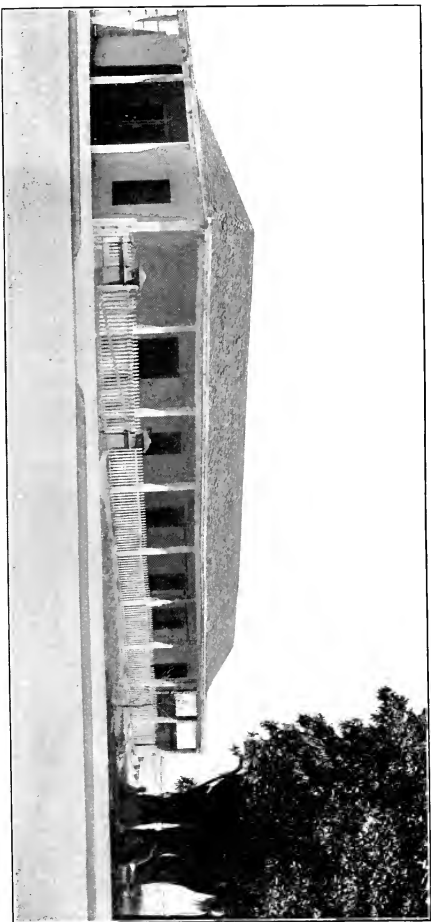
The strange craft next appeared off the Ortega rancho on the sea-shore above Santa Barbara, and landed some men, who, while plundering the rancho, were surprised by a squad of soldiers from Santa Barbara, and before they could regain their boats some four or five were captured. She next appeared off San Juan Capistrano, landed and plundered the Mission, and sailed away, and never was heard of more. All that is known of her is that she was a Buenos Ayrean privateer and that her captain was a Frenchman named Bouchard.

As to those of her crew who were captured, they were liable to severe treatment, but the comandante was a kind-hearted man, and he ordered that if any one would be responsible for their presentation when called for, they should be set at liberty until orders were received from Mexico as to what disposition should be made of them.

When the alarm was given, Corporal Antonio Maria Lugo (who after seventeen years of service in the company at Santa Barbara had received his discharge and settled with his family in Los Angeles in 1810), received orders to proceed to Santa Barbara with all the force the little town could spare.

Some two weeks after the occurrence of the events recounted above, Doña Dolores Lugo (wife of Don Antonio), who with other wives was anxiously waiting, as she stood after nightfall in the door of her house near the Plaza, heard the welcome sound of cavalry and the jingle of spurs as they defiled along the path north of Fort Hill. They proceeded to the guard-house, which then stood on the north side of the Plaza across upper Main street. The old church was not yet built. Doña Dolores heard the orders given, for the citizens still kept watch and ward; and presently she saw two horsemen mounted on one horse, advancing across the Plaza toward the house, and heard the stern but welcome greeting, "Ava Maria Purisima," upon which the children hurried to the door, and kneeling with clasped hands, uttered their childish welcome and received their father's benediction.

The two men dismounted. The one who rode the saddle was a man full six feet high, of a spare but sinewy form, which indicated



DON ANTONIO LUGO'S TOWN HOUSE  
On San Pedro Street near First—Recently Demolished





great strength and activity. His black hair, sprinkled with gray, and bound with a black handkerchief, reached to his shoulders. He was in the uniform of a cavalry soldier of the time, the *cuera blanca*, a loosely fitting surtout, reaching to below the knees, made of buckskin doubled and quilted so as to be arrow-proof; on his left arm he carried an *adarga*, an oval shield of bull's hide, and his right hand held a lance, while a high-crowned *vicuna* hat surmounted his head. Suspended from his saddle were a carbine and a long straight sword.

The other man was about twenty-five years of age; his light hair and blue eyes indicated a different race, and he wore the garb of a sailor. The expression of his countenance seemed to say: "I am in a bad scrape, but I guess I'll work out somehow."

The señora politely addressed the stranger, who replied in an unknown tongue. Her curiosity made her forget her feelings of hospitality and she turned to her husband for an explanation:

"Whom have you here, old man (*viejito*)?"

"He is a prisoner we took from that buccaneer—may the devil sink her!—scaring the whole coast and taking honest men away from their homes and business. I have gone his security."

"And what is his name and country?"

"None of us understand his lingo, and he don't understand ours. All I can find out is his name is José and he speaks a language they call English. We took a negro among them, but he was the only one of the rogues who showed fight, and so Corporal Ruis lassoed him and brought him tumbling head over heels as a prisoner, sword and all. I left him in Santa Barbara to repair damages. He is English, too."

"Is he a Christian or a heretic?"

"I neither know nor care. He is a man and a prisoner in my charge, and I have given the word of a Spaniard and a soldier to my old comandante for his safe keeping and good treatment. I have brought him fifty leagues on the crupper behind me, for he can't ride without something to hold to. He knows no more about a horse than I do about a ship; and be sure and give him the softest bed. He has the face of an honest man, if we did catch him among a lot of thieves, and he is a likely looking young fellow. If he behaves himself we will look him up a wife among our pretty girls and then as to his religion the good Padre will settle all that. And now, good wife, I have told you all I know, for you women must know everything; but we have had nothing to eat since morning; so hurry up and give us the best you have."

Lugo's judgment turned out to be correct, and in a few days afterward the Yankee privateersman might have been seen in the mountains in what was known among the Californians as "Church Cañon," axe in hand, helping Lugo to get out timbers for the construction of the Plaza church, a work which the excitement caused by his arrival had interrupted. The church was not finished until four years afterward, for they did not build as fast as they do now.

Chapman conducted himself well, always ready and willing to turn his hand to anything, and a year afterward he had learned enough Spanish to make himself understood, and could ride a horse without the risk of tumbling off, and he guessed he liked the country and people well enough to settle down and look around for a wife. So he and Lugo started off to Santa Barbara on a matrimonial expedition. Why they went to Santa Barbara for that purpose I do not know, but I do know that in former times the Angeleños always yielded the point that the Barbareños had the largest proportion of pretty women.

In those days the courtship was always done by the elders, and the only privilege of the fair one was the choice of saying "yes" or "no." Lugo interested himself in the matter, vouched for the good character of the suitor and soon succeeded in making a match.

The wedding came off in due time, Lugo giving the bride away, and as soon as the feast was over the three started back to Los Angeles. One fashion of riding in those days was the following: A heavy silk sash then worn by the men, was looped over the pommel of the saddle so as to form a stirrup, and the lady rode in the saddle, while her escort mounted behind, the stirrup being shifted back to suit his new position; and in this style Chapman once more set out on the long road from Santa Barbara to Los Angeles for the second time a prisoner. But now, in the saddle before him, instead of the grim old soldier, armed with targe and lance, rode the new-made bride armed with bright eyes and raven tresses, for the Señorita Guadalupe Ortega, daughter of old Sergeant Ortega, the girl, who, one short year before, had fled in terror from the wild rovers of the sea, as, pistol and cutlass in hand, they had rushed on her father's house, and who had first seen her husband a pinioned prisoner, had bravely dared to vow to love, honor and obey the fair *Gringo*.

Years afterward, when the country was open to foreign intercourse, on the establishment of Mexican independence, in 1822, the first American adventurers, trappers and mariners found their way to California, they found José Chapman at the Mission of San Gabriel, fair-haired children playing around him, carpenter, mill-

wright and general factotum of good old Father Sanchez; and among the vaqueros of old man Lugo they also found Tom Fisher swinging his *riata* among the wild cattle as he once swung his cutlass when he fought the Spanish lancers on the beach at the Ortega rancho.

Chapman died about the year 1849, and his descendants live in the neighboring county of Ventura.

Mr. Foster said he saw Fisher in 1848 in El Monte, when he was on his way to the mines, but he never heard of him afterward.

Mr. Foster concludes his very graphic and picturesque account as follows: In conclusion of this my humble contribution to the Centennial history of our country I have only to say without fear of contradiction, that the first American pioneers of Los Angeles, and so far as tradition goes, of all California, were "*José el Ingles*" (Joseph the Englishman), alias *Joe Chapman*, and "*El Negro Fisar*," alias Tom Fisher.

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NOTE BY THE PUBLICATION COMMITTEE.

Captain Hipolito Bouchard, a Frenchman by birth, was not a pirate, but a privateersman, sailing under letters of marque and reprisal granted him by the United Provinces of Rio de La Plata during the revolutionary war between the South American states and Spain. Captain Bouchard commanded two ships, the *Argentina*, manned by 260 men, and the *Santa Rosa*, 100 men. He captured Monterey with the loss of three men killed and three taken prisoners. He plundered it and because the Spaniards would not give up the prisoners he burned it. He captured Ortega's rancho and robbed it. Here three of his men, a lieutenant and two seamen, having strayed a short distance from the ranch houses, were lassoed and dragged up a hill by the Spaniards. For this Bouchard burned the houses. He put into Santa Barbara and under a flag of truce exchanged prisoners, he having captured several at Monterey.

Next he anchored in the bay at San Juan Capistrano and demanded a supply of provisions of the commander. On his refusal he landed 140 men and two field pieces, which, under Captain Corney of the *Santa Rosa*, plundered the mission, the Spanish soldiers fleeing at the approach of Bouchard's men. A number of his sailors got drunk on the mission wine and had to be lashed to the field pieces and dragged to the beach. He lost six men, either by capture or desertion. He sailed away from the coast and six months later arrived in Valparaiso, where the ships were abandoned by most of the crews.

The above outline of Bouchard's operations on the California coast is taken from a narrative written by Captain Peter Corney, an Englishman, who commanded the Santa Rosa. He left the ship at Valparaiso because Bouchard could not pay him. He returned to England and published his account in the London *Literary Gazette* of 1821. It was reprinted at Honolulu in 1896 in a small volume called "*Early Northern Pacific Voyages.*" It differs widely from the accounts of Bancroft, Hittell and other historians, who give the reports of Spanish officers only. Corney's account presents the other side of the story. A more extended account of Bouchard's operations in California, derived from Corney's narrative, can be found in J. M. Guinn's "History of the Southern Coast Counties of California" (published in 1907).

## SORABJEE THE PARSEE.

BY H. D. BARROWS.

*Éduljee Sorabjee*, the Parsee, resident of Los Angeles for more than twenty-five years, who died at Long Beach July 16, 1913, was a native of Bombāy, East India, where he was born March 16, 1852.

Some notes concerning his life, which Mr. Sorabjee recounted to me in 1889, may possibly interest members of our Society for whose benefit I here transcribe them.

Mr. Sorabjee's ancestors, he told me, were driven out of Persia by the Saracens nearly 1300 years ago, and a few hundred people of the Parsee faith fled to India, where they were permitted to settle by the Hindu king only on condition that they would change their language and dress, and adopt the customs of the Hindus in regard to the marriage ceremony, and promise not to kill the cow, and promise also to fight the Mohammedans whenever they invaded the country.

These promises, made by their forefathers so many hundred years ago, the modern Parsees of India claim their race have ever kept in good faith.

Mr. Sorabjee came to Los Angeles in 1885, and soon after his arrival became a naturalized citizen of the United States.

Mr. Sorabjee was educated in Bombay, where there are schools in which Oriental languages are taught. He spoke five languages, including Hindustani, Persian and English.

When still a young man, he was sent to Manchester, England, where he lived nine years, to learn mechanical engineering and cotton-spinning by his god-father, Sir Dinshaw-Manockjee, who was one of the chief manufacturers of Bombay, and who was a man of great wealth and intelligence and of high social standing. This enlightened Parsee was renowned in India for his princely charities which he dispensed to the needy without regard to their race, caste or creed, and for which Queen Victoria created him a baronet.

Mr. Sorabjee, after finishing his education in England, went back to India to superintend the shipment and installment of the machinery, including mammoth Corliss engines, etc., which he had purchased in England for his god-father's mills. Returning to England, his health gave way in the damp climate of Lancashire, and his doctor ordered him to quit England and return to Bombay, which he said is healthy, but not at all equal to the all-the-year-round

healthful and agreeable climate of Los Angeles, which he said was the most perfect in the world. Soon after his arrival here he entirely recovered his health, and that without the use of medicine.

Having heard of Los Angeles in England, and having a liking for liberty and equality and a republican form of government, he came to Los Angeles instead of going back to live in India. Mr. Sorabjee was twice married, both times to Christian (English) women, although he himself remained true (in essentials) to his hereditary faith. He married his second wife, Miss Mary Harris, in Manchester in 1883, by whom he had two children, one born in England and one born here in East Los Angeles, where for many years he had a beautiful home. Over the entrance to his grounds was inscribed "Bombay House."

Mr. Sorabjee was a thorough man of the world, and there was little in his manner or speech to distinguish him from a cultured Englishman or American.

In regard to the religious creed of the Parsees, Mr. Sorabjee told me that they believe in one, and one only Supreme Being. They have been called the Unitarians of India. "Think well, speak well, do well," are the fundamental maxims of Zoroasterism, for they are followers of the teachings of Zoroaster, who flourished two thousand years before the Christian era. Prof. Max Müller, the Oriental scholar, calls Zoroaster "the great health officer," because his teachings seem to have had special reference to the good health of the people.

According to the creed of the Parsees, the four elements, fire, air, earth and water, are sacred. Fire, or the sun which in prayer they face, are kept sacred by them, as *symbols only* of God; they are *not fire-worshippers* any more than Christians are worshippers of their sacred symbols; in each case the worshiper looks *beyond* the symbol to the great Supreme Intelligence thereby faintly typified.

The Parsees believe that the four elements should not be contaminated, therefore they do not dispose of the bodies of their dead by cremation, aquation, inhumation, but place them in "*Towers of Silence*," to perish by dessication, as being, in their belief the most innocuous mode of resolving them into their original elements.

Parsees in India are not eaters of the flesh of the cow only in deference to the promise made by their ancestors to the Hindus, who are forbidden to kill that animal. But the Parsees, even in India, do eat the flesh of other animals, as do the Hebrews.

Mr. Sorabjee told me that if he had cared to return to Bombay he could have entered the service of his god-father at a very high salary; but he liked America too well; and that he preferred liberty to caste and the climate of Los Angeles to that of any other part of the world.

## THE LOST MINES OF SANTA CATALINA.

(From the *Overland Monthly*, by permission.)

BY J. M. GUINN.

Few, if any, of the summer visitors that make flying visits to Santa Catalina, to bathe in the placid waters of its numerous bays, chase the wild goat over its rugged hills, or angle for jewfish, are aware that the island was once the scene of an old-time mining rush.

Yet more than a half a century ago the island swarmed with honest miners, who prospected its mountains and valleys, who delved into its cañons, and tunneled into its hills, in search of the precious metals.

The existence of these metals on the island of Santa Catalina was known long before the acquisition of California by the United States. George Yount, a pioneer of 1830, who with Pryor, Wolfskill, Laughlin, and Prentiss, built a schooner at San Pedro for the purpose of hunting sea-otter, found on one of his trips to the island some rich outcroppings.

It does not appear, however, that he set much value upon his discovery at that time. He was hunting sea-otter, not gold mines. After the discovery of gold at Coloma and the wild rush of gold hunters to the Coast, Yount recalled to mind his find on Santa Catalina. He made three trips to the island in search of his lost lode, but without success. His last trip was made in 1854.

The Kern River gold rush in 1857, the San Gabriel placers in 1859, and the discovery of the Colorado River diggings in 1862 caused a stampede to the southern country. A tradition of Yount's lost mine was still extant in Los Angeles. This directed attention to Catalina as a prospective mining region.

The first location of a claim was made in April 1863, by Martin M. Kimberly and Daniel E. Way. It was supposed at the time that it was Yount's lost mine. At a miners' meeting held on the island April 20, 1863, the San Pedro Mining District was formed, and a code of mining laws formulated "for the government of the locators of veins or lodes of quartz, or other rock containing precious metals, and ores, gold, silver, copper, galena, or other minerals or mines that may be discovered, taken up, or located in Los Angeles county, San Pedro District, State of California."

The boundaries of the district were about as indefinite as Elder Pratt's diocese, which extended from "the rivers to the ends of the earth." San Pedro Mining District included "all the islands of Los Angeles County, and the Coast Range of mountains, between the northern and southern boundaries of said county."

Three hundred feet constituted a claim, the "original locater" being allowed six hundred feet. At least six days' work each month shall be done on a claim, otherwise "the claim, vein, lead or lode, with all its appurtenances shall be jumpable"—so read the by-laws.

The first discoveries were made near the isthmus on the north-western part of the island. The principal claims were in Fourth of July Valley, Cherry Valley and on Mineral Hill. Later on, discoveries were made on the eastern end of the island.

A site for a city was located on Wilson Harbor. Lots were staked off, and Queen City became the mining metropolis of Santa Catalina.

Numerous discoveries were made. Within less than a year notices of claims to nearly one hundred thousand feet of leads, lodes, or veins, with their dips, spurs, and angles, were recorded in the recorder's office of Los Angeles county; and probably three times that number of claims were located that were either recorded in the district records on the island, or were not recorded at all. The discoverer of a lode had to post a notice stating the number of feet he and his partners claimed; and notices were as thick as "leaves in Vallambrosa."

The lodes ran in all directions, cropping out in unexpected places, and the dips, spurs, angles, variations, and sinuosities, were as eccentric as the lodes. Every man ran them to suit himself. If his spur ran into his neighbor's claim, his neighbor was at liberty either to make a variation in his claim or hold on to his original location *vi et armis*. There was nothing small about these old miners,—if the island was not big enough to locate all of a claim on it, they ran a few feet out over the ocean,—a simplified system of watering stock.

Unlike Romeo they believed there is something in a name. A taking name might help to sell doubtful stock. Accordingly romance, history, mythology, the heavens above and the earth beneath, were put under requisition to supply striking names for the numerous brood of claims. The nomenclature, like that of many another mining camp, was a queer medley of classic terms, common-place names, and Western slang, and often threw together strange and laughable incongruities. The immortal gods and goddesses, Jupiter and Neptune, Juno and Minerva, were staked off in claims, and



for a consideration in the coin of the realm it was possible for a mortal to buy hundreds of feet of a god or a goddess. The huntress Diana played hide and seek on Mineral Hill with staid old Ben Franklin. An angle of the North Star made a grievous rent in the belt of Orion. The Yellow Jacket made a vicious dip at the Bride of Abydos, and a spur of the American Eagle scratched the head of the British Lion.

The orthography of the "Notice is hereby given that we, the undersigned, claim," and so forth, was often rich, rare, and racy. These honest old miners were not of the kind that are lost by hesitation. They were men of deeds, not words. If words had to be spelled they were spelled, and the variations and sinuosities of Webster never interfered with their spelling. If the interpolation of a capital R in Orion converted the Greek hunter into the descendant of an Irish king, it was only another proof that "when Greek meets Greek, then comes the tug of war." If the father of gods and men became through an orthographic metamorphosis the father of Jews,—Jew-pater,—it did not in the least affect the value of the outcroppings of the wielder of thunderbolts. A true copy always found its way into the official record with two p's, and the "by" in their by-laws took on an e to aid in their enforcement.

Numerous assays were made, showing the lodes to be rich in gold and silver bearing rock, the assays ranging from \$150 to \$800 per ton. The cheapness with which the ore could be shipped to San Francisco for reduction added greatly to the value of the mines.

Stock companies were formed with capital bordering on millions,—indeed a company that had not "millions in it" was not worth organizing in those days.

The hopes of the miners beat high,—at last they had struck it rich. There were grizzly old gold hunters who had prospected all along the Pacific slope, from the jungles of Panama to the glaciers of Alaska; who had delved in the eternal snows of the Sierra Nevada, and burrowed in the burning sands of the Colorado; who had joined in the rush to the Gold Coast, to Fraser River, to Washoe; who had formed secret expeditions to search for the Lost Cabin, the Wagon-Tire Diggings, the Cement Lode, the Gun-Sight Mine, and for innumerable other *ignes fatui* that had lured honest miners to their ruin.

At last they had found their El Dorado, and had found it, too, in the most genial of climates. No wonder that these argonauts, fanned by the gentle breezes and invigorated by the balmy air of Catalina, dreamed golden dreams and built lofty air castles over the dips, spurs, and angles, of their claims

But once again were they doomed to disappointment. They had no money to develop their claims, nor could they induce capitalists to aid them. It was the famine year of Southern California,—the terrible dry seasons of 1863-64. Cattle and sheep were dying by thousands, and the cattle barons, whose wealth was in their flocks and herds, saw themselves reduced to the verge of poverty.

Capital from abroad could not be induced to seek investment in mines on an island of the far Pacific. The nation was engaged in a death struggle with the Southern Confederacy, and there was more money in fat government contracts than in prospect holes.

Washoe stocks had flooded the mining market, and the doubtful practices of mining sharps had brought discredit on stocks and feet. Then the island was covered by a Spanish grant, and the title to the mining claims was doubtful.

The United States government had taken possession of a portion of the island, and had placed a military force on it to prevent it from becoming a rendezvous for privateers. The relations between the honest miners and the country's defenders were somewhat strained. Each regarded the other with suspicion. There were rumors that this mining rush was a blind to conceal a plot to seize the island and make it a rendezvous for Confederate privateers,—an *entrepot* from which these vessels could fit out to prey upon the commerce of the Coast, and possibly capture a Pacific steamer bound for Panama. These steamers in those days sometimes carried a million dollars in gold.

Many of the miners were Southern sympathizers, but whether such a plot was ever seriously contemplated is doubtful. The government determined to forestall the possibility of it, however, by taking military possession of the island and evicting the miners.

The following order was issued:

HEADQUARTERS, DRUM BARRACKS,  
December 25, 1863.

In compliance with instructions from Headquarters, Department of the Pacific, received this day, I hereby notify all persons on Catalina Island to leave the same before the first of February next.

B. R. WEST,  
Captain 4th California Infantry,  
Commanding Post.

Military proclamations fired at long range failed to drive the miners from their tunnels and prospect holes. Drum Barracks was on the mainland, thirty miles away from the island. The miners paid very little attention to Captain West's manifesto. The question of the government taking possession of the mines on the Pacific Coast was agitating political circles, or rather was being agitated by

the enemies of the government. Many of the miners regarded Captain West's order as a ruse to obtain possession of their claims.

The next order, which was issued on the island, convinced them that the authorities at Washington were in earnest. It ran thus:

HEADQUARTERS, SANTA CATALINA ISLAND,  
February 5th, 1864.

SPECIAL ORDERS No. 7.

No person or persons other than owners of stock or incorporated companies' employés will be allowed to remain on the island on or after this date; nor will any person be allowed to land until further instructions are received from Washington. I hereby notify miners prospecting, or other persons, to leave immediately. By order.

B. R. WEST,  
Captain 4th California Infantry,  
Commanding Post.

The miners stood not on the order of their going, but went,—those whose sympathies were with the late Confederacy breathing curses not loud but deep against the tyrant Lincoln and his blue-coated minions, those whose sympathies were with the government chagrined and disappointed.

Those who were exempted from eviction grew lonesome after the departure of their fellows, and singly or in squads as opportunity offered took their departure. It was evident to them that the times were out of joint for "enterprises of great pith and moment" in the mining world.

In a little more than a year after the first discovery the camp was abandoned and Queen City, the prospective mining metropolis of Catalina, became a howling waste. The wild goats came down from the mountains and ate up the mining notices, dips, spurs, angles, and all. The jewfish and the shark gamboled in the placid waters of Wilson Harbor, unvexed by rudder or keel. Quiet reigned on Catalina.

On the 15th day of the following September the troops were withdrawn from the island. After the withdrawal of the troops a few of the miners returned, but no attempt was made to resume work. The excitement was over.

The last official record of a claim was made February 21st, 1865. This was the relocation of the consolidated New York, Philadelphia, Boston, and Cincinnati leads.—twelve thousand feet of gold, silver, and galena bearing lodes, located on Mineral Hill.

In 1873, Major Max Strobel of Anaheim, went to England, commissioned by James Lick and the other owners, to sell the island. Liberally supplied with rich mineral specimens, he negotiated a sale

to a syndicate of London capitalists for one million dollars. Strobel died before the transfer was made and the sale was never consummated.

Since then the mineral resources of the island have been lost sight of. What the resources really are has never been found out. There are indications and croppings that prospect well. But whether the "veins, leads, or lodes," widen or pinch out as they descend, or whether they dip towards the center or the surface of the earth, are questions to be settled by the next mining boom.

That Yount's specimen was genuine gold-bearing rock there can be but little doubt. With abundant opportunity to test it after the discovery of gold at Coloma, the fact that he made three voyages to Santa Catalina in search of his lost gold mine is evidence that he fully believed in its genuineness and no doubt had fully tested the specimen he found and carried away with him.

But whether it was an outcropping of a gold-bearing ledge or only a piece of float gold quartz of some ancient lode that had survived the disintegration that has gone on for centuries piled upon centuries—yes, for aeon upon aeons until the lofty chain of mountains that once paralleled the coast from San Clemente to San Miguel, has been reduced to a few isolated channel islands, is a question for scientists to wrestle with. I give it up.

## THE EVENTS LEADING TO THE CHINESE EXCLUSION ACTS.

BY MILDRED WELLBORN.

### CALIFORNIA'S ATTITUDE TOWARD THE CHINESE.

The first Chinese who came to California were well received and treated with favor. The "*Daily Alta Californian*" of May 12, 1852, says: "Quite a large number of the Celestials have arrived among us of late, enticed thither by the golden romance that has filled the world. Scarcely a ship arrives that does not bring an increase to this worthy integer of our population. The China boys will yet vote at the same polls, study at the same schools, and bow at the same altar as our own countrymen."

In the ceremonies commemorating the death of President Taylor, the Chinese were given a prominent part in the program, and in the celebrations of Admission Day the Chinese took part in the parade, professing themselves loyal citizens of the United States. Their loyalty to the better class of citizens, and to law and order was shown by their contributions to the funds of the Vigilance Committee.

Governor McDougal spoke of the Chinese as "one of the most worthy classes of our newly adopted citizens," and in another connection stated that "the further immigration and settlement of Chinese is desirable." On the whole, these words of the Governor may be taken as representing the attitude of Californians in general during the earliest period of the Chinese residence in our state.

The cleanliness, unobtrusiveness and industry of the Chinese was often commented upon. Although most of the Chinese immigrants came from strictly agricultural districts, once in America, they seemed capable of turning their hands to anything and everything. In the mines, on the railroads and ranches, in laundries, in certain manufactories, in hotels and family kitchens, as cooks and domestic servants, the Chinese proved good workers. In those days, laborers were scarce, and for that reason the Chinese were welcomed.

The first dissatisfaction towards the Chinamen appeared in the mines. Here the Chinese were content with \$5.00 or \$8.00 per day, while the whites wanted \$16.00 or \$20.00. In spite of their much smaller daily earnings the Chinese, because of their industry, perseverance and thrift and their ability to live on a mere pittance, in the

long run, accumulated more gold than did many of the more reckless and extravagant whites. Moreover, when working for wages, the Chinese were content with such small pay that the price of labor tended to decrease.

The first exclusion acts, although entirely extra-legal were nevertheless thoroughly effective. In 1849 the Chinese were expelled from Chinese Camp, a mining camp eight or ten miles south of Sonora. In Columbia district in Tuolumne county, no Asiatics or South Sea islanders were allowed to mine for themselves or others, and no one was allowed to sell a claim to an Oriental.

Meantime an anti-Chinese feeling was springing up in other parts of the state, particularly in San Francisco. This was partly due to a change in the class of immigrants. The first comers had been chiefly merchants, and those possessed of a rather adventurous and ambitious spirit. But the organization of the Chinese Six Companies for the importation of contract labor, brought to America not only many of the poorest and most ignorant class of Chinese laborers or "coolies," but also many who were morally deficient or criminal. The first of these classes flooded the labor market with cheap labor, and the second class added to the already unstable moral conditions of the new West, saloons, gambling dens, opium dives and homes of vice. The moralist saw in the Chinese a people far from practicing the precepts of their own Confucius; a people who won the confidence of their masters and then proved treacherous; a people who had no respect for chastity, many of their women being prostitutes; a people given to gambling, living in filthy places and keeping opium dens of disgust and horror; a people, however, to be civilized and converted. The politician saw in the Chinese a people dangerous to American institutions. The Chinese lived together, had secret societies or "tongs," maintained a sort of government among themselves, usually refused all efforts of the Californians to give them an American education, or benefits of the Christian religion, and in general refused to assimilate any of the American customs or practices. The philosopher thought it his duty to educate the stranger within his gates, but on the whole had to admit his failure.

It was the capitalist who appreciated the Chinaman most. For the development of the great ranches and the necessary systems of irrigation, and for the construction of the long-dreamed-of transcontinental railways, cheap labor was a necessity. The Chinese were the only race who could and would furnish it. Thousands were imported by the Six Companies especially for the railroads. Bancroft says of the Chinese: "Without their aid must have been deferred the construction of railroads to facilitate the introduction of white labor, the opening of ditches, reclamation of land, planting of

vineyards, establishment of manufactures, . . . which all helped to provide more employment for superior white men and for capital."

The laboring men evidently did not recognize this service the Chinamen had done for them by literally paving the way to California. Strange as it may seem and crude as were the sailing vessels of those days, before the building of the trans-continental railroad, it was an easier and more comfortable trip across the Pacific from China to California than across the plains from the Mississippi to the Golden Gate. While there were many among the laborers who believed that California was a land for all, the yellow as well as the white, yet as a class they were very bitter against the Chinese, and often expressed this bitterness in the most violent ways.

The first objection to the Chinese as given by the workingmen was that the presence of the Chinese reduced the wages of the laborers, but increased the profits of the capitalists. However, it is doubtful if the Chinese actually made any perceptible change in the labor market, except for a period of from six to ten years from 1863 to about 1875, and then not because labor was too abundant, but because money was scarce. The more fundamental cause for the anti-Chinese sentiment is probably to be found in race prejudice.

While this anti-Chinese feeling was developing, the Chinese continued to hold their own. Gardening, farming, laundry work and cooking were almost monopolized by them. They were employed by the railroads, worked in the mines and in at least some manufactories, such as shoe-making and cigar-making. But still they remained aliens. The result was the practical exclusion of white labor,—first a voluntary exclusion, because the whites refused to work beside the Chinese, and second an involuntary exclusion, because the employers preferred the cheaper Chinese labor.

#### THE CHINESE QUESTION IN STATE POLITICS.

The Chinese question came up for discussion in the legislature of 1852. The Constitution of '49 had provided that all foreign residents should enjoy the same property rights as native-born citizens. But the anti-Chinese feeling had hardly begun in '49. By '52, however, it had developed into a question of considerable importance. Bigler, who was candidate for governor, made political capital of it, and when elected tried to get the legislature to pass anti-Chinese measures, and was very much displeased at their failure to do so.

In the legislature of '53 the Committee on Mines and Mining Interests reported that the fear that too many Chinese were coming

to California was entirely unfounded and that Chinese trade should be encouraged. Moreover, an attorney representing the Chinese Six Companies testified before this committee that there was at that time no contract labor in the state. The next year California sent a resolution to Congress asking that a tax be placed upon each Chinese or Japanese coming to the United States, the tax to be paid by the importing vessel before landing the immigrant.

California attempted to levy such a tax, but was stopped on constitutional grounds.

Meantime in the mining camps the opposition to the Chinese had been growing or was manifested by riots and attempted lynchings. Consequently this same legislature of '55 raised the Foreign Miners' Tax from four to six dollars per month. The following year there was a petition for the reduction of this tax, and for an end to their "exclusion by taxation policy." Bigler objected because of this anti-Chinese sentiment and the Senate objected because it would lower the state revenues. Nothing was done that year, but the following legislature raised the tax to eight dollars, the next session to ten and so on for each succeeding year. As a result of this increase in the license tax, almost all the Chinese gave up mining. Many of them returned to China, and others congregated in the cities. In losing the three dollar tax which the Chinese had formerly paid the state lost \$200,000 annually.

The discovery of a new vein of gold was sufficient to draw many Chinese back to the mines in spite of the high tax. The income from this tax in 1863 was \$187,000, but it dropped to \$80,000 in 1867. This was another tax difficult to collect, but it was made unconstitutional in 1871 by the adoption of the fifteenth amendment to the Federal Constitution and the Act which was passed to enforce it.

In 1859 the anti-Chinese feeling reached such a pitch among the miners that Governor Weller had to send a company of the militia to put down riots in Shasta county. Not content with taxing the miners, in 1862 a tax of two and a half dollars was levied upon all Mongolians over eighteen years of age, who were not engaged in the production of rice, sugar, tea or coffee. The next year this tax was declared unconstitutional.

During the years of the Civil War the people had their attention diverted from local to national affairs, and from contract coolies to negro slaves. But in spite of more urgent and important questions of the day, the Legislature of 1862 appointed a committee which conferred with prominent Chinese officials and reported that there were 50,000 Chinese in the state, who had paid in taxes, license and trade, about \$14,000,000 to the state community; that there was



comparatively little competition between the Chinese and the whites; that there were no contract laborers; that the Chinese were not inordinately immoral; that they had been the victims of a system of wrongs and outrages; and that it would be most advantageous for the United States to maintain friendly commercial relations with China.

It was during this period that the large number of Chinese were imported for work on the Central Pacific Railway. In 1864 there were 1,000 whites, all that could be obtained, and 3,000 Chinese working on the railroad. During the years 1865-9 there were the same 1,000 whites and 9,000 Chinese. In reporting to the Legislature of '65, Mr. Stanford said that the Chinese were peaceable, industrious and economical, apt to learn and quite as efficient as white laborers.

After the war the labor issues again became prominent. The workingmen formed anti-Chinese societies and asked the Republican candidate for governor to answer certain questions regarding the Chinese problem. The answers were guarded, and therefore unsatisfactory to the hot-headed Irish of which the working class was largely composed. As a result, Haight, the Democratic candidate, was elected. Haight was strongly anti-Chinese, and favored complete exclusion, although he could not see why the Chinese were not as much entitled to the franchise as the negro, meaning that he thought neither should have it.

The completion of the railroad in 1869 and the consequent discharging of about 9,000 Chinese flooded the labor market with low-wage workers. The malcontents had more cause than ever for their complaints. The Democratic platform of that year was out-and-out anti-Chinese. The Republicans could not avoid the question and so recommended the restriction of Chinese immigration by constitutional and congressional measures. Here it must be noted that in 1870 the Federal Legislature extended the Naturalization act to include not only white persons as before, but also persons of African nativity and descent. By interpretation the Chinese were, and still are, excluded from the privileges of naturalization.

In 1871 it was evident that the party which carried the workingmen's vote would win. The Republicans, by the adoption of certain planks, among them an anti-Chinese program, in their party platforms, were able to carry the election. Once in office the tone of their Chinese agitation became much more moderate.

In 1873 there was a sort of a panic, followed in '74 and '75 by a time of temporary prosperity, especially for the capitalists. These years saw the beginning of Kearneyism and the Workingmen's Party. It was this party and this movement which were largely

responsible for the cruel and unjustifiable outrages that were perpetrated upon the Chinese.

The Republicans drew up a resolution criticising the Burlingame treaty just negotiated, while the Democrats held a mass meeting by way of directing the wrath of the people toward the unfortunate Chinese. As a result the passions of the unemployed were so aroused that a three days' riot ensued. The governor seemed powerless; a Vigilance Committee was formed to restore peace and order.

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A new state constitution was to be formed. Kearney stumped the state, and got a majority of workmen in the Constitutional Convention. The new constitution is strongly anti-Chinese. It stipulates that the Legislature should provide for the protection of the state from the presence of aliens who are detrimental to the well-being of the state. Aliens incapable of becoming citizens are then declared dangerous, and it is the duty of the Legislature to discourage their immigration by every means in its power. Asiatic coolyism is called "a form of human slavery," and a penalty is placed upon companies importing contract laborers. The nineteenth article was especially stringent. Under it no corporation existing or to be formed under the laws of the state should employ Chinese directly, indirectly or in any capacity. No Chinese were to be employed on any public works except in punishment of crime. This article and also the statute passed to enforce it were both declared unconstitutional.

#### THE CHINESE QUESTION IN FEDERAL POLITICS AND DIPLOMACY.

With most of the anti-Chinese legislation of California declared unconstitutional, it was clear in 1876 that the problem must be solved by the Federal government. Both the great national parties adoted anti-Chinese policies. The California Legislature appointed a committee to investigate Chinese immigration. Their report was published in an "Address to the People of the United States upon the Evils of Chinese Immigration." These evils they summed up as (1) Prostitution, (2) Criminality, (3) Non-conversion, (4) Competition, and (5) Coolie-slavery. In another document called the "Memorial to Congress" three remedies were proposed: (1) Coöperation with Great Britain in suppressing the coolie trade, (2) Abrogation of all existing treaties which permitted Chinese immigration, and (3) Congressional enactment prohibiting more than fifteen Chinese to land at any one time and place.

In spite of the fact that the "Memorial" was drawn up by Californians who should have been familiar with the situation, it shows

great ignorance, for the coolie trade was already prohibited by both Great Britain and the United States. Hittell remarks that the chief result of the "Address" and "Memorial" was "to furnish anti-Chinese thunder for the demagogue of the San Francisco sand lots."

Just before the opening of the Forty-fifth Congress the "Address" and "Memorial" were printed and distributed to Congressmen and officials throughout the country, and a committee was sent to Washington to work up anti-Chinese sentiment before the opening of Congress.

When the session began in 1876 a Joint Special Committee was appointed to come to the coast to investigate. They sat for nineteen days in San Francisco and Sacramento, heard 129 witnesses, took 1,200 pages of testimony and made a report of two pages.

According to Mrs. Coolidge, the testimony was undoubtedly pro-Chinese, but was perverted to make an anti-Chinese report.\*

With this report in Congress many bills were presented. The most important of these and the only one which reached the third reading was the one known as the "Fifteen Passenger Bill." Its purpose, following out the suggestion of the California "Memorial," was to prevent more than fifteen Chinese from coming to the United States at any one time in any one vessel. Both houses passed the bill. President Hayes vetoed it, and it failed to pass over his veto.

California was much disappointed, but blamed the excesses of Kearneyism for the defeat of the measure. The *Placerville Herald* summed up this attitude by saying "The question is not whether John Chinaman shall go, but whether Kearney shall stay." The question was partially dropped in Congress for a time, and when taken up again led directly to the Exclusion Acts. Before studying these Acts we must notice the treaty relations between the United States and China.

The first American-Chinese treaties were purely commercial and not particularly concerned with the rights of citizens of one country living in the other. The American minister in China from 1861 to 1867 was Anson Burlingame, who had the good fortune to be in the confidence of Prince Kinig, Regent of the Empire. This regent appointed Burlingame to represent China in making treaties with other foreign nations, and to amend the existing treaty of 1850 between the United States and China. This treaty as amended is known as the Burlingame treaty. Its provisions may be briefly given as follows: (1) Mutual protection of citizens on

\*Coolidge, pp. 84-95.

each other's soil; (2) The freedom of religious beliefs and exercises; (3) The right of a citizen of either country to reside in the other country at will, with the privileges of citizens of the most favored nation; (4) The right to prevent involuntarily immigration; (5) The right to establish a system of currency and commerce; (6) The admission of Chinese to the public schools in America and the right to establish American schools in China. The Fifteen Passenger Bill was vetoed because it violated this treaty.

In 1880 a Commission was appointed to negotiate a new treaty. The Commission was not given any formal or public instructions, but the tacit understanding seemed to be that they were to secure a treaty that would make Chinese exclusion possible and effective. The Emperor was quite willing to prevent the emigration of laborers, criminals, prostitutes and diseased persons. The final form of the treaty made the following revisions in the Burlingame treaty: (1) The admission of laborers might be regulated, limited or suspended, but not entirely prohibited for a period of ten years; (2) This limitation was to apply only to laborers, the exempt classes being such as body and household servants, teachers, merchants and travelers; (3) The Chinese in America were to be protected from violence. Chinese already in this country and wishing to visit China might obtain certificates permitting them to reënter our ports. The Act of 1882 to execute the provisions of this treaty is the first of the series known as the Chinese Exclusion Acts.

The intention of the treaty as shown by the wording of the document itself and the papers of the Commissioners was that only the laborers and undesirable classes should be excluded. The Federal courts, however, interpreted "laborers" to include all except teachers, traders, travelers and students. Persons of the exempt classes were required to present certificates of identification. The Chinese found many clever ways to have themselves smuggled in, but in justice to the Chinese we must say that their government tried to prevent such evasions of our laws.

Six years later (1886) negotiations were begun for a new treaty which would absolutely prohibit the immigration of Chinese laborers for a period of twenty years. This was not to apply to those returning to the United States from a visit to China of less than one year in length, provided the returning visitor had left a wife, child, parent, or property worth \$1,000 in this country. The exempt classes were to be admitted only by presenting a certificate signed by the consul at the port of departure. While the right of naturalization was still denied to the Chinese, they were promised the same protection as would be given to citizens, and \$276,619.75

were paid as indemnity for losses already suffered by the Chinese in the United States.\* The Senate immediately ratified the treaty, but China was not so prompt. She made objections, as well she might.

While the treaty was pending, Congress passed an act embodying the provisions of the treaty and putting it into effect.† The Chinese minister protested, but to no avail. When news came early in September that China had postponed ratification of the treaty for still further consideration, it was urged that the bill must be passed in spite of the fact that it was opposed to the existing treaty. It was just before the elections. Both parties wanted the votes of the Pacific states. Consequently not only this bill, but also another one, amendatory in nature and providing that laborers absent at the time could not return and that no more certificates were to be issued, were both passed. This latter measure, the Scott Act, was passed in the face of Chinese opposition, and in spite of the fact that wages in California were constantly rising, so that in most occupations the minimum wage in San Francisco was higher than the maximum of the East.

China continued her protests, but to no effect; the Geary Act of 1892 continued all anti-Chinese legislation in effect for a period of ten years. Moreover it placed the burden of proof of the right to remain upon the Chinese themselves. If it were found that they were in the country illegally they were to be deported. But before deportation they might be kept imprisoned at hard labor for one year. The courts found this clause unconstitutional unless the sentence to imprisonment was given as punishment, after a fair, judicial trial. All Chinese in the country were supposed to secure certificates of residence in order to avoid arrest and deportation.

This act proved hard to enforce. Consequently another act (1893) further defined the terms "merchant" and "laborer," in the attempt to make the former law easier to enforce.

In 1894 a new ten-year treaty repealed the provisions of the act of 1888 forbidding laborers who had departed to return. In 1902 the anti-Chinese legislation was extended to the islands belonging to the United States, and Chinese in the islands were forbidden to come to the States except under the same conditions as apply to those coming directly from China. Two years later (1904) the McCreary amendment extended these provisions regardless of time.

This is the present legal status of the Chinese question. In practice the immigration officials, especially those of San Francisco.

\*Known as the "Abortive Treaty of 1838." Coolidge, p. 194, gives summary of.

†Known as the "Chinese Exclusion Acts." U. S. Statutes-at-Large, XXV, 476-479.

have often taken the interpretation, and administration of the laws as interpreted, into their own hands, and so have often mistreated and insulted the Chinese coming to our country. On the other hand, many Chinese have come in, and attempted to come in, fraudulently. This does not, however, entirely justify the attitude of the immigration officers at the ports of entry. Moreover, a large part of the smuggling in of Chinese immigrants has been due to the unfair administration of our laws. It must be said that all such smuggling of Chinese, and mistreatment of them by the American officials, are discountenanced by their respective governments.

Since the McCreary amendment Chinese immigration to this country has greatly decreased. Hence we have almost forgotten the Chinese question and have turned to the Japanese instead, as exemplified by the School Question of 1907 and the Alien Land Law of 1913.

#### CONCLUSION.

It appears to the present writer that the fundamental question is racial, not economic, although the economic element has undoubtedly played its part. On the basis of the great age-long differences between the Chinese and the Americans, amalgamation is very unwise, at least,—perhaps impossible. For this reason exclusion may be the only wise policy for the United States to pursue. But even if the Chinese are prohibited from becoming a part of our body of citizens, it would be both impossible and unkind, at this time when China is looking to the United States for help and guidance in the formation of the new republic, to prevent the Chinese from coming to our country to travel and study and learn of us. So, although we maintain a general policy of Chinese exclusion, we should treat all those who do come so that they may take back to changing China the best that America can give them.

## THE PASSING OF OUR HISTORIC STREET NAMES.

BY J. M. GUINN.

But few, if indeed any, of the original pueblo street names remain. When Governor Felipe de Neve established the old plaza of Los Angeles in 1781, and designated two streets leading out from it toward each of the four points of the compass, or rather halfway between the cardinal points, for his plaza was cut on the bias, he gave them no names. It was not necessary to name them. They were merely openings in the line of house lots that fronted on the plaza. Beyond that line they were not designated. They opened into space unlimited and the traveler was at liberty to wander as he wished, unhampered by fence or farm.

Forty years later, when the old plaza was vacated for the present one, the old streets were gradually abandoned or changed to suit the modern trend of travel. In my researches in the old Spanish archives I have found mention of but one street that possibly might have been a survivor of De Neve's *calles*. It was the Calle Real, or Main Street. It ran north and south through the old plaza's boundaries and probably followed the trail made by Portola's expedition in 1769. The travel between the Mission San Gabriel and the Pueblo of Los Angeles for many years after the founding of the latter followed the Portola trail, which passed up the valley between the hills and the river about on the present line of San Fernando street. It crossed the river just below where now is the cement bridge and intersected what is now the Mission road, near East Lake Park. The site of East Los Angeles then was an uninhabited plain and the *caballero* was at liberty to make road where he pleased.

San Fernando street (formerly Upper Main), North Main (once Alegro or Junction street) and North Spring street, in the early years of the last century *Calle Caridad* (Charity street), are the oldest streets of the city. These long antedate the modern Camino Real marked by bells that never ring and that foot of Mission *padre* never trod.

All the streets south of First street to Twelfth street and all west of Main street to Figueroa, date their existence from the Ord Survey, made in 1849. They were christened both in English and Spanish. The Spanish names long since ceased to be used and are

forgotten. Forten, Caridad and Chapules have been changed to Broadway, Grand avenue and Figueroa.

In a monograph published in the Annual of 1895, Vol. III, of the Historical Society's publications, entitled "The Plan of Old Los Angeles and the Story of Its Highways and Byways," I give the history of many of the old streets and the changes in name. In the present paper I shall confine myself to recent changes and some remarks on street nomenclature.

The iconoclastic American did not efface all the historic street names from our city map. The Native Californian under Mexican domination seemed imbued with the spirit of change.

For instance, long before the Gringo came, Los Angeles street was known as Calle Zanja (Ditch street), next as Calle de Las Vinas (Street of Vineyards), later as Calle de Las Huertas (Street of Orchards), and before the Ord Survey as the Calle Principal (Main street). It was the principal street leading south to the *embarcadero* of San Pedro.

Our modern municipal statesmen seem to harbor hatred to Spanish street names—recently nearly all of Buena Vista street fell before the advance of North Broadway; Requena street gave up to East Market street and what was once Corta street and a portion of Alta street were absorbed into Sunset Boulevard.

These were not the original names of these streets. The fitness of the first name has been lost in the changes and the history forgotten in the transitions.

The Calle Eternidad (Eternity street) extended from the foot of the hill where the Calle Alta intersected it to the Campo Santo, or Calvary Cemetery. The name was fitting. For half a century the dead of the pueblo were carried over it to their eternal rest.

The name was changed to Buena Vista street and it was extended to the river. Forten street (Fort street), changed to North Broadway, was tunneled through the hill into Buena Vista street. Then the real estate promoter, over the protest of the pioneer, petitioned for a change of name. Buena Vista street carried over the river to an intersection with Downey avenue, and the two streets then became North Broadway, the latter in direct violation of the points of the compass, for Downey avenue that was, runs due east instead of north. Downey, once governor of the state, a pioneer and an honored citizen, by a reversal of the points of the compass has been relegated to oblivion in our street nomenclature.

East Market street of today was originally Calle Libertad (Liberty street). Down by the river between what is now Aliso and First streets, for centuries before the Spaniard came, stood the Indian village of Yangna. After the establishment of the Mission



San Gabriel the Indians of the valley, *volens volens*, were gathered into its fold. After the founding of the Pueblo of Los Angeles some of them were allowed to return to the village as laborers for the colonists.

When the missions were secularized the neophytes were left free to go where they pleased. Some of them joined their untamed relatives in the mountains and became expert horse thieves. The great majority of them flocked to the towns and became the pariahs of the social system. Their town, then known as the *pueblito* (little town), was the plague spot of the body politic. It grew worse after the American occupation. The drunken orgies of the Indians on Saturday nights were demoniacal and led to many arrests. The jail at that time was on the block bounded by North Spring, New High and Franklin streets, the latter street then known as Jail street. The Indian, when he had served out his sentence and was liberated, took his way back to his old haunts over the Calle Libertad. Dissipation, Drunkenness and Debauchery—civilization's gifts to the savage—destroyed the Indian and his village.

Calle Libertad became Requena street in honor of Manuel Requena, a municipal statesman of the old régime, who filled the offices of Alcalde and Regidor under Mexican rule and Councilman under American. He was a large landowner on the line of the street and a most estimable gentleman.

The meaningless name of East Market street was recently conferred upon it to connect it with West Market—a little tag of a street extending from Main to Spring street—another exemplification of the caudle appendage wagging the canine.

That portion of Marchessault street which was recently absorbed by Sunset Boulevard early in its history bore the name of Calle Iglesias, or Church street, so named from its proximity to the Church of Our Lady of the Angels; then it became Pan, or Bread street; next it expanded into Panaderia (Bakery) street. When Ord made his "plano" of the city it was known as Corta (Short) street—it was only a block long. The street on the north side of the plaza, upon which some of the residences of the pueblo aristocracy fronted, was known as Calle Trinidad (Trinity) street, and was one of a trio of streets that united to form Main street.

Its name was changed to honor the memory of Marchessault, who, like Whittington of feline fame, was three times Mayor, not of "London town," but of Los Angeles. He cut his official term and his span of life short by suicide. The name crossed Main street and fastened upon Calle Corta.

Temple street fifty years ago, when it ended at the First Protestant Church, which stood on the corner of New High street where the

stone lions now guard the steps up to the court house, was known as Salvation street. It was a time of "spiritual darkness" in the city and the name was probably given in derision. Branching off to the right of that street there was a deep gulch or cañon that crossed diagonally the blocks between Temple street and the gate of the City Cemetery.

It was called the Cañon de Los Muertos, the cañon of the dead. The road to the cemetery in early days before the streets were graded led up this cañon.

There is a tradition, true or false I know not, that tells us the Vigilantes' victims who expiated their crimes on the gallows tree that stood on Fort Hill were buried unshrived, uncoffined and unknelled in the bottom of this cañon. The cañon was filled years ago, when the hill was cut down and the streets graded; all traces of it have disappeared.

If the tradition is true, then the bones of the bad men of bygone days rest more securely and more quietly than those of their virtuous contemporaries who were buried with elaborate obsequies in the old City Cemetery. The graves of many of these have given up their dead and the bodies have been moved to other resting places.

The nomenclature of our streets is polyglot. Many languages have been drawn upon for our street names. The Spanish names are in their decadence. Some of the names of our streets and avenues are mongrels—half and half—a mixture of English and Spanish; for instance, Bonsallo avenue, from an English proper name, Bonsal, is transformed into a Spanish-sounding word by annexing a suffix to it.

The use of the two languages in our street nomenclature has resulted in duplication of names. We have Estrella street in Spanish, and a few blocks away Star street in English; Towne avenue in one part of the city and Pueblo in another. Annexation of outside territory has increased our duplicates. We have at the present time no less than three Mountain Views in English and two Monte Vistas in Spanish.

The Eastern Indian has contributed several street names to our directory, such as Mohawk, Manitou, Calumet, Wabash and Arapahoe, but our California *Lo* has given us only one lone name—Cahuenga.

The odd, eccentric names that once characterized some of our streets have long since been relegated to oblivion.

Away back in the early years of American occupation, Soda Water street intersected Lemon street near the end of Moran's lane, now East Ninth street. These were the days of strenuous drinking. The

popular beverage then was aguardiente, a fiery, untamed liquid possessed of the bad qualities of all intoxicants. Aguardiente is a twin brother to mescal, the national beverage of Mexico—one drink of which will make a man hate all his relatives. It is said to contain fifty fights to the quart, a pronunciamento to the gallon and a revolution to the barrel. In those strenuous days the man whose depraved taste craved such mild drinks as soda pop or lemonade could not indulge in the presence of gentlemen, "suh!" He must go away back and sit down where Soda Water street squeezed into Lemon street.

Deepwater street was a short, narrow street on a sloping hillside. How it got into deep water I do not know. Some joker, probably, christened it by the rule of contraries. Water never accumulated on it, but its dryness brought disgrace upon it instead of honor.

Paradise street once ran parallel with Adams street, but Eve's street never materialized. It is probable they both left Eden by Adams street. Lovers' Lane was a shady street that in early times meandered northward toward the river from what are now the suburbs of Chinatown. The lumber yards, the machine shops and the "Heathen Chinees" encroached upon it and the lovers ceased their trysts in it. Its name was changed to Date street, but the dates have long since gone to join the lovers.

As an illustration of how sentimentalism in street naming may degenerate into common-place, the streets in the old City Cemetery back of the Los Angeles High School are a good example.

The surveyor who platted it, more than fifty years ago, seemed to have been impressed with the idea that he must give its narrow lanes pathetic names in harmony with the solemn use to which the grounds were dedicated. All the passageways were named avenues, although only one of them was wide enough for a carriage driveway. The main driveway was named the Avenue of Eternity. On the north of this were the Avenues of Hope and Tears; on the south the Avenues of Truth and Love. The cross streets running north and south were the Avenues of Prayer, Faith and Rest. The utilitarianism of the age has played sad havoc with the sentimentalism of that surveyor. The Avenue of Eternity, which should have no end, now ends in the boys' gymnasium, while the building itself sets squarely across the Avenue of Prayer. The Avenue of Love collides with the cook's galley of the cafeteria; the Avenue of Tears has been wiped out by the tennis court, while the Avenues of Truth, Faith and Rest have been taken into the athletic field.

A few years ago I was appointed by a Mayor of our city a member of a street-naming commission. The members of that commission labored industriously to bring order out of the chaos of

street names caused by the ambition of real estate promoters to immortalize themselves, their sisters, their cousins and their aunts in our street nomenclature.

To give local coloring and some historic significance to our city highways we injected into the mass of names imported from eastern cities and towns a few smooth-syllabled native Californian names of Spanish origin, but the dwellers on the streets whose names were changed would have none of *that*. They petitioned the City Council for a change from the names given, and that complaisant body granted their request. The vowelly patronymic of a Castilian hero gave way to Hobson of kissing fame, and the liquid flowing cognomen of one of the founders of the city was wiped out by Arapahoe, a linqual monstrosity imported from Denver.

A street in the southwestern part of the city bore a compound name, "Georgia Bell." The commission changed it to a single name and thereby incurred the wrath of Georgia's husband. He employed an attorney to undo our work and to demolish the commission itself.

The attorney in his plea before the City Council said, "I will show you some of the work of this delectable commission. The members wanted no compound names, so they wiped the name of a pioneer lady off the map and deprived her of the honor bestowed upon her, but right over here in the northwestern part of the city they gave a street a double name. They called a street 'Michael Toreno,' after some obscure Irish friend of theirs whom nobody but this learned commission knows." The street he referred to was Micheltorena, named for the last Mexican-born governor of California—a name it had borne for forty years before our commission was created, indeed before some of its members were born. This attorney, although he had lived a number of years in the city and was then an aspirant for a judgeship, had never heard of Governor Micheltorena, nor did he know a Castilian patronymic from a Milesian cognomen—and there are more of his kind in the limelight of politics.

## SOME RECENT OBSERVATIONS IN MEXICO.

BY LESLIE F. GAY, JR.

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(Note.—The subject-matter contained in this article is based upon first-hand information gained from extensive travel and careful study of actual conditions throughout the Republic of Mexico. During the summer of 1911 the writer visited the states along the West Coast and again, during the winter of 1912-13, the eastern, central, and extreme southern sections of the country—twenty states in all—were traversed. On both occasions investigations extended to out of the way places and into the rural and mountainous districts far removed from the regular lines of transit and where the ordinary traveler seldom penetrates. A knowledge of the vernacular was an invaluable asset. It is thus from a rather close contact with many varied conditions and diverse popular elements extending over wide territorial bounds that my observations have been drawn.—L. F. G.)

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Our interest in Mexico is most engaging and especially is this true at the present time. Obviously, a variety of reasons contribute to this result. Natural geographical proximity; the constant flow of population across our southern border; the close financial and commercial relations; the connections, more or less vital, of a social and political character; and, historically, the indissoluble bond which unites the two countries; all these combine to give us a lively and immediate concern in Mexican affairs.

The southern republic exhibits a wonderful variety and contrast. This can be seen in many different lines, as in physical features, climatic conditions, natural products, material development, linguistic and racial elements, manners and customs, and general habits of life. Between the semi-arid and desert regions of the north and the marvellously fertile and productive lands of the tropical south there is an infinite diversity. Millions of acres now barren and unproductive if placed under irrigation could be made to yield in abundance. Potentially, Mexico could easily sustain several times her present population. In fact, her natural resources, as yet scarcely touched, present immense possibilities for future development.

There are two distinct seasons, the dry and the rainy; the former extending from about October to May and the latter from June to September. The climate is hot, temperate or cold, according to the elevation. The torrid heat of the tropics is found in the Tierra

Caliente, or hot belt which lies along the coast. Moderate or temperate weather is obtained at an altitude of from 2,500 to 4,500 feet, while the cool climate is found on the great central plateau, ranging from 4,500 to 8,000 feet in elevation. In a very short time one can rise from extreme heat to perpetual cold and thus secure any temperature that is desired. The Valley of Mexico enjoys a delightful climate, having an altitude of about 7,500 feet.

The natural products of the country are as varied as the climate and correspond to the three distinct zones. In the hot lands the rubber, cacao, tobacco, sugar-cane and a wealth of tropical fruits, including the banana and pineapple, flourish in abundance. Coffee and henequin, or rope-fiber, and fruits such as oranges, lemons and limes are raised in the temperate region. At the higher altitudes wheat and a variety of grains, together with apples, pears, peaches and strawberries, find their natural habitat.

In race and language Mexico also contains many diverse elements. The population of the republic is divided roughly into three main groups. Of the total about nineteen per cent are pure or nearly pure white, about forty-three per cent are mixed, and the remaining thirty-eight per cent are practically pure Indian. Altogether among these several groups throughout the country there are over sixty different languages and dialects spoken. To weld these diverse and heterogeneous elements into a homogeneous and united body politic is one of the largest problems that confronts the leaders of Mexico today. The customs and habits of the people throughout the length and breadth of the country are as widely different as the linguistic diversities. To observe the peculiar characteristics and to note the striking contrasts which are to be found in the various types of the population is a study intensely fascinating.

The dwellings range all the way from the rude one-room adobe hut with palm or dirt roof to the magnificent palatial homes on the boulevards and in the fashionable suburbs of the Capital City. Business blocks even of modern steel and concrete construction are rarely over five stories in height. The larger dwellings always have an inner patio or court. No provision is made for heating the houses even in the cooler altitudes. As for transportation facilities, all forms are to be found, from the peon trudging along with a heavy pack on his back and the primitive ox-cart to the speeding automobile and the fast overland express. Old-fashioned diligencias or stage coaches are used in the rural districts where the roads will permit. These are drawn by four mules generally hitched abreast. Hacks are common in all the towns and in smaller places frequently horse-cars are run. In the larger cities the electric car system has been installed. The City of Mexico has a magnificent

urban and interurban electric system. The power which supplies the capital is brought from the great Necaxa Falls, a distance of ninety miles. Gambling and cock-fights are the customary diversions among the lower classes, especially in the country districts, while the bull-fights in the cities represent the typical national sport. Every Sunday afternoon and on other special occasions the immense bull-ring in Mexico City is filled to overflowing with the patrons of this degrading sport.

Life in the small pueblos in the country districts, where few, if any, of the common necessities of modern civilization are found, is far from inviting. The lower classes are almost wholly ignorant of the simplest principles of hygiene and many places exhibit a shocking disregard of cleanliness and sanitation. It is little wonder that, under such conditions, the ravages of disease are so widespread and so frequently attended with fatal results. The scourges of the tropics, such as yellow, typhus, typhoid and malarial fevers, are still more or less prevalent in the towns of the hot belt. In the mountainous regions, on the other hand, epidemics of smallpox are rather of frequent occurrence. These often work terrible havoc, sweeping away at times from one-half to two-thirds of the inhabitants of whole villages. The natives are perfectly helpless in the face of disease and succumb very readily.

In the larger cities, of course, better conditions prevail. In late years modern methods of municipal cleaning and sanitation have been installed, and, in consequence, disease has been lessened and living made more healthful and comfortable. In the Capital City itself the newer part and the foreign quarter present an excellent appearance. The large modern business blocks, the fine public buildings, the beautiful parks and wide paved streets, and the palatial dwellings of the upper class and the many foreign residents lend an attractiveness to the Capital of Mexico such as will bear favorable comparison with that of any American city. The famous Paseo de la Reforma, a wide boulevard extending from the Alameda to Chapultepec Castle, lined on either side with parkways and elegant shade trees, and adorned at intervals with marble statues and stately monuments, is one of the finest avenues in the world. This and many other features which have added charm and beauty to the city have been worked out in accordance with the artistic designs of Maximilian and Carlotta, formulated during the period of their rule.

But most of all is the Capital City of interest because of the historical associations which cluster around it. The monuments, buildings, churches, parks, street names, all are connected with some historic incident. Out in one of the suburbs the old adobe house used by Cortez as his headquarters at the time of the conquest is still stand-

ing. The famous old conifer, "El Arbol de la Noche Trieste"—"The Tree of the Sad Night"—still lives, majestic with age. Standing beneath the venerable monarch, one can picture in imagination that memorable night when the broken and bleeding little band of conquistadores, with their heartsick but intrepid captain, gathered under its outstretched branches in bitter dejection and almost hopeless despair. The old churches and religious foundations dating from the sixteenth century; the structure which was used as the headquarters of the Inquisition; the stately establishment of San Augustin, which houses the great National Library; and the building occupied by Marshal Bazaine during the French occupation—all are of engaging interest. The Plaza has been the scene of many stirring events in Mexican history, and, just recently, was strewn with the bodies of the dead and wounded who fell with their leader, General Bernardo Reyes, in the attack on the National Palace. Above the balustrade, over the main entrance to the Palace, hangs the Liberty Bell rung by the Patriot Hidalgo in proclaiming the independence of Mexico. Always at midnight, on the 15th of September, the President rings the bell and repeats the famous "Grito" of Liberty. Facing the Plaza on the north is the great Cathedral, stately and grand.

Of special interest is the old San Fernando establishment, with which Junipero Serra was connected at the time of his departure for Alta California to lay the foundation for its spiritual conquest through the Mission system. Adjoining the church is the old cemetery where repose the remains of Mexico's illustrious dead. Here are the tombs of Juarez, Comonfort, Miramon, Mejia, Bravo, Guerrero, Zaragoza, and many others numbered among the immortals. The National Museum contains a wealth of archæological, ethnological and historical exhibits, among which are the great Aztec Calendar and Sacrificial Stones. On the walls of the Academy of San Carlos hang some of the finest paintings done by artists of the old world and the new. Just outside the city limits to the north, on the hill of Tepeyac, rises the magnificent Temple, the sacred shrine of the Virgin Guadalupe, the patron saint of Mexico. What Mecca is to the Mohammedan, Benares to the Hindoo, Guadalupe is to the Mexican. Pilgrims from the far corners of the republic are constantly wending their way, in a steady procession, to this Holy of Holies. Close by is the spring to whose waters are attributed a miraculous healing power. Here the lame, halt, and blind, and such as are afflicted with divers diseases congregate in throngs. Hundreds of bottles of the holy water are carried away daily by the pilgrims back to their distant homes. Tradition affirms that whoever drinks of the waters of Guadalupe will perforce return to Mexico. It was within the sacred precincts of this shrine that the treaty



bearing its name was signed, which closed the Mexican War. The Capital City is truly interesting, enshrined as it is in historic memories, and yet today the very center of the life of the republic.

No land surpasses Mexico in the wealth of its antiquities, and particularly in the wonderful remains, so well preserved, of early primitive civilizations. Of these relics of the peoples of past ages none exceed in interest the famous ruins of Palenque, which are situated in Southern Mexico in the eastern part of the state of Chiapas. In the heart of a primeval and nearly inaccessible solitude, close to the little village whence is taken the name, lie these ruins of one of the famous pre-historic cities of the American continent. It forms one link in that chain of mysterious ruined cities which stretch all the way from Copan in Honduras to Casas Grandes in Chihuahua,—a chain of insoluble enigmas. Until the last century, entirely unknown, and to this day bearing no name save only that given it by the Indians, "Casas de Piedras" ("Stone Houses"), this ancient city, far from the beaten highways of the world, and which but few travelers have ever seen, lies in the midst of a trackless jungle, silent and alone. Only a portion of the ruins are visible, and these are reached by a single footpath cut out by a machete. What lies buried in the forest of giant trees and dense undergrowth is a mystery. One could penetrate within a few feet and yet not see the ruins. The palace and temples of stone and stucco, elaborately carved, painted and covered with petroglyphs, are evidently the work of a polished and cultivated people, who reached their finest achievement in those humid forests, then perished unknown and left behind not even a name to distinguish their civilization. The many slabs upon which written characters are made, if only a key could be found to decipher them, would reveal a wonderful story and uncover long-hidden mysteries. But until then these ruins of antiquity will continue to remain baffling puzzles and insoluble riddles.

With her memorable past, her great material development in recent years, and her marvellous future possibilities,—why has Mexico fallen upon evil days? Why the present internal disorder? To these questions many answers may be found, but, fundamentally, the difficulty lies in the character of the Mexican people themselves and particularly of the upper or ruling class. The outside world, judging from external evidences, had come to believe that the Mexican people were rapidly becoming united into a homogeneous body politic and soon would be ready for complete democratic government. The truth as more lately revealed, however, seems to show that the Mexican nation, as a whole, is about where it was at the close of the Spanish régime, over one hundred years ago.

Former President Diaz is entitled to great credit for the wonderful material development which took place during the period of his

rule. But beyond this little can be said in his favor. He did practically nothing to advance the cause of education among the masses, or to improve social and moral conditions, or correct the gross evils of the economic and political systems which have been crushing the very life out of the poor. In short, he did nothing to elevate the common people or to prepare them for the exercise of self-government in the future. Rather did he seek to build up a political oligarchy in which should center absolute and despotic power, and to exploit the country in the interest of himself, his coterie of supporters and such foreigners as were associated with them. A perfect political machine was constructed, extending to every part of the republic, and made irresistible through fear and intimidation. The whole system was vicious from top to bottom. Anyone daring to resist, or who was thought to be dangerous, was exiled, imprisoned, or summarily put out of the way. The rurales or mounted police were organized to terrorize over the inhabitants in the country districts. Anyone incurring their displeasure was either dispatched on the spot, or thrown into jail to linger and often starve. Everywhere throughout the country small piles of rock with a cross on top can be seen, marking the place where some unfortunate met a violent death, and serving as grim reminders to all passersby. The infamous *ley de fuga* was the official report always given, which satisfied the higher authorities that justice had been properly administered.

Elections, if held at all, were the merest farce, as the nominee of the government was always declared elected. Shortly before his overthrow former President Díaz, in order to allay popular discontent, issued a proclamation guaranteeing that free elections would be held in the case of state offices. Accordingly, in one of the States, the candidate representing the people made a vigorous campaign for the governorship. The election went overwhelmingly in his favor, as against the candidate of the government. When the returns were submitted to the President he coolly declared his own nominee elected and remarked, in justification of his decision, that he cared nothing for the popular vote. Such were the ordinary political methods used under the Díaz régime. Needless to say, the same system prevails wherever the present *de facto* administration is in control. The system of taxation is based on the obsolete plan of farming out the collection of the revenues. A levy is made on each state and by the state on each district in turn. The officers are given meager salaries so that they must make up the deficiency from the sum collected over and above what they are required to turn in. Quite naturally, the surplus will be made as large as possible. In consequence of this system, the rich, through bribery, readily avoid the payment of their proper share of the taxes, and the

heavy burden is shifted on to those least able to bear it. The same corruption characterizes the administration of the law. An offender possessed of wealth and influence is seldom in danger of suffering the just penalty for the offense committed if only he arranges to settle for it with the proper authorities by making an adequate money payment. The poor peon who has committed some crime, however, is immediately apprehended and forthwith punished most severely or thrown into jail, there to remain indefinitely without trial. In the face of actual conditions profuse declarations regarding justice and fair dealing are the merest cant.

The economic system, likewise, is iniquitous. The land of Mexico, outside of the public domain, is largely owned or controlled by a comparatively few landlords. It is held in vast bodies ranging from several thousand acres up to millions. Furthermore, no inconsiderable part of the public lands have been given away in great concessions to foreign syndicates for little or nothing. For example, in one state all government land, amounting to millions of acres, was given to a foreign company for merely making a survey of the state. In a similar manner extensive mineral, oil, timber, and other valuable holdings have been practically donated to foreign interests, of course, with the understanding that the generous officials were to be properly cared for. What is the inevitable result of such a policy of exploitation? The vast body of the Mexican people are landless and homeless, reduced to serfdom and virtual slavery. The situation is quite analogous to that existing during the period of feudalism. The *haciendado* is practically a feudal baron, ruling over his estate as a mediæval lord over his manor. He is held responsible for the maintenance of law and order on the *hacienda*, which gives him virtually absolute power over the peons. He can punish the peon for any delinquency in any way he sees fit and with as much severity as he may desire. If any complaint reaches the ears of the authorities the proprietor merely fixes the matter up with them and the poor peon suffers the more for his indiscretion. It was a matter of surprise to learn that, on a plantation owned by a foreign company, flogging was frequently resorted to as a mode of punishment, in violation of the law. Upon inquiry the information was elicited that there was no danger of prosecution, as it was simply a question of standing in with the officials. The plight of the peons on many of the plantations is truly wretched, living in rude huts, amid filth and squalor, kicked and cuffed about like animals, and with barely sufficient food supply to eke out a miserable existence. Naturally they are always in debt, for the prices charged for everything purchased are purposely made exorbitant. True, a peon may demand his account, but unless he can get some other *haciendado* to buy it he is compelled to remain where he is. Such

is the system of peonage which prevails largely throughout the country. It is impossible that conditions should be otherwise when land is held by a limited number. No people can be free unless the land is divided up into small holdings and owned by a large body of the citizens.

Morally and socially, conditions are most deplorable. Ordinary standards can scarcely be applied as a basis of judgment. According to reliable statistics, at least sixty per cent of the lower classes of the people are living together without legal marriage. Aside from any ethical consideration, the result is most unfortunate. Legally all property reverts to the state, in case of death, where the parties have not had a civil marriage. In consequence, many have been deprived of their rightful inheritance and reduced to poverty and often to peonage. A religious marriage will not suffice. The church, however, refuses to recognize the civil ceremony. Therefore, in order to secure his property to his heirs and save his soul, the poor Mexican must have both a civil and religious marriage. In most cases not having the money to pay for both, he goes without either. The public officials are indifferent, for they are anxious to seize on all forfeited inheritances. And the church stands in the way of the native securing his just rights by holding him in the toils of ignorance and superstition. Both together share the spoils and the poor, ignorant people are left to suffer.

One of the dominant characteristics displayed by persons of all classes is a natural-born love for music. This is fortunate, indeed, for it brings some opportunity for enjoyment and pleasure to those whose lives for the most part, are spent in a weary round of hardship and toil. Bands are maintained in all the larger centers throughout the republic at government expense. They furnish music in the plazas several evenings of the week, at which time society is present in gala display, to see and to be seen. In promenading around the plaza the men walk in one direction and the women in the opposite. Latin custom is quite restrictive in the matter of social freedom. The upper classes, naturally, are provided with a variety of amusements and diversions, but the one general diversion afforded the masses is in connection with the Fiestas, in some respects similar to country fairs. The people gather for miles around to the place where the Fiesta is to be held. Nothing can keep them away. A hilarious jollification is enjoyed, ostensibly, of course, in honor of the saint. Fortunately, there are numerous saints in the calendar to be honored, which makes the Fiestas of rather frequent occurrence. This is quite to the liking of the common folk.

In the field of education the situation is most distressing. Among the masses of the population generally, throughout the republic, the densest ignorance prevails. It is mere pretense to speak of a gen-

eral educational system. In the larger cities the government maintains elementary schools and in the more important centers schools of secondary grade. These are attended only by the children of the better class. It is always possible to tell that a school is in session a block away, for all studying is done out loud and at the top of the students' voices. There are seminaries conducted under the auspices of the church in many places, but the tuition precludes any considerable attendance. The same is true in the case of the private schools which are in operation. For the great masses of the people in the cities and particularly those in the rural and mountainous districts, no educational advantages are provided at all. In the country pueblos, where schools are supposed to be conducted, the teachers are, as a rule, ignorant and utterly incompetent. Taxes are regularly levied for school purposes, but the money thus raised is diverted to other uses by the unscrupulous officials. Even in the Capital City itself, where there are many schools of both elementary and secondary grade, only a very small percentage of the school population is in attendance. The ignorance which prevails, even in official circles, as regards the general condition of the people throughout the republic is astonishing. Above all, there is seemingly little effort made to ascertain the true situation and, consequently, no action taken toward correcting the evils. According to the best statistics, fully eighty per cent of the Mexican population can neither read nor write. This shows conclusively the character and extent of the educational work that is done. Evidently, this unfortunate situation is not due to a failure on the part of the people to appropriate advantages proffered them, but rather is it explained by the absence of such advantages, which are withheld owing to the opposition of both the church and the unscrupulous political oligarchy to popular education. The fact remains, in spite of all excuses, that the government has never seriously encouraged the movement of education with a view to raising the intellectual standards of the masses. Had it been otherwise the overthrow of a notoriously corrupt and despotic power would have long since been accomplished.

Such, in brief outline, are the political, social, economic and educational conditions existing at the present time in the southern republic. The coterie of corrupt and self-seeking officials are determined to forestall, if possible, all attempts at reform. The major part of the political leaders are devoid of any real public spirit or patriotic feeling. Their one aim is to perpetuate their rule and thus continue the policy of exploitation. However, the mass of the Mexican people, during the past few years, have become somewhat alive to the true situation. The different revolutionary factions, while not acting in concert and having no well-defined program, yet all are united upon one thing, namely, never to submit to the

restoration of the old régime. The revolution which resulted in the triumph of Madero seemed, for the moment, to give promise of the successful establishment of a new order and the inauguration of a new era in Mexican national life. Unfortunately, the late President, idealist that he was, was unable to master the difficult situation that confronted him. All the power of the reactionary forces was arrayed against him, and at length, betrayed through the basest treachery, he fell a victim of cowardly assassination. The supreme need of Mexico at present is a leader of iron will and determination who shall be able to restore peace and order throughout the country and then, guided by progressive principles and actuated by patriotic ideals, shall seek to conduct the government in the interest and for the well being of the Mexican people as a whole. Peace may be secured temporarily through measures of expediency or the exercise of military force, but not permanently until a government is established based upon guarantees of justice and righteousness.

## A CALIFORNIA CALENDAR OF PIONEER PRINCES.

BY PROFESSOR ROCKWELL D. HUNT.

If it is true that the task of the American people during the first century of its history was the development of the great West (Bogart, *Economic History of U. S.*, 172), then the typical frontier settler is deserving of high tribute. The pioneer it was that broke the path of westward empire, that prepared the way for the unfolding of the enduring qualities of advancing civilization.

Franklin was looking forward to an America of vast population when in 1754 he presented his Albany Plan for union, and he is said to have ventured the prophecy that in less than a century the great Trans-Alleghany country must become "a populous and powerful dominion;" Washington caught a vision of the West, and while yet a youth became impressed with the magnitude of that wide-spreading, unexplored domain. For young America to fulfill the prophecy of Franklin, and to actualize the vision of Washington, required the sheer physical strength, the intellectual daring, and the moral stamina of a galaxy of pioneer princes. Glancing back over the wonderful country that in our history is but the synonym for westward expansion, we must pronounce these path-finding princes our truest Americans. It is they who have best exemplified the standard of greatness that is distinctively Western, who have displayed those qualities of heart and hand that betoken the spirit genuinely American.

"It has always been our happy fortune," observes a genial writer (Barrows, *Oregon*, 119), "to have a border population that was constantly uneasy to reach a farther front, wilder land, and harder life." In the vanguard of this population—supplying the very sinews of the conquest—has been the sturdy stuff of princely pioneers. But the sharp contrasts and exertion-compelling experiences of the frontier proved themselves a schoolmaster, imparting deep instruction in initiative, versatility and largeness of view. And so it was that these American men of energy and expansive outlook received a still higher endowment of the selfsame active qualities that made them pioneers from the experience of surmounting environmental obstacles of the frontier: rising to the occasion and subjugating their environment, their work of adaptation and subjugation redounded to their own enlargement, to the liberation of their highest powers.

The sturdiness of the men constituting the host that invaded the sweeping prairie, the forest primeval, and the paradisaical valleys was made yet more sturdy by the discipline of long and patient contact with the primitive conditions, the stern necessities, the widening opportunities of the West. If on the frontier were found those drawn from the degraded, shiftless and vicious classes, it happily remains true that the greater number of "men who came to the backwoods to hew out homes and rear families were stern, manly and honest." (Roosevelt, *Winning of the West*, 130.)

It was an early decree of "Manifest Destiny" that California lying directly in the path of American progress, must at length fall to the United States. Still the real mother of California—let us gratefully acknowledge—was not America, but Spain. For Spain it was, that empire of matchless opportunity as she stood facing the modern age, that discovered our coast line, planted colonies on our soil, and introduced the elements of civilization within our borders.

Nor did Spain fail to contribute richly to the calendar of our princely pioneers. It is significant that Columbus, in his ascriptions of praise to the Almighty on the morning of the twelfth day of October, 1492, should thus pray: "May thy Majesty be exalted, who has deigned to permit that by Thy humble servant Thy sacred name should be made known and preached in this other part of the world." It is equally significant that by royal order this prayer should be repeated by Balboa, Pizarro and Cortez in the places of their respective discoveries. The preaching of that sacred name, the conversion of rude savages to the Holy Faith—here was one of the most powerful of all motives impelling to the discovery, the exploration, the occupation and settlement of new Western lands.

California's historical heritage is thereby the richer because of the names and deeds of devoted men like Eusebio Francisco Kino, Jesuit missionary and royal cosmographer, who, after much tribulation, had surveyed from afar the promised land of Alta California, though not permitted to enter, finally laying down his brave life among the simple Pimas; Juan Maria de Salvatierra, Father Visitador of the Pimeria missions, and later the author of the endowment fund (*Fondo Piadoso*) devoted to the "conversion of California," "an emissary strong in body, firm in resolve, prudent in judgment, and of enduring gentleness of bearing;" (Richman, *California Under Spain and Mexico*, 43), and Juan Ugarte, whose physical prowess, abounding works, and lofty and far-reaching policy had won for him the title of "Hercules of the Society of Jesus" and of "preserver of the Lower Californian missions"—"an admirable man, as God liveth, well worthy of immortality." (Cf. Hittell, *History of California*, I, 188.)



But it was not for the Society of Jesus to carry into effect the splendid vision of Father Kino for a grand cordon of missions stretching away to Mendocino. It remained for the then more popular, better-favored order of Franciscans, whose appearance in New Spain antedated Cabrillo's advent at San Diego by nearly a score of years, to carry forward one of the most interesting and noteworthy experiments that missionary annals have to record. If, as Carlyle once remarked, the history of England is the history of her Church, then with equal truth it may be affirmed the story of Spanish California is the story of her Franciscan Missions.

There is little of the heroic, little that becomes the prince, in the early annals of military or political Alta California. To be sure, Captain Gaspar de Portolá had displayed a high order of tact and skill in successfully executing the most unwelcome royal decree of expulsion hurled against the Jesuits: missing the path to Monterey he may also be praised, as first nominal governor of the new province, for the accidental discovery of San Francisco Bay. But no amount of festive celebrating, no superadded extolling of virtues can ever raise his figure to commanding or heroic stature. To be sure, there was the quick succession of governors from Portolá to Sola—Borica was a faithful guardian of the meager revenues, and he wrought for secular education; Arrillaga brought the private rancho to a place of importance. But taken in entirety, the political annals of the times are decidedly jejune, yielding little of interest and less of inspiration to the student in a later age.

Not so the missions planted by the disciples of Saint Francis. Chief among these, he to whom more than to others was given to make the dream of Kino come true, was Padre Junipero Serra, Californian Knight of the Cross. Easily first among these pioneer missionaries whose high courage and sublime faith were indispensable factors in the reduction of California by Caucasians, his place is unalterably fixed, his name written in flaming letters high up in the stately hall of fame.

When, on the sixteenth day of July, 1769, the devout Father-President, then fifty-six years old, raised the cross of Santa Fé, and formally dedicated Mission San Diego, he at length entered upon his real life work, fervently saying: "All my life has been lived for this glorious day." And with the ringing *Te Deum*, under the giant Vizcaino Oak at Monterey in early June of the following year, the religious occupation of Nueva California became a reality proudly published throughout the wide possessions of Spain.

Nine California missions had Serra the happiness to establish. Then, at three score years and ten, lame, weary, scarcely belonging to this world, but with quenchless devotion and spirit transcendent,

for the last time he made loving pilgrimage on foot along *El Camino Real* from San Diego to Monterey, failing not to turn aside into the many *rancherías* to bestow comfort upon the adoring *neophytes*. The mission church he loved best fittingly became his tomb.

His was a great spirit—gentle but strong, humble but austere, not without intolerance, yet utterly consecrated to the task of his life. The affectionate attachment which as a youth he had formed for Palou, Verger and Crespi in the Majorca Convent he never permitted to wane in later life. His attacks on the dissolute soldiery were relentless and unremitting. To him, religion was everything: for the sake of religion were spent his years of incessant toil and struggle, years of surpassing fortitude and incredible sacrifice—pouring out his very life for the rude aborigines.

Fermin Francisco Lasuen was, as Father-President, doubtless a great missionary light; but Junipero was a flaming torch. Palou wrought valiantly; but he was content to be the humble biographer of the truly great one. Look where we may, there is none in the missionary annals of Spanish California worthy to be compared with the first Father-President, Junipero Serra.

Following the régime of Spain and the golden age of the Franciscans, came the independence of Mexico, and the sad downfall of the religious establishments. Meanwhile the more than generous bestowal of land grants by the governors to Spaniards of rank give ground for deeming the manorial *ranchero* as the typical pioneer of the period of care-free California. There was, it is true, the officious *comandante* and the ceremonious *alcalde*; but neither sword nor silver-headed staff lent the princely dignity that belonged as of right to the lord of the wide-spreading leagues of the *ranchos*.

Leading names among the pioneer Spanish families will not be forgotten. With the patrician *caballero* and the gracious *señora* surrounded by from twelve to twenty sons and daughters and a goodly retinue of Indian servants, these early Californian families were families indeed. There were some of pure Castilian blood, like the Carrillos, here and there a few displaying marks of brilliancy like Alvarado and Figueroa, many who, like de la Guerra and Pacheco, Bandini and Coronel, showed capacity for assimilating American ideas and American life, and of contributing worthily to that life.

Better than any of these does Mariano G. Vallejo link together the old and the new in California, bridging the gulf "between the quiet and happy age of the beginning of the century and the age of the American growth and change." Prominently identified with the social life as well as the political and military activities of the Mexican régime, he was pronounced many years later the most

distinguished of surviving Spanish-Californians. He was generous, sometimes to the point of prodigality, distinguished in presence and courtly in personal address, high-spirited but affable—a soldier of ability, zealous legislator, *caballero*, *ranchero*, friend of Americans.

But the spirit of the “splendid idle forties” is almost inconceivably remote from us, and must needs be followed by another and more stirring age. Priceless as is our heritage in the “Arcadia of the West,” and however we may treasure its names and story, it was the on-coming American, working his westward way into the land of the setting sun, that proved himself the dynamic factor in the metamorphosis of the things that were into what has come to be. He it was that exemplified the true California spirit, which is essentially democratic, instinct with progress, abounding in life, and—chief of all—fundamentally American.

California became irrevocably American, call it “Manifest Destiny” or what you will. And early American California was at once the culmination of what had been before and the prophecy of things yet to be. Not all the foreigners who early came hither breathed the genuine spirit of California; nor did all possess the sterling qualities of the typical pioneer. The heterogeneous tide brought many an irresponsible adventurer, many a base exploiter of his fellows; but it brought also numbers of sturdy pioneer folk—hardy, dauntless, invincible—the men who more than all others have established for generations the form of California life and character.

Our quest is for names of princely pioneers that embody in generous measure the marks of the Californian species of greatness. California is big and young and optimistic: the typical Californian must have the stamp of largeness of vision, unaffected virility, abounding resourcefulness, and essential democracy. California stands for altitude and amplitude, and the measure of her treasure is uncounted.

“Her poppies fling a cloth of gold  
 O'er California's hills—  
 Fit emblem of the wealth untold  
 That hill and dale and plain unfold,  
 Her fame the whole world fills.”  
 —*Elisa D. Keith.*

Who are our truest, most real Californians? In what life-walks have they been found? By what token shall we know them?

The epoch-making gold discovery, focusing the world's eyes on the land of El Dorado, was indeed the pivot-point in our far-western history; and no ungenerous measure of honor will ever be bestowed upon the name of the fortunate discoverer; but by no amount of

verbiage or euphonic praise can James Marshall be exalted to the heroic stature of pioneer princeliness. He was an ordinary man admitted within the realm of fame by fortunate accident; to impute to him the quality of genuine greatness would show strange want of discernment. More reason by far would there be to pause before the name of Marshall's associate and superior, John Augustus Sutter, for here indeed is princely stature.

Sutter was the name that was on the tongue of every American journeying across the prairie toward California; Sutter's Fort was the objective point of uncounted immigrant trains, winding their arduous way toward the setting sun. Coming down from the heart of the Sierra Nevada at the end of their long and hazardous journey, the hardy host of pioneers received at New Helvetia such a welcome from the hospitable Swiss captain as caused his name to stand forth as the ideal to strong men and to women and children, as a member of the Donner party gratefully expressed it, "of all that is generous, noble and good."

Apparently secure in his vast possessions, the gallant captain, with his love of romance and wealth of imagination, might well boast himself lord of all he surveyed. It is grievous, therefore, to recall that this founder of the Fort, friend of pioneers, and lover of America, through the strange vicissitudes of fortune, died in poverty if not in utter neglect. Nevertheless his name will never perish: Eliza Donner voiced the tribute of the hearts of succeeding generations when she said: "All who see this land of the sunset will read, and know, and love the name of John A. Sutter, who fed the hungry, clothed the naked, and comforted the sorrowing children of California's pioneer days."

The in-rush of the days of gold brought men of every rank and class. But California proved a great leveler of whilom ranks, a magic crucible of the classes. New Englander and Kentuckian, lawyer and doctor and farmer, Whig and Democrat—all became Californian. In life's later day, whether in San Francisco or New York or Baltimore, those who had numbered themselves among the Argonauts were wont to date their life-history from the days of '49; they kept ever green the memory of those alluring scenes of early California.

The Californian at his best, even in the feverishness of social disorder, did not abandon himself either to avarice or to vice. Thousands were indeed unable to withstand the extreme social pressures, and so were swept headlong into the maelstrom. Not so the masterful pioneer prince.

If it is true, as Professor Royce avers (*California*, p. 222) that San Francisco has been socially and morally tried as has no other

American community, it is conspicuously significant that she has not failed to bring forth, in hours of crisis, wide-visioned leaders fitted to cope incisively and victoriously with the strongest adversary of the public weal. As a champion of civic right and social cleansing in the midst of evil days, the historic type, *par excellence*, is found in the person of William Tell Coleman. When the rapturous delirium of wild speculation became a consuming fire, and good men, absorbed in their private affairs, forgot the duties of citizenship, and the failure of justice was evidenced by scores of unexpiated murders and robberies, the "inevitable response to the general cry for retribution and protection" was the great Vigilance Committee of 1851, and Coleman was the imperial man of the hour. He had won imperishable fame. His supreme courage, his consummate ability in generalship, his absolute personal honesty and poise of judgment, and withal his self-sacrificing devotion to public duty mark him as one of the truly great, whether we view these as qualities of the man himself or as measured by their beneficent results. When "Old Vigilante" died in 1893 the venerable editor of the *New York Sun*, a life-long friend, paid this simple tribute: "Surely, if there are great men nowadays, Coleman was one, and they who knew him truly as he was may well be grateful to Heaven for the privilege."

Among the princely pioneers of the Golden State were great captains of industry and builders of splendid fortunes. Such was James Lick, native of Pennsylvania, who landed at San Francisco in 1847. In the early gold excitement he foresaw the value of property, and made extensive purchases in the sand hills. Today his greatest benefaction is known of all enlightenment, and our knowledge of the stellar heavens has already been immeasurably enriched through the agency of the Lick Observatory, on the summit of Mt. Hamilton.

Darius Ogden Mills was another of California's most successful pioneers; his death at the age of four score years and five brought freshly to remembrance his remarkable financial career, which had been begun in a little one-story brick building on J street, Sacramento, where he exchanged currency and gold dust at the rate of \$16 an ounce. His characteristic reticence, business integrity, sagacity in financial investments, and his splendid gifts and philanthropies admit him to an honorable place in California's hall of fame.

Leland Stanford is a name ineradicably stamped upon the history of California. Politics, thorough-bred horses, a railroad and a university—these individually and severally will keep ever green the memory of this prince among pioneers whose career has been epitomized in two words—"personal success." Personal success

and direct usefulness were indeed the primary ideals of his life. Albert Shaw said of him: "He lived at the top of his possibilities." (See Review of Reviews, 8:155.)

As "War Governor" of the Empire State of the Pacific, and later as United States Senator, his political career was distinguished. Associated with Collis P. Huntington, Charles Crocker and Mark Hopkins, he assumed the place of command in bringing to completion one of the most stupendous works of man; but the name of Stanford will be most gratefully remembered because of the monument that, with the continued cooperation of "his best friend and helper"—his wife, Jane Lathrop Stanford—he has erected as a perpetual memorial to his son and as a benefaction to the unending generations of student life. The vast fortune that made him the richest man in Congress was not his greatest triumph—this was the Leland Stanford Junior University, which was conceived as an effective means for transmitting "personal success" and direct usefulness."

In the quest for pioneer princes, the Protestant preacher of rugged type merits consideration. He is one of the most heroic figures that walked across our early history. Yonder sits Samuel H. Willey, in the full glory of life's gorgeous sunset, awaiting the summons that has already called his contemporaries to everlasting day. President Benjamin Ide Wheeler called attention to a remarkable personality when at the Commencement of 1910 he conferred upon this venerable minister the honorary degree of Doctor of Laws. "Samuel Hopkins Willey, founder, prophet, seer, beholder. It has been given you to see the hilltop of vision transmuted into the mountain of fulfillment, and a dim-focused future dissolve upon the scene into a firm, clear present. Your life is a bond between our beginning and our present, between your dream and its embodiment, between your prayer and its answer."

Willey belongs to a goodly group of Protestant missionaries to early American California. Conspicuous in Methodism was "Father" William Taylor, who for seven years was heard in gospel song and sturdy sermon on the streets of San Francisco, afterwards made Bishop of the African continent. Second to Taylor was Myron C. Briggs, a terror to the evil-doer, and an inspiration to righteousness, who by tongue and pen vied with Stanford and Thomas Starr King in effective work against California's threatened secession, and for the preservation of the Union. Dwight Hunt, the Congregationalist; Williams and Scott, the Presbyterians; Wheeler the Baptist; Ver Mehr, the Episcopalian, and others such as they, present a page in the history of the flush times" in striking and wholesome contrast to a record of sordid motives and un-

worthy deeds. "Happily the long record of vice and immorality," as we read in the Annals of San Francisco, "has a bright and noble counterpart like the gold dust among the muddy atoms of our own river beds, that redeems our character from wholesome condemnation."

California truly is a land rich in the heritage of pioneer princes. In the calendar are devoted founders of missions and fearless preachers of righteousness, high-bred Castilians and affluent *rancheros*, leaders in social purging and builders of splendid fortunes, seers, poets, orators, statesmen, soldiers, great lovers of nature and faithful lovers of man. Time fails for further recital; yet we have not so much as pronounced the name of Frémont, the "Pathfinder," most conspicuous figure in the American conquest; of Grant and Sherman and Halleck, the soldiers (who in a measure belong to California), of Baker the orator, of Judah the engineer, of Brannan the progressive leader and early millionaire, of Colton, the first American *alcalde*, of Field, the eminent jurist, of Cornelius Cole, the Senator, of Joaquin Miller, the poet of the Sierras, of John Muir, the brother of the Big Trees.

But whom shall we acclaim the worthiest of the princely pioneers to embody in his single life and character the qualities of true Western greatness—who is our Californian *par excellence*? His must be a composite greatness, with open-handed hospitality and the practice of personal integrity; his must be the strength of tolerance, resting upon an unwavering confidence in "the validity of liberty" and the rulings of an all-wise Providence in the affairs of men.

Such was the measure of John Bidwell, "father of Chico." Here was California's true nobleman; princely in very democracy, hospitable even to his own hurt, wholesome-hearted and resourceful, full of aspiration in youth, alert and vigorous at eighty, an unaffected Christian gentleman of simple grace and genuine courtliness.

Standing full six feet in height, he possessed a powerful frame and remarkable endurance. For well nigh three score years he was a prominent citizen of California. For one to sit and listen while this pioneer of '41 discoursed in his deliberate, inimitable way upon the early Californian regime—as has been my rare good fortune—was like listening to a veritable voice out of the romantic past; other days were made vocal, history itself became audible.

I find no other man in all our annals that embodied in his own character and life so many of the traits and qualities of the typical pioneer of California at his best as were happily blendid in the personality of John Bidwell. Kino and Serra, Taylor and Willey

represent the missionary zeal of the Spanish and American Christianity from the standpoint of the Church, Catholic and Protestant; these came to minister unto Californians, not so much *to be* Californians. Vallejo and Bandini were interesting types of the old régime, with some capacity for American ideas; but their kind was essentially Spanish. Marshall lit a torch that illuminated a unique age; but his personality faded into the shadows. Sutter was the generous friend of the Americans, but never quite one of them; and a dozen years before his death he took a sadly affectionate farewell of California to make his home among the peaceful Moravians in Pennsylvania. Coleman was a mighty captain in the days of swift social purging; yet he knew little of the pastoral life of his California. Lick and Mills were great captains of industry; but Lick was at times parsimonious and inhospitable, and Mills was reticent and distant. Stanford was doubtless greatest of the "Big Four" of the Pacific Railroad, a distinguished politician and kingly benefactor; nevertheless, his arrival in 1852 lost for him the chance of being numbered among the real Argonauts. Frémont is called the "Pathfinder;" but even he first entered California years after the coming of the first overland immigrant train and lacked much of being the full-orbed Californian.

Turn once more to John Bidwell, and behold in him a genuine Californian. He stands the test of early entrance, of self-education, of largeness of vision, resourcefulness of life, and adamant principles coupled with broad tolerance and simple faith. "A Western man," as Dr. Amos G. Warner once said, "is an Eastern man who has had some additional experiences." (Quoted by D. S. Jordan in "California and Californians.") As Lincoln was the only single man big enough to embody the composite spirit of Americanism, so Bidwell best embodies the various qualities that mark the typical pioneer prince of California.

His wonderful versatility exacted of every passing year an invisible resource and a mellowing richness of heart, which combined with generous native endowment in the perfection of a character at once lofty, heroic, gentle, noble. The petals of the tiniest flower and the huge geological formations alike elicited his warm admiration. He stored his mind with a wealth of the poetry of Nature and of the Psalms of David. For years he was the State's foremost agriculturist. His political career was long and full of interest, if not always successful from the standpoint of voting strength. His benefactions were both numerous and worthy of the best spirit of the Californian's open-handed generosity. As a host he was the beau-ideal, always heartily joined by his charming wife in welcoming alike to Rancho Chico the world's most renowned and the Indian *protégé*.



The great Commonwealth of California, with its fabulous resources and boundless possibilities, is today the richer because of the expansive character and stimulating example of its pioneer princes. Few, indeed, are the Argonauts that now remain on this side of the "Great Divide" to answer the roll-call of the Forty-niners. Yet a little while, and the inconspicuous notices that now and again record the "death of a forty-niner" or the "passing of a California pioneer," will have wholly and forever disappeared from the surfeited columns of our newspapers.

Is it not meet and befitting then that a group of historical students and instructors of youth should pause in renewed contemplation of the historical heritage that is ours, with the earnest thought of a fuller entrance thereinto in the future? The favored sons of California may well heed a wise remark of Arnold of Rugby: "The harvest gathered in the fields of the past is to be brought home for the use of the present."

Therefore do we pay humble and reverent tribute to that honorable body of frontiersmen, sturdy, strong-fibred, princely pioneers.

"I have no word to speak their praise.

Theirs was the deed: the guerdon ours.

The wilderness and weary days

Were theirs alone: for us the flowers."

—A. J. Waterhouse.

To the sons of such as these, and dwellers in happiness in the Golden Land they have bequeathed—ours is a heritage dearly to be prized and a never-failing inspiration.

## DRAKE ON THE PACIFIC COAST

PROFESSOR JAMES MAIN DIXON.

The personality of Francis Drake, the great sea-captain of the age of Queen Elizabeth, has a perennial fascination for all who speak the English language. As much as any other man, he made it a world tongue; for it is the supremacy of Britain upon the ocean which has led to her colonial activity and imperial influence. And to this supremacy Drake was no slight contributor. As long as he lived he was the terror of the Spaniards afloat, and the close of his life saw the definite transfer of naval superiority from the Iberian peninsula to the British isles. France and Holland had still to be reckoned with, it is true, during the next two centuries; but neither of these countries had ever the same overshadowing power as Spain and Portugal combined in the years preceding the Great Armada.

When Drake set out on his world voyage, the crowns of Spain and Portugal had not yet been united; but the union was complete ere he returned in triumph. Keen as was the national rivalry between Portuguese and Spanish navigators and adventurers, yet in face of heretics like Drake they were at one in antagonism. Drake was always regarded as a pirate and an outlaw. Had not the arbiter of Europe, the Roman pontiff, divided the pagan world into two political hemispheres, giving the Eastern to the Portuguese and the Western to the Spanish? There was no room anywhere for rebel Hollanders nor for pirate Englishmen. The boldness of Drake, therefore, in setting out to cross two oceans, having nothing but hostile ports to touch at, may well astonish us. Nor had he a completely loyal crew. During the months he spent on the South American coast, south of Buenos Ayres, waiting for the southern spring ere he ventured into Pacific waters, he had to condemn and execute one of his ship captains, Thomas Doughty. The summary act caused a good deal of adverse criticism at the time; and had he not returned crowned with laurels, he might have been called to account and punished. The tragedy took place at Fort St. Julian, where Magellan had also wintered, and where he had to deal summarily with mutinous subordinates. The most recent historical atlas published, that of Professor Shepherd of Columbia University (Holt & Company), does not make Drake touch at this harbor. Again, after passing through the Straits of Magellan, Drake was unable to proceed northward owing to foul weather, which drove

him towards the South Pole. Consequently it may be claimed that he was the first European to behold the rugged promontory of Cape Horn. It was not until the year 1616, or nearly twenty years later, that a Hollander gave it its current name. But in September, 1578, Drake reports that "The uttermost cape or headland of all these islands stands near in 56 degrees, without (i. e. beyond) which there is no main nor island to be seen to the southwards, but that the Atlantic Ocean and the South Sea meet in a larger and fuller scope." Professor Shepherd again fails to register this involuntary cruise to the south, although it means so much in the story of discovery.

In his voyage northward along the west coast of South America, Drake showed great judgment and excellent seamanship; moreover he was seemingly favored by fortune in getting winds and weather that suited. The Spaniards were taken unawares, not expecting so deadly an enemy in these far-off waters; and the Englishman made full use of his opportunities. When he came to Callao, the port of Peru, he was definitely within what we may call the zone of Panama activity. To Panama was carried the metal treasure of Peru; it was the *entrepôt* of merchandise along the whole Pacific coast. Drake's policy was to avoid any regular sea fight, as his single vessel was no match for one or more Spanish galleons prepared for battle. When he first appeared off Callao, it was presumed that the Golden Hind was a piratical Spaniard, manned by a crew that had mutinied. No one dreamed that the little English vessel had dared the perils and intricacies of the Straits of Magellan and had ventured into these remote seas. When the fact was realized the viceroy at Lima hurried down from the capital with an armed force, and got in readiness two armed vessels with four hundred fighting men on board. With such an equipment they never doubted that the English pirate would be overpowered and captured. But unfortunately they did not take sufficient care with the commissariat, and in the resulting stern chase—which is a long chase—which Drake gave them, their provisions failed and they had to return to port.

The fleet of three vessels under the command of Don Pedro Sarmiento de Gamboa, which was finally dispatched, was unable to catch up with the Golden Hind, and as a last resort sailed south to the Straits of Magellan, to await Drake there on his return home. The Spaniards never doubted that Drake would go back to England by the way he had come. But he himself had two alternatives, of which he chose the second. The first was to proceed northward along the western coast of the American continent, and find the Northwest passage that was supposed to exist between the Columbia river and the St. Lawrence as we know them today.

The fear that English or French navigators would find such a passage and swoop down on the Pacific galleons of Spain from the north, had a definite effect on the policy of Philip the Second, who at one time contemplated the invasion of Japan so as to dominate the further side of the ocean. It was a general mistake at the time to underestimate the distance between the littorals, and to suppose that Japan was quite close to what is now the state of Oregon. Drake as we shall see, actually made the attempt to discover these Straits of Anian, as they were called, but was balked by inclement weather. Thereafter his best policy seemed to be the continuation of his westward trip by which, to use his own phrase, he "encompassed the world."

Don Pedro Sarmiento de Gamboa was so impressed with the danger of leaving the Straits of Magellan unguarded that he used all his efforts to have a colony planted on its shores as a Spanish garrison. His royal master listened favorably to his arguments, and three years later a powerful armament sailed from Spain. It had ill-success from the start. After losing five out of the twenty-three ships in an Atlantic gale soon after putting to sea, it had to return to port to refit. In fact, two years spent at Rio de Janeiro and elsewhere south of the line were to pass ere Sarmiento landed the survivors of the expedition on these Patagonian shores. Two cities about seventy miles apart were laid out, San Felipe and Nombre de Jesus, in favorable points of the Strait, and it appeared that at last something solid would be accomplished. But the winter set in with uncommon severity; they ran short of provisions; and Sarmiento,\* who went off to Chili in search of these, was unable to return. Philip finally lost all interest in the ill-starred project, and these poor adventurers were left to starve and die. In 1587 the English navigator Thomas Cavendish found less than a score of miserable beings who were dragging out an existence by picking up shell-fish and plucking herbs. They were even too weak to bury their dead comrades who lay within the huts. These ghosts were all who remained of four hundred and thirty men and women who had landed with high expectations of founding a new empire.

Sarmiento had gone on the wrong track to capture Francis Drake. After looting the port of Callao, and escaping by great good luck from the three vessels who followed him rashly, the Englishman pressed on northward in the wake of a rich galleon, which his prisoners had described as bound for Panama. On February 24th, 1579, they crossed the line, with the *Cacafuego*, or *Spitfire*, as the galleon was named, still unsighted. But on March 1st, Drake's brother John discovered it from the masthead, thus

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\*He was captured by Sir Walter Raleigh.

securing the reward offered by the commander to the lucky seaman who should be the first to report a ship ahead. The captain of the Cacafuego was ready to give the newcomers a welcome. He had expected no unfriendliness, and possessed no defensive armor to repel an attack. Ere he discovered his mistake his vessel was within the range of Drake's guns, and it was impossible to escape. Yet the brave Biscayan did not surrender till the mizzenmast of the Cacafuego was shot away, and he himself had been wounded by an arrow. It was a rich prize for the English privateer. The gold, silver, and precious gems in the hold amounted to no less than three-quarters of a million in our money. The capture took place on the first day of March, 1579, off Cape San Francisco in Equador.

With so much booty on board, and the inclement season about to set in to the south, Drake felt that the Straits of Magellan route was closed to him. In Shepherd's Historical Atlas he is made to put in at Panama, an evident mistake, for Panama was a fortified city, where he would have had the odds entirely against him. The first move was to find a retired and convenient anchorage where he could water and refit. Their evident route was northward, towards the entrance of the reported passage which would take them back eastward to England. Such an anchorage was found off the coast of Costa Rica, in a small bay of the island of Canno.<sup>1</sup> Here they were north of Panama and close to the route of vessels making for that port. With the pinnace they were able to capture a boat laden with honey, butter, sarsaparilla and other commodities, and having on board letters from the King of Spain to the governor of the Philippines, as well as sea charts which were to prove of particular value to them later on. They also captured a vessel containing linen cloths, China silk and porcelain, goods that had come across the Pacific in the Manila galleon and had been transhipped. This was the last vessel they met on all the coast.

By the 24th of March they were again at sea, heading for California. They put in at the Mexican port of Guatulco<sup>2</sup> in the province of Oajaca, where they got some booty, laid in more provisions, and left on shore the Portuguese pilot, Nuño da Silva, who had been with them since his capture in the Cape Verde Islands, early in the long voyage. He reported the details of the fourteen months he had spent with the English "pirate" to the Viceroy of New Spain, and this "relation" is available for us today, and makes highly interesting reading.

By the 16th of April they were free to sail for home. Although in the "Famous Voyage" narration in the Hakluyt Series, Vol. VIII.,

<sup>1</sup> Cano Island, 8 deg. 40 min. N. lat., 84 deg. W. long.; close to Point Llereno.  
<sup>2</sup> Guatulco or Huatulco, 15 deg. 8 min. N. lat.; 96 deg. 30 min. W. long.

it is stated that Drake left Mexican waters with the idea of crossing the Pacific to the Malucos islands, en route for the Cape of Good Hope, and chose "a northerly route to get a wind, after the Spanish fashion," yet there is good reason to believe that he was really in search of the Northwest Passage. During the month of May, 1579, he was sailing along the Californian coast. At the beginning of June he was off Cape Blanco in Oregon. And there he turned south again. Here is the description of his movements, taken from the "Famous Voyage":

"The 5 day of June, being in 43 degrees toward the pole Arctike, we found the ayre so colde, that our men being grievously pinched with the same, complained of the extremetie thereof, and the further we went, the more the colde increased upon us. Whereupon we thought it best for that time to seeke the land, and did so, finding it not mountainous, but low plaine land, till we came within 38 degrees toward the line. In which height it pleased God to send us into a faire and good Baye, with a good wind to enter the same."

There is no doubt that they rounded Port Reyes and came to anchor in what is known as Drake's Bay. The difficult item to explain in the narration is the extraordinary severity of the June weather off the coast of Oregon. That hardened seamen like his crew should have found the cold insupportable in these waters at this mild season of the year is incredible, unless the climate has changed entirely during the intervening centuries. Either they went much further north, or he is "hedging." Notwithstanding the silence of the narration in regard to his intentions of making such a search, it is fairly well established that he followed this will-o'-the-wisp. Maybe he disliked to confess that he had been foiled in a cherished project. Moreover, the confession might be supposed to lessen the glory of the great enterprise which he carried to completion, by making it the result of accident rather than of deliberate intention.

The reason he alleges for taking the course he did—that he had in view a northern Spanish route when he left Guatulco—does not bear scrutiny, inasmuch as the Spaniards did not adopt such a route until nearly ten years later. Indeed, between 1580 and 1583, the Mexican and Philippine authorities were actually in search of a more southerly route than that taken by Urdaneta and Legazpi in the final conquest of the Philippines in 1563. At that time Urdaneta returned almost directly across the Pacific and approached land first in Southern California, sighting the hills of the now famous summer resort of Santa Catalina. The navigator despatched by the Governor of the Philippines to find a more southerly route, Captain Juan Roquillo de Castillo, did not get further than New Guinea. In 1584, however, Francisco de Gali, sent by the Viceroy

of New Spain, Contreras, to discover a better route, struck the Japanese current or *Kuro Sivo*, "a very hollow water and stream running out of the north and northwest," and this became thereafter the established course of trans-Pacific navigation.\*

On the other hand it would have been strange had not Drake paid particular attention to the possibility of a Northwest passage. Its existence was believed in firmly during the sixteenth century; indeed, as early as 1500 a Portuguese navigator (Caspar Cortereal) asserted that he had discovered such a passage. In 1542 Ferrello seems to have mistaken the drift from the Columbia river for the outflow coming from such a passage; and in 1561 Urdaneta, in a memorial to King Philip, referred to the rumor that the French had discovered a westward route between Labrador and the land north of it.<sup>2</sup> Cartographers believed that Labrador lay right across from the northern coast of China. Drake must have made a bold attempt to find it, going north much further than the 43 degrees, and have turned back in disgust.

There is some discrepancy between different narratives on this point. In Fletcher's "The World Encompassed of Francis Drake," published in London in 1628, it is stated at pp. 111-2 that the southern route, back by the way they came, was definitely abandoned after the capture of the *Cacafuego*; but that the other route, "the passage there was to be found about the northern parts of America from the South Sea into our own ocean," offered "a nearer cut and better passage home." Besides, the discovery of its navigability would be a "good and notable service to their country." The third alternative by the Cape of Good Hope necessitated a long and tedious voyage, "which would hardly agree with our good liking; we being so long from home already. . . . We therefore all of us willingly hearkened and consented to our General's advice, which was, first to seek out some convenient place wherein to trim our ship, and store ourselves with wood and water and other provisions as we could get, and thenceforward to hasten on our intended journey for the discovery of the said passage, through which we might with joy return to our longed homes." They accordingly set forward on March 7 from the place where they were, off Cape San Francisco, 1 degree north of the line, and "shaped their course towards the Iland of Caines, with which we fell March 16." It was not until April 15 that they put in at the harbor of Guatulco in Mexico. "From Guatulco we departed the day following, viz., April 16, setting our course directly into the sea, whereon we sailed

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\*Consult Richman, "California Under Spain and Mexico," Chap. II., and Appendix, p. 371.

2. Richman, page 18.

500 leagues in longitude to get a wind; and between that and June 3, 1400 leagues in all, till we came into 42 degrees of North latitude, where in the night following we found such alteration of heat, into extreme and nipping cold, that our men did grievously complain thereof." The ropes of their ship became stiff with cold, and they seemed to be "rather in the frozen zone than any way so near to the sun." They proceeded two degrees further north, and then put into shore, being forced thither by contrary winds. They were now in the height of 48 deg." and resolved to give up the enterprise. The "extremity of the cold would not permit us to go further North; and the winds being directly bent against us, having once gotten us under sail again, commanded us to the southward whether we would or no." It was under these conditions, creeping along the coast, where every hill, and none of them was very high, was covered with snow, "although it were June," that they finally found a suitable anchorage at Drake's Bay.

The Hondius Map of the World, of date 1613 A. D., with Drake's course outlined, which is prefixed to a reprint of this booklet,\* is fairly correct as far as South America is concerned, but from Cape San Francisco, instead of showing marking a deflection to the island of Canno, and indicating the call that was made at the harbor of Guatulco, the line keeps free of the land till past the fortieth parallel. The Straits of Anian are relegated to the Arctic circle. Shepherd's Atlas makes Drake call not only at Panama, as I have already stated, but also at Acapulco, places that he was anxious to avoid, and then carries the line no further than Drake's Bay.

The cold weather still continued during the six weeks they spent in and around the bay. Fletcher complains of the icy north and northwest winds which blew constantly. "Hence comes," he adds, "the general squalidness and barrenness of the country; hence comes it that in the midst of their summer the snow hardly departs from their very doors, but is never taken away from their hills at all; hence come these thick mists and stinking fogs, which increase so much the more by how much higher the pole is raised."

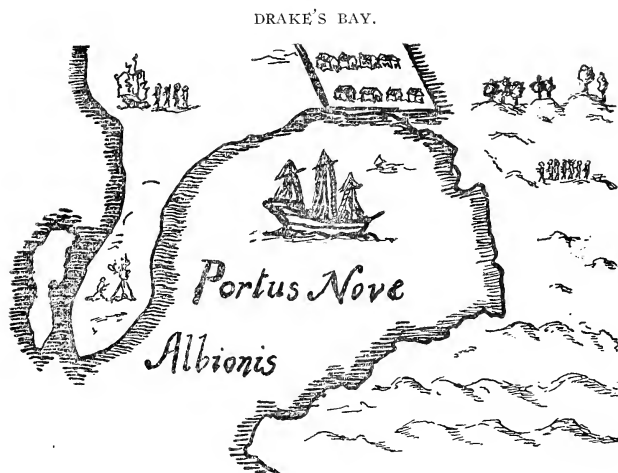
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\*Consult "The World Encompassed by Sir Francis Drake, Being his next Voyage to that to Nombre de Dios, collated with an unpublished manuscript of Francis Fletcher, Chaplain to the Expedition. With Appendices illustrative of the same Voyage and Introduction, W. S. W. Vaux, Esq., M. A., London: Printed for the Hakluyt Society, MDCCCLIV."

This volume contains a reprint of the original seventeenth publication. "The World Encompassed by Sir Francis Drake, Being his next Voyage to that to Nombre de Dios formerly imprinted: Carefully collected out of the Notes of Master Francis Fletcher, Preacher in this employment, and divers others of his followers in the same; Offered now at last to publique view, both for the honour of the actor, but especially for the stirring up of heroic spirits, to benefit their Countrie and eternize their names by like noble attempts. London: Printed for Nicholas Bourne, and are to be sold at his shop at the Royal Exchange 1628.



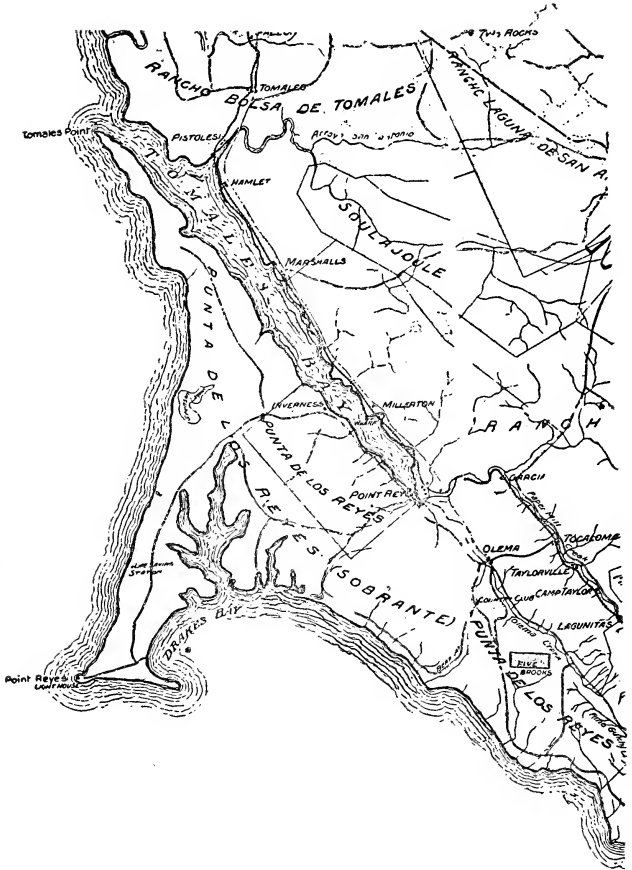
There is no indication whatever that Drake or his men discovered the wonderful bay of San Francisco, near as they were to it. They even made expeditions into the interior, but its glorious proportions never revealed themselves to their eyes. They shivered as if they had been, in the words of one of them, "at Wardhouse, in 72 deg. of North latitude." This man declared he had been there at the end of summer and had not suffered nearly so much. The natives were kindly, and regretted their departure, which took place on July 23. As they passed the Farallones, which they called the Islands of St. James, they laid in a plentiful supply of seals and birds. Then followed a long unbroken ocean voyage of sixty-eight days into another hemisphere.



*Fæda corporum laceratione & crebris in montibus sacrificiis hujus Novæ Albionis portus incolæ Draci jam bis coronati decessum deflent.*

The above side map is taken from Hondius's map, of date 1595, now in the British Museum. It will be noticed that the coast takes a southwestward trend in this map,—absent in the more recent map,—so as to suggest an enclosed bay with narrowed entrance, but that in other respects the bays are similar. There is absolutely no suggestion of San Francisco Bay or the Golden Gate in the Hondius map.

DRAKE'S BAY.



MARIN COUNTY, CALIFORNIA.

## APPENDIX A.

*Discrepancies in the Various Narratives.*—The accounts of Drake's movements in the Pacific after capturing the *Cacafuego* vary somewhat. If we follow Nuño da Silva's account (Hakluyt, Vol. VIII., p. 85, Everyman Edition), the *Golden Hind* abandoned the *Cacafuego* on March 6, and thence held her course towards the land of Nicaragua. On the 13th, in the morning, they descried land, being a small island about two leagues from the mainland, where they found a small bay. Coming to anchor, they stayed in this place till the 20th of the month. On that day they captured a frigate close by the island, following it in their pinnace. Transferring their goods to the frigate for four days, they "new calked and trimmed" the *Golden Hind*, and then made for the open sea, "taking the said frigate and her men with them." After two days they took the men out of her and set them in the pinnace, among them four sailors who had meant to go to Panama and from thence to China. One of these men bore on his person valuable letters from the King of Spain to the Governor of the Philippines and the "sea-cards" that were to be of such use to Drake later. On April 7 they captured another vessel, containing a certain Don Francisco Xarate and a negro. Three days after they let both the ship and the men go whither they would, setting therein two of the China-bound sailors whom they had taken in the frigate. On Monday, April 13, they reached the haven of Guatulco, where they stayed ten days. Two hours or so before leaving they put Nuño da Silva ashore. This is a very satisfactory narration from the chronological standpoint.

Francis Fletcher's account, in "The World Encompassed by Sir Francis Drake," makes the *Golden Hind* leave Cape San Francisco on March 7, shaping its course towards the "Island of Caines," which they reached on the 16th. In their journey thither they met with one ship more, "the last we met in all these coasts," laden with linen, China silk and China dishes, "among which we found also a falcon of gold, handsomely wrought, with a great emerald set in the breast of it." Nuño da Silva, who mentions Don Francisco Xarate, to whom the emerald belonged, does not speak of this gem. On April 24, they left the island and steered northward, passing the ports of Papagaia, Vale, and Quantapico. "The next harbor, therefore, which we chanced with on April 15, in 15 deg. 40 min., was Guatulco. . . . From Guatulco we departed the day following, viz., April 16, setting our course directly into the sea."

A third account appears in Hakluyt, Vol. VIII., p. 61. After stating that the place where the prize was taken was called Cape de San Francisco, about 150 leagues from Panama, the narrative goes on to state that the *Cacafuego*, after being thoroughly looted, was cast

off, and the *Golden Hind* "went on its course still towards the west, and not long after met with a ship laden with linen cloth and fine China dishes of white earth, and great store of China-silks, of all which things we took as we listed. The owner himself of this ship was in her, who was a Spanish gentleman, from whom our General took a falcon of gold, with a great emerald in the breast thereof, and the pilot of the ship he took also with him, and so cast the ship off. This pilot brought us to the haven of Guatulco." Here they found an assize sitting in judgment on three negroes who were accused of conspiring to burn the town; they quickly broke it up. Before leaving Drake set ashore "the Portugal pilot" taken at the islands of Cape Verde. Thence they sailed to the "Island of Canno," where they mended and graved their vessel, and took in sufficient water and wood. While they were here, they caught sight of a ship, set sail after her and captured her, finding in her two pilots and a Spanish governor, going for the Philippines. They searched the ship, "took some of her merchandizes, and so let her go," but there is no mention of sea-charts. It is stated that it was here that Drake resolved to "go forward to the Islands of the Malucos, and thereafter to sail the course of the Portugals by the Cape of Buena Esperanza." They therefore sailed somewhat north-erly to get a wind, leaving on April 16.

At p. 240 of Hakluyt, Vol. VI., there is an account of Drake's voyage across the Pacific from the time he left the "Isle of Cano." After he had "calked and trimmed his ship" here, he kept his course along the coast of Nueva Espana, until he came to the haven and town of Guatulco. Thereafter it gives a repetition of the scene at the courthouse, the setting ashore of the Portuguese pilot, and the decision to cross the Pacific rather than try again the Straits of Magellan.

In his "Drake: an English Epic," published in 1908, the poet Alfred Noyes gets mixed up both in regard to chronology and geography. Book VI. opens with an account of the *Golden Hynde*, as she lay off Cape San Francisco, her crew delighted with their success, and anxious to get home with the booty. They determine to seek the fabled Northern passage; and sailing northward swoop down on the port of Guatulco. Here they break up the assize, free the poor negroes, and revictual. Then they swept northward (sic!) once again, "and, off the coast of Nicaragua, found a sudden treasure better than all gold." This was the "sea-cards" of the first narrative. Being on the track of the China trade they came upon a vessel, which they captured, and found therein "charts of silken sea-roads down the golden West."

## ANTI-JAPANESE LEGISLATION IN CALIFORNIA, AND THE NATURALIZATION OF THE JAPANESE.

BY ROY MALCOLM, PH. D.

When in 1906, the San Francisco School Board adopted a policy segregating the Japanese school children from the American school children, Japan protested upon the ground that it was unjust discrimination. By such action, we were not giving her the rights and privileges of the "most favored nation," which she claimed were guaranteed under the treaty of 1894. Her protest was listened to with respect, a few Californians hastened to Washington to confer with President Roosevelt, and the policy of the Board was abandoned.

In 1913 there was passed by the legislature of California a bill, the purpose of which was to exclude from land ownership within the State those ineligible to citizenship. Japan protested upon the ground that the law, if passed would deny to her subjects the rights and privileges guaranteed by Article I of the treaty of 1911.

This article reads as follows: "The citizens or subjects of each of the high contracting parties shall have liberty to enter, travel, and reside in the territories of the other to carry on trade, wholesale and retail, to own or lease and occupy houses, manufactories, warehouses, and shops, to employ agents of their choice, to lease land for residential purposes and generally to do anything incident to or necessary for trade upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established. They shall not be compelled under any pretext whatever, to pay any charges other or higher than those that are or may be paid by native citizens or subjects.

"The citizens or subjects of each of the high contracting parties shall receive in the territories of the other, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or may be granted to native citizens or subjects, on their submitting themselves to the conditions imposed upon the native citizens or subjects."

The immediate question that arises is this: Does this provision give to the subjects of Japan the right to purchase and hold land to be used for agricultural purposes? We think not, but granting for

the moment that it does, what would be the legal status of a state law which would deny to the subjects of Japan such a privilege?

We hold that the law on this point is clear and defined. The Federal Constitution, Article VI., Section 2, provides: "This Constitution, and the laws of the United States, which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding." But, it is asked, may the Federal government interfere by treaty provision with matters that are ordinarily within the province of the State Government? No one will deny the power of the states to legislate upon the question of land ownership, but if such legislation conflicts with some treaty provision we hold it to be invalid. It is interesting to note that this principle was upheld by the Supreme Court of California in a decision rendered October 23, 1855, 1855, in the case of *People vs. Gerke*, (5 Calif. 381, Sup. Court Reports). On August 23, 1853, one Auguste Deck, a citizen of Prussia, died intestate in the city of San Francisco, leaving undisposed of a large amount of real estate. On the 14th of September following, letters of administration were granted by the Probate Court to the defendant Gerke. An information was filed by the attorney-general in the court below (District Court), citing the defendants to show cause why Deck's estate should not escheat to the State of California. The Courts below entered judgment in favor of the people. The defendant appealed. The Court rendered the following decision: "The 14th Article of the convention entered into between the United States and Prussia, in 1828, provides that "When in the death of any person holding real estate within the territory of one party, such real estate would, by the laws of the land, descend on a citizen or subject of the other, were he not disqualified by alienage, such citizen or subject shall be allowed a reasonable time to sell the same, and to withdraw the proceeds without molestation. This treaty is valid and is capable of being maintained in the face of any state legislative enactment."

#### CASES TO SUPPORT THIS.

2 Story's Com. on Constitution, p 314, par. 1508, *Chirac v. Chirac*, 2 Wheaton 259, *Orr v. Hodgson*, 4 Wheaton 453, 8 Wheaton 464, 9 Wheaton 489, 10 Wheaton 181, 3 Peters 242.

"These are cases where aliens have claimed to inherit by virtue of treaty provisions and the stipulations have been enforced in favor of foreign claimants. Aside from the limitations and prohibitions of the Constitution upon the powers of the Federal Government, the power of treaty was given, without restraining it to

particular objects, in as plenipotentiary a form as held by any sovereign in any other society. One of the arguments at the bar against the extent of this power of treaty is, that it permits the Federal government to control the internal policy of the states, and, in the present case, to alter materially the statutes of distribution. If this were so to the full extent claimed, it might be a sufficient answer to say, that it is one of the results of the compact, and, if the grant be considered too improvident for the safety of the state, the evil can be remedied by the constitution-making power. Even if the effect of this treaty-making power was to abrogate to some extent the legislation of states, we have authority for admitting it, if it does not exceed certain limitations of the instrument itself."

In the cases already cited, those of *Chirac v. Chirac*, 2 Wheaton, 259, *Cavneac v. Banks*, 10 Wheaton 189, the Supreme Court of the United States laid down the principle that when treaties with foreign countries secured to the citizens and subjects of either power the privilege of holding lands in the territory of the other, all state laws denying such privilege were invalid.

Again, we have such an eminent authority as Hon. Emlin McClain to support this theory. In his treatise, "Constitutional Law in the United States," p. 216, Section 136, we find the following statement regarding the treaty-making power: "The provisions of a treaty which it is within the power of the Federal Government to make will be superior in authority to any state statute relating to the same subject matter. Thus, as the rights of the subjects of foreign governments to acquire by purchase or inheritance property within the limits of the United States is a proper subject to be regulated by treaty between this government and such foreign governments, the states cannot by legislation deprive the subjects of foreign governments of property rights guaranteed to them by treaty. It is within the general power of the states to determine to what extent, if at all, aliens may acquire and enjoy property rights under state laws. In many states non-resident aliens are forbidden from acquiring real property by purchase or inheritance. Nevertheless, so far as such state statutes may interfere with the rights of an alien under a treaty between this government and the government of which such alien is a subject, the state law must give way, and if under the treaty the alien is entitled to acquire or own property, by inheritance or otherwise, he may enjoy that right, and it will be protected by the courts, although it is in contravention of the law of the state where the property is situated."

We think the cases and authorities cited to be sufficient evidence to show that the Federal government is supreme in the matters under discussion.

The bill passed by the California legislature avoids the phrase "ineligible to citizenship" by providing two descriptions of aliens and defining the rights of each, as follows: Section 1. "All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit, and inherit real property, or any interest therein, in this state, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this state." Section 11. "All aliens other than those mentioned in section one of this act may acquire, possess, enjoy, and transfer real property or any interest therein, in this state, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise, and may in addition thereto lease lands in this state for agricultural purposes for a term not exceeding three years."

As the present treaty between the United States and Japan specifies that the Japanese may own and occupy houses, manufactories, warehouses and shops, and to lease land for residential purposes, this law is held to be a rigid restriction upon the acquisition of farming lands by Japanese.

Some of the Progressive leaders in the legislature, according to dispatches, admitted that the law would be ineffective if the Japanese brought a test suit before the United States Supreme Court, according to their announced intention, and were successful in establishing their right to become citizens. This brings up the whole question of the eligibility of the Japanese to become American citizens and a word or two ought to be said concerning it.

Contrary to a number of newspaper reports, and popular opinion, there is no specific federal statute excluding the Japanese from naturalization. Where we have denied them this privilege it has been done by the courts in interpreting the phrase "white persons" as found in our naturalization laws.

The first naturalization act was approved in March, 1790 (I. Statute 103). By section I. of this act it is provided "that any alien being a free white person may be admitted to become a citizen." This law was repealed and new restrictions made by the act approved January 29, 1795 (I. Statutes 414), which was in turn repealed by the act of April 14, 1802. Both of these last named acts confined naturalization to aliens being free white persons.

This rule continued in force until 1870, when the law was amended to include aliens of African nativity, and persons of African descent. It reads as follows: "The provisions of this title shall apply to aliens of African nativity, and persons of African de-



scent." Five years later (1875) this section was so amended as to include free white persons and the law as amended and now in force is as follows: "The provisions of this title shall apply to aliens being free white persons, and to aliens of African nativity and to persons of African descent." (Revised Statutes 2169.)

Different interpretations have been put upon this statute by the courts. Thus in 1893, in the case of *Saito vs. United States* (62 Fed. 126), the Circuit Court of the United States for the district of Massachusetts laid down the theory that the Japanese do not come within the meaning of the term "white persons" as used in our naturalization laws. Shebato Saito, a native of Japan, applied for naturalization papers and his application was denied by the Court upon the following grounds: "The act," held the court, "relating to naturalization, declares that the provisions of this title shall apply to aliens being 'free white persons, and to aliens of African nativity and persons of African descent.' The Japanese like the Chinese, belong to the Mongolian race, and the question presented is whether they are included within the term 'white persons.' The court rules that the statute must be taken in its ordinary sense, and that the application of Shebato Saito must be denied upon the ground that he was of the Mongolian race and that the term 'white person' excluded the Mongolian race, and therefore the application is denied."

The courts have applied the same ruling touching the Burmese. Thus in the case of *Sanc Po*, (38 New York Supplement 383), a native of British Burmah, the court ruled that the Burmese are Malays, and under modern ethnological subdivisions are Mongolians. "The petitioner," continues the court, "falls squarely within the provisions of Section 2169, United States Revised Statutes, which limit a naturalization to free white persons and to persons of African nativity and African descent; for he is neither."

Again in the case of *Kanaka Nian* (21 Pac. 993), a native of the Hawaiian Islands, the defendant was refused citizenship because he was not white.

On the other hand, at least a score of Japanese have been admitted to American citizenship by the Courts. A notable example is the distinguished international lawyer, author, and editor, Misuji Miyakawa, who holds the degree of LL. D., from Indiana State University, and D. C. L. from the University of Paris. Dr. Miyakawa was chief counsel for the Japanese in the famous school controversy in California and counsel for Japan in the Bering Sea seal controversy.

Dr. Miyakawa is the authority for the statement that the Japanese have been admitted to citizenship for twenty years and that

there are at least a dozen Japanese in New York city who are American citizens. He points out further that the Japanese have been admitted to full-fledged citizenship in Federal or state courts in Indiana, Florida, Arizona, California, and New York.

Coming nearer home we have the case of U. S. Kaneko, a native of Japan, who became an American citizen in 1896. Mr. Kaneko is now living at 636 West Eighth street, Riverside, California. Below is a copy of the record of the Court that granted him the naturalization papers.

DECLARATION OF INTENTION.

UNITED STATES OF AMERICA.

State of California.

SUPERIOR COURT OF THE STATE OF CALIFORNIA,  
County of San Bernardino.

I, Ulysses S. Kaneko, do declare on oath, that it is my bona fide intention to become a citizen of the United States of America; and to renounce forever all allegiance and fidelity to all foreign Princes, Potentate, State and Sovereignty whatsoever, and particularly to the Emperor of Japan.

(Signed) ULYSSES S. KANEKO.

Subscribed and sworn to before me, this 9th day of February, A. D. 1892.

(Signed) GEORGE L. HISOM, Clerk.  
By G. R. FREEMAN, Dep. Clerk.

FINAL PAPERS.

UNITED STATES OF AMERICA.

State of California.

In the Superior Court of the County of San Bernardino,  
State of California.

Present Hon. Geo. E. Otis, Judge.

This is to certify, that on this 27th day of March, 1896, it appearing to the satisfaction of this Court, by the oaths of J. W. F. Diss and E. G. Judson, citizens of the United States of America, witnesses for that purpose, first duly sworn and examined, that Ulysses S. Kaneko, a native of Japan, resided in the United States of America three years next preceding his arriving at the age of twenty-one years, and that he has continued to reside in the United States to the present time and has resided within the limits and under the jurisdiction of the United States five years at least, last past, and that during all of said five years time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order

and happiness of the same, and said applicant has declared his intention to become a citizen of the United States, and having now here before this court, taken an oath he will support the Constitution of the United States of America and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every sovereign Prince, Potentate, State or Sovereignty whatsoever, and particularly to Mutsuhito, Emperor of Japan. It is therefore ordered, adjudged, and decreed, that the said Ulysses S. Kaneko, be, and he is hereby admitted and declared to be a citizen of the United States of America.

Attest: J. W. F. DISS, Clerk.

GEO. E. OTIS, Judge.

(Seal)

By L. A. PFEIFFER, Deputy Clerk.

To sum up: The Japanese are not excluded from naturalization by specific federal statutes, but only by the interpretation that the courts have put upon the laws, and, as we have seen, these rulings have not been uniform. The only race excluded by special statute is the Chinese.

Thus far it has been largely an ethnological question with the courts. The matter might be finally settled in favor of the Japanese in one of two ways. First, the Supreme Court of the United States could interpret the Federal statutes in such a way as to include the Japanese within the term "white persons"; or secondly, Congress might pass a law granting to them the privilege of becoming naturalized.

Legally speaking, every nation has the right to determine what aliens, if any, it will admit into the body politic; but in the absence of treaties governing these matters there is always a moral responsibility resting upon the nation to treat with justice and fairness the aliens who come within its borders.

## THE ATTITUDE OF CALIFORNIA TO THE CIVIL WAR.

BY IMOGENE SPAULDING.

### SECESSION SENTIMENT AND MOVEMENTS.

At the outbreak of the Civil War in 1861, California occupied a position in the United States that was unique in many ways. Separated from the East by natural physical barriers in the Rocky Mountains and Great American Desert, and lacking telegraphic communication with the States about to go to war,<sup>1</sup> California had naturally come to have a feeling of remoteness with respect to her sister States. Economically, as interest throughout the United States was sectional rather than national in 1861, California had no connection with the growth of the middle-western, eastern or southern States; as a growing State, she was busy developing her own resources and building up her own budding industries. Politically, California was not interested from a material and selfish standpoint in the questions which were tearing the Union asunder in 1861. She had no cause for grievance against the national government: the States Rights question had never been a disturbing element in her politics as it was in the East; slavery had always been forbidden. A comparatively new State, situated almost beyond the margin of the nation's life, and almost forgotten by her sister States in the anxious days of '61, it would seem that California would not play a role of any consequence in the great national drama of 1861-1865. That she did display a deep-seated interest in the struggle so far from her borders, and that she played a part which redounds to her honor, is especially noteworthy and remarkable.

California's interest in the Civil War may be attributed in part to the newness of the State and the fact that so many of her inhabitants had recently come from the States about to engage in the life-and-death struggle of the Union. Those who were from the northern States were unqualifiedly Union men in California, while those who were from slave States, or whose families, relatives or friends were living in the South, where—after the war began—homes were being ruined and devastated by war, were naturally

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1. The Pony Express, established in 1859, was the quickest conveyor of war news at first. The Northern Overland Mail stage line was organized in 1861. The Southern stage by way of the Santa Fe trail, El Paso, Yuma and Los Angeles to San Francisco had to be abandoned when the war began.

bitter against the Union, and were hot-headed secessionists. Especially among the southern counties keen partisan hostility was revealed; and sympathy with the Confederate States was only restrained from rendering active assistance to the Confederacy by the loyalty of State officers and the prompt action of the national military authorities.

The fact that there was so large a disloyal element in California at the beginning of the Civil War, Mr. Earle explains by pointing to California's cosmopolitan population at that time. The three elements, in his estimation, contributing to disorder were: (1) the large number of immigrants in the State who had come from southern States, and whose sympathies were therefore always with the Confederacy; (2) the large, adventurous, lawless element, so large a portion of which had come to California during the gold rush; and, (3) the large element of native Californians themselves, i. e., the mass of ignorant natives whose instincts socially and politically were Spanish rather than American, and who could not therefore assimilate or appreciate American ideals, American laws, etc. Few of the native Californians could be compared to the refined and cultivated De La Guerra. Few felt any ties binding them to the United States,—land troubles having left them none too loyal;—hence they cared not whether they were to be allied to the Confederacy or to remain a part of the Union. Thus it was that disloyal sentiment was aroused and was continually seeking expression in various forms throughout the war. In the early part of the great struggle, the inactivity of the over-confident Union men allowed the secessionists to create more of a disturbance than they otherwise would have been allowed to do. General Sumner, commander of the Department of the Pacific after Johnston's recall, wrote to Washington in June of 1861: "I believe there is a large majority of Union men in the State, but they are supine with confidence, while there is an active and zealous party of secessionists who will make all the mischief they can."

Slavery, as we have said, never was a legalized institution in California. In 1829 slavery was abolished from all Mexican territory, and by 1848 there were relatively few negroes in California. In 1849, the constitutional convention excluded slavery from California with practical unanimity, so that when Congress admitted the State into the Union, it came in as a free State. The sentiment of the Golden State in 1849-1850 against the institution of Slavery, however, did not wholly deter slave owners from bringing their slaves with them to California. At the beginning of the gold rush, in fact, quite a number of people from the South brought their slaves with them to work in the mines. Many hoped and believed that California would side with the South on the great

slavery question. In 1850, there were nearly one thousand negroes in the State. In 1852, the number had increased to nearly two thousand two hundred,—many in virtual slavery, for contemporary evidence goes to show that many negroes continued in the state of slavery in California for shorter or longer periods after 1849, some not being released from this involuntary servitude until the period of national emancipation.

The slavery laws in California were stringent. "No other free State in the Union had such odious laws against negroes as had California."\* Just after the State was admitted into the Union, a fugitive slave law was passed authorizing the extradition of slaves brought into the State voluntarily by their masters. Also, the legislature of 1852 enacted a law against negroes (which the legislatures of 1853, 1854, and 1855 re-enacted), the intention being to "legalize the kidnapping of free negroes, as well as the arrest of fugitives."<sup>1</sup> The Supreme Court in California in 1852 said that slavery was still a legal institution, i. e., that slaves brought to California before 1849 were still slaves when California was admitted to the Union.<sup>2</sup> But in 1859, a case was decided reversing the former decision, and stating that only travelers or temporary visitors could lawfully hold slaves in California. Laws and judicial decisions, however, were not sufficient to prevent either the introduction or continuance of the institution; and they did not by any means abate the aggressive sentiment of the active and able pro-slavery minority in California, which dominated the politics of the State for the first decade of its existence, and which preached the delusive doctrine of Popular Sovereignty<sup>3</sup> whenever opportunity offered.

The slavery question played a distinct part in the settlement of the boundaries of California in the constitutional convention of 1849, and in attempted divisions of the State later. In 1849, "the southern faction led by Gwin made the eastern boundary of the inchoate state the crest of the Rocky Mountains. Gwin's plan was to make the area of the state so large that Congress would refuse to admit

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\* Guinn, *A History of California*, I, 206.

1. *Ibid.*, I, 206.

2. In this "Andy Slave Case" decision of 1852, Judge Murray enunciated the same doctrine relating to the status of an African that Chief Justice Taney afterwards set forth in the *Dred Scott* decision. Cole, *Memoirs*, 94, 95, 96.

3. In the Charleston Democratic Convention in April, 1860, California and Oregon were the only free States that voted for the majority report (on the platform) in which this doctrine was enunciated: "Congress has no power to abolish slavery in the Territories. . . . The Territorial Legislature has no power to abolish slavery in any Territory, nor to prohibit the introduction of slaves therein, nor any power to exclude slavery therefrom, nor any power to destroy or impair the right of property in slaves by any legislation whatever."

it as one state, and would divide it into two states on the line of the Missouri Compromise 36 degrees 30 minutes. The Northern men in the convention discovered Gwin's scheme and defeated it by a reconsideration of the boundary section at the very close of the convention."<sup>1</sup> Up to the Civil War, the question of the State division repeatedly aroused the pro-slavery element, who "reasoned that if a new state could be cut off from the southern portion, it could be made slave territory. Many pro-slavery men had settled in that section, and although slave labor might not be profitable, the accession of two pro-slavery senators would help to maintain the balance of power to the South in the Senate."<sup>2</sup>

The legislature of 1859, which was intensely pro-slavery, passed a bill, which the Governor approved, to set off six southern counties and form a separate territorial government for them; the people of these counties themselves voted 2477 for, 828 against dismemberment, and the results of the vote and the act were sent to the President and Congress. But "the intense national excitement over the questions which led to the Civil War delayed action,"<sup>3</sup> and nothing ever came of this movement in the interests of the pro-slavery element in California.

This vexed slavery question was settling itself in California, however, because the geographical, social and economic conditions were not favorable to the continuance of the "peculiar institution" of the South. By 1860, an anti-slavery party had been formed, too, not strong in numbers at first, but containing in its roll many prominent names, such as C. P. Huntington, Cornelius Cole, Mark Hopkins, Leland Stanford, Edwin B. Crocker, Charles Crocker and others. David C. Broderick, United States Senator from California from 1857 to 1859<sup>4</sup> also made his influence felt in the contest against the representatives of a slave oligarchy in California which dominated the politics of the State at that time. Although a Democrat, Broderick was an unswerving anti-Leocompton Democrat who consistently fought slavery and slavery issues throughout his political career.

By 1860, natural political and economic conditions in California plus the strenuous efforts of prominent anti-slavery men had

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1. Guinn, *How California Escaped State Division*, Publications of the Historical Society of Southern California, VI, 226.

2. *Ibid.*, VI, 226.

3. Widney, *A Historical Sketch of the Movement for a Political Separation of the Two Californias, Northern and Southern, under both the Spanish and American Regimes*, Publications of the Historical Society of Southern California, I, 21.

4. Senator Broderick was elected to serve in the Senate from 1857 to 1861; but he was killed in a duel with Judge Terry of the Supreme Bench in California.

wrought a great change in the attitude of the majority of the people towards slavery. Cornelius Cole, who accompanied Stanford on an electioneering tour through the State in 1860, after Stanford had been nominated for Governor, said that they were given a respectful hearing on all occasions, notwithstanding the fact that Stanford and Cole were both active anti-slavery men, and slavery was one of the principal themes of discussion. And the result of the fall election in 1860 "proved that the anti-slavery doctrines, urged with so much consistency in regions that seemed to give no token of respect for them, by Republican stump speakers and a portion of the press, not always without peril of insult, and for the orators showers of stale eggs, had taken unexpected hold of the interior; that the Northern sentiment was strengthening in the larger cities, that the quarrels of the Democracy and the corruption of a party that ran the State for its spoils, had worked out their legitimate result in the disgust of its more intelligent adherents."<sup>1</sup>

One way, however, in which secession sentiment found expression at the opening of the war was in the advocacy of a Pacific Republic. The "copperheads" (Northern men with Southern principles) especially favored the formation of a new government on the Pacific Coast. Governor Weller was not opposed to the idea. In fact, he said: "If the wild spirit of fanaticism which now pervades the land should destroy the magnificent confederacy—which God forbid—she (California) will not go with the south or north, but here upon the shores of the Pacific, found a mighty republic, which may in the end prove the greatest of all."<sup>2</sup> A year before the outbreak of the war, the project for the creation of a Pacific Republic was enthusiastically advocated by a number of prominent citizens and by several widely circulated newspapers. The *Sonora Democrat*, for example, said: "We are for a Pacific Republic if unfortunately the Confederacy should be disrupted. We believe it to be the true policy of California in such an event, to cut loose from both sections and not involve herself in the general ruin. She has all the elements of greatness within her borders. Situated thousands of miles from the distracted States, she would be an asylum of peace and safety,—and many thousands would flock to her shores—the effect of which would be to build upon the Pacific a mighty, prosperous and independent nation. . . . If the fond spirit of fanaticism (of the North) . . . is to culminate with the destruction of the Confederacy, we would be loth indeed to see our young state arrayed on the side of injustice and oppression."

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1. Tuthill, *The History of California*, 576.

2. Hittell, *History of California*, IV, 255.



The advocates of a Pacific Republic,<sup>1</sup> although "confined to the extreme secession sympathizers in the ranks of the Breckinridge party"<sup>2</sup> were men whose influence could be felt far and wide. Governor Downey, instead of being actively opposed to a Pacific Republic, was uncertain. The entire Federal patronage and power on the coast, including the military arm, was absolutely in the hands of Southern sympathizers. California's representatives in Congress: Senator Milton S. Latham, Senator William M. Gwin, Representatives John C. Burch and Charles L. Scott, all favored the idea of the State's remaining neutral, in the event of war breaking out in the East. Senator Gwin, who in the United States Senate had affirmed that the Southern States could secede violently or peaceably, "violently if necessary,"<sup>3</sup> and successfully establish an independent government in California in which he was to figure prominently. Scott, in the House of Representatives in Washington, wrote to Charles Lindley, chairman of the State Central Democratic committee: "If the Union is divided, and two separate confederacies are formed, I will strenuously advocate the secession of California, and the establishment of a separate republic on the Pacific. . . . If California links her destiny with the northern government, crippled and ruined as she must necessarily be by the separation and withdrawal of her southern allies, California, instead of being benefited and receiving aid from the northern Confederacy, will be heavily taxed to carry on the machinery of their government."<sup>4</sup>

Representative Burch in 1861 declared himself to be in favor of Union, and said it was the duty of those who were removed from the scene of strife to use their utmost exertions to prevent disunion. But should the Union be dissolved, he "suggested that it would be well for the people of California, Oregon, New Mexico, Washing-

1. The *Alta California*, Jan. 8, 1861, quotes this extract from the *Sonora Democrat* in an editorial. The *Alta* itself considered the plans for a Pacific Republic absurd and said February 2, 1861: "There is no talk of a Pacific Republic in any quarter except among those who now hold Federal appointments, and who have nothing to lose but everything to gain by a new shuffle of the political cards. There is not a paper in the State which has had the hardihood to come out a favor of the new Utopia, but in the *Sonora Democrat*, and that journal has since found it necessary to modify its opinions very considerably. There is talk about secret movements and cabals, but we do not believe a word of it."

2. Davis, *History of Political Conventions in California*, 128.

3. Mr. Gwin said: "I say that a dissolution of the Union is not impossible, that it is not impracticable, and that the Northern States are laboring under a delusion if they think that the Southern States cannot separate from them either violently or peaceably; violently if necessary. They can take possession of all the public property within their limits, and prepare against any aggression from the non-slaveholding States, or any other Power that may choose to infringe upon what they conceive to be their rights." *Congressional Globe*, 36th Cong., 1st Sess., Pt. I, 125.

4. Bancroft, *History of California*, VII, 277. Scott later joined the Confederate army.

ton and Utah to seek refuge for themselves from the blighting effects of disunion and civil war by retiring and establishing a prosperous, happy and successful republic on the Pacific slope, to which they and our brethren here may look for peace and quiet for themselves and their children when such blessings are no longer tolerated near the Atlantic, along the Ohio, nor even in the broad valley of the Mississippi."<sup>1</sup> He pictured a Pacific Republic in these glowing terms: "The people of California and her neighbors should be of one mind on this subject, and be prepared for the emergency; and if the fates should *force* us to this last sad resort, let us, with a disposition to welcome all who come to us from our old homes seeking an asylum, raise aloft the flag of the 'bear,' surrounded by the hydra-pointed cactus of the western wilds, and call upon the enlightened nations of the earth to acknowledge our independence, and to protect us, the only 'waif' from the wreck of our once noble nation, the youthful but vigorous *Caesarian* republic of the Pacific."<sup>2</sup>

Throughout the winter of 1860-61, the establishment of a Pacific Republic was talked about in a threatening manner. And when the Southern States seceded and the Civil War had actually begun, and it became evident that California could not by any possibility be carried over to join the seceded states, an extra effort was made to have California assume an attitude of neutrality between the North and South, although this meant, of course, resistance to Lincoln's administration, and virtual secession. The inside workings of the conspiracy to form a Pacific Republic, however, were not divulged. It is known that the "Knights of the Golden Circle," one of the secret pro-slavery organizations, helped carry on the idea. And enough came to be known of this movement at Washington to cause the President to recall Brigadier-General A. S. Johnston<sup>3</sup> (a Southern man with pronounced sympathy for the Pacific), and to dispatch General Sumner to relieve him (April 25, 1861).

Overt acts on the part of advocates of a Pacific Republic were few and inconsequential—due usually to individual enthusiasm. A Pacific Republic flag was hoisted on board a surveying schooner at Stockton, January 16, 1861, creating much excitement and demonstrating the fact that "it was not safe to trifle with the loyal senti-

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1. Davis, *History of Political Conventions in California*, 129.

2. *Ibid.*, 130.

3. Brigadier-General Johnston, it is now conceded, was incapable of betraying a trust—his integrity being so great he was not approached on the subject of a Pacific Republic. However, it was politic that he be removed from the very important position he held and a pronounced Unionist given the command. Johnston, after being relieved of his command, proceeded overland by way of Los Angeles to join the Confederate forces. He accepted a General's command in the Confederate army, and was killed at Shiloh.

ment of the people."<sup>2</sup> The *Alta California* in commenting on this fiasco said, "A few dozen men, all of them repudiated as leaders by the public opinion of the street, and most of them unknown and without influence, will hardly succeed in establishing a Pacific Republic! Any fool can buy a flag and burn powder."<sup>3</sup> In San Francisco, the palmetto flag was raised in February and hauled down. In May, the Bear Flag was raised at Los Angeles, and also for a short time, at Sonoma and San Bernardino. Rumors were afloat that the presidio and fort on Alcatraz Island would be captured, and the custom house, mint, post-office, and all United States property, after which the rebels would proceed to invade Sonora and add that territory to the Pacific Republic. If such a plot there was, it was revealed and nothing came of it.

The main danger in regard to the Pacific Republic movement was the inactivity of the loyal element of the population. General Sumner in April, 1861, wrote to the War Department that there was a strong Union feeling in the state, but that "the secessionists are much the more active and zealous party, which gives them more influence than they ought to have from their numbers." The State Legislature, however, promptly and emphatically condemned the project to form a Pacific Republic—both branches adopting the following resolution, May 17, 1861: "*Resolved by the Senate, the Assembly concurring*, that the people of California are devoted to the Constitution and Union now in the hour of trial and peril. That California is ready to maintain the rights and honor of the national government at home and abroad, and at all times to respond to any requisition that may be made upon her to defend the republic against foreign or domestic foes."<sup>4</sup> Each latest arrival of intelligence from the East added fresh impetus to the feeling of loyalty for the Union, so that within a few months after the outbreak of the war, all discussions of a Pacific Republic ceased. "So it was that this digging, delving, half-foreign, rich young state was not after all able to keep out of the quarrel between the North and South. As the mails brought the reports of the disunion speeches of pro-slavery senators, and the disloyal acts of the Southern people, her nerves tingled and her blood was up. Disunion? Never! A Pacific Republic? Never."<sup>4</sup>

Disloyalty was not extirpated, however, as the futility of the attempt to establish a Pacific Republic became manifest, but merely took another and more dangerous form: namely, the open manifestation of sympathy with the Southern States and their cause, and

1. Orton, Records of California Men in the War of the Rebellion, 5.
2. Guinn, A History of California, I, 210.
3. *Alta California*, Jan. 18, 1861.
4. Bancroft, History of California, VII, 273.

the formation of secret societies, pledged to aid them in their struggle. Two famous secret organizations were formed in California by the secessionists: "The Knights of the Golden Circle," and "The Knights of the Columbian Star." They were extremely well organized throughout the state; their members numbered in the thousands; their leaders were bold, daring, talented men of indomitable will and courage, who exercised an unlimited control over their followers. The work done by these societies and the menace they were to the Union may be revealed by citing a letter written by William C. Kebbe, Adjutant-General of the State of California, to Major-General H. W. Halleck, General-in-Chief at Washington, September 10, 1862: "It is represented and generally believed that there is a secret organization in this State, numbering from 20,000 to 30,000 men leagued together for the overthrow of our government, and whose purpose it is, if an opportunity should favor the scheme, to carry the State out of the Union. These men openly boast that their sympathies are with the traitors of the South, and that they are continually defaming the government from which they receive protection, and whose benefits they enjoy. They take pride in preaching their traitorous sentiments among loyal men, and do much to discourage enlistments. Loyal citizens have now no protection from the insults of these men, many of whom are wealthy and influential, and United States soldiers have been shot down in the streets of our towns for protesting against the free use of disloyal sentiments in their presence, and probabilities are that the deserving shall go unwhipped of justice. The actions of this league are positive, and there is no immunity to loyal men in our community from insult and wrong."<sup>1</sup> Major-General Kebbe said further that if the Union armies met with any serious reverses, he feared serious trouble would ensue on the Pacific Coast.

The organization of these societies, being as has been intimated, complex, it was difficult for the military authorities to get real information about them. Robert Robinson, Captain and Provost-Marshal, made an investigation of the "Knights of the Columbian Star," and reported to Brigadier-General John S. Mason (Acting Assistant Provost Marshal-General in San Francisco), on August 10, 1864, the information he had obtained concerning the secret work of this association. He wrote he had obtained his information through Hiram Potter, one of their number, and even so, found it a tedious and slow business to learn of this secret society, because the whole system was so cloaked and guarded that but few of the members really knew anything about it. Robinson obtained the following data, however, concerning the organization of "The

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1. Official Records of the War of the Rebellion, Series I, Vol. 50, Pt. II, 107.

Knights of the Columbian Star." There was a governor-general for the state, and a lieutenant-governor for each locality, who had a deputy lieutenant-governor-general to assist him. There were no large meetings held of their order in their capacity as an association, but only a few of the officers and the trusted members got together and initiated new members and devised the work to be carried out.

There were different degrees in this order, and it was a cardinal principle of the order that no member of an inferior degree was to know of a higher until he was prepared and expected to receive it. In the first degree, the candidate was examined and sworn in in a very solemn manner, the substance of the obligation being: he would not support in any election or employ in business an abolitionist if any other person could be had; he would obey his officers in all things; he would resist the enforcement of any and all unconstitutional laws by the Administration, his officers being the judge of the unconstitutionality of the laws; he would furnish himself with a rifle or double-barreled shotgun if possible, and always keep on hand a supply of ammunition for a three days' hunt. After taking this obligation, the candidate was to be invested with the signs, password and grip. They also had signs of danger and distress, so as to be able to recognize one another at night, etc. The oath for the second degree was given only after the candidate had been fully examined concerning his political views, etc. This oath was long and elaborate, the substance of it being that the candidate would resist the election of Lincoln for President by all possible means, including force of arms; that he would adhere to and obey the call of the governor-general of the State, and of the lieutenant-governor-general of his district in all cases and at all times; that he would adhere to and support the old States Rights doctrines; that he would support the right of each state to govern itself, and carry out the right to maintain slavery or any other domestic institution to which it was entitled, by force of arms, if necessary; that he would resist with arms any attempt on the part of United States authorities to execute any unconstitutional law of any kind or character, his officers being the judges of the unconstitutionality of the laws.

On August 10, 1864, it was estimated there were 24,000 men in the order who could be relied upon. Captain Robinson added that this order, plus "The Knights of the Golden Circle" and the men they could control would number 50,000 at least. Each member of the order paid money into the treasury, and when persons could not get arms, they were furnished them by the society, the intention being to have every person armed for instant service. Both orders talked freely of a prospective war in California, and were

providing for it, so that whenever they felt strong enough to make resistance to the laws, they could do so. Meanwhile, they caused all the trouble they could, and sent money East (i. e., to the Confederates) regularly under pretense of giving to the rebel sanitary fund for rebel prisoners. A dangerous political organization they were, indeed!

Gustav Brown, Government Detective for the Southern District of California, made a report October 16, 1864, to Captain A. Jones Jackson, Provost Marshal of the Southern District of California, concerning "The Knights of the Golden Circle." Regarding this order, Brown found out that San Luis Obispo county had 242 members, all armed; Los Angeles county 253 members, of which Los Angeles itself had 54—all armed. These men, he discovered, had picked out for a rendezvous a place in the mountains about one hundred and twenty miles from Los Angeles, called Rock Creek, well wooded and grassy, where they intended to unite in case of a draft being ordered. In Los Angeles, it was ascertained that the majority of the members of "The Knights of the Golden Circle" belonged to the sporting class, and few of the upper class knew anything about the order. There were three grades in it: the Thirty-third, Fifty-fourth and Eighty-second; and again we find that the members of the lowest grade knew very little about the intentions of their leaders—the plots all coming from the highest grade. The detective further found out that men were going daily from Los Angeles, who represented themselves as miners going to Colorado. While in San Francisco a club was sending men to Texas by way of Mazatlan on every steamer that went to Mexico. The order was well organized and armed in Nevada; and there were thousands of Oregonians in it.

In San Francisco, "The Knights of the Golden Circle" during the early part of the war planned to take the presidio, mint, custom-house, navy yard at Mare Island, and the arsenal at Benicia. They did not expect to encounter serious difficulty, as every government position at this time—with a few exceptions—was held by a Southerner. So with every condition favorable to them, nearly 2,000 Southern sympathizers met in San Francisco and from that number 800 picked men were delegated to capture everything in sight. A delegation, headed by Senator William M. Gwin, of California, offered the leadership of the work to Colonel Doane, a Breckinridge Democrat, and a man thought to be an adherent of the Confederacy. Doane's feeling of loyalty to the Union, however, was stronger than his Southern sentiments, because he refused the position offered him; and informed General E. V. Sumner, who had arrived to take command of the presidio, of the secessionists' plot, so that Sumner kept strict watch over government property. Following out an

order from Washington, all Oregon and Northern California troops were concentrated at San Francisco, and the fortifications there strengthened. General Sumner felt there should have been 4,000 men stationed at San Francisco, but had to content himself with a few hundred. The soldiery, although few in numbers, exerted a wholesomely restraining influence on secessionists; and it is due to them in great measure that the secret organizations were kept from doing serious injury to the State and to the Union.

Besides expressing itself in the formation of secret organizations, secession sentiment was expressed in newspapers, public speeches, sermons and prayers from the pulpit, celebration of Confederate victories, toasts in bar-rooms, and open attempts, sometimes successful, to join the forces of the Southern States. The disloyal newspapers were an especially lively means of expressing and spreading disloyal sentiment. They hurled vituperation at the administration and President Lincoln; they praised Southern successes and kept alive sympathy for the Southern cause by every means possible. *The Visalia Equal Rights Expositor*, for example, on October 18, 1862, characterized President Lincoln as "a narrow-minded bigot, an unprincipled demagogue, and drivelling, idiotic, imbecile creature." And on December 13, 1862, President Lincoln and his Cabinet were denounced as "the most tyrannical and corrupt crew that ever polluted the earth with their presence."<sup>1</sup> As early as 1862, Brigadier-General Wright (who was commanding the Department of the Pacific after Sumner was called back to the active scenes of the war in October, 1861) requested the postal agent on the coast to forbid the transmission through the mails and express offices of certain newspapers, as the *Los Angeles Star*, *Stockton Argus*, *Stockton Democrat*, *Visalia Post*, etc.—traitorous and disloyal sheets constantly denouncing the Government and all its acts, and tending to discourage enlistments and give aid and comfort to rebels. The result of this step was beneficial,—so much so that the restrictions were removed in 1863.<sup>2</sup>

In San Francisco at the time of Lincoln's assassination, five news-

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1. Captain McLaughlin (of the Second Cavalry, California Volunteers) arrested the editors, L. P. Hall and L. J. Garrison of the Equal Rights Expositor on the charge of publishing objectionable articles; and when one of the editors refused to take the oath of loyalty, he was held in close confinement for some time. On March 5th of the same year, Major O'Neill (of the Second Cavalry, California Volunteers), exasperated by the continued support given by the Expositor to the rebellion, went to Visalia and completely destroyed the office of the Expositor, breaking the doors and windows of the building, breaking the press and throwing the type, paper and ink into the street. A strong force then patrolled the town to prevent disorder, and one citizen was arrested for inciting a riot by cheering for "Jeff" Davis. Official Records of the War of the Rebellion, Series, I, Vol. 50, Pt. II, 277, 341, 342.

2. Official Records of the War of the Rebellion, Series I, Vol. 50, Pt. II, 341-342.

papers,\* virulent copperhead sheets, which had outraged the loyal element in the community for some time by abusing the President and the administration, were destroyed by a mob. It is significant that public opinion did not condemn the proceeding. In fact, to prevent bloodshed, it was necessary to call out troops to check the indignation of the Unionists, which was thus seeking expression. Following the attack of the mob, General McDowall caused the seizure, in the name of the United States of the officers of four of these newspapers which the mob had destroyed.<sup>1</sup> Disloyal sheets did not always utter unpatriotic sentiments with impunity, we perceive.<sup>2</sup> Nor did the number of disloyal newspapers ever become large, in comparison with the more numerous, more widely circulated and more influential patriotic papers, such as the *San Francisco Evening Bulletin*, *The Alta California*, *The Sacramento Bee*, *The Sacramento Union*, etc.

In several towns during the Civil War, the secessionists caused trouble to such an extent that the presence of federal troops was imperative at various times. Visalia, San Luis Obispo, Santa Barbara, San Bernardino, and Los Angeles were among such cities. As early as 1861, General E. V. Sumner, commanding the regular forces in the Southwest, notified Washington that he felt it wise to call in the troops from Fort Mojave and Fort Tejon and place them at Los Angeles, as he said there was more danger of disaffection there than at any other place in the state. The population in Los Angeles at that time was mostly Spanish and Mexican, easily diverted into any course that promised excitement. Some of the leading citizens joined the army of the Confederacy, while (from Los Angeles) "there was but one representative to the Union army, that is, one who was an actual resident of the city at the beginning of the war."<sup>3</sup> A company of native Californians recruited in Los Angeles, however, did service against the Indians in Arizona. And in 1861 a great number of citizens of Los Angeles county formed themselves into defensive or home guard to support the Constitution. No active hostilities of any moment occurred in Los Angeles; it was principally a "war of words." Nevertheless, when a United States commercial agent at La Paz (Lower California) wrote to the authorities at Washington, saying that the rebels were about to seize Lower California, seize Panama steamers and get enough

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\* The Democratic Press, Occidental Monitor, Franco-Americane and News Letter. The Echo du Pacifique would have been destroyed had it not been in the same building with the Alta California.

1. The Democratic Press, Echo du Pacifique, News Letter and Monitor.
2. The Los Angeles Star went into eclipse (October, 1864,) after its pugnacious and partisan Scotch-Irish editor was arrested for his severe criticisms on Lincoln and for his outspoken sympathy for the Confederates.
3. Guinn, A History of California, I, 317.



treasure to carry the conquest into Alta California, all available troops were massed at Los Angeles, and the United States flag was raised over the court-house, despite the threats posted throughout the town that anyone attempting to raise the flag would be shot. During the entire war it was found necessary to have soldiers in Los Angeles to keep down the hostile, bold, defiant sentiment of secessionists, which flared up with brilliance after every Confederate victory in the East.

San Bernardino, as was mentioned, also had difficulty in fighting secession sentiment throughout the war. The character of the population there at that time explains most of the trouble. Major Carleton tells us that two-thirds of the people were Mormons, who at heart hated the United States troops and cause; and the remainder were principally outlaws and English Jews (who controlled the business of the town)—neither of whom cherished any love for the United States. Only a few respectable Americans really felt anything like patriotism.<sup>1</sup> Every prominent Union man was in danger of assassination when traveling alone in the different mountain trails around San Bernardino. While among one thousand men in the mines in Bear and Holcomb Valleys near San Bernardino, one-third were declared secessionists, two-ninths were neutral, and the remainder supposedly Union men, yet leaving room for doubt. Secessionists controlled elections, put their own men in office, and therefore could rob and steal with impunity, knowing they would be aided by those whose sworn duty it was to punish them. As Major Carleton wrote: "A secession sheriff will not make arrests—gives warning in time for felons to provide for their safety; secession judges turn them loose."<sup>2</sup> Non-Union sentiment, in short, prevailed; and was daily augmented by the arrival of secessionists from the northern part of the State on their way to the South,—because San Bernardino was practically "a way station on the road to the Southern Confederacy,"<sup>3</sup> being as it was an outlet towards Utah by the Mojave and towards Texas by the Colorado. Some of the Southern sympathizers who equipped themselves in California were successful in getting away and joining the Confederacy,<sup>4</sup> although to check such movements, General Wright made Fort Yuma a strong military prison and later required passports from the commander of the department before travelers could pass

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1. Official Records of the War of the Rebellion, Series I, Vol. 50, Pt. I, 548, 549.

2. *Ibid.*, Series I, Vol. 50, Pt. II, 447, 448.

3. Guinn, *A History of California*, I, 445.

4. One party of men, eighteen in all, under the leadership of Daniel Shonwalter, were stopped (November 29, 1861,) before they could do any harm or reach the Confederate States.

the frontier of California in the direction of Texas. Throughout the war, the military arm of the government was necessary in the southern counties of California, because secessionism there was "strong, insidious, and specious, and far too crafty for the policy that would do nothing against it, unless it be a clear case of some overt act."<sup>2</sup>

On Santa Catalina Island in 1863, a mining boom was brought to an unexpected end by the action of the government, suspicious as to the real meaning of so many miners coming there.<sup>3</sup> "There were rumors that this mining rush was a blind to conceal a plot to seize the island and make it a rendezvous for Confederate privateers,—an entrepot from which these vessels could fit out and prey upon the commerce of the coast."<sup>4</sup> Although many of the miners were Southern sympathizers, it is uncertain whether such a plot was seriously contemplated. Be that as it may, Captain West (commanding the Post at Drum Barracks) following instructions received from the Department of the Pacific, issued an order December 25, 1863, notifying all persons on Catalina to leave before the first of the next February. The miners paid little attention to this proclamation "fired at long range," so that a second and more emphatic order was forthcoming,—this time issued on the Island itself.<sup>1</sup> The miners left and left immediately. Thus any possible danger that might have ensued from the Southern sympathies of the prospectors was in this way averted by the prompt action of the government.

The pulpit was not always strong in the Union cause. The Methodist Church, says Bancroft, "formed a factor in anti-war, anti-administration, and pro-slavery politics."<sup>5</sup> Different ministers in

1. The second order issued by Captain West ran: "No person or persons other than owners of stock or incorporated companies' employes will be allowed to remain on the island on or after this date (February 5, 1864) nor will any person be allowed to land until further instructions are received from Washington. I hereby notify miners prospecting or other persons to leave immediately." *Overland Mo.*, XVI, 479.

2. *Official Records of the War of the Rebellion*, Series I, Vol. 50, Pt. 1, 996, 997.

3. Over a thousand miners rushed to Catalina at that time.

4. Guinn, *An Early Mining Boom on Santa Catalina*, *Overland Mo.*, XVI, 478.

5. Bancroft, *History of California*, VII, 309. In Fifty Years of Methodism it is stated that at the Ninth Conference of the Methodist Episcopal Church in California (September, 1861) a collection was taken up in behalf of two military companies about to depart from the city for service on the plains—by order of the United States Government; and that a committee appointed on "The State of the Country" reported in part as follows: "Secession matured is anarchy. . . . We deplore the necessity of war as we do the necessity of executing a felon. But the destroyers of free government and the offenders against justice and liberty must be repulsed and punished whether robbers or rebels. . . . We are in favor of the most decisive blows, however painful their effects, as the most merciful solution of the dreadful problem which the seceding states have compelled us to grapple with."

Anthony, *Fifty Years of Methodism*, 231.

other denominations also uttered disloyal sentiment from their pulpits,—which, however, was not always received with acclaim. When—for instance—Dr. William Scott, pastor of the Calvary Presbyterian Church in San Francisco, began deliberately praying for all presidents and vice-presidents in the United States, great indignation was aroused. The following Sunday (September 22, 1861) an effigy with the inscription, “Dr. Scott, the reverend traitor,” was found hanging in front of his church; and when Scott arrived he found a crowd of from two to three thousand surrounding the church, hissing and hooting him as he entered. That Sunday he omitted praying for *both* presidents, but still the community felt outraged, and violence against the “reverend traitor” was only averted by city authority. Believing discretion to be the better part of valor, Dr. Scott resigned a few days later, and left California.

Judges and political leaders also got into trouble for uttering secession sentiments from time to time. Judge James H. Hardy of the Sixteenth Judicial District, for example, was impeached, found guilty and removed from office (in 1862) for utterances of hostility to the United States government and for sympathy with the Southern Confederacy.<sup>1</sup> The Hon. C. L. Weller, chairman of the Democratic State Committee, was arrested and detained in custody for some time by military authorities, because of incendiary remarks made by him in San Francisco in a political meeting held during the presidential campaign of 1864. During that year, in fact, disloyalty was very outspoken, notwithstanding the vigilance of authorities, and the watchfulness of Union league and press.

#### THE LOYAL ATTITUDE OF CALIFORNIA TO THE UNION.

Secession utterances and overt acts must not be taken to indicate the sentiment of the majority of the people in California during the Civil War. More truly do we get the real sentiment of the majority of the people—in one of its phases—in the results of State elections: the kind of governors chosen, the work of the State legislature, etc. These results reveal the loyal attitude California *as a State* took toward the Union in the Civil War. Upon investigating the administration in California from 1861-1865, we find that as a rule loyal men were holding office; and legislatures were loyal without exception. These facts are remarkable when we consider political conditions in California at the opening of the Civil War.

“When the Southern States began to secede, California was ruled by a Democratic Governor, a Democratic legislature occupied its capital, and four Democrats were its representatives in Congress.

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1. One toast Judge Hardy gave was: “Here is to the Stars and Stripes; as to the Constitution, there is none; the Constitution is gone to hell.”

Her forts were garrisoned by men whose loyalty in so trying an hour could only be surmised."\* All federal offices were in the hands of Southern sympathizers. The war, itself, though, wrought a political upheaval in California. "Former political alliances were forgotten. Most of the Anti-Lecompton or Douglas Democrats arrayed themselves on the side of the Union.<sup>1</sup> The chivalry wing of the Democratic party were either open or secret sympathizers with the Confederates."<sup>2</sup> While the Republicans dropped all but their name and came out unconditionally for the Union. And since they (the Republicans) triumphed at the polls in 1861, Union measures naturally prevailed.

California sometimes was unfortunate in choosing her representatives for Congress, but she tried to retrieve her mistakes whenever possible and to send out men who would truly represent her. Senator Milton S. Latham, for example, was not so loyal to the Union as his constituents had believed him to be. In 1860 when a vacancy occurred in the Senate, all in California felt the necessity of having a representative in fact, not merely of California or of a political party, but of the patriotic impulses of the people at large. Milton S. Latham, who had just been made governor of California, was called upon to resign and become a United States Senator—to fill the vacancy. He did so, and for the first year spoke for the cause of the Union, acting with the administration party in the Senate for that year. But as the war went on, his Southern sympathies assumed the ascendancy; he violently denounced abolition; and, as far as he dared, took part with the South. The part played by Senator Gwin in connection with the Pacific Republic has already been explained. James McDougall, who was elected to succeed Gwin (1861), proved to be a backslider, too. Coming to the Senate at a time when the administration was overwhelmed by the responsibility of repressing rebellion, he did not take a firm stand, but gave a half-hearted support to the government. This being unsatisfactory to California, his actions were repudiated in a concurrent resolution in the legislature of 1864. From 1863 to the end of the war, California's Senators, McDougall and Conness,—elected to succeed Latham in 1863, seemed to have a proneness to backslide.

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\* Tuthill, *The History of California*, 582. *The Alta California*, May 24, 1861, spoke of the military thus: "The extent of the disloyalty among officers of the United States army to their country and flag is hardly yet manifest. We learn that from the Sixth Regiment alone, which belongs to the Department of the Pacific, and two companies of which are now in barracks at Benicia, fully a third of the officers have resigned since the inauguration of President Lincoln." Practically all left "with the avowed intention of taking positions in the Confederate Army."

1. In the early summer of 1862, the Union Democrats united with the Republicans into one strong Union party.

2. Guinn, *A History of California*, I, 210.

In the House of Representatives, California fared much better in having Union men of uncompromising type to represent her. Such men as Cole, Higby, Shannon (1863-1865) were all earnest and faithful supporters of the Lincoln administration, as they should have been, because the popular vote at the national elections always indicated the existence of a substantial majority of loyal citizens in California.<sup>1</sup>

Colonel E. D. Baker, although a Senator from Oregon (in 1861), was looked upon by Californians as being more a representative of their own state than of Oregon. And since he represented the loyal sentiment of the people of California more truly than California's own Senators did, he gave great satisfaction to all loyal citizens. He it was who explained to President Lincoln, a life-long friend of his, the importance of sending a loyal man of high military rank to relieve General Johnston, commanding the Department of the Pacific.<sup>2</sup> He it was who delivered "what was supposed to be the greatest speech ever delivered in California"<sup>3</sup> for Lincoln, in San Francisco just before the election in 1860. And it was the silver-tongued Baker who, in a famous debate in the Senate with Breckinridge of Kentucky, took the "liberty" of affirming that California would be true to the Union "to the last of her blood and treasure"; and that "they are offering through me—more to their own Senators, every day, from California, and indeed from Oregon—to add to the legions of this country, by the hundred and the thousand."<sup>4</sup> When Colonel Baker's death at Ball's Bluff (October 21, 1861)—where he was Colonel of the Seventy-first Pennsylvania Infantry known as the "California Regiment"<sup>5</sup>—was made known, California as well as the whole nation, mourned. The Hon. Timothy J. Phelps, a member of Congress from California, declared in a Commemorative Session of Congress, that "the whole country is indebted to him

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1. In the presidential election of 1860, for instance, the vote stood: 38,733 votes for Lincoln, 37,999 votes for Douglas; 9,111 votes for Bell, and 33,969 votes for Breckenridge, thus making an overwhelming Union vote. Davis, *History of Political Conventions in California*, 217.

2. James McClatchy, editor of the *Sacramento Bee*, hearing of suspicions about General Johnston, sent word to Lincoln through Colonel Baker, urging the removal of General Johnston.

3. Hittell, *History of California*, IV, 272.

4. Kennedy, *The Contest for California in 1861*, Appendix I, 304.

5. When Lincoln called for volunteers April 15, 1861, a meeting of former citizens of California and Oregon was held in New York, nearly 300 being present. "It was there resolved to raise and offer to the government a regiment to be composed as far as possible of persons at some time residents of California." The regiment formed was not entirely a New York nor a Pennsylvania regiment (much of the recruiting was done in Pennsylvania); it was finally credited to Pennsylvania, however, and designated as the Seventy-first Pennsylvania Infantry, although it was called the "California Regiment" throughout the war. Kennedy, *The Contest for California in 1861*, 257, 258, 259.

(Baker) in no small degree that California is today in the Union by her own act and choice."<sup>3</sup>

The beginning of actual hostilities indeed changed many a wavering person into a strong Union advocate. When news reached California<sup>4</sup> in April, 1861, that Sumter had been fired upon, the feeling against secession was intensified, and the Union sentiment of the great majority of the people became strong and demanded expression. Monster mass meetings were held throughout the State. In San Francisco in February, 1861, nearly 12,000 persons assembled at a Union meeting. In May, 1861, 25,000 were in attendance at a similar meeting, which "was the largest and most complete and emphatic public demonstration that had ever been held on the Pacific Coast."<sup>1</sup> During this same month, San Francisco newspapers contained reports of Union meetings at Oakland, San Leandro, San Juan, Vallejo, Marysville, Eureka, Sonora, Los Angeles, Placerville, Weaverville, Visalia, and numerous other smaller towns in various parts of the State. Throughout the war news of federal victories always occasioned great rejoicings, especially in San Francisco. Bonfires, national salutes, fireworks, etc., helped express the general sentiment.

The "War Governors" of California were, as a rule, intensely loyal, although an exception must be made in the case of Governor Downey, whose Unionism was not of the kind which one would rely upon to save the Union. After he had broken away from the "chivalry" democracy to a great extent, he still retained outgrown ideas concerning the slavery question. His whole attitude may be shown by his last message to the legislature in which he said "that war had come, and it was the duty of the State to stand by the Congress of the United States, and if necessary, shed blood in their support. As for himself, though entertaining political proclivities at variance with the administration, no one would respond more promptly to its call for aid."<sup>1</sup> His political career closed with the end of his gubernatorial term in 1862.

In 1861, Leland Stanford, a man of broad views concerning public affairs, and one of the few leading spirits who formed the Republican party in California, was elected governor in the first State Republican victory that ever occurred in California. The rapidity with which public sentiment had changed since 1859, when Stanford was a candidate for governor, was marvelous, as the vote polled at the two different elections shows: in 1859, Stanford (Re-

3. Congressional Globe, 37th Cong., 2d Sess., Pt. I, 63.

4. News that Sumter was fired upon reached California "per telegraph to St. Louis; thence by telegraph to Fort Kearny; thence by pony express to Fort Churchill; thence by telegraph to San Francisco." San Francisco Evening Bulletin, April 24, 1861.

1. Hittell, History of California, IV, 286.

publican) received 10,110 votes, Latham (Lecompton Democrat) 62,255 votes, and Curry (Douglas Democrat) 31,298; in 1861, Stanford received 56,036 votes, Coness (Douglas Democrat) 30,944 votes, and McConnell (Breckinridge Democrat) 32,750 votes.\* The result of the election in 1861 was especially gratifying to all who were connected with the national administration, because it was pretty certain what attitude Stanford would take to the war.

Nor did he disappoint the expectations of loyal men. He became, in short, what Downey, by failing to interpret the spirit of the times correctly, was not: *the* "War Governor" of California. Throughout his administration Stanford maintained frequent and unreserved correspondence with the heads of all departments at Washington, thus holding his State in close and sympathetic relations with the national government. In his inaugural address he expressed the feeling of loyal Californians by saying: "None should ever forget that California is one of the United States; that she is loyal to the Union; that her citizens have quite recently unmistakably declared their devotion to our national unity, their recognition of the supremacy of the national government, and their determination to maintain both inviolate."<sup>1</sup> Stanford had the proud satisfaction of seeing California occupy a front rank among the sisterhood of loyal states,—due in great measure to his unflinching enthusiasm. The legislature, realizing the beneficial effects of Stanford's administration, bestowed on him, at the close of his term of office, the unusual compliment of a concurrent resolution, passed by a unanimous vote of all parties, in which it was: "*Resolved by the Assembly, the Senate concurring*, That the thanks of the people of California are merited and are hereby tendered to Leland Stanford, for the able, upright, and faithful manner in which he has discharged the duties of governor of the State of California for the past two years."<sup>2</sup>

In 1863, Frederick E. Low (Republican) was chosen over John G. Downey (Democrat) by a majority of over 20,000. (All state officers elected at this time in fact, were loyal Union men advocating the prosecution of the war.) Low, too, proved to be active in holding California true to the Union during the years that the war was raging; and this loyal activity of his gave great satisfaction not only to California, but also to the national government.

The majorities in the different legislatures in California, though not Republican, were very strongly Union, and Union measures prevailed, in which were advocated unyielding prosecution of the

\* Blaine, *Twenty Years of Congress*, I, 308, 309.

1. Hittell, *History of California*, IV, 294.

2. Shuck, *Representative and Leading Men of the Pacific*, 40.

conflict to the end—without reference to the length of time it would take or the amount of money it would cost. "The legislatures for the years 1862, 1863 and 1864 vied with each other in the expression of the immovable determination of the people to sustain the Union at every hazard. Nothing more could be asked in the way of pledges."<sup>1</sup> The legislature of 1863 endorsed Lincoln's Emancipation Proclamation as necessary if the government were to suppress the "desperate and wicked rebellion" and re-establish the authority of the national Union.<sup>2</sup> This legislature also passed acts making it a misdemeanor to display rebel flags, profess adherence to the enemy, defend or cheer any attempt of any person to subvert the authority of the United States; and they made it a felony for any one to fit out, arm or equip in any way within the State any vessel for privateering purposes, or to take part in any expedition hostile to the United States.<sup>3</sup> The legislature which met in December, 1863, adopted strong Union resolutions. The poll-tax was remitted to volunteers, and a bounty—granted to men enlisting thereafter for three years of service during the war—of \$160 in installments to be paid every six months, and to honorably discharged veterans re-enlisting, an additional sum of \$140 paid in like manner. To meet these obligations the Treasurer was directed to prepare bonds of the State to the amount of \$2,000,000 to redeem which a tax of 12 cents was levied on each \$100 valuation of property, real and personal. And yet no loyal citizen protested. The legislature of 1864, although endorsing "all the measures of the administration for the purpose of subduing the present most wicked rebellion,"<sup>4</sup> refused to repeal the "Specific Contract" law passed by the previous legislature, making nearly every kind of contract expressly payable "in gold coin." But this refusal cannot be construed as an act of disloyalty, because nearly all of the financial business of the Pacific Coast was in gold and silver coin, and the legal tender or greenback currency provided by the United States Treasury Department, if forced on California, would have worked almost unlimited harm.

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1. Tuthill, *The History of California*, 592.

2. The concurrent resolution passed in January, 1863, read in part: "The loyal State of California received with earnest favor the recent proclamation of freedom issued by the president of the United States and commander-in-chief of the army and navy, regarding the measure as necessary for the success of the efforts of the government for the suppression of a desperate and wicked rebellion, and the re-establishment of its authority, consistent with the laws of war, and full of promise for the future permanence, unity and prosperity of the nation, and we hereby pledge to the measure the cordial and earnest support of the people of California." Davis, *History of Political Conventions in California*, 192.

3. The attempt of the schooner J. M. Chapman to sail on a cruise in the service of the Confederacy was partly responsible for the passage of this act of the legislature. See Hittell, *History of California*, IV, 342-347.

4. Davis, *History of Political Conventions in California*, 202.



As has been mentioned, the Golden State was very liberal with her gold in aiding the national cause. No claim or demand made by the national government was ever delayed or questioned. When Lincoln came to the Presidency, the finances of the country were in so deplorable a condition that Chase, Secretary of the Treasury, found it necessary to call on the people for contributions to keep the wheels of government in motion. California responded gladly and substantially. In all monetary matters—except the "Specific Contract" act, she (through the legislature) declared her devotion to the government; e. g., \$24,600 was appropriated by the legislature to aid recruiting officers in filling up volunteer regiments, \$100,000 to place the Coast in a more efficient state of defense, \$600,000 for a soldiers' relief fund, etc. Even the tax in 1864 on gold and silver bullion was patriotically paid without murmur of objection. And, it is generally conceded that the war could not have been carried on by the North, had California not given of her wealth to the national treasury. General Grant, in fact, said: "I do not know what we could do in this great national emergency, were it not for the gold sent from California."

Spontaneous contributions to the Sanitary Commission (of which California was the main support) show as well as any one thing how anxious California was to aid the Union cause. The Sanitary Commission was organized in New York under the Presidency of the Rev. Henry W. Bellows, a Unitarian clergyman; and as with most projects of the kind, it did not flourish financially at first. It was almost on the point of death from inanition when Bellows proposed to Thomas Starr King, "the silver-tongued Unitarian clergyman of San Francisco, whose voice had already been heard in eloquent favor of the Union Cause"<sup>1</sup> that something in the same line be done in California. King threw himself into the project with his whole soul. The first meeting in California to raise money for the fund was held on September 6, 1862, at which time \$6,600 was at once contributed. Within ten days \$160,000 in gold was sent to Bellows; in October, \$100,000, and before the end of the year another \$100,000 was remitted. As California's contributions were in gold coin, they represented considerably over half a million in legal tender notes. In 1863, when Bellows again wrote, saying the Commission was almost going to pieces financially, California again came to the rescue,—San Francisco alone pledging \$200,000 for 1864, with the assurance that the rest of the State would doubtless make the sum \$300,000. At the close of the war, the report of the Commission showed that out of \$4,800,000 cash received, California had supplied \$1,234,257.31.

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1. Hittell, *History of California*, IV, 348.

One should not tell of California's generous gifts to the Sanitary Commission without stopping to offer a word of praise to Thomas Starr King, to whom "more than to all others, is due the glory of contributing so princely an amount to the treasury of the Commission that California now stands foremost in the sisterhood of states upon the score of generosity."<sup>1</sup> Since California was too far away to take an active part in the war, King ardently advocated the cause of the Sanitary Commission, believing it to be an admirable way to help the Union. Hence "for the purpose of keeping loyalty alive, and also for the purpose of advancing the cause of the Commission, he traveled through nearly every section of the State,"<sup>2</sup> and wherever he went, the people gave liberally and willingly. Not only did Mr. King work for the Union cause in connection with the Sanitary Commission, but, through the force of his eloquence, he was a vital and puissant force in encouraging and animating Union sentiment in California (1860-1864). Almost all of the clergy in San Francisco were strong Union men, and displayed the Stars and Stripes from their churches,<sup>3</sup> but King's influence was the most effective of all. When the war began and loyalty was only a latent, not an active sentiment, and it was uncertain whether Unionism, a Pacific Republic, or Secessionism would prevail, "the masses were undecided and wanted a leader. At this critical moment, and as if by the direct interposition of the Almighty, Mr. King stepped into the breach and became the champion of his country. . . . He at once directed and controlled public sentiment. He lost no opportunity to strike a blow at the rebellion."<sup>4</sup> At his death, the *San Francisco Evening Bulletin*, March 4, 1864, eulogized King thus: "In this respect (i. e. striking at the issues of the rebellion) he has wielded a powerful influence, lending his aid to the preservation of harmony in a state which at the outset seemed likely to be divided, carrying the masses with him by that energy and eloquence which was given him as a birthright, and of which only the hand of Death could rob him." The legislature, also, to do honor to the value of King's life and works in California, adjourned from March 5th to the 8th, 1864, and ordered the flag on the capitol to be displayed at half-mast.

#### TROOPS FURNISHED TO THE UNION.

It is evident that California produced able and loyal men during the national crisis from 1861-1865; that the vigilance and unceasing

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1. Shuck, *Representative and Leading Men of the Pacific*, 195.

2. *Ibid.*, 195. King also visited Oregon, Nevada and Washington Territories.

3. The Catholic Archbishop Alemany, owing to the influence of his character and position, was especially serviceable to the Union cause.

4. Shuck, *Representative and Leading Men of the Pacific*, 194.

labor of these men kept the secessionists from establishing a Pacific Republic, or seceding from the Union or joining the Confederacy; that the secret societies formed by the secessionists were compelled to work in secret throughout the war, and in constant danger from the military forces in the State; that the people through their legislatures and governors loyally supported the Union both morally and materially; that gold from California flowed into the treasury of the Sanitary Commission, etc. The fact that California raised troops (although there was no draft in California) and that these troops were of great value to the Union cause, is also very important, and should be known by all who say that the part played by California in the Civil War was insignificant.

To be explicit, California furnished to the Union from 1861-1865, two full regiments of cavalry, eight full regiments of infantry, one battalion of native California cavalry,\* one battalion of infantry called Mountaineers, and eight companies, enlisted as a part of what was known as the First Regiment of Washington Territory. And in addition to these troops—which rendered almost inestimable service in keeping down Indian revolts and driving rebel guerillas out of the States west of the Rocky Mountains,—about five hundred, anxious to engage in actual warfare in the East, were enlisted in California for active service and became a part of the quota of Massachusetts. All in all, California raised more than sixteen thousand men during the Civil War.<sup>1</sup> And many military men, such as Halleck, Sherman, Hooker, Grant, Farragut, Frémont, Baker, McPherson, Buell, Ord, Sumner, etc., who had made California their home at different times, went East and tendered their services at the outbreak of the war. "It has been said that California cut no figure in the war, which assertion most assuredly was not true. California had few men on the battlefield, where most blood was spilt, not because they were not offered, but because they were not wanted there."<sup>2</sup> It was one of the great disappointments of the California troops, in fact, that they were not ordered East.

The first call for troops, made by the War Department, was sent out by the Pony Express on July 24, 1861, and was for one regiment of infantry and five companies of cavalry to guard the overland mail route from Carson City to Salt Lake and Fort Laramie. Recruiting went on briskly, and under that call, one full regiment of ten

\* The *Alta California*, March 3, 1863, contains the following: "Forty members of the Native California Cavalry Company . . . have arrived in town. . . . This Company has been organized in San Jose, and is the first one of native-born citizens of California raised during the war. Among their novel weapons of offense are lassoes, which they are exceedingly expert at using on horseback."

1. 15,725 volunteers and militia were furnished by California during the war. *Official Records of the War of the Rebellion*, Series III, Vol. 4, 1268.

2. Bancroft, *History of California*, VII, 314.

companies of infantry was raised, which became the First California Infantry; and five companies of cavalry which became the First Battalion of the First California Cavalry. In 1863, seven more companies of cavalry were raised, making the First Cavalry a full regiment of twelve companies.

Soon after the first call for troops in 1861, it was found that the Confederates contemplated seizing and securing New Mexico and Arizona, and if possible, gaining a foothold in California. With this in mind a large Confederate force actually advanced through Texas, captured New Mexico, and penetrated Arizona nearly to the Colorado River. It was also ascertained that the rebels proposed, after securing New Mexico and Arizona, to seize and hold a large part of Mexico, especially Chihuahua, Sonora, and Lower California. Hence the second call for troops in California. Under this call, the Second Cavalry, and the Second, Third, Fourth, and Fifth Regiments of Infantry were formed. General Sumner, commanding the Department of the Pacific, was ordered by General Scott to lead these forces on an expedition into Texas by way of Mazatlan, through Sonora and Chihuahua, with the object of thwarting the designs of the Confederates. Upon investigation, however, this plan was discovered not to be feasible, and the new troops were directed to be employed west of the Rockies, and especially in relieving companies of the regular army on the Pacific Coast, so the latter could be sent East to the seat of war. (All of the regulars in California, except the Ninth Infantry and four companies of the Third Artillery were ordered East. On October 21, 1861, Brigadier-General E. V. Sumner was recalled for duty in the East, too, and the command of the Department of the Pacific went to Colonel George Wright, a man prudent and prompt in the exercise of military authority).

In a little more detail, the work of the so-called "California Column" (the troops raised under the first call for troops, and placed under Colonel Carleton) in New Mexico, Arizona, and northwestern Texas, will now be examined. The Confederate government, as was stated, hoped to secure New Mexico, Arizona, and, if possible, to gain a foothold in California, in order to obtain supplies of men, horses, money, etc. Hence in February, 1862, we find the Confederate General, H. H. Sibley, and his men following the Great River northward; and since only a handful of regulars, Coloradoans and native New Mexicans, held the gateways of New Mexico—the Apache and Raton passes—the Confederate forces pushed their advance nearly to the Colorado river. The "California Column"—made up of the First Infantry (ten companies), First Cavalry (five companies), and a light battery of four brass field pieces of the Third Artillery—at this critical stage was placed under the com-

mand of Col. James H. Carleton, then a captain in the Sixth Regular Infantry stationed at Fort Tejon, and was ordered to rendezvous at Fort Yuma, (which it did in April, 1862), march across the desert, retake Arizona and New Mexico forts captured by Sibley, and hold them for the United States. General Sibley, hearing of the advance to be made by the "California Column," a small but bravely reckless army of 1,800 men,—and having lost most of his baggage and supplies—determined to evacuate the country, and so began his retreat.

The Column moved from Yuma to Pimos Villages, Picacho Pass, where the first California volunteers were killed in the war,<sup>1</sup> up the Gila to old Fort Breckenridge, where the American flag was run up, and on to Tucson, which was occupied May 20, 1862.—the Confederates retiring to the Rio Grande. Crossing the Gila desert was a terrible march for the army. Colonel Carleton, in writing to Assistant Adjutant-General Drum, said of it: "The march of the column from California across the Great Desert in the summer months, in the driest season that has been known for thirty years, is a military achievement creditable to the soldiers of the American army. . . . That success was gained only by the high physical and moral energies of that peculiar class of officers and men who compose the column from California."<sup>2</sup> The soldiers were blistered by day, and shivered by night; and were nearly starved because of the difficulties encountered in obtaining supplies from the Indians. The best way to get supplies, it was found, was to offer the Indians presents, especially manta (white cotton cloth) and get in return wheat, flour, hay, etc.<sup>3</sup> But when the Indians,—i. e., the Pumas, Maricopas, etc.—had all the manta they wished, then there was an end to trading, and no amount of persuasion could make them exchange their grain, etc., for manta; so that the only alternative was to take what was necessary and give government vouchers in return. The troops had to fight the Apaches, hereditary enemies of the Pumas and Maricopas; and the Navajoes were also war-like. From Tucson into New Mexico, in fact, the column had to fight its way through hostile Indians, who lurked in every mountain pass, and guarded every water hole.

Before pressing into New Mexico, Colonel Carleton placed Arizona under martial law, June 8, 1862. In July, he ordered the California Column to the Rio Grande; and on July 17, 1862, Lieuten-

1. The graves of Lieutenant Barret and two men may now be seen within twenty feet of the Southern Pacific Railroad, as it goes through Picacho Pass.

2. Orton, *Records of California Men in the War of the Rebellion*, 67.

3. The following terms were agreed upon with the Indians: Four quarts of flour, weighing 4½ lbs., for 1 yd. of manta; 7 qts. of wheat, weighing 13 lbs., for 1 yd. of manta; 4 qts. of pinole, weighing 5½ lbs., for 1 yd. of manta; 50 lbs. of hay, or 150 lbs. of green fodder, for 1 yd. of manta, etc.

ant-Colonel Frye, with the advance column of the California Column, crossed the Rio Grande and would have pursued the enemy into Texas, had not orders from General Canby, of the Department of New Mexico held him back. (As it was he managed to raise the American flag over four forts). On August 7, 1862, Carleton reached the Rio Grande, and by the 22nd, the California Column hoisted the Stars and Stripes over Fort Quitman, Carleton then returned to Las Cruces, New Mexico, and on to Santa Fé, where in September General Canby relinquished the command of the Department of New Mexico and Carleton assumed it. The companies of the Column were scattered (from 1862-1865) from the Rio Grande to "Picketwire." Some went with Colonel Kit Carson and fought the Kiowas, and Comanches on the northern border; while others trailed the Apaches and the Navajoes to the Texas line. Thousands of warring tribesmen were rounded up. Thus the Column guarded the southern border, kept back the fiery Texans, fought Indians, and held Kansas, Colorado, and the country west of the Rocky Mountains for the North.

The record of all the California troops, in fact, is one of which her sons and daughters can well be proud. In northern California the First Battalion of Mountaineers kept down the hostile Indians. The Second Cavalry guarded the Overland mail-route in Utah, and kept down the Snake and Shoshone Indians. Part of the Third Infantry, sent to Humboldt county, settled Indian troubles there. And Colonel Connor, sent with his regiment to Salt Lake City, kept the Mormons from causing the Union trouble.<sup>1</sup> The "California Hundred" and "Battalion" troops raised in California, which became a part of the Second Massachusetts Cavalry, left a brave record after them in their active service in the East.<sup>2</sup> And the

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1. The cordiality with which the Mormons looked upon the soldiers stationed near them may be deduced from the following remarks made by Brigham Young in the Tabernacle on March 8, 1863: "Is there anything we would not do to show our loyalty to the government? Yes. If the present administration should ask us for one thousand men or even five hundred to go down there (meaning to fight the Rebels) I would see them damned first, and then they could not have them while these soldiers are in our vicinity." At the same place and on the same day, Heber Kimball, second President of the Mormon Church, said: "We can defy the whole Federal Government." To which the congregation responded: "That's so, we can." Orton, Records of California Men in the War of the Rebellion, 511.

2. The "California Hundred" and "Battalion" came into existence because there were so many young men in California who ardently desired to go East to join the armies there—after it was found that California volunteers were being kept on the Pacific Coast. Massachusetts at this time was paying large bounties for volunteers, in order to fulfill requisitions made on her. So a proposition was made to the State of Massachusetts to raise a company in California, take it East and credit it to the quota of Massachusetts if the expenses of its organization and transportation were guaranteed. The "California Hundred" were thus selected from the five hundred men who offered themselves for enrollment, and arrived in Readville, near Boston, on January 4, 1863—becoming Company "A" of the Second Massachusetts Cavalry. The "California Battalion" consisting of four companies was raised in a similar way and became Companies "E," "F," "L" and "M" of the Second Massachusetts Cavalry, which saw continuous, hard and active service in Virginia, Maryland, etc.

troops stationed throughout California during the entire war, rendered great service to the State, and to the Union in keeping down secessionists at home. To sum up the work of the Pacific Coast troops, and especially of the California troops, in the words of Bancroft: "The population of the whole Pacific Coast, including Utah and Colorado, was not equal to one-fourth of the single State of Pennsylvania. Yet to the volunteers of this sparse population was entrusted the labor of aweing avowed secession at home, guarding against foreign interference, and fighting numerous Indian tribes from Oregon in New Mexico."<sup>1</sup>

In conclusion, we may say that the loyal attitude which California *as a State* took towards the Civil War, although a profound disappointment to the Confederacy,<sup>2</sup> "had a powerful effect upon the whole country. Nothing could have been more opportune or more effective."<sup>3</sup> Although the furthest off of all the states, the heartiness and readiness with which California responded to all requisitions made on her, her unhesitating and determined language in reference to the Union cause, the important services rendered by California troops,—in short, her whole attitude to the Civil War was as praiseworthy and of as much value to the Union as that of many a Northern State closer to the scene of action. Hence, considering all her services in the contest for freedom, it seems only just that California "should share in the glory of having helped to preserve the integrity of the Union."<sup>4</sup>

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1. Bancroft, *History of California*, VII, 314.

2. "Jefferson Davis had expected, with a confidence amounting to certainty, and based, as is believed, on personal pledges, that the Pacific Coast, if it did not actually join the South, would be disloyal to the Union, and would from its remoteness and its superlative importance, require a large contingent of the national forces to hold it in subjection. It was expected by the South that California and Oregon would give at least as much trouble as Kentucky and Missouri, and would thus indirectly, but powerfully, aid the Southern cause. The enthusiastic devotion which these distant States showed to the Union was therefore a surprise to the South and a most welcome relief to the national government." Blaine, *Twenty Years of Congress*, I, 308.

3. Hittell, *History of California*, IV, 323.

4. Bancroft, *History of California*, VII, 314.

## ARIZONA'S ADMISSION TO STATEHOOD.

BY ARCH A MALCOLM FARLOW.

### I. THE HISTORY AND RESOURCES OF ARIZONA.

If the history of Arizona<sup>1</sup> were presented in one great drama it would represent a remarkable variation.<sup>2</sup> Its earliest inhabitants, numerous and agricultural, left their only annals in their remains—old systems of irrigation and primitive implements now and then yielded by the soil. The Pima Indians gladdened the hearts of the padres by faithful devotion, while the Apaches were cruel and treacherous. Cabeza de Vaca sought succor and received it; Coronado, gold and found it not; the Jesuits, service and gave it in full measure. The American pioneers here reached the last frontier. They came to possess the land and though many perished<sup>3</sup> they represent the last scene in the drama, no longer that of motley adventurers, fleeting shadows of conquistadores or unwritten tragedies of the desert, but a land of safety and promise.

The conquest of Peru by Almagro and Pizarro was similar to that of the occupation of Mexico by Hernando Cortez. Each added galleons of treasure to the coffers of Spain. This state rendered strong by the union of Castile and Aragon through the marriage of Ferdinand and Isabella in 1469, thus raised to a position of affluence and respect, became a reckoning factor among the nations of Europe. Wealth, thus easily gained, led to extravagance and unwise enterprises that might have been less destructive had caution and moderation prevailed. Spanish diplomacy engendered hatred instead of friendship.<sup>4</sup>

The policy of Philip II. shattered Spanish dreams of empire and the full measure of the draught of wealth and power in her goblet of silver and gold was never quaffed. The blood of the Inca and

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1. Authorities differ as to the origin of the name. It is a corruption of "Arazuma" first applied to the country by the early Spanish explorers. Some maintain that the word is of Pima origin, and means "Little Creek," while others hold that its derivation is from two Pima words, "Ari," a maiden, and "Zon," a valley or country, having reference to the traditionary maiden queen who once ruled over all the Pima nation.—Patrick Hamilton, Resources of Arizona, 21.

2. Id., 10.

3. In the ten years from 1864 to 1874 it is estimated that not less than one thousand victims of savage atrocity found bloody graves in Arizona.—Id., 25.

4. Effects of the Inquisition. Id., 85.



Montezuma was avenged. Beholding in pride her scepter over the world was but the mirage that vanished as quickly as did the dreams of her freebooters who chased imaginary eldorados always vanishing from their outstretched hands. Yet before the folly of Spain had clouded so roseate a future her trusted leaders\* in America, enthused by the marvellous attainments of Pizarro and Cortez traversed the inhospitable sands of the desert, anticipating, day by day, on their toilsome marches, some undiscovered realm rivaling the barbaric splendor of Mexico and Peru. One who was especially ardent in seeking riches was Vasquez de Coronado. In 1539, Padre Marco de Niza set out from Culiacan to verify the stories told by De Vaca. His description of the "Seven Cities of Cibola," fabulously rich in all that might satisfy the very prince of Spanish adventurers, so wrought upon the desires<sup>1</sup> of Coronado that he, the next year, 1540, with a company of followers numbering a thousand, made an expedition into what is now the State of Arizona. He named the ruins of Chichitilaca "Casa Grande," visited the Pima on the Gila, then passed on to the ingenious Moqui and Zuñi. They proved to be peaceful and hospitable. Their pueblos, still interesting products of semi-civilization, doubtless led De Niza to conclude that the goal of Spanish ambition was near.<sup>2</sup>

After remaining two years among the Indians in vain search for gold, bootless in spoil, richer in wisdom and withal less credulous of the stories told by his subordinates, Coronado returned to Mexico. The places he had visited gave him a vision of a part of what would become Arizona. Here came the holy fathers led by the dauntless Fathers Eusebio Francisco Kino and Juan Maria Salvatierra. The former died after a life that stands out in strong contrast to the rapacious spirit that impelled the fearless though disappointed Coronado. The natives, however, did not all conform to the type of the Zuñi and Pimas. The Apaches resented the intrusion of the Spaniards by a resistance that did not abate until they were removed to Florida.

In May, 1768, the Franciscans succeeded the Jesuits. The missions became ruins until only San Xavier del Bac is the one alone remaining in a state of preservation.

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\* The public mind throughout New Spain was wrought up to a high pitch of excitement by the news which Padre de Niza brought on his return. The desire to extend the dominion of the Cross produced in the breasts of the fathers a feeling of holy adventure; and the thirst for gold and glory possessed the belted knight and the sturdy man-at-arms.—Patrick Hamilton, *Resources of Arizona*, 15.

1. The Grand Canyon was discovered by Don Garcia Lopez de Cardenas, who appears to have given no more than ordinary attention to a scene that has no counterpart in all the titanic wonders of nature.

2. The expedition by water was led by Alarcon, who discovered the Gulf of California, which he named the Sea of Cortez.

In the end the missionaries poorly succeeded, for the Pimas in 1751 revolted. The Apaches were the destroyers of Tumacacori, at one time the richest of Arizona missions. They were good neophytes only in death when their treachery could no longer harm their self-sacrificing benefactors. However strong the opposition, there was no yielding to discouragement, and the Franciscans remained during the long period that subsequently contributed nothing to history from the land of the pueblos. The missions did not grow and prosper, but in due respect to the sincere motives of the fathers this tribute is due them—the faith they strove to establish is still found where they toiled. When Arizona was admitted as a state in 1911 the number of Catholics exceeded all other religious denominations taken together.<sup>1</sup>

Previous to 1846 the history of Arizona was that of the missions, the struggle between the padres and the natives whose antipathy could neither be overcome by force nor by the persuasion of religion. So far as the rest of the world was concerned Arizona was apart as fully as was the New World subsequent to the explorations of the Norsemen and previous to the coming of the caravels of Columbus.

In 1853 the Gadsden Purchase was added to the territories of Arizona and New Mexico. The United States had acquired the Mexican Cession in 1848, which included the remainder of Arizona, it being considered a part of the Great American Desert. Fourteen years after its acquisition it contained only 6,500 whites, and these were, for the most part, those who either going to or returning from California, had prospected over the plains and mountains and had found some hitherto undiscoverable charm that caused them to cast their lots in a land of grandeur if not of plenty. Since 1862 the population has steadily increased, reaching, inclusive of Indians and Mexicans, 204,354, according to the census of 1910.

The minerals of Arizona are no more remarkable in variety and abundance than are the rock strata in general. In no very remote geological age, this country was the recipient of considerable rainfall as evidenced by its old lake beds and its primeval forests, some of whose gigantic trees are preserved in agatized and silicified forms. These phenomena that indicate an age of greater humidity, also in silent speech tell of a meteoric change due to the formation of mountains which deprived these inland areas of moisture-laden winds. The age of these forests must be considerable, for had Arizona been

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1. Church membership in Arizona in 1903: Protestant Episcopal, 1742; Methodist Episcopal, 1142; Fifth Avenue Christian, 200; Methodist Episcopal (S), 782; Roman Catholic, 40,000; Presbyterian, 2012; Congregational, 334; Baptist, 558; Free Methodist, 50; total, 46,820.—Compiled from Report of the Governor of Arizona, 78 and 79, 1903.

a land of rainfall in recent geological time, the precipitous sides of the cañons would have been smoothed by the action of the water.

The pine region is favored with a delightful climate and considerable moisture. At Flagstaff the average rainfall is twenty-four inches, while Yuma is almost devoid of rain.

Miners acquainted with Arizona declare the mineral wealth of the state is yet unknown.<sup>1</sup> Undeveloped by lack of railway facilities properties lie dormant that will eventually yield abundance of silver, gold, lead, tungsten and precious stones. In 1908 Arizona ranked first in the production of copper; in 1909 Montana led, but in 1910 Arizona again led all copper-producing states.<sup>2</sup>

So far as it is possible to determine, the illimitable mineral wealth of the territory remained hidden from the Spaniards. Had they discovered and developed the mines there possible, the treasure ships of Spain's halcyon days would have been poor in comparison to the amount of wealth revealed. As the French overlooked the true soil of Louisiana, thus did the Spaniards fail to find the real eldorado of their dreams.

In 1906 Charles D. Walcott, Director of the United States Geological Survey, stated that there were 72,792,320 acres of land in Arizona of which 254,945 acres were irrigated at that time, and that 500,000 acres more could be brought under the canals. Since, however, it is considered possible to irrigate 2,000,000 acres. The water of the Colorado contains fertilizing sediment<sup>3</sup> six times as rich as the Nile. Since Belgium maintains one inhabitant to the acre, there is a possible population of 2,000,000 in Arizona.

Arizonan scenery is picturesque, varied and beautiful, blending with all the sublime in a measure not found elsewhere in the United States. The desert scenes of Van Dyke have called from the idea of desert wastes to a desert beautiful denoting charm and utility. From Yuma, 400 feet above the sea level, to the San Francisco Mountains 14,000 feet above, there are marvellous changes in conditions. At and near Flagstaff 12,000,000 feet of pine lumber are

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1. "With a judicious expenditure, the annual output in gold, silver, copper and lead is capable of indefinite expansion, to say nothing of the known deposits of iron, manganese, coal and other minerals—onyx, building stone, etc.—which will eventually be developed and utilized."—Thomas Tonge, *The Mineral Resources of Arizona*, Engineering Magazine, Vol. XIII, 781.

2. The gross production for the year 1910 was as follows: Copper, 295,275,527 lbs.; lead, 1,068,093 lbs.; zinc, 6,134,418 lbs.; gold, 142,252,803 ozs.; silver, 2,092,738,461 ozs. Gross valuation, \$42,229,282.56.—Report of the Governor of Arizona to the Secretary of the Interior, 1911, 25.

3. "While the Gila river and its affluents, the San Pedro, Salt and Haysayampa, which run dry occasionally, furnish only a limited quantity, the mighty Colorado river carries a volume of water not only six times as rich in fertility as that of the Nile, but of almost limitless and continuous supply."—B. F. Fernow (Ph. G., LL. D.), *National Geographic Magazine*, 8, 219.

produced annually. Congress has become alarmed lest the natural beauty of this part of the state be marred and has set apart large forests that will preserve nature's rarest charms. The species of pine represented, known as *pinus ponderosa*, does not produce the best quality of lumber, only about six per cent. being perfect, yet the state is supplied with its own building material and furnishes both herself and California with ties.

In an area of 113,929 square miles there are only 1,994.36 miles of railway. Coal is mined in small quantities, yet there is enough in sight to promote all dependent industries. Here and there are found mineral springs, sandstone, marble and granite. Of precious stones turquoises, vanadium and garnets are abundant. So free is the land of the state to entrants that only 5,200,000 acres out of 72,792,320 are privately owned. Mining stands pre-eminently first among the state's industries; however, the northern mesas and elevated portions are composed of excellent pasture lands. Thus many resources of the state do not appear as tangible commodities, yet are of priceless worth in building up a commonwealth and in bringing a large population to its plains and valleys. The air is of rare purity, attracting the sufferer from pulmonary affections and restoring to health and vigor.

Containing an area as extensive as the New England States and New York combined, a variation of altitude almost as great as that of Colorado, forests that greet the eye in refreshing coolness, flocks and herds that rival those of Abraham on the plains of Jordan, Arizona has much to offer. Adding to this are mineral deposits estimated to cover 30,000,000 acres,<sup>1</sup> which the world's markets will take and pay for liberally.

Educational institutions of the state are commensurate with every other field of progress. Teachers' salaries are exceeded only by those of California and Nevada. The state university is located at Tucson, and two normal schools are situated at Tempe and Flagstaff.

The state is essentially democratic in political vision and during the session of its legislative assembly, 1908-9, a direct primary law was passed; also a law providing for a state historian.<sup>2</sup> It is evident that the western spirit of government by the people animates the citizenship of the state. Though the population is scattered and

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1. Congressional Record, Vol. 38, Pt. 6, 5105 (1904).

2. "The historian has during the year done a great deal of extensive research work and has succeeded in obtaining valuable data not hitherto available for future use in the compilation of an accurate and comprehensive history of the Territory."—Report of the Governor of Arizona to the Secretary of Interior, 19, 1911.

only forty-seven per cent. of pupils of school age is enrolled, the state provides splendid conditions for educational advancement.

As only about one twenty-fifth<sup>2</sup> of the area of the state can be irrigated, primal characteristics will, to a great extent, remain. The forest and streams beheld by De Soto in his expedition through the south have been transformed, but the scenes that opened to the sight of Coronado, Espejo and De Vaca show little appreciable change. The metamorphosis that follows in the wake of civilization is not so prominent here where centuries hence nature will still safeguard her pristine landscapes as jealously as she has since Spanish wanderlust and dreams of gold and empire led through perils to failure and death.

The crops of the United States for 1912 approximate \$9,000,000,000, in comparison with which the fondest hope of the Spanish gold-hunter becomes insignificant. The rich soil that would become a perpetual source of revenue was ignored.

In considering briefly thus the history, resources and physiography of Arizona, we may inquire what the United States added to its material wealth when the enabling act of Congress permitted Arizona's star to be placed in the national emblem. This is necessary and lends interest in following the steps that finally led to admission.

First came the proposition to admit Arizona and New Mexico as a single political unit and the consequent failure to bring the desired consummation to pass on the part of its adherents. It is interesting to consider the causes, controversies and results of the measure proposing joint statehood which was destined to perish.

## II. THE JOINT STATEHOOD BILL OF 1906.

When Senator Hamilton of Oklahoma in 1906 brought before the Fifty-eighth Congress a bill providing joint statehood for Oklahoma and Indian Territory, also Arizona and New Mexico, it became apparent that the merging of the latter would not be accomplished as peacefully as had been entertained by the large state advocates. On November 6, 1906, an election was held to determine the attitude of the people of both Arizona and New Mexico toward joint union. In the former the vote was 3,141 for, to 19,406 against; in the latter 26,195 for, to 14,735 against the plan proposed. In Arizona and New Mexico conditions existed territorially and racially that, even though they might be subordinated to a single constitution, would result in relations uncomfortable and inimical to both. States whose stars have long adorned the flag have been and are now

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2. Estimates vary. See Congressional Record, Vol. 38, Pt. 6, 5105 (1904).

disturbed by local incongruities.<sup>1</sup> Legislation desired by the people of western Tennessee does not provide necessary laws for those in the eastern section. Such differences often lead to political aspersions, resulting in riot and bloodshed.<sup>2</sup> The mountaineers of Eastern Kentucky plotted the assassination of Governor Goebel, claiming that their will had been subverted by the Democratic party in that state. Owing to the diversity of interests in California there has been a strong sentiment favoring state division.<sup>3</sup> The people of Southern California have asserted that they do not receive a proportionate share of the state's revenues and that the Tehachapi should be made the northern boundary of a new state. Another noteworthy example is found in the division of Virginia into two commonwealths, the result of geographical conditions and industrial differences.

Territorial government<sup>4</sup> did not attract settlers. When admission was agitated there was a noticeable increase of land entries as stated by Governor Sloan in his report to the Secretary of the Interior. The laws of the Territory had failed to secure justice in taxation. The Tombstone Consolidated Mining Company was incorporated for \$15,000,000. Six million dollars worth of its bonds had been actually sold, yet the company was assessed for only \$79,000. Another, the United Verde Copper Company, owned principally by Senator Clark of Montana, yielded \$10,000,000 and was taxed on \$895,423. To correct these inequalities a state government was necessary, for, said Senator Hamilton, "Under present conditions a territory cannot purge itself as well as a state can. The governor of a territory is an appointive officer. He is not responsible to the electorate."

Santa Fé, the second oldest city founded in the United States, is a monument to Antonio de Espejo. Here Spanish institutions were

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1. J. P. Widney, *The Californian*, Vol. III, 124 (1881).

2. In ten months Tennessee raised fifty regiments for the Southern Confederacy, while five or six were recruited for the Union.

3. "Among the minor considerations leading to the separation are the questions of the difficulty of framing state legislation to suit communities so widely differing in interests as the northern and southern portions of California; questions of local inequalities and injustices in taxation; the undue centering of State institutions and expenditures of State moneys in the San Francisco Bay counties, although the people of Southern California are ceasing to care about this; they say they prefer now to wait and build up their own institutions; the difficulty of gaining any influence in Congress, and of securing Government aid for harbor improvements and public works; the desire to be free from the controlling and corrupting influence of San Francisco in State politics—for the new state would be essentially an agricultural and pastoral one, without any one great city within its borders to overshadow with its influence the purer vote of the country."—J. P. Widney, *The Californian*, III, 124.

4. Arizona is a state without a history. One of the departments in the new state government is that of State Historian. Governor Sloan, in his report to the Secretary of the Interior, 1911, stated that progress was being made in the collection of data and that a suitable history of the State would be written.

planted and the blood of Castile and Aragon was made an inseparable part of the territory. In 1906, eight out of every fourteen inhabitants were Spanish-American. The people of Arizona, almost entirely American, and with seventy-five per cent. of their school teachers graduates of higher schools of learning, did not look with favor upon the ideals\* necessarily different from their own; for, since Arizona was inferior in numbers to New Mexico in 1906, should joint union be effected, their policies would be dictated by New Mexico. Submission to political impotency that would prevent the fulfilment of her plans and purposes was the basis of Arizona's most bitter protest.

The territories are naturally separated by mountains and deserts which constitute an effectual barrier to intercourse. These have excluded any sympathetic relations as fully as was the effect of the Alps in differentiating the civilizations of the Po and the Rhine. The railroad builder, the pioneer and the prospector alike shun these inhospitable fastnesses by making long detours to the north and south. This impassable frontier has determined the people and their commercial affiliations. The merchants of Arizona go to Los Angeles and the Pacific to trade, while those of New Mexico go to Denver and El Paso. Thus there were no common interests to cause a desire for union.

Before San Bernardino County, California, was created out of territory formerly a part of San Diego County, a resident of Riverside desiring to pay his taxes, would bid his family adieu and start on a week's journey, *via* Los Angeles, to his county seat, San Diego. Frequently the sum paid did not exceed the outlay necessary in making the trip. More remarkable still would have been the journey of a citizen of greater Arizona from Yuma to Santa Fé whose car-fare would be \$40.25.<sup>1</sup> From Phoenix to the proposed new capital he would be obliged to travel 661 miles and consume 26 hours.<sup>2</sup> The time occupied in making the trip would exceed the fast train schedules between New York and Chicago.<sup>2</sup> In addition many would have to make long journeys to the nearest railroad. Added to the loss of time and great expense would have been the tardiness of news from Santa Fé and a consequent failure to wield a proper influence in prohibiting and securing legislation.

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\* Governor Otero of New Mexico said: "There is no doubt that the great majority of people in New Mexico are opposed to joining New Mexico and Arizona into one commonwealth, as proposed by pending legislation. Even a small per cent who would acquiesce in such legislation prefer single and separate statehood for each territory. This is not due to any innate animosity between the two territories, but to inherent difference in population, in legislation, in industries, in ideals, and from an historical and ethnological standpoint."

1. J. W. Babcock, *The Independent*, Vol. LX, 506.

2. The fastest schedule between New York and Chicago is eighteen hours, and between Phoenix and Santa Fe, twenty-six hours.

One of Edmund Burke's strongest pleas for conciliation between England and America was the failure of Parliament to deal effectively with the American colonies, owing to their great distance from the source of authority. Even granting that civilization takes with it modern appliances, they are in the rear and cannot annihilate distance until they reach the vanguard. When Arizona and New Mexico were territorially separated in 1863, the distance was so great and travel so hazardous that the people of the former were deprived of the right to participate in the territorial legislature which met at Santa Fé.

The financial system of Arizona had been much better than that of New Mexico, her bonds frequently selling above par. Just how to equitably apportion the indebtedness of the territories was a difficult matter to settle. The financial policy of New Mexico prior to 1906 had been lacking in economy and farsightedness.<sup>1</sup> On the other hand Arizona had displayed frugality and thrift. With joint admission the heaviest burden would fall upon the more prosperous territory. In this was added another reason why Arizona was not willing to join with a people who would place the heavier burden of debt upon the shoulders of both.

Had the joining of the two territories into one state been consummated the area resulting would have been 235,280 square miles, and would have exceeded every other state except Texas, which contains 265,896 square miles. The Thirty-ninth Congress, admitting the last named state provided for its future subdivision whenever its people should decide that such a course would be for the best interests of the state, considering it too extensive to become a permanent political unit. The combined area of the two territories would have been only 30,516 square miles less than that of Texas. Two senators, Bayard of Delaware, and Sprague of Rhode Island, were members of both the Twenty-ninth and Thirty-seventh Congresses. These members had voted on the bill to admit Texas, which was a measure of great national concern. They had also participated in the creation of the Territory of Arizona, there being no question raised concerning its size. In the Twenty-ninth Congress such a question was raised and provision was made for the subsequent division of a state whenever the people thereof deemed it expedient, *at the time such state was created*.

The people of Arizona claimed that the act of Congress bestow-

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1. "County, school and municipal debts of Arizona were funded under the authority of an act of Congress, while no such funding law exists in New Mexico, and several of the counties are insolvent as evidenced by discredited securities which the owners hope the new state would assume."—House Reports, 59th Congress, Miscellaneous, II, 2656.



ing territorial rights upon them during Lincoln's administration also conferred separate statehood whenever they might be entitled to this honor, and that any action derogatory thereto jeopardized their welfare, being counter to the intentions of that Congress which gave them territorial existence. The usual clause, under which they claimed immunity is as follows:

"That said government shall be maintained and continued until such time as the people residing in said territory shall apply for and obtain admission as a state on equal footing with the original states."

The words "said territory" was interpreted as granting the "inchoate right of ultimate statehood."

It was claimed by those advocating joint statehood that there were citizens in Arizona who believed that in giving the state federal offices and congressional representation, they could, by direct participation or influence, secure immunities and benefits for themselves and that this could not be done in case the territories were linked together in one state. This was vigorously denied by those who stood for separate statehood.

After the bill had passed the House and was about to become a law, the Arizonans began to organize for effectual resistance and every section of the territory became strenuously active in framing resolutions and presenting them to Congress. A delegation of leading citizens proceeded to Washington to stay the passage of the measure. At the Annual Fair held at Phoenix, where twenty-five hundred spectators were assembled in a large grandstand, petitions were circulated which were signed by ninety-eight per cent of those present in thirty minutes. Thus the people registered their protests everywhere.

The Bar Association sent a delegation to Washington bearing the following resolutions:

"We profoundly believe that the union of the two Territories as one state would be inimical to the best and highest interest of both, and because of differences in our history, laws, customs and races, and because of the geographical division which naturally separate and divide us such union would be particularly harmful to the people of Arizona.

"We believe that the complications which would inevitably result from an attempt to adjust impartially the burdens of the debts of the territories and the various counties and municipalities thereof would result in irreconcilable difference, and that the prosperity and welfare of the various Territorial institutions would be endangered."

Such protests began to take effect, and the Senate, convinced by the overwhelming opposition, deferred action, leaving the bill in the Committee on Territories whence it never emerged.

The people of New Mexico were quiescent. They had yet a work to perform in securing statehood.<sup>1</sup>

Arizona was rich in fact and richer in prospects. Her citizens were aware of a future of no uncertain importance—a future of developed resources. The committees that pleaded with Congress not to impose upon them a union unnatural and undesirable and prayed that the ban to such a marriage of unwilling parties might be prohibited, expressed a patient resignation in the matter of future admission. They were willing to bide their time, confident that Congress would soon be convinced of their fitness for statehood.

Those who opposed separate admission argued that Arizona was a vast territory with only a population of one and one-tenth to the square mile, that it would be unjust to other states to confer equal senatorial power on a civic body so insignificantly small in comparison with other states, that, though the people of Arizona differed from those of New Mexico, the breaking down of racial inequalities would be most salutary from a national standpoint.

The committees sent to Washington thus found in the eagle's nest a trembling dove. Peace reigned and the marriage of hostile interests was not consummated. Much had been said and much learned of the wonderful south-west. Congress had these formally presented facts brought before it, namely: that Arizona contained the largest forest area in the United States, embracing more than six and one-half million acres, that the character of the people was of a high order, there being only one per cent. of illiteracy, that much rich farming land had been reclaimed with three times as much to be added,<sup>2</sup> that the precious mineral belt is scarcely yet prospected, notwithstanding that \$43,000,000 is produced annually. Such facts spoke eloquently for statehood, and after a lapse of only four years, Congress again entertained a bill for the admission of the Territory.

The question of 1910 was not whether admission was merited, but upon what conditions it should be granted.

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1. "The statehood question, ever paramount in the public mind in New Mexico, was advocated at Washington by Mr. Andrews, and the bills for the admission of the territory, introduced by him, were handled so adroitly, that finally after more than sixty years of effort an enabling act for New Mexico and Arizona, admitting them into the Union as separate states, became law.—R. E. Twitchell, "Leading Facts of New Mexican History," 546.

2. Dwight B. Heard, *The World Today*, Vol. X, 415.

## III. ADMISSION.

During the time that elapsed between 1906 and 1910 the people of Arizona and New Mexico did not cease in their efforts to secure separate statehood.\* Congress was urged to take up the matter seriously. The people of Arizona had won at the last moment in the fight against joint statehood and now were courageous in renewing the conflict. The territory had received many complimentary reports from senators and representatives that dispelled the notion of scorching sands strewn with the bleaching bones and blasted hopes of misguided pioneers. These distorted fancies belonging to an age that would never return, were no longer prevalent. The lure of the mirage, the war-whoop of the Apache and the vanishing trail would no longer adorn the tales of travelers roaming the south-west.

Eastern states† with the lapse of time were less inclined to open the doors of statehood to aspiring territories. Their attitude toward New Mexico and Arizona knocking for admission was more critical than that displayed a half-century earlier when Nevada<sup>1</sup> was allowed to enter the Union with a population less than one-fourth that of Arizona in 1910.

During the time that elapsed between 1906 and 1910 the territorial delegate<sup>2</sup> from New Mexico had been active in bringing before Congress a bill for separate statehood. During this interim both joint and separate statehood bills had been proposed but had not been reported from the Committee on Territories. On January 15, 1910, Mr. Hamilton,<sup>3</sup> chairman of the House Committee on Terri-

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\* "On February 3, 1909, Hon. E. L. Hamilton, of Michigan, chairman of the house committee, who deserves a warm spot in the heart of every New Mexican on account of his constant friendliness to the territory, introduced House Bill No. 27,607 of the 60th Congress, being an enabling act for New Mexico, and one for Arizona, combined in one bill, but entirely separate in their operations. This was the conclusion of the house committee on the subject of statehood for the territories, after various hearings and full consideration during the greater part of two sessions."—P. L. Bradford, *Struggle for Statehood*, 122.

† In the debates of the 61st Congress, the population of the proposed territories of New Mexico and Arizona was the bone of contention. It was asserted that the average population of the states already admitted at that time was 1,500,000. The New England States were frequently referred to as being a unit against the proposed bill to admit. Mr. Gillette of Massachusetts was the champion of the opposing forces when the enabling act was debated in the House.

1. Nevada, 1870, 42,491; Arizona, 1910, 204,354.

2. Ralph Emerson Twitchell in his "Leading Facts of New Mexican History," Vol. II, 575, says of the New Mexican delegate, William H. Andrews, that he had labored indefatigably for the passage of a bill for separate statehood and that it was owing to the friends of Mr. Andrews in Congress, such as Mr. Quay of Pennsylvania, that statehood was made possible. He says that Mr. Andrews was often referred to as the "third senator from Pennsylvania."

3. Mr. Hamilton had piloted Oklahoma to statehood. In the debates on the enabling act, Mr. Cole of Ohio referred to Mr. Hamilton, who had ushered into the Union the lusty state of Oklahoma, as about to present the nation with twins.

tories, introduced the so-called Hamilton bill providing for the forming of constitutions and state governments on the part of New Mexico and Arizona. After being read the first and second times, the bill was referred to the Committee of the Whole House, and with the accompanying report ordered to be printed.

On January 17th Mr. Hamilton again brought forward the bill and moved that the rules be suspended, the committee discharged and the bill passed. This caused an animated discussion<sup>4</sup> in which the attitude of the members was set forth; however, at its termination, the vote was taken upon the measure without amendment. The applause that greeted the advocates of the bill made it plain that those opposed were in the minority. Ralph H. Cameron, delegate from Arizona,<sup>1</sup> addressed the House setting forth the fact that he had lived in the territory since 1883 and had not been able to cast a vote for the national candidate for president, and that this was true of the qualified voters of Arizona who at that time numbered more than thirty-seven thousand. He urged that favorable action be taken and that the injustice that had been caused by the inexcusable delay of Congress be thus in a measure atoned for.

The friends of the bill held that the population of the territory far exceeded the anticipations of statesmen when Texas was admitted, among whom was Daniel Webster,<sup>2</sup> that the banking interests of the territories had trebled in ten years, and that the vote for delegate in 1908 was double that of 1900. From a legislative standpoint it was urged that the entire west demanded more representation in the Senate because of its rapid settlement and development and the consequent need of a great amount of legislation in that section, and that the attitude of the New England States, less than either of the proposed states in size, with six states and twelve senators, was unfair, and that in justice the west should be permitted to equalize to some extent the power exercised by eastern and western commonwealths. The opposition held that the statistics setting forth the population and resources of the territory were not reliable, which

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4. Congressional Record, 61st Congress, Vol. XIV, Pt. I, 702-714.

1. In the debate Mr. Cameron said that he objected to one clause of the enabling act. This he said was from a Democratic standpoint and was the power conferred upon the governor, secretary of state and chief justice, all Republicans, who were authorized to establish districts from which delegates to the constitutional convention would be chosen.

2. In Mr. Webster's speech before the United States Senate on March 23, 1848, he said, "As to New Mexico, its population is not likely to increase. It is a settled country; the people living along in the bottom of the valley on the sides of a little stream, a garter of land on one side, and the other filled by coarse land-holders and miserable peons. There will, then, be two Senators for 60,000 inhabitants in New Mexico to the end of our lives and to the end of the lives of our children."

was refuted on the ground that the national census next previous had given the lowest per cent. of illiteracy to Arizona of any state or territory in the Union. The expediency of admitting states with an average population of 300,000 was questioned when the average population of states already admitted was 1,500,000. The vast systems of irrigation were doubted to be of proven value, and the 9,000,000,000 tons of coal supposed to be in Arizona, based upon a statistical report presented, was compared to 9,000,000,000 tons of ice in Alaska, which, said Mr. Gillette of Massachusetts, would be worth as much per ton as coal in some places. It was claimed that lawyers' arguments had to be translated to juries due to the large numbers of foreigners in the territory. In reply it was stated that in many places in New England the percentage of foreigners was much greater than in Arizona.

The limit of discussion being reached, the question was put to vote, the necessary two-thirds majority was secured according to the opinion of the speaker, the committee was discharged and the bill passed. On the next day it was referred to the Senate to be approved or rejected by the Committee on Territories, of which Mr. Beveridge was chairman.

On March 14th, the bill was placed on the Senate calendar and on June 16th was brought before that body to be acted upon together with the amendments proposed, of which the following were the most important:

- (1) The elimination of the educational qualification clause which, being drastic, was considered an injustice to the Spanish-American element and opposed to the provisions of the Treaty of Guadalupe-Hidalgo.
- (2) A change in the election clause which gave the power to disfranchise a voter to the state election board.
- (3) The denial of the right to sell government lands to pay the territory and county debts.
- (4) That not only polygamy as stated in the bill, but polygamous marriages be prohibited.

As is seen, these amendments provided a more generous treatment of all classes and safeguarded the Territory's resources.

The bill as amended passed the Senate the same day by a vote of 42 to 19. There was some apprehension lest the House might disapprove the measure, which proved groundless, as the House concurred by unanimous vote on June 18th. President Taft signed the bill on the 20th and a territory that had been made a part of the Southern Confederacy and was saved to the Union by troops sent out by California, after more than sixty years struggle was thus secure in an honorable place in the galaxy of sovereign commonwealths.

In accordance with the provisions of the enabling act, Richard E. Sloan\* on June 28th issued a proclamation for an election of fifty-two delegates to a constitutional convention.

These being duly qualified met at Phoenix, October 10, 1910, and organized by electing George W. P. Hunt,<sup>1</sup> president, and A. W. Cole, secretary, and began to draft a constitution that would be best suited to the needs and conditions of their constituents.

The delegates<sup>2</sup> to the convention<sup>3</sup> having organized by electing officers and twenty-one committees, began their work by excluding from the floor of the convention, all visitors who were not entitled to attend the sessions unless by the unanimous consent of the members present. Lobbying was forbidden and the daily sessions were ordered from 9 A. M. to 12 M., and from 2 to 5 P. M. The committee on boundaries reported those formed territorially to be accurate and that California had fixed upon the midpoint of the channel of the Colorado as a boundary, this being set forth in her state constitution. A press dispatch to the *Arizona Democrat* from the Census Bureau gave the population of the territory as 204,354, this being an increase of 91,243 or 66.2 per cent. for the decade between 1900 and 1910. Proposition No. 97<sup>4</sup> provided for the canvass of the voters for their choice of United States senators, which was indefinitely postponed since the purpose for which it was created was secured by Proposition No. 4, providing the initiative and referendum. The separate conventions of New Mexico and Arizona took

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\* Governor Sloan was not in harmony with the new proposed constitution. He is quoted as follows: "There has been a big change in sentiment since the delegates to the convention were elected and I am confident that the proposed constitution will be badly defeated at the polls. It is about the worst affair ever turned out, and objectionable to all classes."—Los Angeles Times, December 8, 1910.

1. Mr. Hunt's work in the convention led to his election as first governor of the new state.

2. Fred T. Coulter, Apache County; C. C. Hutchinson, Edward M. Doe, Coconino County; E. E. Ellinwood, Thomas Feeney, John Bolan, A. F. Parsons, R. B. Sims, P. F. Connelly, E. A. Tourea, D. L. Cunningham, C. M. Roberts, S. B. Bradner, Cochise County; George W. P. Hunt, J. J. Keegan, Alfred Kinney, Jacob Weinberger, John Langdon, Gila County; Lamar Cobb, Mit Simms, A. M. Tuthill, A. R. Lynch, W. T. Webb, Graham County; A. C. Baker, E. B. Moeur, Orrin Standage, F. A. Jones, Sidney P. Osborn, Alfred Franklin, John P. Orme, Lysander Cassidy, James E. Crutchfield, Maricopa County; William Morgan, James Scott, Navajo County; E. W. Coker, Thomas N. Wills, Pinal County; Samuel L. Kingan, William F. Cooper, Carlos C. Jacome, George Pusch, James C. White, Pima County; Bracey Curtis, Santa Cruz County; Ed. W. Wells, M. G. Cunniff, Albert M. Jones, H. R. Wood, Morris Goldwater, A. A. Moore, Yavapai County; Mulford Windsor, Fred L. Ingraham, E. L. Scott, Yuma County. Of these, twelve were Republicans and forty Democrats.

3. See Minutes of the Constitutional Convention of the Territory of Arizona, 1910.

4. Minutes of Constitutional Convention of Arizona, 210.

occasion to send friendly greetings<sup>2</sup> to each other, the former territory's constitutional convention being in session at Santa Fé at the same time that of the latter was deliberating at Phoenix. The kind offers of free copies of the Journal of the Oklahoma Constitutional Convention were made by William H. Murray, who had served as its president. The acceptance of the generous tender was wired by President Hunt requesting fifty-two copies, one for each member.

Governor Sloan occupied the attention of the delegates for a time during their deliberations. That he was hostile<sup>1</sup> to the work of the convention was evident from the quotations of the press. On December 7th, the following resolution was offered by Mr. Roberts:

"Whereas, the Governor of Arizona publicly expressed through the press of Washington, December 5th, his opinion 'that the Constitution which is being formed will never be adopted,' Resolved by the Constitutional Convention of Arizona that as no part of the Constitution had been finally completed on the date above mentioned, no honest or intelligent opinion could be expressed, it deplores the unfair and presumptuous statement of the governor as tending to influence Congress and the President in granting the wishes of the people of Arizona as expressed in the election of delegates to the Convention; that a copy of this Resolution be transmitted to the President and Congress by telegraph."

The resolution was not passed, but action was indefinitely postponed. It expressed the feeling of the members whose responsibility was to the people who elected them. How well they had represented their constituents would be known when the vote to adopt would show the will of the people in accepting or rejecting the proposed constitution.

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Santa Fe, N. M., October 14, 1910.

Honorable George W. P. Hunt, President,  
Constitutional Convention,  
Phoenix, Arizona.

Sir: On behalf of and under its direction by resolution unanimously adopted by the Constitutional Convention of New Mexico, I send the greetings of the delegates thereof to your Convention, and the best wishes of this Convention for the highest degree of success in the great work you have undertaken in forming a government of, by, and for the people.

(Signed) CHARLES A. SPIESS,  
Pres. Cons. Conv. of New Mexico.  
Phoenix, Ariz., October 15, 1910.

Honorable Charles A. Spiess, President,  
Constitutional Convention,  
Santa Fe, New Mexico.

Sir: The Constitutional Convention of Arizona, now organized and in session, begs to express by unanimous vote its appreciation of the kind greeting received today from the Constitutional Convention of New Mexico, and to extend felicitations upon the common opportunity of New Mexico and Arizona to secure the high privilege of statehood. Many of the interests of the two states will be similar, whatever the divergencies may be, and the Constitutional Convention of Arizona assures the Constitutional Convention of New Mexico of its confidence that New Mexico will do her share, as Arizona will do here, to co-operate in the noble task of building up the great Southwest.

(Signed) GEORGE W. P. HUNT,  
Pres. Cons. Conv. of Arizona.

1. Officials of the territory were appointive, which accounts for the attitude of Governor Sloan and Congressional Delegate Cameron, who were in sympathy with President Taft and averse to the progressive ideas of the people.

The Governor in his annual report of 1910 declared that the benefits anticipated would stimulate activities of every kind in the Territory's limits and be so conducive to prosperity that delay would be a matter of grave concern. The prospect of speedy admission alone had led to a noticeable increase in homestead entries, not only in irrigated districts, but in sections where the dry farming method is used.<sup>1</sup> The convention set to work without delay so that the Governor was able to order an election to adopt or reject the instrument created on February 9th, 1911. The vote was canvassed by the Governor, Chief Justice and Secretary of the Interior, constituting the state board. The official vote declared was 12,534 for, to 3,920 against adoption.<sup>2</sup> According to custom, copies of the constitution thus accepted and indorsed by the people was sent to the President, Vice-President and Speaker of the House of Representatives respectively. When these reached Washington, Congress was very busy with accumulated business that always renders the closing days of its session full of long-continued and strenuous work. Therefore no action was taken by either the President or Congress prior to adjournment on March 4, 1911.

The constitution contained some salient features, among which were the following: (1) the provision for the preservation of valuable franchises, wherein corporations would be compelled to submit to the majority of qualified electors by their will expressed at a general or special election. (2) the specifying of a day's labor under Article XVIII. to be eight hours, also making it imperative that the legislature of the new state provide an employers' liability act to protect workingmen from contributory negligence on the part of corporations or individuals. (3) forbidding the bartering or selling or giving of alcoholic drinks to the Indians. (4) an amendment having passed each branch of the legislature by a majority vote and being placed in the hands of the Secretary of State together with a petition for the same signed by fifteen per cent. of all the votes cast for governor at the last preceding election, a special election shall be called and a majority vote determine the fate of the measure. (5) the initiative and referendum providing ten per cent. of the qualified electors petition for the former and five per cent. for the latter. (6) the recall of public officers when twenty-five per cent. of the qualified electors petition for the same and such petition is upheld by majority vote at the election called thereby.

In considering the application of the recall to the judiciary we come to that part of the new constitution that aroused interest everywhere owing to the fact that the President and Congress had never been called upon to approve such a clause when other states

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1. Report Governor of Arizona to Secretary of State, in 1910.



were admitted. In the Constitutional Convention of Arizona the recall was incorporated into that instrument by a vote of thirty-five to eleven. As the constitution was subsequently indorsed the measure reflected the sentiment of the electorate. The question was, in the step taken, whether there had been a too liberal exercise of democratic privilege.

On April 4, 1911, Joint House Resolution No. 14 was placed in the hands of the Committee on Territories, and on May 12th, Mr. Flood of Virginia reported the same with amendment referring the resolution with a report on the same to the Committee of the Whole House. The report stated that the President had not acted on the proposed constitution of Arizona, that its provisions were republican in form, that it provided civil and political rights without distinction as to race or color, that it was agreeable to the Constitution of the United States, and the Declaration of Independence, and in conformity to the enabling act. The Committee offered a substitute resolution providing that the clause proposing to apply the recall to the judiciary be again submitted to the electors of Arizona for their ratification or rejection at the first general election. This it was hoped would remove the objection of the President on account of which was the "controlling" reason in proposing the change. The minority report submitted was not agreeable to merely requiring a vote of the electorate of Arizona to reconsider the recall, but resolved that it be made mandatory that the recall be renounced.<sup>1</sup> The committee<sup>2</sup> whence issued both the majority and minority reports contained the two Territorial delegates from Arizona and New Mexico. On May 16, there began a series of debates of unusual ardor in Congress. The realization that the executive and legislative branches were contending for authority spurred on the members in the contest that followed.

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1. Sec. 2. That the Territory of Arizona be admitted into this Union as a state with the constitution which was formed by the Constitutional Convention of the Territory of Arizona elected in accordance with the terms of the enabling act, approved June 20th, anno Domini nineteen hundred and ten, which constitution was subsequently ratified and adopted by the duly qualified voters of the Territory of Arizona at an election held according to law on the ninth day of February, anno Domini nineteen hundred and eleven, upon the fundamental condition, however, that article eight of the said constitution of Arizona in so far as it relates to the "recall of public officers," shall be held and construed not to apply to judicial officers, and that the people of Arizona shall give their assent to such construction of article eight of said constitution.—Part of Minority Report. The members composing the committee were as follows: W. H. Draper, manufacturer; F. E. Guernsey, attorney; J. N. Langham, attorney; F. B. Willis, attorney; W. H. Andrews, farmer; and R. H. Cameron, miner and stockman.—Congressional Dictionary, 62nd Congress, 1st Session, May, 1911.

2. The Committee on Territories reported as follows: "The controlling reason of the committee for proposing this change was the objection of the President of the United States to the recall provision of the Arizona constitution so far as it applies to the judiciary, and the belief on the part of the committee that if the recall as applied to the judiciary was again submitted to the people of Arizona it would meet the objection of the President."

Those favoring a liberal policy in their attitude toward the Territory insisted that the President was overreaching his constitutional authority in placing conditions upon the people of Arizona whose proposed constitution had passed inspection and been found to contain all the requisites necessary to conform with the Constitution of the United States.. Mr. Martin<sup>1</sup> of Colorado, held that the legislature, not the courts or executive,<sup>2</sup> was the palladium of liberty, and that government was created by legislators. That Congress acted upon the 'controlling' influence which was the firm stand of the President in planning ways to harmonize the views entertained, showed the members ready to admit the territory without delay.

Those opposing the recall held (1) that the independence of judicial officers would be curtailed, (2) that the power of the rabble would influence judicial opinions, and (3) that in time of passion, the safety of the majority would not be secured by the cool deliberation of the minority.

The amended resolution submitting the proposed constitution to the people of Arizona to reconsider by vote, but not making it mandatory that it be rejected, passed the House May 23d and was referred to the Senate Committee on Territories on May 25th. With minor amendments the resolution was voted on and passed by the Senate, fifty-three to eighteen, on August 8th, and was vetoed by the President on August 15th, at which time a message setting forth the reasons for such action was sent to the House. The recall provided for a petition of twenty-five per cent of the total number of votes cast at the previous general election and was applicable to all elective officers, including the judiciary. Within five days after the petition is filed the officer petitioned against might resign. A space for two hundred words setting forth the reasons for recall, also a like space in which the accused might make his defense, was reserved on the ballot. If the majority vote was received by the incumbent he was not removed from office. Of this President Taft said: "This provision of the Arizona constitution in its application to the county and state judges, seems to me so pernicious in its effect, so destructive of independence in the judiciary, so likely to subject the rights of the individual to the possible tyranny of a popular majority, and, therefore, to be so injurious to the cause of free government, that I must disapprove a constitution containing it."

The objections were substantially as follows: (1) The rule of

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1. Congressional Record, 62d Congress, Vol. XLVII, Pt. 2, 1246.

2. President Taft in his Special Message, Returning Without Approval House Joint Resolution No. 14, asserting the prerogatives of an executive, said: "But now I am discharging my constitutional function in respect to the enactment of laws, and my discretion is equal to that of the Houses of Congress."

the majority, in passion, is perilous; (2) judges, to fill their offices properly, must be independent, the recall renders them subservient; (3) the recall would remove a judge who may have the courage to render an unpopular decision; (4) no period of delay is allowed for the abatement of popular feeling; (5) it would prevent self-respecting men accepting judicial office; (6) an elective judiciary has proved successful, then why change to a system so full of danger?<sup>1</sup>

Communications were received from leading citizens of Arizona assuring their friends in Congress that they would be willing to sacrifice whatever advantages the recall might bring to them if by so doing a speedy admission might be provided. The debates had reached the point, however, where the purposes of the legislators were directed toward establishing precedents<sup>2</sup> which would be of more value than the immediate relief of the territory. The Republican members, together with the President, constituted the greater part of the opposition, therefore the Democratic members received many expressions of thanks from all parts of the territory.

Mr. Owen<sup>3</sup> representing the Committee on Territories in the Senate favoring the recall, expressed his views in its favor in part by holding that there was a tendency among the states to abbreviate the terms of judges, that the favor of minority rule has been inspired by special privilege, and that majority rule is honest, that judges in Oregon favor the recall, and the people there have not abused it, that the people are conceded to have abundant intelligence to justify them in nominating and in electing judges, therefore are qualified to exercise the recall when necessary, that judges are fallible the same as other public officials, that judicial decisions reflect political bias when emanating from the Supreme Court, that the Supreme Court has assumed prerogatives denied by the Constitution creating it, and that in the higher courts there is a drift toward "judicial oligarchy." Further that when a judge becomes mentally, physically or morally disqualified, "Impeachment is so difficult as to be confessedly valueless."

On August 17th, two days after President Taft had vetoed and presented his objections to Congress, Mr. Smith of Michigan, as directed by the Senate Committee on Territories, introduced Senate

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1. Special Message of the President of the United States, Returning Without Approval, House Joint Resolution No. 14.

2. (Page 32.) This board canvassing the vote purposely delayed action, being hostile to the proposed constitution, and thus not only prevented immediate action by Congress but put off the first state election two years.

3. Calendar No. 86, 62d Congress, Report 100, Pt. 2.

Joint Resolution No. 57<sup>2</sup> for the admission of the territory, which provided that the people of Arizona should change their proposed constitution by voting out the clause containing the recall at the price of securing coveted statehood. As the situation appeared at this time, the Senate that had voted more than three to one providing statehood by the mere presenting of the recall to the people for their reconsideration now demanded that such a reconsideration must result in a vote to eradicate. After long delay and patient labor, the way that the President had advised was finally up for ratification or rejection. In the debates that followed references to the President more or less uncomplimentary<sup>1</sup> were frequent, and the expression of the House that had voted four to one to relieve Arizona from the ordeal through which she was about to pass was especially free in vilifying the resolution about to be considered. The measure passed the Senate on August 18th, and the House on the following day.

On the 22d it was signed by the President, whereupon Governor Sloan issued a proclamation for an election to be held December 12th, and provided for the election of a full state ticket and a member of Congress. Previous to this election the first primary under the new state constitution was held on October 24th, resulting in the choice of W. P. Hunt and Thomas F. Weedon by the Democrats, and E. W. Wells and George W. Young by the Republicans. The Democrats elected the entire ticket and a majority of the legislature. At this general election an advisory vote was taken for two United States Senators, resulting in a majority for Marcus Smith, who had served the territory eight terms as delegate to Congress, and Henry Ashurst. The vote to eliminate the recall as provided in the constitution was practically unanimous. The population of the new state entitled her to one member in the House of Representatives, to which office Carl Hayden was duly elected.

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2. That part of Senate Joint Resolution making it mandatory upon the people of Arizona to reject the recall in order to be admitted is as follows: "If a majority of the legal votes cast at said election upon said amendment shall be in favor thereof, the said canvassing board shall forthwith certify said result to the governor of the territory, together with the statement of votes cast upon the question of the ratification or rejection of said amendment; whereupon the governor of said territory shall, by proclamation, declare the said amendment a part of the constitution of the proposed state of Arizona, and thereupon the same shall become and be a part of said constitution; and if the said proposed amendment to Section 1 of Article 8 of the constitution of Arizona is not adopted and ratified as aforesaid, then, and in that case, the territory of Arizona shall not be admitted into the Union as a state, under the provisions of this act."—Statutes of the United States of America, 1st Session, 62d Congress, 43.

1. Congressional Record, 62d Congress, 1st Session, Vol. XLVII, 4118-4141, and Vol. XLVIII, 4212-4242.

On April 2d the recently elected Senators<sup>1</sup> took the oath of office and entered upon their duties in the third session of the Sixty-second Congress.

Following the admission to statehood thus attained by the renunciation of the recall the legislature and the people had the power to re-incorporate the feature that had been objected to so strenuously by President Taft. On April 27, 1912,<sup>2</sup> an amendment for the recall of judges, which was the first bill introduced in the first legislature, was passed, the vote being unanimous in the House and only two members dissenting in the Senate, these being Hubbell and Smith. On November 5, 1912, the recall of the judiciary was adopted by the people and thus after a two years' war in the halls of Congress and more than sixty years of zealous endeavor, the goal of territorial ambition had been attained. Thus did the Territory of Arizona pass *sub jugum* into the Federal Union and by so doing she enjoyed the rare privilege of exercising a spirit of humility denied her sister states.

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1. The terms of the two senators was determined by lot; Mr. Smith thus received the short term expiring March 3, 1915, and Mr. Ashurst the long term, which will end March 3, 1917.

2. The facts here in set forth were obtained from the daily newspapers immediately following the events considered. Access to the files of the Los Angeles Evening Express was obtained through the courtesy of the editor and the librarian. The Arizona Blue Book for 1911 has been issued recently but its data pertains exclusively to events that happened previous to admission.

MEETING OF THE PACIFIC COAST BRANCH OF THE  
AMERICAN HISTORICAL ASSOCIATION.

(November 28-29, 1913)

BY ROCKWELL D. HUNT.

At the joint invitation of the Historical Society of Southern California the Pacific Coast Branch of the American Historical Association held its Eleventh Annual Meeting in Los Angeles. This proved to be of unusual interest and significance, partly because of the excellence of the program presented and especially because of its being the first meeting of the Branch to be held south of Palo Alto.

The several sessions were largely attended not only by visiting and local members of the American Historical Association, but also by members of the Historical Society of Southern California and history teachers, particularly of collegiate and secondary rank. The work of the program committee, under the chairmanship of Professor Rockwell D. Hunt and of the committee on general arrangements, under the headship of Professor Roy Malcom, both of the University of Southern California, had been thoroughly done preliminary to the Meeting itself, thus insuring results that were highly gratifying to visiting members and all concerned.

At the first general session, held in East Hall, University of Southern California, on Friday afternoon and presided over by President Guinn, three papers were presented as follows: (1) "The Anti-Slavery Movement in England," by Professor Frank J. Klingberg, U. S. C.; (2) "The Movement of Population in Feudal and Modern Japan," by Mr. Yamato Ichihashi, of Stanford University; (3) "The Relation of Slavery to the Early Sentiment for the Acquisition of California," by Professor Robert G. Cleland, of Occidental College.

The second general session, Saturday morning, was held in the newly opened Museum of History in Exposition Park, where the library and collections of the Historical Society had been recently installed. Papers were presented as follows: (1) "The Hayes Collection in the Bancroft Library," by Dean W. F. Bliss of the State Normal School, San Diego; (2) "The Development of the National System of Land Administration," by Professor Francis H.

White, of Pomona College; (3) "Later Eighteenth Century Spanish Exploration in the West," by Professor Herbert E. Bolton, of the University of California.

The chief social event of the meeting was the Annual Dinner, at Christopher's, 551 South Broadway, presided over by Professor Henry Morse Stephens in his inimitable manner. Mr. James M. Guinn presented the President's Address, which proved to be a most interesting discussion of "Some Neglected Sources of California History." The dinner was very well attended, an unusually large number of women members being present.

Second only to the Annual Dinner in its social aspect was the complimentary luncheon tendered by the University of Southern California in the University cafeteria. In the absence of President Bovard, Dean Ezra A. Healy presided, making felicitous remarks and calling upon several persons for impromptu speeches. The tendering of the luncheon was a graceful act on the part of the local University, and was much appreciated by those present.

On Saturday afternoon the customary teachers' session was held, jointly with the Southern California Social Science Association; Professor R. D. Hunt, president of this Association, was in the chair. Keen interest was manifested in the subjects presented and the discussion that followed the papers was of a stimulating character. Professor H. E. Bolton spoke on "The Educational Value of Local History" and discussion was opened by Miss Jane Harnett of Long Beach High School. Professor E. S. Bogardus of the University of Southern California presented a scholarly paper on "An Introduction to the Social Sciences," which was followed by an able address on "The Social Sciences in the High School," by Professor Edward McMahon of the University of Washington. The general discussion of this topic was opened by Miss Anna Stuart of Los Angeles High School.

The following officers of the Pacific Coast Branch were elected for the ensuing year: President, Professor Edward S. Meany, University of Washington; Vice-President, Professor E. B. Krebiel, Stanford University; Secretary-Treasurer, Professor W. A. Morris, University of California. In addition to these officers, the Council includes: Professor Edward McMahon, University of Washington; Miss Edith Jordan, Los Angeles Polytechnic High School; and Professor Robert J. Cleland, Occidental College.

## REPORT OF THE SECRETARY.

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*To the Officers and Members of the Historical Society of Southern California:*

Ladies and Gentlemen:

I beg leave to submit the following report of the proceedings of the Historical Society for the year 1913:

|                                    |    |
|------------------------------------|----|
| Number of meetings held.....       | 6  |
| Number of papers read.....         | 12 |
| Number of new members elected..... | 5  |
| Number of members belonging.....   | 75 |

About two hundred bound volumes have been added to the library during the year, and about the same number of pamphlets and magazines. These have been obtained by donation and exchange. The collection of books in the library are being arranged for cataloguing. There are between five and six thousand titles in the library, bound volumes and pamphlets. A number of historical curios have been donated to the Society. The formal opening of the Museum of History, Science and Arts was held at the building, Thursday, November 7, 1913, day and evening.

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### TITLES OF PAPERS READ AND NAMES OF THE AUTHORS.

#### FEBRUARY MEETING, 1913.

Lord Chatam's Attitude Toward the Americans. Prof. Frank J. Klingberg.

#### APRIL MEETING.

Historic Highways and By-ways of Los Angeles. J. M. Guinn.

#### MAY MEETING.

Anti-Japanese Legislation. Prof. Roy Malcom.  
Arizona's Admission as a State. A. M. Farlow.



## JUNE MEETING.

Events Leading to the Chinese Exclusion Acts. Miss Mildred Wellborn.

Fremont's Part in the Conquest of California. H. D. Barrows.

## OCTOBER MEETING.

Some Recent Observations on Mexico. Prof. Leslie F. Gay, Jr.  
Sorabjee, the Parsee. H. D. Barrows.

## NOVEMBER MEETING—THIRTIETH ANNIVERSARY.

Thirty Years' Work and Worry of Our Historical Society. J. M. Guinn.

Historical Society of Southern California. S. H. Hall.  
Address, "Our Historical Outlook." Dr. Rockwell D. Hunt.

## DECEMBER MEETING.

The Lost Mines of Santa Catalina. J. M. Guinn.  
The Lugo Family. H. D. Barrows.

Respectfully submitted,

J. M. GUINN, Secretary.

REPORT OF TREASURER OF HISTORICAL SOCIETY OF  
SOUTHERN CALIFORNIA.

RECEIPTS.

|                                                        |          |
|--------------------------------------------------------|----------|
| December 4, 1912—Balance on hand.....                  | \$ 93.92 |
| December 8, 1913—Membership Fees and Dues to date..... | 154.00   |
| March 12, 1913—For 1 set volumes of Proceedings.....   | 9.00     |
| May 12, 1913—For 1 set volumes of Proceedings.....     | 9.00     |

EXPENDITURES.

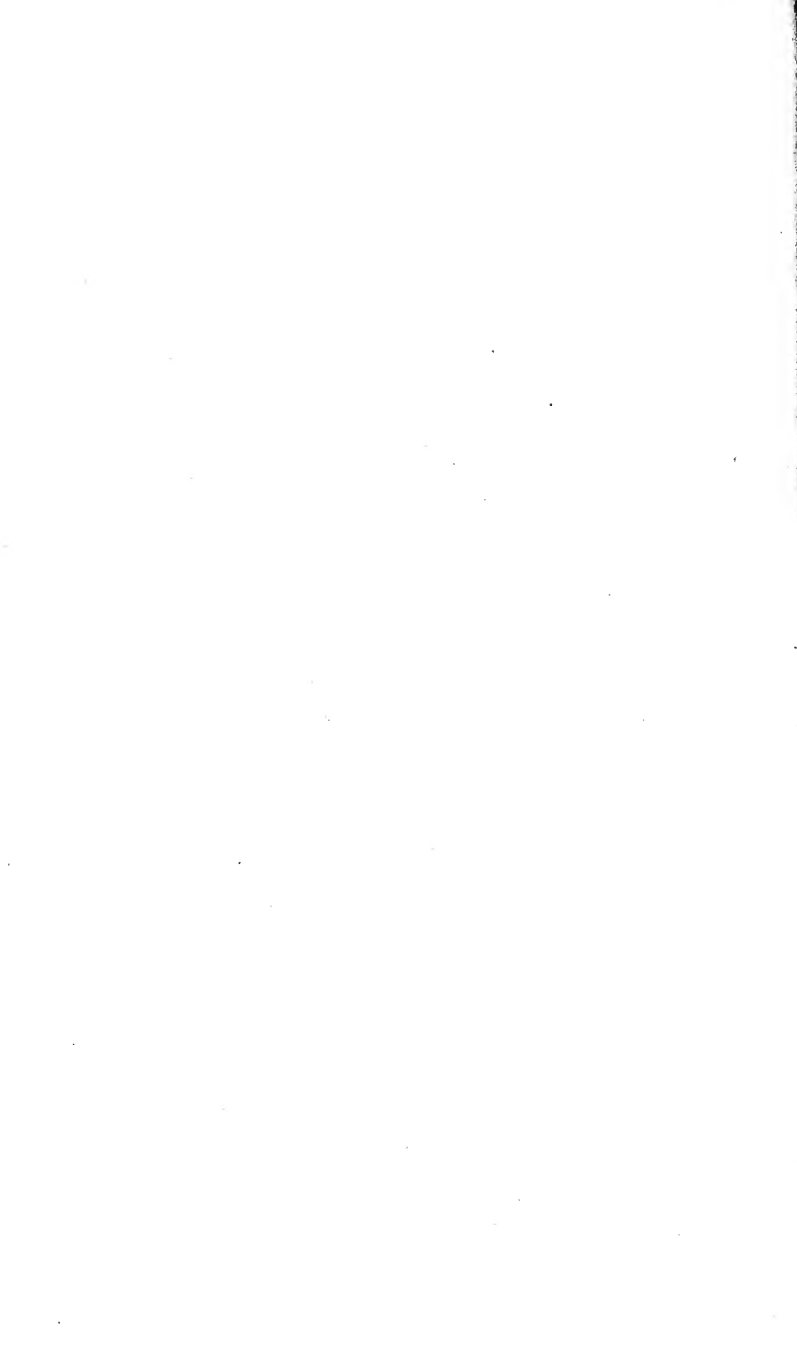
|                                                            |          |
|------------------------------------------------------------|----------|
| December 5, 1912—To Secretary for postage and expressing\$ | 8.75     |
| February 25, 1913—To J. H. Stevens, book binding.....      | 3.20     |
| June 9, 1913—To Secretary, postage .....                   | 3.50     |
|                                                            | <hr/>    |
|                                                            | \$ 15.45 |
| December 8, 1913—Balance on hand.....                      | 250.47   |
|                                                            | <hr/>    |
|                                                            | \$265.92 |

M. C. BETTINGER, Treasurer.





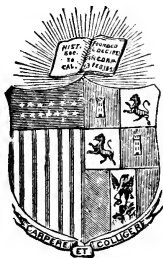




Organized November 1, 1883  
PART III.

Incorporated February 12, 1891  
VOL. IX.

## ANNUAL PUBLICATIONS



# HISTORICAL SOCIETY

OF

## SOUTHERN CALIFORNIA

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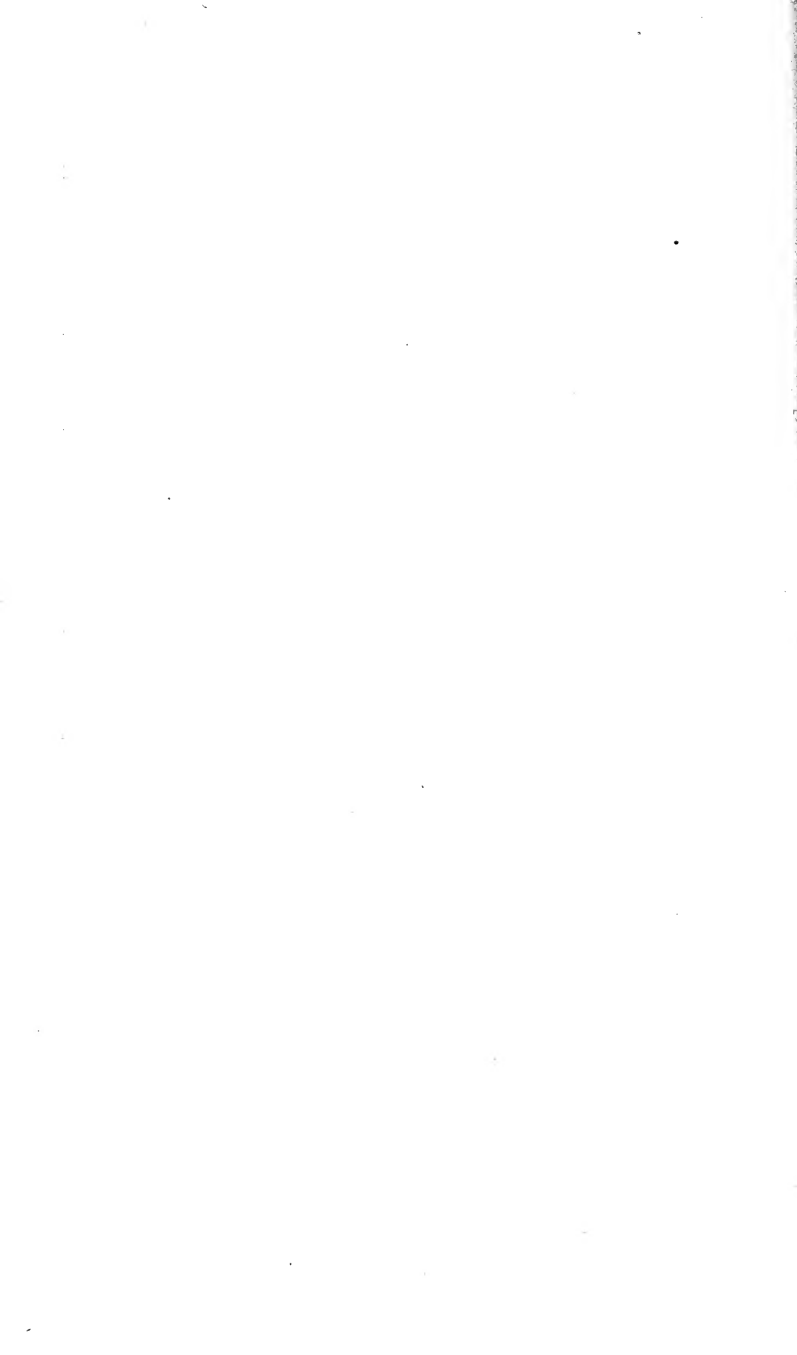
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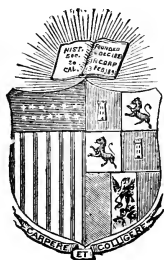




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# Officers of the Historical Society

1914

## OFFICERS

|                               |                       |
|-------------------------------|-----------------------|
| GEORGE F. BOVARD, LL. D.....  | President             |
| MRS. MCBURTON WILLIAMSON..... | First Vice-President  |
| ROCKWELL D. HUNT.....         | Second Vice-President |
| J. M. GUINN.....              | Secretary and Curator |
| M. C. BETTINGER.....          | Treasurer             |

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| ROCKWELL D. HUNT          | PERCIVAL J. COONEY  |
| MRS. M. BURTON WILLIAMSON |                     |

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1915

## OFFICERS

|                                |                       |
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| M. C. BETTINGER          | MRS. M. BURTON WILLIAMSON |

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\*Deceased.

## TO CALIFORNIA VIA PANAMA IN 1852.

BY MRS. CORNELIUS COLE.

---

In giving the simple narrative of my first sea-voyage to California should it prove decidedly personal, I trust it will be pardoned on the score of my advanced age, for you know that old people are somewhat given to romancing about the exploits of their youth.

If in the softening shadows of declining years we see mainly the romantic side of our pioneer life, in reality it was decidedly practical.

Men and women came to California to seek their fortunes, to better their conditions and not to dream. If some few in their financial disappointment fell into a melancholy or romantic strain and wrote poetry either for pay or for pleasure, it was not their original intention to do so.

As for my own part in this peculiar drama I came to California to help another found a home.

Mr. Cole had crossed the Plains in '49 and was one of a party of six first to reach Sutter's Fort that year.

In the course of two years business took him back to New York, his native place. He was also the bearer of messages to my older sister, Mrs. Whiting, whose husband was then living in San Francisco. This event led to our acquaintance and you already know the result.

Being earnestly and affectionately urged to come to this golden land, my feelings would not allow me to decline.

In company with my own and two of Mr. Cole's brothers, I sailed from New York on the sixth day of December, 1852, and reached San Francisco just thirty days afterward. This was considered a quick voyage. Our ship on the Atlantic was an old side-wheeler, named "Georgia"—the worst roller at sea, I am sure. This day of partings from home, parents and dear childhood friends was a sad one, but the day was bright and auspicious for a voyage.

All was smooth sailing until we approached the dreaded Cape Hatteras. Coming into turbulent waters it is safe to say that of the 1000 passengers on board, 900 took to their berths.

As I had been late in securing my own berth, I had to take the only one left. It was the top one in the state-room between the

wheel-house and the cook's galley, and as the deck above was leaky, at every turn of the wheel a stream of sea-water trickled down onto my feet. At the same time the odors from the kitchen poured in through the open door. But I was not in a state of mind or health to resist either.

My cabin mates were two French women, a mother and daughter, who had their entire luggage stored about the cabin in strange looking bundles, in the midst of which they sat and piteously groaned. Sea-sick as they seemed to be, they were not beyond sympathy for others, and from time to time expressed it by offering me some of their tempting bon-bons, while I, with all the politeness and French at my command, as often declined. The poor mother continually repeated in her native tongue that she was about to die, as, Alas! she did, poor woman, long before we reached San Francisco.

Even gales must have an ending, and we enjoyed all the more the calm seas and soft air of the West Indies. Visions of tropical scenes flared across our view as we made our way among the smaller islands of the group, we regretted we could not stop there if only for a few hours' rest.

Ten days from New York we sailed into Aspinwall (now Colon), which at that time was a small town of native huts and a few new wooden buildings used as hotels for the passing traveler. Luckily we were not detained in this hot, damp, feverish place more than a few hours.

Here we encountered a new people, a strange life, from any we had ever known before. To my girlish dismay, the natives, both male and female, seemed to require so little clothing and I could but wish they needed just a little more. However, they were not in sympathy with me on this point, and knew best their own necessities. Nothing abashed for lack of raiment, they bravely importuned us to buy of their fruits. Our gentlemen, not at all deterred from dealing with them, filled for me a very artistic native basket of the different tropical fruits.

In a couple of hours we took train for Barbadoes, the then terminus of the Panama Railroad, ten miles or so from Colon. The cars were open, fragile affairs, the track much of the way laid on a shaky trestle. We crossed marshes, through dense forests and past banana plantations. These were small affairs then and cultivated by native families who lived near by in thatched huts.

Reaching Barbadoes, we prepared to take boats on the Chagres river, and for two days pull up-stream to Cruces, and from there over the mountains on mule back to Panama. At Barbadoes were anchored a large number of small boats, canopy-covered to protect from sun and rain. We were able to secure only a small boat,

perhaps 20 feet in length, and minus an awning. Into this we put our hand luggage, and ourselves to the number of seven.

Four black, stalwart natives were the propelling forces of our craft. Attired in straw sombreros and bifurcated girdles, and equipped with long poles they walked the narrow gunwales of the boat chanting to the time of their forward and backward movements as they worked our boat along against the strong current of the mud-colored river.

Not having a canopy, my umbrella served the threefold duty of shielding me from the pouring rains, the hot sun and supplying the party with drinking water caught in bottles from the dripping points. We caught frequent glimpses of luxuriant foliage along the shores of this tropical stream. The grand mahogany trees, from whose branches swayed festoons of graceful creepers, and in whose limb-joints grew gorgeous orchids, while parrots and other birds of brilliant plumage flew athwart our vision, made up a scene all novel and interesting to a child of the colder north. Occasionally a colony of monkeys would follow our boat's route, chattering and jumping from tree to tree, evidently commenting upon us as bold white intruders upon their native domain—I would but wonder what they thought and said about us—innocent as they must be of the Darwinian theory.

We lunched upon sardines, crackers and rain water caught as told before in bottles from my umbrella points. How did we get the bottles? The gentlemen of the party had brought aboard some Isthmus claret which, after tasting, they had concluded was likely to prove more "deadly" than the waters of the Chagres.

Toward evening we poled into the little port of Gorgona. As there were hundreds in advance of us looking for quarters, we despaired of finding a place to lay our tired bodies. We went first to one of the temporary hotels, in one end of which was spread long tables for the hungry and in the other end rows of bunks for the sleepy. These bunks were built one above the other, six stories high. Upon entering I saw a lady and her two children being helped to an upper berth by the aid of a ladder and two natives. Discouraged by such a sight, I despaired of either rest or sleep and begged my devoted brother to take me into the open air where I might at least breathe. Later on he secured for me a cot in a little room looking out upon the river.

I threw myself down without disrobing, hoping to sleep and "dream perhaps" of the abandoned comforts of home. Looking about the room and at some curios hanging on the wall above me, I saw a huge black spider creeping downward, evidently intent upon sharing the comforts of my cot. Most generously I abandoned it to his sole enjoyment and spent the remainder of the

night sitting perched on a high stool by the latticed window listening to the cry of some strange night bird, or the occasional splash of an alligator into the river below. At dawn we again took to our boat and poled along until evening found us at the ancient town of Cruces. This was altogether more pretentious than any other we had seen on the Isthmus. There was an old stone church and several good sized adobes beside more temporary buildings. We lodged in one of these new hotels, sleeping on cots, six to a room. This was better than the six-story beds of Gorgona. Early the next morning we were awakened by the clanging of bells, which were strung on a frame-work of big beams, erected in front of the church. There were six or eight of them, all the way from Spain, and were being rung by as many tawny naked youngsters, who dangling from the bell-ropes, attached to the clappers, jumped about in their frantic efforts to make the bells sound louder.

After a good breakfast of eggs, coffee, bread and steaks (some one suggested monkey or alligator steaks) the only lady of our party in bloomers and water-proof poncho, mounted an ancient mule and slowly wended her way up the slippery clay trail, past the old church and bound for Panama. There were not mules enough to meet the requirements of the unusual travel, so the gentlemen of our party had to walk along as body-guard. As we passed the church from whose side entrance emerged the old priest, in response to our salutations he waved us a benediction. Long before we reached the end of our journey did we appreciate the prophetic foresight of the good padre in offering us his blessing and God-speed.

More fortunate than many, I reached the summit of the first mesa without accident, but what to behold? An immensely fat woman lying on her back in a pool of soft mud, struggling and shrieking at the top of her voice for help, while her mule stood over her calmly looking into her face with a composure possible only to that singular animal. My friends assisted her to remount, when you can imagine the ludicrous spectacle she presented. At a back view of her the humorist of our party remarked that she looked like a mounted mud-turtle.

With my faster mule I soon left my companions. This was not my intention, but as the owner (Wells Fargo's agent) charged me to "let the mule have his own way and he (or it) will get you safely into Panama." I gave him loose rein. I had heard that the great danger in riding a mule lay in trying to guide him from his proposed route. This willful creature following his own inclination soon carried me out of sight and out of hearing of my party. He was sure-footed and nimble, often putting his little feet together and jumping across deep cuts in the trail.



Approaching the summit of the range, I found myself in a narrow gorge which had been worn to the depth of six or eight feet by the attrition of running water and the millions of hoofs that had been traversing the same route for hundreds of years. This was a part of the trail and paved way made by the Spanish explorers, Balboa being the first to cross. Over this the invader had marched to further conquest while following the same trail the good padres had carried aloft the crucifix that the souls of none should be lost. On this narrow gorge I met a pack train coming over from Panama. The leader warned any possible traveler by blowing a horn, and shouting at the top of his voice—I did not understand the signal, but my wise mule did—and stopped while he looked to right and left. Finally in his despair he raised up on his hind feet, turned as on a swivel and retraced his steps back for a few rods, where he must have remembered seeing a jutting rock in the side of the gully. Upon this he quickly clambered and stood quite still while the pack train passed. I clung to the tree branches overhead, thinking if the poor mule was swept down I might be saved. Once he was struck by a large trunk and came near falling. Recovering himself he crept gingerly down and we proceeded on our way.

The novelty of scene, the charm of view led me to forget the discomfort of riding cross saddle, a style not in fashion then as now. From the summit of the very highest point of the trail I caught my first view of the grand Pacific with the ancient city of Panama sleeping on its shores. As we traversed the old paved road leading to the gate of the walled city and entered its gray portals the bells of the Cathedral were tolling for vespers, instinctively we bowed our heads and in our hearts we thanked the God of Catholic and Protestant alike that we were so far safe on our long journey. Here we were met by some of our party who had been guided across by a shorter route than the old and regularly travelled one.

We were from there guided through the streets of the old city to the American Hotel. The first lady to arrive that day, I was greeted by cheers as I rode up to the entrance. I was soon relieved of the consequent embarrassment by the eager and anxious questioning as to the fate of other ladies who had left Cruces on mules with guides at the same time I did. We had seen only two of them and they were in trouble. For some days afterward women and children came straggling into Panama muddy, sun-burnt and hungry. The children were all carried on the backs of natives in basket seats with wicker canopies over their heads. The faces of the poor darlings had been so stung by insects and blistered by the sun's rays as to be past recognition. They were only known by their clothing as they fell into the arms of their weeping mothers.

Since my mule for the last twenty-two miles of the journey

had done all the walking for me, when I attempted to dismount my limbs refused to serve their natural purpose and my friends had to carry me into the hotel *vi et armis*. My utter helplessness so appealed to the gallantry of the host that he ordered me carried into "the best room in the hotel." Here we had rest and comfort for the two days we awaited the arrival of our luggage. We made excursions into the suburbs of the old city and for the first time in our lives saw orange groves. They were very old and no doubt had been exempt from the scale pests that infest the California orange groves and afflict their owners.

At sunset we went each day to the esplanade of the old fortifications and looking toward the ocean pondered upon the past history of this ancient stronghold and the probable future of our lives in the promised land. But our luggage came not, and our ship was to weigh anchor in an hour's time. As my own contained a trousseau you can imagine my anxiety. Conceive the dilemma of a bride with only one weather-stained gown to her back. Finally as with heavy hearts we started to walk to the pier a long train of pack mules came rushing down the narrow street. My quick eye soon detected the trunks most dear to my heart. We followed the train to the express office at the pier where our besmeared trunks and our grateful selves were dumped into a small boat and rowed out to the ship. The sailors were already at the capstan weighing anchor as we clambered up the side of the good ship "California."

The voyage of two weeks to San Francisco was tedious enough, saddened as it was by the illness of three of our party with Chagres fever. These I must nurse, but luckily kept well myself. Half the passengers were down with this dread disease, five of whom died and were consigned to the sea. In those days considerable ceremony attended the burial of the dead from passenger ships. The vessel was stopped, the bell tolled and a service was read by the captain in the presence of all. It was finally found that these funerals worked injury to both the sick and the well, among the passengers, and was abandoned.

Cholera and Chagres fever were so fatal that winter that many poor travelers to this Coast were left by the way. Sixty were buried from one ship and forty from another all within a week's time.

The anxiety of waiting friends in San Francisco was terrible. Two of the fever-infected ships had come into port just before our own, which was slower than the others, and days must pass before it could be ascertained whether we were among the living or the sea-buried dead.

Approaching the Golden Gate we encountered a heavy fog and strong winds which kept us outside twelve hours. Our decks were more than once wave-swept. There were many wrecks on the Cali-

foria coast that night. When the fog finally lifted we were alarmingly near the Cliff House rocks. A pilot soon came sailing out to our rescue and once within the Golden Gate we were met by the Customs boat which contained, besides the officers, my brother-in-law, Col. Whiting, and my promised husband, Cornelius Cole, both pale with anxiety as their eyes searched our deck for familiar faces.

And Oh! the joys and sorrows of the meeting of that day! Upon asking for my sister I was told, much to my chagrin, she could not be present at our wedding which had been arranged for the evening of our arrival. She resided at Santa Cruz and the recent heavy storms had wrecked the only steamer running between that port and San Francisco, and the mountain passes via San Jose were dangerously obstructed.

Col. Whiting had ridden at the risk of his life across the Santa Cruz range to welcome me and act as master of ceremonies at the proposed nuptials. With remarkable celerity flew the news about the city that a wedding was to be celebrated at the fashionable boarding house of Mrs. Gates, and friends of the groom to the number of fifty or sixty were invited to attend. Only one woman outside the boarding house was able to be present, for the night was stormy, and the streets almost impassable. The officiating clergyman in rain coat and top boots had waded six blocks in the mud to reach our house. He was profuse in his apologies for his besmeared condition and we conscience-stricken that we should have called him out on such a night. But after the ceremony a mutual gratitude put us quite at ease, he for his generous fee and we for the religious service he had performed. As for the guests, I was struck by the number of titled men present, ranging all the way from Governor to Pard. Such was the fashion of the times, for if a man had not already reached distinction, he expected to in the near future. With a fortune in gold what could he not acquire? Then as now and through all time, place, power, fame!

I learned soon after that not a few of the early settlers of California were inspired with political ambition along with the desire to acquire wealth. Defeated candidates for office in other states had taken their Salt River route to California hoping that here their peculiar fitness for official position would be better appreciated.

But to return to the wedding. Brave-looking, heavily-bearded men those were who offered to kiss the bride, and as the bridegroom so generously encouraged that after part of the ceremony, how could the bride, just pledged to obedience, object?

There was kindness in the faces of all and tears in the eyes of many as they thought of their own unvisited wives or sweethearts in far-away homes. California was not "home" to the emigrant in

those days. He expected to go back to the old home, sooner or later, perhaps to return again to this, but more likely to remain in his native place and enjoy his wealth.

Time has shown that of all who came here in those early days, a large majority never saw their old homes again. They were either contented to remain in this beautiful land, else never accumulated enough money to enable them to make the expensive trip eastward. Many died here and thousands, shamed by their failure to gain the wealth they came for, had assumed new names and so lost themselves to their families. To me this is the most pathetic side of our history.

Coming from a part of the world where women were not in the minority, to say the least, I was struck by the preponderance of men in San Francisco. At the theatre of an evening I found myself one of the twenty ladies present. It is needless to say we were noticeable and had all the attention our vanity could desire. San Francisco was a new world to me. In topography, climate, population it was quite unlike anything I had ever seen. The wind-swept sand hills rose terrace-like one above the other and so much of the city as was then built seemed more likely to slide into the bay than to creep up over the sand dunes as it since has done. As for the climate, was there ever such another? The morning opens bright and gentle as the smile of an infant. By noon dark banks of fog creep up the western sky, bring in their train the breath and tears of a fury. By night-fall, her rage spent, she sinks exhausted into temporary slumber. But with all her freaks of sunshine, fog, wind and earthquakes, San Francisco has a very bracing climate and the sensation of fatigue is rarely felt there. As for the inhabitants, almost every nation of the earth seemed represented; I saw here for the first time Chinese, Russians and Portuguese. The enterprising Chinese had already opened fine shops for the sale of their peculiar wares and the open doors of their gambling houses and other dens of infamy, filled my Puritan soul with a new horror.

In the course of ten days after our marriage, we started for Sacramento, our intended home. American enterprise had already established a line of good steamers between the two cities, the trip being made inside of sixteen hours.

Reaching Sacramento early of a damp morning, the question of how I was to get ashore became a serious one, for though the waters of the recent flood had about subsided, the streets were one mortar-bed of thick, yellowish mud. The only vehicles possible were mud boats drawn by ox-teams. I was too large to be carried and not ethereal enough to fly. Dubiously I looked from the deck of the steamer to the uninviting shore. Finally I concluded that if some one would provide me with a pair of long rubber boots,

such as were worn by the men, I could wade the streets as well as they, and if not with much grace, with more safety to my pride and life, than riding in one of those mud boats.

So a call was made for three pairs of rubber boots—one for a lady. In good time they were brought aboard and with my own I retired to my cabin. With the greatest difficulty I got into them. It was evident the purchaser thought all ladies had small feet and the possible compliment was not so satisfactory to me. For the first time in my life I found where the boot pinched. Awkwardly striding to the deck, I was marshalled ashore between two booted gallants and up the river's levee to I street to our new boarding house. Smiles of encouragement greeted us all along the route. Nor did we escape the bland one of the "Heathen Chinee," as he coolly surveyed the situation of things, evidently trying to reconcile the style of my foot-gear with that of my gown. As some of you older ladies may recollect, the skirts of dresses in those days were decidedly ample, often containing twelve and fourteen widths of cloth. Imagine me trying to hold up one of these and along with it my equally generous petticoats. This fully occupied both my hands so my escorts had each to take one of my akimbo arms in order to render the assistance necessary to my progress. The curiosity of such as we met seemed decidedly impertinent and when someone suggested "Puss in Boots," she felt very much like scratching. Occasionally we had to stop for breath and for laughter and I am sure it took us quite an hour to cover the half mile of wading to our destination.

"Our boarding house" was about six feet below the levee, set on skantling stilts in the midst of a pool of muddy water. It had been metamorphosed from a pre-deluge store-house into a "genteel hotel" by one Mme. Warner. She was a kind, industrious soul with a worthless husband who ate and slept plentifully during the day, evidently content with Madame's management of the house, then quarrelled with her about it the greater part of the night. The rooms having only cloth and paper partitions, family secrets were out of the question. Our room was a "ten by eight" in size and we considered ourselves lucky even to get this, for between fires and floods there were not a dozen good houses in Sacramento.

Shortly after my arrival I was prostrated by Panama fever. During my delirium I was particularly distressed by the unceasing music of a Spanish Dance House just in the rear of our hotel. To this day the melodies I heard then often recur to me, especially when ill. Such is the lasting effect of an entirely novel impression.

It was during this illness I learned to appreciate the kind hearts of my new friends. It was there I met with many noble characters and formed friendships that have lasted through life. Our fellow

guests comprised many who afterwards became famous in the history of our state, or who contributed to its honor and glory.

Mrs. B. F. Washington was the first southern woman I had ever known. We used to have warm discussions on the subject of human slavery and the merits of such abolition books as Uncle Tom's Cabin, a copy of the first edition having been smuggled into my luggage. But we always "made up" afterwards, being for years the best of friends.

During these trying times I learned that selfishness was a stranger to the heart of the Pioneer.

Annie Dickinson once said before a San Francisco audience that it would have been better for California had a majority of the women who came here in early days been sunk in the bottom of the sea en route. This was spoken in the bitterness of her disappointment at not being so well received as she had hoped when she came here late in the sixties to lecture on Woman's Rights. Meeting her not long after at the house of Mr. Blaine in Washington I took occasion to defend my sister Californians, pleading that they had always been so completely occupied with the duties peculiar to women alone, that the demands upon them had been so persistent, that men had been so gallant and just towards us there had really been no necessity for our clamoring for other rights and privileges than those already accorded us.

But alas for the days of California knight errantry. Times and things have changed and with the increased settlement of the state, the development of our resources, the progress in the arts and sciences, has come the evolution of many things, not the least of which is the Woman's Club.

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This paper was first read by Mrs. Cole before the Friday Morning Club, and later by Mrs. Williamson before the Historical Society of Southern California.

## HOW THE AREA OF LOS ANGELES CITY WAS ENLARGED

BY J. M. GUINN.

Throughout the four decades that the pueblo of Los Angeles remained under the domination of Spain, there was no change in its boundaries, nor was there any attempt made to fix boundary lines. The pobladores, or founders of the pueblo, held an undefined ownership over four square leagues of land, or, reduced to our measurement, 27.7 square miles; but beyond the pueblo limits, loosely defined as "one league to each of the four winds; from the plaza center," there were myriads of varas of unclaimed lands upon which the pobladores' herds could feed without trespass on their neighbors' domains.

With the passing of Spanish rule in California and the downfall of the missions, a desire for municipal expansion possessed the paisanos (townsmen) of the pueblo. At the intercession of some of the leading men of the town, the Departmental Assembly or Diputation enlarged the area of Los Angeles to sixteen square leagues or "two leagues measured in the direction of each of the four winds from the plaza."

While its judicial jurisdiction might extend over this expanded area, its judicial possession met with obstacles. On the north, the pueblo limits enlarged collided with the Rancho San Rafael and the Los Feliz, and on the northeast with Rosa de Castilla, a rancho claimed by the padres of the Mission San Gabriel.

Two leagues toward the west wind brought within the pueblo's expanded area the Rancho La Brea—that graveyard of those monsters of the Pre-Glacial Age, whose resurrected bones in the Museum of History and Science astonish both the native and the tourist and delight the scientist. When the rancho was granted to Antonio Rocha in 1828, the municipality retained a possessory claim on its brea pits, which supplied roofing material (crude asphaltum) for the adobe houses of the town.

Notwithstanding the slices taken out of the sixteen square leagues by contiguous ranchos, there still remained to the pueblo a magnificent domain of public lands. At the time of the conquest of California, the ciudad, for it had become a city, was holding on to this magnificent domain. Where its possession was undisputed

the city was ten miles across from east to west and the same from north to south. It was then the largest city in area in America. In 1853 Henry Hancock was employed by the city council to subdivide thirty-seven thousand acres of pueblo lands into thirty-five acre lots. These lands extended south of Pico Street two miles and a half and included a considerable portion of the enlarged area of the pueblo to the west.

When the United States Claims Commission began its arduous labors of passing upon the validity of Spanish and Mexican grants, the city employed an attorney to defend its claim to sixteen square leagues of pueblo lands. The attorney was a politician with a pull and supposed to have influence with the political party in power. He pulled down the greater part of his munificent fee, but the pueblo's area shriveled up to the four square leagues that Governor Felipe de Neve gave it in 1781.

For a number of years after the adoption of the first city charter, the city had two boundary lines on the south, the pueblo boundary and the charter boundary. The latter was confirmed to it in 1869, and added one and one-tenth square miles to its area, a pitiful compensation for the blasted hopes of municipal expansion and the money spent in useless litigation.

In 1875, after many delays, a United States patent to the pueblo lands, signed by Gen. U. S. Grant when he was president, was granted to the Mayor and City Council. When Los Angeles celebrated its centennial, September 4, 1881, its area had been increased just 720 acres over its dimensions on that day one hundred years before, when good Governor Felipe de Neve planted his little colony of pobladores around the old plaza—a landmark that disappeared nearly a century ago. Across this ancient center from whence the population of the pueblo radiated toward the four winds, as it grew in numbers, now rattle the electric cars and whiz the automobiles. Sunset Boulevard, recently extended, has cut diagonally across this ancient square, the birthplace of the city. No monument marks the spot where the first germ of civilization was planted within the city's area. Not one out of every ten thousand of its population knows when, where or by whom that germ was planted.

At the beginning of the great real estate boom of 1887, population, in a few places, had crossed the city boundaries and planted itself beyond on town lots, but by far the greater part of the land bordering on the city outside was held in small farms. One of the earliest subdivisions outside of the city was a body of land lying along its southwestern boundary, part of which had been donated to the University of Southern California in 1879.

During the boom a few tracts of land—small farms—lying beyond the city limits, were subdivided and put on the market in town lots.



With the subsidence of the boom, subdivision ceased and the value of lots decreased. Some of the subdivided tracts were returned to acreage.

It was not until well along in the second decade of its second century that the city began its expansion by annexation. The first addition to the city was the annexation of Highland Park, a tract of land adjoining to and lying northeast of the city. By this annexation the area of the city was increased 904 acres. This addition was acquired by an election held in the city and the district seeking annexation, October 13, 1895. At the same election an attempt was made to take into the city Vernon and a district known as Harmony, lying south of the city, and also a portion of University, lying southwest of the city. It was defeated by a faction fight and the men afraid of taxes. Another election was held April 2, 1896. The disaffected district was left out and the district lying along the southwestern borders and an extension tract extending along the western side of the city well up to the northern line were taken in. This was the largest annexation that had been attempted. It contained 6,517 acres, over ten square miles. The two tracts had been connected by a shoestring strip of 150 feet wide to make them contiguous territory.

June 12, 1899, Garvanza, a town that had been founded during the boom of 1887, united its destinies with Los Angeles. This increased the city's area 440 acres and with Highland Park previously annexed formed a panhandle extension of the metropolis to the northeast.

At the same election that portion of University district lying southwest of the city that had been instrumental in defeating a former attempt at annexation, came into the city. This added 1,134 acres to the growing metropolis. In this district was located Agricultural Park, now Exposition Park. In the year 1872 an association purchased a quarter section of land for the purpose of holding Agricultural Fairs for the exhibition of farm products, fast horses and fine cattle. The movement was premature. The mustang and mouse-colored long horned Mexican steer were still largely in evidence. The venture did not pay and litigation followed. The Park became demoralized.

In 1879, an attempt was made to convert a portion of it into a *corrida de toros* for the revival of the Spanish and Mexican diversion of bull-fighting. A strong fence inclosed a circular bull-ring and seats were built for the spectators. The first performance was widely advertised. It was to be a *muy grande* affair. The first bull to enter the arena was lassoed and the points of his horns sawed off. When he was let loose his first act was to butt over one of the toreadores and very nearly trample the life out of him.

His next performance was to clear the ring of picadores and other tormentors by treeing them on the fence. Proving too strenuous, he was turned out to graze and two milder bulls introduced to the audience. These were more intent on fighting the flies than the toreadores, and the spectators went home disgusted with the bull baiters and indignant at the loss of their *pesos* (dollars).

The morals of the Park did not improve with age. In the closing years of the last century it was devoted to horse-racing, gambling and other diversions that were not of doubtful morality. Their character did not admit of a doubt. One of these was rabbit coursing. Jack-rabbits were trapped and caged. On Sundays they were turned loose with a pack of hounds after them, a pack of boys after the hounds, and a pack of men after the boys. It might be added that packs of cards also were in evidence, but they were not after the rabbits.

At the election in June, 1899, the respectable element of the district arose in its might and voted the Park and contiguous territory into the city. A stringent city ordinance against doubtful diversions improved the Park's morals.

With the ending of the century, the city rested from its absorption of additional territory. All that was compactly settled had been annexed and there was no demand from the owners of farm land to have it subjected to city taxes for the doubtful honor of becoming citizens of Greater Los Angeles. The closing years of the century had been a period of financial depression. The free silver craze had demoralized finances, the Spanish War had added to the monetary shortage, and two dry years in succession had reduced the farmers to the verge of bankruptcy.

With the beginning of the new century light began to break through the financial gloom that had darkened the closing years of the last. The city had grown slowly during the decade just ended. Money was plentiful and rates of interest low, but the old-time residents' experience with a real estate boom had made them cautious about venturing on new projects. It was the newcomers who began to invest. Property values advanced. Those who had been carrying mortgages since the booming days of 1887, unloaded their incumbered holdings at what they considered a good figure and were happy to be out of debt.

But when they cast about for an investment on which they could make a good turn, they discovered that property values were advancing while their bank accounts had remained stationary. Then they were not happy.

Great projects were being agitated. The Owen's River aqueduct would be built and that would make Los Angeles a great manufacturing city. The Panama Canal was an assured fact and that

would make Los Angeles the great sea-port city of the South. The city of San Pedro controlled the outer harbor and the city of Wilmington the inner harbor. Corporate interests, entrenched by years of undisputed domination, held possession of a large part of the water front of both harbors and were scheming to get more. The two towns were not financially able to develop the harbor to accommodate the shipping that would come when the Panama Canal was completed.

The problem to be solved was, How can Los Angeles get control of the harbor? It might extend its limits to those of the sea-coast towns, but that would not give it control of their harbors. The only feasible plan was the consolidation of the three cities into a Greater Los Angeles, but this was barred by the fact that their territory was not contiguous to Los Angeles city.

The city attorney finally solved the puzzling problem. On his advice the Council called an election and on the 26th of December, 1906, the famous Shoestring Strip tied Los Angeles to Wilmington and San Pedro. The "Shoestring" was a strip of land half a mile wide, starting from the southern limits of the city, which were shoved down about four miles and running in a straight line south to Gardena, where it made a right-angled turn to the west of about a mile, and then continued southerly to intersect the westerly lines of the sea-coast cities.

The harbor cities were not pleased at the prospect of being absorbed by the inland city. The corporate interests were hostile to the union. The "Shoestring" was loose. It had failed to tie the cities together. It required an enabling act to legalize consolidation, and the adverse interests could not agree upon a method. The first bill presented to the Legislature of 1907 was defeated. At the session of 1909 a law was enacted which was satisfactory.

After the passage of the consolidation act, a campaign of education was begun, for there were still doubters in the cities by the seaside, unbelievers who had no faith in the promises of the campaign orators who were sent to enlighten them. Opposition in the harbor cities diminished as the campaign progressed. August 4, 1909, an election was held in Wilmington. By an affirmative vote of 107 to 61 negatives, Wilmington became a part of Greater Los Angeles. On August 12, San Pedro voted on the question. The vote stood 726 for and 227 against. In Los Angeles there was scarcely any opposition.

On the 28th of August, the papers legalizing consolidation were filed with the Secretary of State at the Capitol. By the Shoestring annexation the city gained in area 11,931 acres, or 18.64 square miles —by the Wilmington consolidation, 6,358 acres, equal to 9.93 square miles. San Pedro added 2,948 acres, or 4.61 square miles to the

city's area and Los Angeles became a seaport city, or perhaps to state it more accurately, a city with a seaport.

With the approaching completion of the Owen's River aqueduct, a mania for annexation seemed to seize the people living in districts contiguous to Los Angeles City. The Colegrove district was the first to apply. It lay west of the western addition annexed in 1906 and extended northward beyond the northern limits of the old city. The election was held October 19, 1909. The district came in practically with no opposition from either the ins or the outs. This annexation added 5,570 acres or 8.72 square miles to Greater Los Angeles.

The next to apply for admission into the growing city was the City of Hollywood. It came in by consolidation at an election held January 24, 1910. The vote in Hollywood stood 409 for consolidation and 18 against. In Los Angeles 6,224 for and 373 against. Hollywood added 2,848 acres or 4.45 square miles to the city's area.

Following Hollywood came East Hollywood, Ivanhoe and a strip of country east of Los Angeles City limits extending to the Tropic line. Most of this was sparsely settled, but the people had become so accustomed to annexing territory that there was no opposition from the ins. The election was held February 18, 1910. The territory brought within the city limits by this annexation was 7,112 acres or 11.11 square miles. Included in this, however, was Griffith Park, a body of land containing 3,015 acres. This park had been donated to the city by Col. Griffith J. Griffith, but lying some distance beyond the corporate limits, the city had made but little use of it. As an integral part of the city it became a valuable adjunct to our pleasure resorts.

Included in this annexation was the greater part of the rancho Los Feliz. This rancho, containing nearly seven thousand acres, was granted to Donna Marie Ignacia Verdugo by Governor Michelorena March 22, 1843. Donna Maria married Juan Feliz, hence the name of the rancho. It fell within the sixteen square leagues granted the pueblo by the Diputation. It lay northwest of the original pueblo lands on the westerly side of the river. Its original boundaries are a good illustration of the indefinitness of Spanish and Mexican grant lines: "Commencing at a point in the Los Angeles River; thence southerly thirty-one hundred and fifty (3150) varas more or less; thence westerly sixty-two hundred (6200) varas more or less to a nopalera (cactus patch); thence northerly five thousand (5000) varas more or less to a calera (lime kiln); thence easterly seven thousand one hundred (7100) varas more or less to the place of beginning, containing more or less one and a half square leagues of land." In a subsequent subdivision of the rancho

we find these landmarks named in the description the "aguaje de Mocobenga" (the mucky spring), the "aguaje de Sancito," (the spring of the Little Sycamore) and the Portecuelo (little pocket or valley). These landmarks all came into the city by the annexation, but who can locate them now?

In six months the city's area had been increased by annexation and consolidation nearly forty square miles. Then there came a lull in the annexation mania. Two years passed before any more territory was added. An attempt had been made in the fall of 1911 by what was known as the Arroyo Seco district to unite with the city. A portion of this lay west of Highland Park and Garvanza and a part easterly, extending down the Arroyo Seco and along the eastern line of the old city. The annexation scheme was defeated by certain communities who preferred to govern themselves. Another election was called February 9, 1912. The recalcitrant districts, Bairdstown and Belvidere, were left out and the Arroyo Seco district was taken into the city. The area annexed was 4,416 acres or 6.9 square miles. The city by annexation and consolidation had increased its original area to 107.62 square miles, a fraction less than it claimed at the time of the conquest.

But its boundary lines on three of its sides were no longer two leagues in the "direction of each of the four winds from the plaza." Through all the changes by annexation and consolidation, the greater part of the eastern boundary line has remained unchanged. It is where Governor Felipe de Neve would have placed it on that September morn in the year of our Lord 1781, one league toward the east wind from the old plaza, where his little band of pobladores were building their tule huts.

By the various annexations and consolidations that have added to its area, Los Angeles has lost the symmetry of form it possessed in its pueblo days. With its panhandle extension to the northeast, the bulging boundary line to the west, the half mile wide by twelve miles long shoestring strip to the south that ties it to the seaside cities that have lost their individuality, there is no geometric term that will describe its shape. There is no living thing with which it can be compared. The main portion of the city is approximately eight miles wide east and west by ten miles long north and south. There are hardly two points in its boundary lines where it is the same length and breadth. Its extreme length north and south is about 32 miles; its extreme width east and west is 11 miles.

The additions which followed each other rapidly in 1909 and 1910 just preceding the taking of the federal census, increased the population of the city 13,000 and added to its wealth \$32,000,000. Only one foreign city—London—exceeds it in area. There are five American cities, New York, Chicago, Philadelphia, New Orleans and

Rochester that include within their boundaries more square miles than Los Angeles.

Since the foregoing was written, the municipality has had another spasm of annexation and this one the most severe of any experienced. At the primary city election held April 6, 1915, the greater portion of the farming lands of the San Fernando Valley were taken into the city. The area annexed was 169,89 square miles, or 107,734.6 acres. This more than doubled the aggregate area included in all the previous annexations and consolidations.

The inchoate cities of Owensmouth, Van Nuys and San Fernando were not included in the territory annexed. These, nestling down in the center of a square mile reserve, cut off from the area annexed and bounded on all sides by Greater Los Angeles, conduct their municipal affairs in their own way. They secured their annexation to the Los Angeles City School District for school purposes only, thus obtaining all the benefits of annexation at lower rates of taxation. The ostensible purpose of this annexation, as presented to the voters, was the sale of Owen's River Aqueduct water to the rancheros for irrigation. This would give a large revenue and decrease taxation. The lure of lower taxes that looms up large before an election seldom materializes after. The great mass of voters did not take time to investigate, but took for granted the assertion of interested parties and voted "yes" on the annexation. The cost of extending the city government over a large territory sparsely settled will exceed the net revenue derived from the sale of water for years to come.

At the same election a district known as the "Palms," lying southwest of the city, was annexed. It added 7.3 square miles, or 4,672 acres to the city's area. It opened a Pandora box of trouble in school affairs. The new city boundary was zigzagged and criss-crossed to take in the advocates and leave out the opponents. In some districts the school-house was in the annexed district and the pupils outside, and vice versa in others. The western city boundary line in the annexed district resembles the teeth of a Brobdingnagian saw.

At the city election held June 8, 1915, Bairdstown, one of the districts that helped defeat the Arroyo Seco annexation in 1911 was taken into the city. This added to its area 3.4 square miles or 4,672 acres.

The area of the city now is 288.21 square miles, equal to 184,454 acres. Counting five lots, 50 x 150 feet, to the acre and five persons to the lot, we have room within the city limits, with abundant breathing space, for a population of four millions six hundred thousand. Los Angeles City's area exceeds that of every other city in America except Greater New York and surpasses every city in Europe except London.

## THE HISTORY OF THE TELEGRAPH IN CALIFORNIA.

BY ALICE L. BATES.

Samuel F. B. Morse, inventor of the telegraph, completed his first line for the government and sent the well-known message, "What hath God wrought?" from Washington to Baltimore in 1844. The following year the line was opened for business and in 1846 New York and Philadelphia were connected by wire. Men were not slow to grasp the commercial importance of such an invention, and all over the country groups of financiers incorporated, sold stock and began the erection of lines. The next few years saw many of the important cities of the country connected by telegraphic communication.

The movement extended to the Far West, and in 1853, nine years after the first line was built, messages flashed between Marysville and San Francisco. Eight years later, in 1861, isolated California, whose only means of communication with the outside, hitherto, had been the slow, hazardous journey over the plains, across the Isthmus or around the Horn, was in close communication with the eastern coast, eight years before President Stanford drove the last gold spike in May, 1869, which connected the oceans with the first great transcontinental railway.

As early as July, 1853, some enterprising men succeeded in raising enough money to erect a wire on trees between some small towns in Nevada, and Grass Valley and Auburn in California, and were able to telegraph from one mining camp to the other. In September of the same year another short line was completed. This extended merely from the business quarters of San Francisco, from the first office on Telegraph Hill to the entrance of the bay, and was used only for signaling vessels. It was built and controlled by Sweeney and Bough of the Merchants' Exchange. The first message was sent September 11, 1853, and the formal opening took place ten days later.

The following month October 24, 1853, the first telegraph line that later became part of the system of the state was completed. The previous year a group of men, led by Oliver C. Allen and Clark Burnham of New York, formed a company known as the California Telegraph Company to build a line from San Francisco to Marysville. The proposed route was to go south to San Jose, to Stockton,

and thence north to Sacramento and Marysville. A franchise was granted by the Legislature of the state May 3, 1852, for a term of fifteen years, with the following provisions: the work was to be completed before November 1, 1853, and after three years 3 per cent of the net profits was to go to the state.

The new project met with many misfortunes. There was a disastrous fire and the money for the company did not materialize. The work of the erection of the poles, which began September 28, 1852, was soon abandoned. In a few months, however, the company was reorganized under the name of the California State Telegraph Company, with W. B. Ranson as president. New capital was subscribed, the services of W. M. Rockwell, a prominent hardware merchant, was secured as contractor for the construction of the line, and every effort was made to complete the task before the expiration of the franchise.

There were many delays, but September 13, 1853, with only six weeks before them, a party of six men under James Gamble, who later became one of the foremost men in telegraph circles of California, left San Francisco to string the wires. The pole men had a few days start.

An interesting account of the work is given in the "Californian" for April, 1881, by James Gamble himself, in an article entitled, "Early Reminiscences of the Telegraph on the Pacific Coast." Five to seven miles were wired every day. The fifth day out the party reached a ravine known as Canada Diablo near what is now Belmont. Mr. Gamble succeeded in connecting the wire with the office in San Francisco in the old City Hall and sent the first message over the line. San Jose was soon reached and the first regular office established. The work met with no great obstacles. Stockton was reached, then Sacramento and finally Marysville the 25th day of October, just six days before the limit set by the franchise.

Regular offices were opened in all the cities. Seventy-five cents was charged for every ten words on messages from San Francisco to San Jose, a distance of about fifty miles, and two dollars was the price asked between San Francisco and the other cities. There was soon plenty of work and the new venture proved a great financial success.

Many amusing incidents are told of the curiosity with which the people viewed the telegraph; for the same excitement was created here as elsewhere in United States by the wonderful instrument. Some curious speculators thought that the messages were being carried over the wire and tried to catch glimpses of them as they were being carried along. Others believed the wire was hollow and the messages were being carried by an enchanted spirit. The Indians saw that the poles made a cross and conceived the idea that the



Yankees were fencing in the country with crosses to keep the devil out.

Within two years, in 1855, monthly dividends of one per cent were declared on the stock of the company. This gave great impetus to the building of new lines and various companies organized and began work. In 1854 the Alta Telegraph Company built a line connecting Nevada City and Sacramento by way of Auburn and Placerville, and in 1856 extended its line direct to San Francisco by laying two cables, one at the straits at Benicia and the other across the bay at Oakland and San Francisco. The cables proved very unsatisfactory and a line was built around the bay. This infringed upon the rights of the California State Telegraph Company, and after a few years of litigation, the Alta Telegraph Company became merged with its rival company. In 1856 the Northern California Telegraph Company was formed and built a line from Marysville as far north as Eureka.

As early as 1858 the idea of a transcontinental line was projected, and two rival companies started work. The Pacific Atlantic Company pushed its lines southward along the Butterfield overland route via San Jose and reached Los Angeles in 1860 and stopped work. A central line started by the Placerville Humboldt Company reached Carson City in the spring of 1859, and soon afterwards Ft. Churchill. To stimulate the effort the California Legislature offered \$6000 a year to the company who would be the first to complete the overland line, but neither company succeeded, and both became merged with the California State Telegraph Company.

In the meanwhile the many eastern companies which had organized and built various lines were undergoing a process of consolidation. The Western Union Telegraph Company, by obtaining control of the patents of the Morse invention and the House printing machine, soon became the strongest rival in the field, and one by one most of the other companies leased their lines to the new company or else became merged with it.

One of the leading men of the Western Union at the time was Hiram Sibley, and to his wisdom and tireless energy belongs much of the credit for the building of the first line to the Pacific Coast. Mr. Sibley first presented the scheme to his own board of directors at Rochester, New York, but the risks were thought to be too hazardous to undertake, so the company refused to carry out the project. It was suggested, however, that the work might be undertaken by an outside organization in which the company might be represented. Then if the work failed, it would not seriously cripple the whole company, and this plan was carried out.

In 1860 Mr. Sibley applied to Congress for help in the undertaking. It was a very opportune time. The government realized the need of being in close touch with the western forts and the necessity

of keeping the whole country together, and in a very short time, June 16, 1860, a bill was passed "to facilitate communication between the Atlantic and Pacific States by electric telegraph." Congress was to grant an annual subsidy of \$40,000 for ten years and a quarter of a section of land for every fifteen miles of line. For this the telegraph company promised to send government messages free to the above amount, the rate of any message being limited to \$3 for every ten words.

Jephtha H. Wade, another prominent figure in the building of the new line, succeeded in consolidating the four lines in California and in obtaining a concession of \$100,000 from the state for the work. It was finally agreed that the California State Telegraph Company and the Western Union Company should extend their lines to Salt Lake and there unite. On January 11, 1861, the Pacific Telegraph Company was incorporated in Nebraska with a capital stock of \$1,000,000 to carry out the contract of the Western Union Company, while on the western coast the Overland Telegraph Company was organized in San Francisco with a capital stock of \$1,250,000 to carry out the obligation of the California State Telegraph Company.

The question of route was the first to be decided. This work was given to Edward Creighton, a well-known line builder, and it was his recommendation that finally led to the selection of the route April 12, 1861, from Omaha to Salt Lake via Fort Kearney, Laramie, South Pass, Forts Crittenden and Churchill, across the Sierra Nevada mountains to Sacramento and San Francisco. Mr. Creighton offered to take charge of the work of construction, so he was given the contract for building the eastern section, while Mr. James Gamble, who had done such efficient work in building the first line in California, was given charge of the work in the west. Two years was the time set by most people as the shortest time possible in which the work could be accomplished, but they had not reckoned with the western spirit or the western energy.

On July 4th, 1861, ground was broken for the erection of the first poles. To give some idea of the magnitude of the work, Mr. Reid says in his book "The Telegraph in America," nearly a thousand oxen were found necessary for the transportation of the camps, food, wire and poles. In California the work was divided into two sections. One started east from Carson City, Nevada, and the other worked west from Salt Lake. Mr. Stebbins took charge of the work from Salt Lake eastward, four hundred miles and Mr. Creighton the remaining seven hundred miles from Omaha.

It seems almost incredible that the gigantic task was completed in a little over four months, but such was the case. October 19th, the eastern section was completed, and five days later Mr. Gamble's

work was finished, and the first message flashed across the wire October 24, 1861.\*

To his Excellency, the President,  
Washington, D. C.

San Francisco, Cal.,  
Oct. 24, 1861, 7:40 P.M.

I announce to you that the telegraph to California has this day been completed. May it be a bond of perpetuity between the states of the Atlantic and those of the Pacific.

(Signed) Horace W. Carpenter,  
President Overland Telegraph Company.

In 1864 the Pacific Telegraph Company, which had been organized primarily to carry out the contract of the Western Union in building the new line, was merged with that of the Western Union by an issue of \$3,000,000 of Western Union stock in exchange for its own stock. Within four years the line was abandoned and a new one was constructed along the route of the new railroad.

In 1866 the Western Union purchased a controlling interest in the California State Telegraph Company, which had previously absorbed the Overland Telegraph Company and henceforth all the lines in California became part of the Pacific Division of the great Western Union Telegraph Company. Lines were extended in every direction following the railroad, and it was not long before the state became a net-work of telegraph lines. Bancroft gives the following dates which shows how fast the different cities were connected. Humboldt County was reached in 1864, Portland in 1865, and Mendocino County in 1870. South it was the same; Los Angeles had been reached as early as 1860 by the Atlantic Company; and Santa Barbara and San Diego in 1870.

In considering any history of the telegraph of the western coast mention must be made of the proposed Collins' overland route which drew the attention of the world to this section of the country as the connecting link of a line that would circle the globe. Submarine cables had been laid between short distances and attempts been made to even cross the Atlantic, but very few people had any faith in the ultimate success of the work of Cyrus Field. With the completion of the line connecting the two coasts in 1861, the agitation began for its extension to the far north, to cross the sea at Behring Strait, a distance of thirty-nine miles with a maximum depth of one hundred sixty feet, and thence to connect with a great trunk line from Asiatic Russia which was to extend over the entire eastern world, south to China and India and east to the British Isles.

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\*Taken from the War Diary of David Homer Bates, Lincoln's private telegrapher, 1861-1865. "Oct. 25, 1861. Received the first message today from California."

Its instigator and leading spirit in the undertaking was Perry McD. Collins, the American commercial agent to Russia. The Russian government promised to build a line from Moscow to the Pacific, a distance of over seven thousand miles and began the construction of the line. Other important routes were also mapped out in Asia and plans made to start the work at once.

In our country the California State Telegraph Company was constructing its line north from San Francisco through Oregon and Washington to Vancouver. The distance yet to be covered to Behring Strait via Sitka was 1800 miles through an unknown wilderness of thickly wooded territory.

The plans to finish this construction of the Russian-American Telegraph were formally submitted to the Western Union Telegraph Company September 28, 1863, and again March 16, 1864. In the letter, Mr. Collins offered to transfer his rights and privileges of certain valuable grants which he had obtained, if the company would undertake the building of the line from the Columbia River to the mouth of the Amoor River in China. The offer was accepted by the company and 20,000 shares of special stock, called extension stock, valued at \$100 each, was issued. The stock found ready sale and was soon all taken up, mostly by the members of the Western Union itself. The work, which was to be completed within two years, began with sanguine hopes in 1865.

Surveys were made by a well-known electrician, Frank L. Pope, who succeeded after a long, hard trip in reaching Behring Sea and mapping out the route to be taken. It was due north to the mouth of the Stekine River, 57 degrees north; from there inland along the foot-hills to Fort Pelly; then along the waters of the Yukon and Kvitchpack Rivers to Behring Sea. Work progressed very rapidly. In a few months the line was completed as far north as 55 degrees north to the mouth of the Skeena River, a distance of 850 miles. A Russian, Serge Abasca, in the services of the Western Union, was sent to the Asiatic coast to survey and map out the line from Behring Sea to the mouth of the Amoor River and steps were being taken to begin the work at once.

There was great enthusiasm everywhere. Mr. Reid says in his book, "The holders of the Russian extension stock as they read and reread these glowing accounts of the work being done felt themselves to be the happiest and most fortunate of mortals. To them the birds on every tree sang of gold." But the work came to a sudden stop. When the news came that the Atlantic cable was at last an assured fact, that even the lost cable of the last year had been recovered, and that the two continents were speaking to each other, all the stockholders of the Russian-American line realized the folly of carrying the work farther. All knew that the competition

would be too one-sided and all attempts to complete the work were abandoned, even though \$3,000,000 had already been spent in the undertaking. The Western Union assumed the loss and offered to redeem the extension stock by a new issue of bonds. Some denounced this proceeding, but as most of the stockholders of the worthless stock were members of the Western Union, it was allowed to pass, and the great Extension line passed into history.

The history of the telegraph from that day has been one of steady growth. In 1867 Mr. James Gamble who did so much in the construction of the first line in California, became the General Superintendent of the Pacific Division of the Western Union, which included the territory of the entire coast as far west as Utah. He held the position until the early 80's. He was succeeded by his assistant, Mr. Frank Jaynes, who held the position until a few years ago in 1910, when the merger between the Western Union and the Bell Telephone Company took place and the entire system was revised. Mr. C. H. Gaunt is now the head of the entire division.

The local office of the Western Union Telegraph Company has had the same phenomenal growth as the other parts of the city. In the early 70's the office was on Court Street, between Main and Spring, and the manager was Mr. R. R. Haines. Mr. E. A. Beardslee was the next manager, and the office outgrew its old quarters and moved to the corner of First and Spring. Twelve years ago Mr. Ralph Miller took charge of the work in Los Angeles, and with the trend of the city to the south the office was moved to its present location on Spring Street near Sixth. In 1910 Mr. S. A. Lawrence succeeded Mr. Miller, and he is now the manager of the Los Angeles office.

San Francisco has the largest office in the state. It has twenty-one branch offices, 421 employees, operators, clerks, etc., and messengers. In the state there are 27,410 miles of wire, 791 offices and 1977 employees.\*

The only other telegraph company which has ever become a factor in the state is the Postal Telegraph Company. Mr. Albert B. Chandler, a well-known man in telegraph circles was its promoter, backed largely by the wealth of John Mackey. It was built in the 80's. It gets its strength and has been able to compete with the Western Union because of its cables, especially those of the west, for it is the only company which is connected with the Orient. The Pacific Cable was completed between San Francisco and Honolulu Christmas Eve, 1902, and finished to Manila July 4, 1903.

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\*Letter of Mr. Frank Lamb, Assistant Superintendent of the Pacific Division of the Western Union Telegraph Company under Mr. Frank Jaynes.

## THE RISE AND FALL OF THE CITY OF GLADSTONE.

BY C. C. BAKER.

Of the many towns which rose and fell during the great boom of 1887, none had a more spectacular existence than Gladstone. This was due to the fact that its promoter was a press agent of ability who professed to see in this town a future rival of Los Angeles itself.

The name Gladstone was given by its promoters to the vicinity of the old post office of Centro, which was located at the northeast corner of the present Citrus Avenue, the boulevard leading from Covina to Azusa, and Broadway, which intersects Citrus Avenue about two miles north of Covina. It was named in honor of the great English premier and it is said that a deed to a lot in the town-site was sent him and his picture was kept on display in the office of the promoters.

In 1878 Dr. E. E. Dunkenson opened the first store in Centro, and covered the neighborhood with a peddler's wagon. He continued there till 1880. E. M. Haskell opened the next store there in the fall of 1882, and on December 31, 1885, received his commission as the first postmaster of Centro, it being supplied, as was the entire district, by star route, service daily from Puente, on the Southern Pacific. In the meantime there had appeared two blacksmith shops, a cutlery factory, a shoe shop, a harness shop, a Chinese laundry and the Centro Hotel, locally known as the Pull Tight Hotel, under the management of W. P. Barnes and John Malone, both now residents of Azusa. Centro's prosperity had begun.

The construction of the Los Angeles and San Gabriel Valley Railroad and the San Bernardino and Los Angeles Railway, the completing links of the Santa Fe's line into Los Angeles, to a junction at the San Gabriel River in the latter part of April, 1887, brought the boom to that valley. George D. Whitcomb, promoter of Glendora, was a personal friend of C. W. Smith, general manager of the Santa Fe; J. F. Crank, president of the Los Angeles and San Gabriel Valley Railroad, was an incorporator of the Azusa Land and Water Company, promoting Azusa. Whether or not these facts affected the route, when the junction of the two roads was effected, Glendora and Azusa had a railroad, while Gladstone, which lay between them, was left two miles south of it.

On April 16, 1887, were signed the articles of incorporation of the

Gladstone Improvement Company, formed to conduct a general real estate business, the town of Gladstone being its special care. Its office was at 23 North Spring Street. Its million dollar capital was said to be actually subscribed by the six incorporators, H. H. Boyce, C. J. Richards, John Koster, E. R. Smith, C. F. Bragg and Harrison Fuller.

Of these men, the director of the company's affairs was H. H. Boyce. He served in the 45th Illinois Infantry in the Civil War, was wounded at Ft. Donelson and Vicksburg, and rose to be captain. In 1880 Boyce came to Los Angeles in the employ of Van Antwerp, Bragg & Company, one of the firms later merged as the American Book Company, with which he remained till 1884. In that year he aspired to the Republican congressional nomination, but failed to receive it. In September, 1884, he was one of the incorporators of the Times-Mirror Company, but soon disposed of his interest therein, and in July, 1886, he was an incorporator and president of the Southern California National Bank, which opened its doors in the Nadeau Block at First and Spring Streets, the first home of this Society. The title of this institution was in 1895 changed to the Merchants' National Bank. It is certain that Boyce promoted the old Tribune, which first appeared October 4, 1886, though the paper denied his interest in it. H. T. Payne guided its affairs till January, 1887. The Tribune Publishing Company was then incorporated, and F. A. Eastman became managing editor. He had been a protege of Stephen A. Douglas, who made him associate editor of the Chicago Times. The first office of the Tribune was at Requena, now East Market, and Main Streets. Later it was removed to 20 North Spring Street. In January, 1887, Boyce disposed of his banking interest, and, with C. J. Richards, lately from Racine, Wisconsin, bought from E. N. McDonald of Wilmington, a tract of 4200 acres, part of the Rancho San Pedro, which they proceeded to subdivide and sell and on which the town of Broad Acres was platted. It was stated they cleared a quarter of a million on this tract, and it was perhaps this good fortune which caused them to attempt to build the town of Gladstone. Boyce was one of the bondsmen of El Hammond, the defaulting tax collector of Los Angeles County, who left for Canada in March, 1887. In July, 1887, he was one of the organizers and first commander of Gen. John A. Logan Post, G. A. R., not now in existence.

John Koster ran a cafe at 109 South Spring Street. It is said to have been the first Los Angeles cafe to introduce music as a feature, which was at first attempted only on Wednesday nights, C. F. Bragg was the son of C. S. Bragg of the firm of Van Antwerp, Bragg & Company of Cincinnati. Dr. E. R. Smith, Boyce's brother-in-law, came to Los Angeles in April, 1887, from Rockford, Illinois.

Harrison Fuller was a resident of Gladstone, owning a fine orange grove there. He had been for four years special agent at Ft. Lemhi, Idaho Territory, for the Bannock and Shoshone Indians, under appointment of President Grant.

In March and early April, 1887, Boyce, Fuller and Richards went among the land owners near Centro and by offers of unheard-of prices, bought the property of three and contracted that of fourteen owners, in all 495 acres, extending disconnectedly on both sides of Citrus Avenue a distance of two and a quarter miles. There was no attempt to buy at a conservative figure. The land could have been purchased at from \$125 to \$175 per acre, whereas the lowest contract price was \$326 per acre. The highest price paid was \$13,000, for the "square acre" owned by E. M. Haskell, on which were his store, a blacksmith shop, the cutlery factory, and the Chinese laundry. Haskell bought this acre in September, 1882, for \$150. The total contract for the 495 acres was \$372,661, or \$753 per acre. The cash payments totaled \$84,730. It is interesting to note that while Fuller's land was included in the townsite, no contract with the company for their purchase of it was ever recorded. Another tract was contracted but the company failed to make the initial payment and the contract was never recorded.

Immediately the advertisement of the townsite began. The first advertisement, merely the word Gladstone, appeared April 10, 1887, in the Tribune. This continued till the 16th, when the first descriptive advertisement appeared. The advantages of Gladstone were told with great fervor and detail. It was said to be "on the line of two great transcontinental railways, both of which cross the land of the company." There was in this a peculiar deception. The San Bernardino and Los Angeles Railway crossed one tract which the company had contracted, but this was two miles from Centro post office, the center of Gladstone. There were only rumors regarding the Southern Pacific. Thus it was certain the Santa Fe would not touch the town, while it was not certain the Southern Pacific would reach it.

From this time till the day of the first sale of lots, spectacular and exaggerated accounts of improvements appeared, excursions were run, and everything done to create a boom. The company was said to have purchased fifteen acres in Sawpit Cañon controlling a 200-foot waterfall, which would be harnessed to generate electricity for lighting Gladstone and running its street cars. No such deed was ever recorded and the waterfall is not now in evidence. A crew was put to work placing sixty foot electric light masts on Citrus Avenue, with rush orders to have the work completed by the day of the sale. Newsome Bros., architects, drew and exhibited plans for three buildings to be erected by the company, a depot at the Santa Fe, the



company's offices and a bank building, each to be an architectural wonder. The First National Bank of Gladstone was reported as organized, but in the office of the Comptroller of the Currency is no record of an application for a charter for a bank there. A mammoth hotel, to rival the great Raymond, was one of the company's advertised projects, but it never materialized. It was said the company owned quarries near Victor, on the Santa Fe in San Bernardino County, where was "a mountain of marble of all tints," and that the completion of the Santa Fe would enable them to lay marble down in Gladstone "cheaper than brick." It is true that Boyce and his associates had bought the controlling interest in the Victor Marble Company, which owned a few mining claims near Victor, but lime was the only product ever sold by it. Improvements at Gladstone representing a half million were reported to have been made by the company. V. J. Rowan made for the company the usual map of the townsite, but of this there is of record only the plat of one block, though there are a number of deeds and contracts which refer to it.

Two enterprises by those outside the company completed the spectacular preparations. The Board of Supervisors on April 15th granted a franchise for a street railway on Citrus Avenue and intersecting streets, to connect Gladstone, Covina, Azusa and Glendora. Construction was to begin in sixty days and be completed in a year.

In April also arrived the Gladstone Exponent, the first issue of which was to appear the day of the sale. This paper was established in January 1885, in Covina, by J. R. Conlee and H. N. Short, as the Independent. Short sold out to Conlee, who sold a small interest to Fred Holt of Pomona. Holt soon sold to J. S. Eckles, and Conlee and Eckles took the paper to Gladstone, where the office was "No. 13 Citrus Avenue."

On April 23, 1887, occurred the first sale of Gladstone lots. A band wagon with Gladstone banners paraded Los Angeles streets that morning; an excursion carried the "anxious speculators" out to the town, where, after much free lunch, the sale began. "Inspired" newspaper accounts said \$100,000 worth of lots were sold that day. While there was great excitement, there is indisputable proof that nothing was sold. There are of record only two deeds covering bona fide sales by the company, one dated in November, 1887, and the other in June, 1888, both sales being to residents, and the consideration amounting to \$2862.50. Sales were held in Los Angeles April 25th and 29th, the last Gladstone advertisement appearing the 29th.

The failure to sell Gladstone lots was due partly to the ridiculous prices asked for them. \$10,000 for a few small lots was a stiff

price even in boom days. The promoters had simply lost their heads.

As Boyce boarded the train for Gladstone the day of the first sale, he was served with papers in a suit involving the title to land in the townsite. Another such suit was filed April 28th. Both were settled out of court. The Times, in commenting on these suits, warned investors against the company's title to the land, and attacked Boyce's whole business career, referring to him as "Smoothy," and to the Tribune, his champion, as the "Trombone." The publicity given by the Times stopped the sale of Gladstone lots and ended the boom. The company's title depended entirely on its making the payments called for in contracts with owners. At this time \$5500 of such payments were delinquent; by June 15th this had increased to \$47,000; after that it was a hopeless case. Of deferred payments totalling \$287,931, only \$20,600 was ever paid. In an effort to influence public opinion, Boyce began the promiscuous filing of libel suits against the Times, asking damages in three suits filed at this time of \$150,000, though he stated he "wished no money consideration." The Times said, regarding these suits, that Boyce was "not enriched thereby." They were, indeed, dismissed May 31st, on Boyce's motion.

Every effort was now made to launch a new boom, and not till now were the company's articles of incorporation and its contracts with land owners filed. The holders of the street railway franchises, J. S. Phillips of Covina, J. F. Humphreys, Eugene Riggin, J. S. Crosley, C. H. Ward, S. C. Ward and Moye Wicks of Los Angeles, incorporated as the Azusa Valley Street Railway Company. Grading was begun on Citrus Avenue, and completed in July. It went no further, though there were assessments, and rumors regarding ties and rails. In July ten thousand feet of pipe arrived, heralded as part of the thirty miles of pipe for the Gladstone water system. It was strung along Citrus Avenue, where it quietly rusted. Sixty-foot electric light masts were erected on Citrus Avenue for a mile and a half north of Broadway, a steam engine was installed to generate the power, and on July 4th, with a great flourish, the lights were turned on. This ended as suddenly as it began. In November Boyce and W. S. Monroe, the founder of Monrovia, with a Southern Pacific engineer, covered the proposed route of that road from Los Angeles to San Bernardino. Charles Crocker even wrote a letter that month to a Southern Pacific representative in Los Angeles, telling him to direct Boyce and Monroe to proceed to secure the right of way. The road, however, never materialized for Gladstone. In January, 1888, the Hotel Brunjes, with John Brunjes and T. A. Barry as proprietors, opened its doors. This was Gladstone's last acquisition.

In February, 1888, Boyce left the sinking ship. Walter S. Moore appeared as president and E. J. Niles as secretary of the company. Moore had been twelve years in the Los Angeles Fire Department, retiring as chief in September, 1887. He was the Republican nominee for Secretary of State in 1886. Niles was a newspaper man.

All appearances of a boom at Gladstone were dispelled at this time by the filing of suits by land owners for annulment of contracts on account of the failure of the company to make payments. Four such suits were filed, the company opposing them only to secure judgment for foreclosure alone, not for deficiency. The company also signed deeds returning its equity to nine other owners under the same conditions. Of the three tracts the company had actually purchased, two were deeded to its directors, who soon disposed of them, and of the two lots comprising the third, one went for interest, and the other was sold by the sheriff to partly satisfy the deficiency judgment of J. R. Elliott. Elliott sued asking for the sale of the land he had contracted and judgment for deficiency. The lot mentioned above was all the sheriff could find to levy on, so the deficiency was not covered. Elliott next sued the individual stockholders, declaring the stock of the company had never been fully paid and asking the court to levy an assessment sufficient to meet the company's indebtedness. Individual settlements out of court were made. Crane and Company next sued for the payment for the water pipe, and last, the company's attorneys in these cases, Williams and McKinley, sued for their fees!

In February, 1888, Eckles sold his interest in the *Exponent* to Bashor. The last issue appeared June 7, 1888. Conlee bought Bashor's interest, moved his plant to East Los Angeles, and with L. S. Ackerman published the *East Los Angeles Exponent* for two years at 9 South Hellman Street.

The company sold its personal property, and, in September, 1888, water pipe, electric light apparatus—"everything except the grading of the street car line," as the *Glendora Signal* put it, was removed.

The name of the post office had been changed to Gladstone January 12, 1888. Haskell had been succeeded in turn as postmaster by Thomas A. Smith, Albert Hickok, John D. Johnson, and George W. Hammel, brother of sheriff W. A. Hammel, during whose incumbency the office was discontinued August 31, 1892. Citrus Union High School, which had opened in the old Pull Tight Hotel in the fall of 1891, and after two moves, occupied the old *Exponent* office, was the last of Gladstone's institutions, remaining there till 1903, when it was removed to its present location in Azusa, the hill on which was the old Dalton adobe home. At present orange groves cover what was to have been Gladstone's "business section." The Hotel Brunjes was moved to Azusa and is now kept under the same

name, by the widow of John Brunjes, at the southeast corner of Azusa Avenue and Centre Street. E. M. Haskell's store was also moved to Azusa, and is now located on the west side of Azusa Avenue, just below Centre Street, and is occupied as a store building.

Bragg was an incorporator of the Long Beach Development Company. Richards promoted the town of Cahuenga, was interested in East Los Angeles, and was an incorporator of the East Side Spring Water Company. Koster removed to Bakersfield. Dr. Smith was an incorporator and later president of the California Hospital Association, operating the hospital at 1414 South Hope Street. Fuller is dead. His sons, C. H. and O. B. Fuller, are at the head of the Pioneer Truck and Transfer Company.

Boyce was, in November, 1887, appointed aid on the staff of Gov. R. W. Waterman, with the rank of lieutenant colonel. On May 26, 1888, he was appointed brigadier general, commanding the first brigade, state militia, but the appointment failed of confirmation by the senate. He organized the Oro Grande Mining Company to operate in Lower California, but it was regarded as a fake and soon fell through. In 1889 the *Tribune* came under Boyce's active management, went bankrupt, and was sold piecemeal January 10, 1891, by the sheriff for \$1300. While its head, Boyce was indicted for extortion for demanding payment for not printing articles regarding a justice, but was acquitted. In 1889 the *Tribune* had championed the Ballona outfall sewer proposition, but the \$400,000 bond issue for its construction failed to be voted. Boyce was in Boston on the *Arcua* in 1892. He promoted a company to handle Prof. T. S. C. Lowe's "water gas," but it failed. He was killed in a street railway accident in New York City.

Though long virtually defunct, the Gladstone Improvement Company was legally in existence until December 13, 1905, when it forfeited its charter for failure to pay its corporation license tax.

# THE EARLIEST SPANISH LAND GRANTS IN CALIFORNIA.

BY M. M. LIVINGSTON.

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## I.

### INTRODUCTION.

The supreme authority for Spanish colonization in America was vested in the Council of the Indies. This Council consisted of a board of men chosen preferably from those who had served with distinction the government of Spain in America. It was founded by Ferdinand of Aragon in 1511, and finally organized by his grandson, Charles V<sup>1</sup>, who had succeeded his grandfather as king of Spain in 1516, and who had become Emperor three years later upon the death of Maximilian.

The chief purpose for which the Council was organized was to centralize authority in order that the will of the Crown might be carried out in establishing settlements in America. The zeal with which it was proposed to supervise the colonization is shown in the fact that the Council was to meet five hours daily, except on church holidays.<sup>2</sup>

The Council formulated its own laws by which it was governed, and these laws, in time, came to fill several volumes, called the RECOPIACION DE LEYES DE LOS REINOS DE LAS INDIAS,<sup>3</sup> and the earliest settlements in America were undertaken under these laws.

## II.

### TITLES OF LAND

Thus when the territory of California was occupied by Spain in 1769 the absolute title of lands was vested in the king, as in all new countries discovered and occupied by his subjects. Consequently, during the Spanish regime in California, from 1769 to 1822, there appears to have been little or no absolute individual ownership of land, the titles being a sort of usufructuary titles of different grades.<sup>4</sup>

Theoretically the natives were regarded as the owners of the

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1. Roscher, Spanish Colonial System, 25, 26.

2. Keller. Colonization, 306.

3. See copy in Los Angeles Public Library, Published at Madrid, 1861.

4. Bancroft, History of California, I, 607.

land, since they were here and in possession before the Spaniards came; but when the government of Spain assumed control their ownership was regarded by the Spanish as under the suzerainty of the king. The natives, however, were allowed all the territory necessary for their subsistence in their wild state, the government being in actual possession of only the lands upon which the missions, presidios and pueblos were located.

The mission fathers were also allowed whatever land they might need for the support of the missions, but the priests themselves regarded the mission lands as belonging to the Indians, they assuming control only until the Indians should become civilized enough to assume the responsibility of actual control for themselves.<sup>1</sup>

The *Recopilacion* provided also for the establishment of Spanish pueblos in the new country, since the natives were not expected to need so great an area of territory when they should become civilized as they had been accustomed to in their savage state, the idea being that there would be room enough for many Spanish pueblos in addition to those of the native Indians. In time as the Indians should become civilized, it was expected that both the missions and presidios would be converted into civil communities, or pueblos, and all would henceforth be faithful subjects of the kind. Then they would be expected to own and occupy the land individually under the authority of the government of Spain.<sup>2</sup>

### III.

#### AUTHORITY FOR GRANTING PRIVATE RANCHOS

As time went by, however, circumstances arose which made it necessary to establish new laws authorizing the holding of land in private. To this end specific regulations were issued by Viceroy Bucareli y Urusu, dated at Mexico City, August 17, 1773, upon his appointment of Fernando Xavier Rivera y Moncada *comandante* of the establishments of San Diego and Monterey. Under these instructions the *comandante* was authorized to distribute common lands in private to Indians who might give themselves entirely to agriculture and stock raising; he might also distribute lands to other settlers (*pobladores*) according to merit. But in all cases they were to reside within the pueblo and not dispersed throughout the country among the uncivilized Indians.<sup>3</sup>

There is record of but one grant having been made outside of pueblo limits under this authority. It was made to Manuel Butron, a soldier of the presidio of Monterey, who had married an Indian

1. Bancroft, California Pastoral, 256-259.

2. *Recopilacion*, lib. IV. tit. V. ley. VI., X.; also translation of Dwinnele's Colonial History of San Francisco, Addenda No. 1.

3. Instruccion de 17 de Agosto de 1773, by Bucareli; translation in Dwinnele's Colon. Hist. of San Francisco, Add. No. III. Richman, California under Spain and Mexico, 346, note 13.

neophyte girl, named Margarita, of the San Carlos Mission. But the grant subsequently was abandoned and reverted to the status of other lands.<sup>1</sup>

The famous *Reglamento* of Governor Neve, which went into effect provisionally in California at the beginning of the year 1781, and which was confirmed by the central government in October of the same year, although it effected a reform in both the civil and religious status in the territory, does not touch upon the question of the private rancho, and consequently cannot receive further consideration here, however interesting it may be. It deals rather with the missions, presidios and proposed pueblos of the new territory.<sup>2</sup>

In the Fall of 1784 two applications were made to Governor Pedro Fages for private land grants near the San Gabriel Mission. The first was made by José María Verdugo and the second by Manuel Nieto. Not being certain as to the extent of his authority in such matters the governor gave permission to the applicants temporarily to occupy the land.

At the same time the Governor wrote to the *Comandante-General* of the *Provincias Internas*, General Ugarte, to whose department this authority had been transferred, asking for instruction as to how he should deal with such applications. General Ugarte replied about two years later, in 1786; after having asked the opinion of his legal advisor, Galindo Navarro, whose office in New Spain corresponded to our Attorney-General. His reply authorized Governor Fages to make grants of land in private, not to exceed three leagues, however, and outside the four leagues which the laws of the *Recopilacion* allowed the pueblos; but the grantees were not to injure the mission or pueblos, and certain other conditions were imposed.<sup>3</sup>

It is interesting to note that while these instructions provided for the granting of only three leagues of land, the provisional grants which had been allowed by Governor Fages, as later confirmed and surveyed, were of much larger areas, the first to Verdugo containing about eight square leagues and the one to Nieto containing about sixty-eight leagues.

What is further interesting is that the instructions required immediate assignment, by clear land marks, of the four leagues belonging to pueblos. There is no evidence that these instructions were ever carried out, however, either with regard to the pueblos or the limiting of the private grants to three square leagues of land. Nor is there any evidence that Governor Fages ever issued any permanent titles of these lands to take the place of the temporary permits given in 1784.

1. Hittell, *Hist. of Cal.*, II, 746; Bancroft, *Hist. of Cal.*, I, 608.

2. Dwinnele, *op. cit.*, Addenda No. IV.

3. Bancroft, *History of California*, I, 609; also Navarro's Opinion, in Dwinnele's *Colonial History of San Francisco*, Addenda No. IV.

January 4, 1813, the Cortez of New Spain passed a decree authorizing the reduction of common lands (*terrenos communes*) to private property, for the purpose of the improvement of agriculture and industry, and hoping that from such lands sufficient food stuffs would be produced for public necessities.<sup>1</sup>

To sum up then, the authority for the private land grants during the Spanish regime consisted of the general laws of the *Recopilacion*, the instruction of Bucareli to Rivera in 1773, Ugarte's instruction to Fages in 1786, and the decree of the Cortez of New Spain, January 4, 1813. The latter, however, was not issued in time, as is indicated by the date, to effect the first grants made under Governor Fages.

#### IV.

##### THE FIRST PRIVATE LAND GRANTS

It has already been noted that only one grant was made by Rivera under the authority of the instructions received from Viceroy Bucareli in 1773, and that this grant was soon abandoned. The two provisional grants of Governor Fages, made in the Fall of 1784, were the first to become large permanent grants under the Spanish rule.

The first was that of *Rancho San Rafael* but in the record made at the time it was called *La Zaenja*. In more recent years it has been called *Rancho de las Verdugos*. Under date of October 20, 1784, Governor Fages gave permission to José María Verdugo to keep his cattle and horses on the *Arroyo Hondo*, now called *Arroyo Seco*, one and a half leagues from the San Gabriel Mission on the road to Monterey, on condition that no harm be done to mission or pueblo and care be taken with the natives.<sup>2</sup> This grant was confirmed by Governor Borica, January 12, 1798, with the additional obligation that he increase his flock of sheep. The Governor was interested at this time in the development of the wool industry in California, and for this reason required Verdugo to enlarge his flock of sheep. He was also allowed at this time to settle with his family upon the rancho, hitherto having been required to reside at the Mission San Gabriel.

Very little is known of Verdugo. Much more is known of the old Sergeant Mariano de la Luz Verdugo, who was older and possibly a kinsman of José María Verdugo. Both enlisted at Loreto, Lower California, Mariano, December 15, 1766; the exact date when José María enlisted is not known. He is spoken of by Bancroft as a retired corporal of the San Diego company at the time the grant was made. He also says that he was a corporal of the mission

1. Dwinnelle, *Colonial History of San Francisco*, Addenda No. XI.

2. See Register of Brands, fol. 61-62.



guard of San Gabriel much of the time down to 1798, at the time permission was given him to move with his family upon his rancho.<sup>1</sup> He probably retired from this position to locate upon his rancho, where he lived up to the time of his death April 12, 1831. He was buried the following day in the cemetery of the Church of San Gabriel by Father Geronimo Boscaña, who made the entry of the record of his burial.

A map of the grant and field notes of the survey as surveyed by the United States Deputy Surveyor-General for California, G. Howard Thompson, November and December, 1869, is in the Recorder's Office of Los Angeles County, Book III of the Patents of Los Angeles County, pages 207-224. Another map of the Partition of 1871 is on record in the County Surveyor's Office.

The following month, November 1784, Governor Fages issued another temporary grant to Manuel Nieto. This was the largest of all the grants made in California. It extended from the Santa Ana River to the San Gabriel River, and from the ocean to the mountains; it contained about sixty-eight square leagues or something over three hundred thousand acres. It was later reduced at the claim of the mission Fathers of San Gabriel.

It was not until about 1795 that other large grants were made.<sup>2</sup> Bancroft names five grants which were held in private in 1795.<sup>3</sup> The three additional ranchos were the *San Pedro* or *Dominguez Rancho*, the *Portezuelo Rancho*, and the *Encino Rancho*. The last two, with the *San Rafael* were situated in the *San Fernando Valley* or the *Encino Valley* as it was first called. The *Encino Rancho* was pre-empted by the mission fathers in 1797 when the San Fernando Mission was established at this place.

A few other grants were made during the Spanish occupation of California, but altogether during this period from 1769 to 1822, there were no more than ten or twelve grants made. It was during the Mexican regime that most of the large land grants were made, and especially towards the latter part of the regime when it became evident that California would pass to the control of the United States.

At the time of the Treaty of Guadalupe Hidalgo, in 1848, most all the land of any value in California was held under either Spanish or Mexican authority. March 3, 1851, the Congress of the United States passed an act to ascertain and settle private land claims in California. An immense amount of work was done by the Commission appointed to settle these claims, but it was years before final settlement was made to all the claims.

1. Bancroft, *History of California*, I, 664.

2. Hittell, *History of California*, II, 748.

3. Bancroft, I, 662.

## THE FIRST EXPEDITION OF JEDIDIAH S. SMITH TO CALIFORNIA.

ROBERT G. CLELAND, PH. D.

Through the courtesy of the *St. Louis Republic*, a courtesy which I desire to acknowledge at this time, copies of the two letters printed below were placed at my disposal. It is hoped that the re-publication of these documents as they originally appeared in 1827 will be of material value in subsequent discussions of Smith's first venture into California territory.

FROM THE MISSOURI REPUBLICAN OF OCTOBER 11, 1827.

We have been politely favored by Gen. Clark, Superintendent of Indian Affairs, with the perusal of a letter, written by Jedidiah S. Smith, who has been for several years engaged in hunting and trapping in the Upper Missouri, and who has visited that extensive barren country on the West, not heretofore explored.

From this letter, written in plain style, we extract the following:<sup>1</sup>

"My situation has enabled me to collect information respecting a country which has been, measurably, veiled in obscurity, and unknown to the citizens of the U. States. I allude to the country South West of the Great Salt Lake, and West of the Rocky Mountains. About the 22nd of August, 1826, I left the Great Salt Lake, accompanied by a party of fifteen men, for the purpose of exploring the country to the south west, which was then entirely unknown to me, and of which I could obtain no satisfactory information from the Indians that inhabit the country on it's north east borders. My general course on leaving the Lake, was S. W. and W., passing the Little Uta Lake, and ascending Ashley's River, which empties into it, where we found a nation of Indians, calling themselves 'Sum-patch'<sup>2</sup>; who were friendly disposed towards us. After leaving the Little Uta Lake, I found no further sign of Buffalo—there were,

1. This letter has served as the basis for most of our authoritative knowledge of Smith's first expedition. It has been used by Chittenden (*The American Fur Trade of the Far West*, I, 282-7); while Bancroft (*History of California*, III, 152, note) cites several portion from a French version to which he had access. The full letter, however, is available only in the files of the "Republic."
2. "A body of Ute formerly occupying San Pete Valley and Sevier r., central Utah." They have been variously called Land Pitches, Sampeetches, Sampitches, Sampuches, etc. The legitimate name is Sanpet. See Bureau of American Ethnology, Bulletin 30, Article under Sanpet.

however, a few of the Antelope and Mountain Sheep, and an abundance of Black Tailed Hares. Leaving Ashley's River, I passed over a range of mountains, S. E. and N. W., and struck a river, running S. W., which I named Adams River,<sup>1</sup> in compliment to our President.

"The water of this river is of a muddy cast, and somewhat brackish. The country is mountainous to the east, and on the west are detached rocky hills and sandy plains. Passing down this river, some distance, I fell in with a nation of Indians, calling themselves 'Pa Utches.' These Indians, as well as the Sumpatch, wear robes made of rabbit skins; they raise corn and pumpkins, on which they principally subsist—except a few hares, very little game of any description is to be found. About ten days march further down, the river turns to the S. E., where on the S. W. of it, there is a remarkable cave, the entrance of which is about ten or fifteen feet high, and five or six feet in width; after descending about fifteen feet, it opens into a large spacious room, with the roof, walls and floor of solid rock salt (A piece of which I send you, with some other articles which will hereafter be described). I followed Adams River two days travel further, where it empties into the Seeds Keeder,<sup>2</sup> which I crossed and went a south course down it, through a barren, rocky and mountainous country. In this river are many shoals and rapids. Further down, a valley opens, from five to fifteen miles in width. The land on the river bank is fertile and timbered. I here found another tribe of Indians, who call themselves 'Ammuchiebes.'<sup>3</sup> They cultivate the soil and raise corn, beans, pumpkins and mellons in abundance, and also a little Wheat and cotton. I was now nearly destitute of horses, and had learned what it was to do without food. I therefore concluded to remain here fifteen days, to recruit my men; and in the meantime, succeeded in changing my few remaining horses, and was enabled to purchase others, from a party of runaway Indians, who had stolen from the Spainards. I here obtained some information regarding the Spanish country—obtained two guides—recrossed the Seeds Keeder, and traveled a west course fifteen days over a country of complete barrens, and frequently travelling from morning until night without water. Crossed a salt plain eight miles wide and twenty long. On the surface of the ground is a crust of white salt, underneath is a layer of yellow sand, and beneath the sand a few inches, the salt again appears. The river Seeds Keeder, I have since learned, empties itself in to the Gulf of California, about 80<sup>4</sup> miles from the Ammuchiebes and is there called the Collerado.

1. Probably the Virgin.

2. This name for the Colorado seems to be peculiar to Smith. I have not been able to find it elsewhere.

3. The Mojaves. Variouslly called the Amuchabas, the Amajabas, etc.

4. Not far from the junction of the Colorado and Gila.

"On my arrival in the province of Upper California, I was eyed with suspicion and was compelled to appear in the presence of the Governor, residing at St. Diego, from whence, by the assistance of some American gentlemen, (and particularly Capt. W. H. Cunningham, of the ship Courier, from Boston,) I was enabled to obtain permission to return with my men, by the route I had come. I also obtained permission to purchase such supplies as I stood in need of. As the Gov. would not permit me to travel up the sea coast towards Bodago, I proceeded eastward of the Spanish settlement. I then turned my course N. W., keeping from 150 to 200 miles from the sea coast. I travelled three hundred miles in this direction, through a country somewhat fertile, and inhabited by a great many Indians, mostly naked, and destitute of fire arms, and who subsist upon fish, roots, acorns and grapes. These Indians, unlike, in this respect, to any others that I have seen, cut their hair to the length of three inches.

"I afterwards arrived at a river, which I named (After a tribe of Indians residing on its banks) Wim-mel-che.<sup>1</sup> I found here a few beaver and elk, deer and antelopes in abundance. I made a small hunt, and then attempted, with my party, to cross Mt. Joseph, and join my partners at the Great Salt Lake. I was disappointed in this however as I found the snow so deep on the mountain, that my horses could not travel. Five of my horses having already perished for want of food, I was compelled to return to the valley. Here leaving my party, I set out on the 20th of May, accompanied by two men, and taking with us seven horses and two mules, which were laden with hay and provisions for ourselves, and in eight days we succeeded in crossing Mount Joseph,<sup>2</sup> with the loss of only two horses and one mule. The snow on top of the mountain was from four to eight feet deep, but so solid that our horses only sunk into it from six to twelve inches.

"After traveling twenty days from the east side of Mount Joseph, I struck the S. W. corner of the Great Salt Lake. The country between the mountains and this Lake, is completely barren, and entirely destitute of game. We frequently travelled two days, without water, over sandy deserts, where no sign of vegetation was to be seen. In some of the rocky hills we found water, and occasionally small bands of Indians, who appeared the most miserable of the human race. They were entirely naked, and subsisted on grass seeds,

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1. The Wimilchi, "a Yokus (Mariposan) tribe formerly living north of Kings r., Cal., opposite the Wechikhit." Variouslly called Homelches, Mowelches, Ne-mil-ches, Was-mil-ches, We-mal-che, We-mil-che, We-mol-ches. See Am. Bur. of Ethn., Bul. 30. The river was doubtless the Merced.

2. Unfortunately I have not been able to locate Mt. Joseph with any degree of accuracy. From the account, it would seem that Smith crossed the Sierras much farther south than is usually supposed.

grass-hoppers etc. On arriving at the Great Salt Lake, we had but one horse and one mule remaining, and they so poor, they could scarcely carry the little camp equipment we had with us. The balance of the horses we were compelled to eat as they gave out."

FROM THE MISSOURI REPUBLIC OF OCT. 25, 1827.<sup>1</sup>

*American Enterprise.*

Extract from a letter from Capt. Cunningham,<sup>2</sup> dated St. Diego, Dec. 1826:

"There has arrived at this place Capt. Jedidiah S. Smith, with a company of hunters from St. Louis on the Missouri. These hardy adventurers have been 13 months travelling their route, and have suffered numerous hardships. They have often had death staring them in the face—sometimes owing to the want of sustenance; at others to the numerous savages they have been obliged to contend with. Out of 50 horses which they started with, they brought only 18 with them, the others having died on the road from want of food and water.

"Does it not seem incredible that a party of fourteen men, depending entirely upon their rifles and traps for subsistence, will explore this vast continent and call themselves happy when they can obtain the tail of a Beaver to dine upon? Captain Smith is now on board the *Courier* and is going with me to St. Pedro to meet his men:<sup>3</sup> from thence he intends to proceed northward in quest of beaver, and to return, afterwards, to his deposits in the Rocky Mountains."

[St. Diego and St. Pedro are ports in California, W. Coast of America, near 3000 miles from Boston].

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1. This letter is merely mentioned by Chittenden. No other writer apparently has done even so much as this.
  2. Of the ship "Courier." He was one of the Americans at that time in San Diego harbor who went on Smith's bond of good behavior to satisfy the Mexican Governor, Echandia.
  3. Smith's itinerary after leaving San Diego has been a matter of guess work. From Cunningham's statement, he apparently came by sea to San Pedro, where he met his men, who had not accompanied him to San Diego; or else went from San Pedro to San Bernardino when his company is supposed to have camped during his absence. If the latter supposition is correct, the expedition probably reached the San Joaquin by way of the Cajon. On the other hand, if the entire company came together at San Pedro, they may have gone by the San Fernando and Tejon route.

## MARSHALL, THE DISCOVERER OF GOLD IN CALIFORNIA.

BY PERCIVAL J. COONEY.

James Wilson Marshall, the discoverer of gold in California, was born in New Hope township, Hunterdon County, New Jersey, on Oct. 10, 1810. In early boyhood he learned his father's trade, that of a coach and wagon-builder. The early years of his life were uneventful, but on his arrival at his majority, he became fired with the desire to see something of the great west. His first move was to Crawfordsville, Ind., then later to Warsaw, Ill., where for two years he followed his trade of wheelwright. Hearing much of the fertile lands to be obtained on the Platte purchase near Fort Leavenorth, Kansas, he took up a homestead there and began farming. Here he incurred the fever and ague that infested that part of the country, and after suffering from the malady for six years and being informed by the doctors that two more years in that neighborhood meant death, he determined to emigrate to California, which at that time was beginning to loom large in men's minds.

This expedition of which Marshall was a member consisted of about forty wagons and one hundred and eighty people. Starting on May 1, 1844, they succeeded in crossing the plains without incurring the hostility of the Indians, from whom they purchased permission to pass unharmed by means of a few trifling presents. The winter of 1844-45 was spent in Oregon, and in June, 1845, the expedition entered California by the Shasta route. At Cache creek, forty miles north of the Sacramento, the expedition broke up and Marshall at once entered the service of John Sutter at wagon building and general carpenter work. During the period of his time with Sutter an incident occurred which indicates Marshall's independence and sturdiness of character so characteristic of western frontiersmen. Sutter believed that Spaniards of the Mission at San Jose were inciting the Indians to burn his wheat. He organized a posse and raided a neighboring rancheria of the Mogelume Indians and succeeded in capturing their chief, one Raphero. Sutter was much pleased with this capture, not only because he blamed Raphero for being implicated in the burning of his wheat, but because the Indian chief had quarreled with and killed one of Sutter's men. Raphero was given a form of trial and proffered an ingenious but

ineffectual defence, claiming that he had been commissioned as a lieutenant in the Mexican army and that one of the duties of that position was to hunt down horse thieves, and claimed further that the man he killed was without question a horse thief. But the Indian chief had no others to support his testimony, and he was condemned to be shot. Marshall was one of the men detailed to take part in the execution, and he created no little excitement by absolutely refusing to obey Sutter's orders. The dauntless Indian who was standing with tied hands listening to the altercation, jeered at his executioners, demanding, "Why don't you shoot; are you afraid?" Marshall's disobedience, however, did not save Raphero, who a few moments after fell under the bullets of the firing squad. So impressed, however, was Marshall with the Indian's indomitable spirit that he and some others of Sutter's men, much to that gentleman's annoyance, buried the fallen chief with military honors, firing a volley over his grave.

Shortly after this Sutter, anticipating an attack from the Indians, decided to strike first. During the skirmish that followed, Marshall was wounded with a poison arrow in the scalp, which he treated in the usual frontiersman's way by the application of a chewed quid of tobacco.

The summer of 1846 brought with it the outbreak of the Bear Flag Rebellion. The rumor that a large party of American emigrants would soon arrive in California angered the Mexican authorities. Castro, the military commandant of the territory, decided to prevent their entering the state. Added to this, the American settlers in the state believed, rightly or wrongly, that it was the commandant's ultimate intention to drive all foreign settlers out of California. In furtherance of his plans, Castro sent a lieutenant to roud up government horses near the Mission of San Rafael. But at Knight's Landing he stopped for a few moments' chat with Mrs. Knight, who was of Spanish parentage, born in New Mexico, and informed her of his purpose, which she immediately communicated to her husband. Much excited over the news, Knight mounted his horse and galloped at once to Colonel Fremont, who with his exploring party was camped a few miles north at the site of the present town of Marysville. While Fremont refused to give Knight the assistance he asked, he pointed out that there was no reason why the settlers should not take steps to defend themselves. Believing that aggression was the best form of defense, Knight and his friends overtook the lieutenant, took the horses away from him and set him free with instructions to notify Castro that they were on the warpath. Two days afterward the band of American settlers had grown to thirty-three. They seized Sonoma, capturing General Vallejo and his officers. Following this they marched immediately

on Sutter's fort and demanded its surrender, as Sutter, though an American citizen, was alcalde of the district. With this demand Sutter complied, and when the Mexican colors were lowered the victors were in somewhat of a quandary as to what flag should replace it. The problem was solved by the making of the famous Bear Flag with the materials to be found at hand, a sheet of white cotton and some brown and red paint.

Shortly after this Fremont threw in his lot with the settlers and hearing that Castro and his forces were about to attempt the recapture of Sonoma where a small garrison had been left, the entire force (among whom was James Marshall), composed of the American settlers, Sutter's employees and Fremont's men set out on the march towards Sonoma.

Probably since Falstaff's ragged regiment was immortalized no such extraordinary gathering had taken place. Their costumes were as various as the nations from which they sprung. Among them were Americans, French, English, Swiss, Poles, Russians, Chilians, Germans, Greeks and Austrians, Pawnee Indian members of Fremont's expedition, as well as representatives of various tribes of California Indians, speaking a polygot lingual hash never equalled since the Tower of Babel. Their dress was as varied as their origin. A few wore relics of their home-spun garments helped out here and there with antelope and bear skin, while the Indians were clad in buckskin leggings and a coat of war paint. Their weapons were equally diverse. There was the grim old hunter with his long and heavy rifle, the farmer with his double barreled shotgun, Indians with their bows and arrows, and others with horse pistols, carbines, sabers, ships cutlass, bowie knives and pepper box revolvers. Jim Marshall's remark as he glanced back was characteristic of the man, "Well, if Castro whips this crowd, he'll surely whip the whole world, for they are all here." But in spite of their diversities, it was as effective a body of fighting men as could have been collected anywhere.

On their arrival at Sonoma, they discovered that there was no foundation for the story of Castro's intended attack, and they immediately set out in pursuit of him. Arriving at San Rafael, they found that he had again disappeared and according to reports had succeeded in putting the bay between himself and the Bear Flag army.

Here occurred an incident of which in the nature of things there is no other corroboration, yet as far as I know it has never been contradicted, and Marshall (in his life written by himself and Parsons) is quite positive in regard to all details. The Bear Flag men found that their powder was almost exhausted and they decided to attempt to procure some from Captain Montgomery of the American





JAMES WILSON MARSHALL  
Discoverer of Gold in California  
Taken in 1884, one year before his death



warship *Portsmouth* which was lying in the bay of Sauselito. Marshall was a member of the delegation which boarded the vessel, and acted as their chairman and spokesman. In response to their request, Captain Montgomery told them with considerable surprise and indignation that they could not get from him an ounce of either powder or lead, and that he was astounded that they should make such a demand on him, seeing that the United States was at peace with Mexico.

Marshall's committee, crestfallen and disappointed, were about to leave the vessel, when a young lieutenant said to them with a sly twinkle in his eye:

"Of course you must understand that it was impossible for the Captain to give you any ammunition, but there is a large quantity of our powder which has become dampened and tomorrow I am going to send it ashore to spread on the rocks where it can dry. Over there," he concluded as he indicated the spot. The next morning the boat load of powder and lead, accompanied by three armed men approached the land; hardly had the ammunition been placed upon the rocks when, without warning, a dozen of the Bear Flag men fell upon the sailors, overpowered them and made off with the ammunition. As soon as the astounded sailors returned to the vessel and told their story, the *Portsmouth*, as if to vindicate her dignity, fired several shot from her bow guns at the distant hills and there the incident ended.

Commodore Sloat had meanwhile been superseded by Commodore Stockton, and the latter evidently expecting some aggressive move from Castro's force, now reported to be somewhere south of Los Angeles, sent Fremont with one of the vessels to San Diego. Marshall accompanied Fremont to San Diego and marched north with him. They effected a junction with Stockton's force south of Los Angeles and marched into the city about the middle of August without meeting any opposition.

Shortly afterward Stockton sailed north to San Francisco, leaving a garrison of fifty men under the command of Captain Gillespie, who proceeded at once to secure the parols of prominent citizens pledging them not to serve against the United States. Gillespie succeeded in finding Castro's two old cannon which had been buried by the Mexican officer before his hurried flight. Marshall claims that he requested the Captain again and again to procure him some acid with which to remove the spikings from the guns, but to this demand the Captain paid no attention. He also warned Gillespie that there was another cannon concealed in the town and that he had overheard two men in a wine shop talking about it. He seems to have been employed by Gillespie in repairing the furniture, doors, verandas and windows of the buildings occupied by the Americans and on one occasion so

convinced was he that an outbreak was near, that when told to repair some portion of the building he disobeyed the Captain and spent his time in strengthening the gates of the enclosure. A few nights later, after the outbreak of hostilities, the attempt of the Californians to break in the gate proved a failure. Marshall claims that it was he and no one else who mounted one of the guns on a pair of careta wheels and at the very moment when it was discovered that the Mexicans had another gun and that they were taking it up the hill at the back of the church, he succeeded in pounding out the spiking, and then and there it was loaded with the powder hurriedly obtained by the men emptying their paper cartridges into a hat until enough was secured to make a sufficient charge for the gun. The gates were thrown open and Marshall and his men, racing against time, dragged the gun to the top of the hill and there fired it at the Mexicans who, with the "woman's gun," were climbing the side of the hill at the side of the church.

The subsequent events are well known to all students of California history—the retreat of the Americans to the hill top, the capitulation of Gillespie and his withdrawal to San Pedro.

Marshall's account of the battle of Dominguez is especially interesting and given with a sincerity and wealth of detail which makes it quite believable and no times does he make any statement that conflicts with the historical record. The first shots aimed at the square went high or wide of the mark. The frontiersmen, among whom was Marshall, were acting as skirmishers in front of the square, and as they saw the Mexicans prepare to fire the gun they threw themselves flat on the ground. These tactics were denounced, by one of the naval officers, as shameful cowardice, to which Marshall replied with characteristic bluntness that "They were there to fight but not to be killed if they could help it; that as skirmishers they were not bound to preserve regular army discipline." Mervine's sailors it seemed were armed with extemporized pikes and on one occasion a cannon ball cut an Irish sailor's pike in two, at which he remarked, ruefully, "Bejabers, I am dismayed."

Not long after this Stockton, completely fooled by Jose Antonio's Carrillo display of horses and believing he was facing a superior force, sailed away to San Diego.

Marshall accompanied Captain Gillespie in December when he marched north from San Diego to meet General Kearny and took part in the disaster at San Pasqual. His opinion of Kearny's dragoons was no whit higher than that of the other regular soldiers which he had encountered, and this perhaps was accentuated by the fact that Kearny, as he claims, referred to the frontiersmen of Gillespie's command as "Rifraf," and also by the fact that Kearny considered them of so little value as fighters that he left them

behind to guard the baggage. He says sarcastically, "The dragoons jogged along with their sabers jingling and clashing so as to be heard three or four miles on a still, frosty night, and they allowed their carbines to become so exposed to the rain that in the fight half of them did not go off."

At the battle of the San Gabriel river, Marshall acted as a skirmisher under the command of Kit Carson and crossed the river before the main body of the troop. Later he served as an assistant in handling one of the guns and mentions the fact that he had a man killed close to him at the battle of the Mesa.

After the war, Marshall returned to his old employer, Sutter, and entered into a contract with him to build a mill. Sutter was to furnish the capital and Marshall was to run the mill for a stated compensation; the articles of agreement were drawn up by John Bidwell, then at Sutter's store. He had under his direction the construction of the building and the excavation of the mill race, six or seven men from Sutter's fort and eight or ten Indians who were employed to carry out the large stones. While the mill race was being dug during the day, at night the gate of the Forebay was raised and the water allowed to run through so that it would carry away the sand, gravel and smaller stones. On the morning of the 24th of January, 1848, Marshall left the camp while breakfast was being prepared and walked down the tail-race in order to ascertain what amount of sand and gravel had been removed during the night. He had often stated to his acquaintances, only to be laughed at, that there ought to be mineral in these hills.

Suddenly his attention was attracted by a small glittering object in a riffle of soft sand underneath the water. It was heavy, of a glittering yellow color, and from his conversation with some of the other men who had mined in South America, he concluded it was either mica, sulphide of copper, iron or gold. But it was far too heavy for mica, and knowing that the sulphides of copper and iron were brittle, while gold was malleable, he subjected it to a pounding with a rock and concluded from its softness that it was probably gold. He returned to camp and showed his find to his companions, who all scouted at the idea that it could possibly be gold. Marshall himself, who was a practical, unemotional sort of man, went quietly on with his work for several days, never failing, however, to scan the tail-race every morning. After he had secured about three ounces of the metal he decided to ride to Sutter's fort where his presence was needed that day in connection with supplies. Riding slowly along the stream on the lookout for a suitable spot for a lumberyard, he found additional specimens in three other places. On his arrival at the fort, the astonished Sutter refused to believe that Marshall's find could possibly be gold. While a Vaquero was

being sent to the nearest gunsmiths for some nitric acid, a pair of scales was produced and they found that the material, whatever it was, was considerable heavier than silver. Sutter's skepticism began to vanish and the nitric acid test finally removed all doubt.

Little need be said of what followed. The rush of gold seekers across the plains, round the Horn and across the Isthmus of Panama; the rapid growth of San Francisco, Sacramento and other towns; and the rise of the vivid, romantic, and spectacular state of society, "the days of '49," immortalized by Bret Harte and other writers.

It was to be expected that in a society where the gentle influence of women was absent, a society composed of the most bold and venturesome spirits from all the known world, that crime and lawlessness would not be lacking. The shiftlessness and conscienceless found it more profitable to rob the miner, laden with gold, on his way from the mines to the settlements than to wrestle with the shovel and the rocker. So widespread had this become that the lawbreakers formed a secret organization known as the "Hounds," which was believed to have members in the mining camp, who sent out advance information of every miner who was about to leave the camp for the outside world. So general was the fear of this organization, that even those who knew something of its personnel kept their information to themselves.

On one occasion Marshall, while prospecting on Johnson's Creek, heard a signal given from across the gulch; suspecting something he cautiously approached and gave the same signal in answer. A man popped out from the bushes and instructed him in a whisper that the meeting was to be in a certain spot further up the stream. Waiting till he thought the meeting would be in progress, Marshall cautiously approached and, lying behind a log, was a witness to the proceedings. He learned the signs and passwords of the organization, and recognized one of the leaders who was known in the mining camp as Peter Raymond, who some time previous had killed a sea captain named Bonfisto.

Marshall returned to the mining camp and gave the information concerning the whereabouts to a deputy sheriff, named Smith, but he resolutely refused to reveal to him any of the names of the men he recognized. It leaked out, however, that the information had come from Marshall, and word was brought to him by a friend that Raymond was determined to kill him at the first opportunity. A few weeks later, while in the mountains, he discovered that he was being followed. Concealing himself, he awaited the coming of the pursuer, and jumping out on him suddenly he succeeded in covering him. It was Raymond, and on Marshall's demanding why he was being followed, he replied that he had heard that Marshall

had stated that he had seen him at a gathering of the Hounds. Marshall coolly admitted it and that he had seen Raymond, but denied that on any occasion he had given this information to any one, but concluded by saying:

"I have never told it to a single soul, but if you are going to dog me round like this, there is no telling what I may do. Now you just quit and leave me alone and I'll keep my mouth shut."

Raymond, to his credit be it said, kept his part of the bargain, and henceforth left Marshall severely alone.

While the discovery of gold brought wealth to thousands, it brought nothing but reverses and difficulties to Jim Marshall.

After the first rush to Coloma and the neighborhood, Marshall continued to work for Sutter, hurrying the completion of the mill. He had great influence with the Indians and had seven or eight of them in his employ, quiet, industrious fellows who had been trained to work at the missions. While so engaged occurred an incident which resulted in Marshall's hurriedly leaving the neighborhood.

Some of the gold seekers who had been prospecting up the American, camped near an Indian village. The party separated later, several going up the stream, the others remaining in the vicinity of the camp. The latter, discovering the vicinity of the village, became friendly with the Indians. One evening one of the prospectors made advances towards an Indian woman, and this being resented by the Indian men, the miners shot three of the latter, and returned to their own camp. Reprisal was swift. That night the Indians attacked the camp of the Americans and killed five of the party. The next day when the party of prospectors who had gone up the stream, returned and found the bodies, furious with indignation and knowing nothing of the cause of the affray, they rode at once to Coloma and told their story. A mass meeting of the pioneers was held, and they at once armed themselves and proceeded to attack Marshall's Indians employed by him at Sutter's mill.

Marshall pleaded with them, pointing out that his Indians could not have been near the spot, that they were quiet, peaceful fellows, not even of the same tribe; but his protests were unheeded. To the miners an Indian was an Indian, and in spite of Marshall, they seized and bound the natives. Marshall defied them and demanded a trial, denouncing their action in the strongest terms. Finally seizing his rifle, he called on those who would help him to follow him to the mill. Undoubtedly he would have persisted in his mad resolve had not some of the miners who were his personal friends, realizing that resistance was futile, disarmed him and, putting him on a horse,

sent him out of camp. A few moments later eight innocent Indians were shot down in cold blood.

For some months after Marshall, afraid to return to Coloma on account of the feeling against him, wandered through the various camps of the gold region, but the news that he was the original discoverer of gold preceded him everywhere and proved his curse. Many of the miners believed that he had a knowledge of where gold was to be found. His every movement was watched, his every action spied upon. On more than one occasion, he was driven off by force from claims that he had located. His many explanations that his first discovery of gold was an accident was met by incredulous smiles and shruggs of unbelief. On one occasion he was seized by a mob of drink-maddened miners and given the choice of telling where gold could be found or of being hanged. Had it not been for a friend, John Inister, who started a fake shooting in another part of the town, and thereby drew the attention of the would-be lynchers, and then concealed Marshall in his cabin, it is probable that the latter would have been hanged.

On his return to Coloma some six months after the murder of the Indians, Marshall found his property in dire condition. The claims that he had located had all been jumped, his cattle stolen, the mill had been torn to pieces to supply lumber for the shafts, pits and sluice boxes. For all of this he never received one cent of recompense. The holders simply scoffed at his claims. In spite of the treatment to which he had been subjected, Marshall seems to have been a man who still retained his native kindness of heart and an almost childlike confidence in anyone who spoke him fair. On one occasion he found a man named Jack Abbott lying sick by a mountain trail. He took him to his camp, and cared for him for several weeks, until the fellow had effected a complete recovery. That night he suggested that Abbott might pay for his keep by doing some of the light work about the camp. But in the morning his guest had departed, taking with him Marshall's horse. It is possible that Abbott, in wandering about the camp had been lost in the mountains, for some years later a skeleton was found in the neighborhood. Later Marshall met one of Abbott's friends who, knowing Abbott as he did, claimed that the man could never be guilty of such an act. Marshall listened incredulously to the story of the finding of the skeleton. The iron had evidently entered the soul of the old mountaineer, for he never would believe but that Abbott had been guilty of the basest ingratitude.

Marshall seems to have been possessed of a dry, whimsical humor and to have dearly loved a practical joke. One Robinson, an attorney, who had a reputation of being as bold as he was shrewd, squatted on 40 acres of land owned by Sutter, situated on a tract



of low marshy ground now occupied by part of the city of Sacramento. He offered to sell it to Marshall, whereupon the following conversation took place:

"What title have you?" asked Marshall.

"Oh, that's all right. It's only necessary to have it surveyed."

"Hump!" exclaimed Marshall. "I'd sooner have Sutter's title. Have you no other title?"

"Other title—no other title is necessary."

Marshall's eyes must have twinkled as he queried, "How long do you think you can hold this land? How long do you think you can maintain your present position here?"

"I'd just like to see any man try to put me off," was the hot response, "Sutter or anyone else."

"How many men can you get to back you up?" taunted Marshall.

"I can get fifty men if necessary."

"Hump, is that all, 'Twon't be enough."

"Yes," roared Robinson, "I can get five hundred, if I need them."

"That all you can do?"

"Yes, and I'll shoot down any man who tries to interfere with me."

"It's no use, Robinson," flung back Marshall as he moved to a safe distance, "You'll see you will be driven off that land in less than two months."

The squatter was furious and loud in his threats against Marshall, who kept carefully out of his way. One day about two months later, the river rose suddenly during the night, and Robinson had great difficulty in escaping. As he paddled ashore in his log canoe, he found Marshall awaiting him on the bank with the remark:

"I told you, Robinson, that you'd be driven off that land." History does not record Robinson's reply.

During the years from 1868 to 1872 Marshall was induced by some friends to go on a lecturing tour throughout the East. Though one can hardly imagine the rough old frontiersman on the lecture platform, the trip was a financial success. The story of the discovery of gold was told to thousands of listening audiences throughout the East. Either through the fault of management or the fact that Marshall's love for liquor caused his earnings to slip through his fingers, he returned to California practically penniless.

The latter years of his life were spent at Kelsey (now called Slatingsdon) six miles from Coloma. He was practically destitute. Public opinion and the influence of friends forced the legislature to take some action in his behalf. The session of 1872 granted him a pension of \$200.00 per month for 2 years, that of 1874 \$100.00 per month for 2 years, and in 1876 he received a further grant of \$50.00 per month for 2 years.

His health began to fail in the early eighties and during the last three years of his life he lived with a bachelor friend named Hill, in a cabin which they had erected on their joint claim.

One April evening as the two were sitting on the porch, Marshall glanced at some dying plum trees near the house.

"That's just the way I feel," he remarked, "like them trees, half alive and half dead. That's the way I suppose we'll all go, one by one."

His partner Hill, on arising early in the morning, spoke to him and received a sleepy mumbled reply. When Hill returned from rabbit hunting a half hour later, he spoke to Marshall and was startled to note that he did not reply. The sight of the old pioneer's right arm and leg dangling from the bed to the floor told him that something was wrong and he immediately ran to a neighbor's and announced that "something was the matter with Marshall." A doctor arrived in a few minutes, but though the body was still warm, the old frontiersman's heart had ceased to beat.

Though James Marshall must be classed among those who had "fame thrust upon them" rather than those who have achieved greatness by their own efforts, he will always be remembered as associated with the great event which laid the foundations of the future of California—the discovery of Gold.

He was a typical pioneer and frontiersman, with all the faults and virtues of his class, courageous, independent and generous with his worldly goods to an unselfish degree, and like most men of the kind, utterly lacking in business acumen. His only fault, a love of liquor, particularly noticeable in his later years, was common to the time and the type, and is one that has been shared by many greater men whom the world has given the high places in its hall of fame. In all that is known of him there is nothing petty, nothing small, nothing mean, no record of disloyalty to a friend, unfaithfulness to his word, or cruelty to the weak.

He was buried at Coloma and his last resting place is marked by a marble shaft. On its top stands the figure of the old pioneer gazing over the hills and valleys of the state, in whose history he had such an important part, and of whose coming greatness neither he nor any man of his time had any adequate conception.

## THE HISTORY OF THE SALTON SEA.

BY W. B. CRANE

The Salton Sea is an accumulation of waste water in the bottom of a depression below sea level. Relatively to a real sea, it is a mere puddle or "duck pond" in a vast extent of arid desert, which at one time was the floor for a large body of brackish water. It is not a new thing, but a revival in historic times of what has probably occurred frequently in geologic history.

Salton Sea is in Imperial County, California. This county is adjacent to the Mexican border and lies immediately west of the Colorado River. A great part of the county is below sea level and the Salton Sea consists of the waste or seepage water which has found its way to the lowest point in the broad extent of depressed desert lands. In former geologic times, the head of the Gulf of California extended 200 miles farther north than it does at present, so that its waves lapped the base of the Santa Rosa Mountains and San Jacinto Peak, physical features that are now far inland. At this time the mouth of the Colorado River was in the vicinity of Yuma, Arizona, 60 miles in an air line north of where it is now. Presumably then as now, the river discharged annually into the gulf sufficient silt to cover one square mile to the depth of 53 feet. This material represented the erosion of the great canyons and plateaus of Arizona.

This extremely muddy river entered the Gulf at about 140 miles below its head. It carried the washings from the mountains and plateaus of the north, deposited its load of sediment on reaching salt water, and spread this out into a broad alluvial fan, ultimately filling that portion of the Gulf, cutting off the head and leaving it as a detached body of water. The remaining gulf had about the same dimensions and outlines that it has today. Delta growth, however, did not cease with this separation; silt continued to be brought down by the Colorado and to be deposited in its bed, along its banks, and in the still waters at its mouth. By this process a stream builds up its immediate channel, until this channel is higher than the adjacent land on either side. It is then in an unstable condition and will shift to more favorable courses at times when extreme floods breach its immediate banks. By this process continually repeated, it comes eventually to flow over all parts of its delta,

building up each part in turn, until the whole stands well above sea level. By such a process the Colorado River has built up the famous delta lands of the Imperial Valley, and meanwhile has discharged alternately into the Salton Sink and into the Gulf of California.

During those periods when it discharged into the sink, this basin was filled to the depths of about 300 feet in the deepest part and became an inland sea. During the other periods when it discharged southward away from the lake, the supply of water which it contained quickly dried away and left the old lake bottom as the Colorado Desert. Doubtless this process was repeated many times, but there exists clear evidence of only the last occupancy. This evidence is in the form of a remarkably well-preserved old water-line that rims the desert from Indio to Cerro Prieto at a height of 40 feet above sea-level. On the rocky points that projected into the lake, this shore line is indicated by thick deposits of calcium carbonate, usually spoken of as coral by the desert dwellers because of a fancied resemblance to this mineral. Where alluvial cones and the sandy floor of the desert formed the shore line, beaches have been developed, and although of soft sand and easily eroded, they are even now well preserved, thus testifying to the recency of the action that produced them. Over the floor of the desert and along the sandy beaches are myriads of shells of brackish water mollusks that lived in this lake. So abundant are these tiny fossils in the northern end of the desert that it has been called on account of their numbers, Conchilla (Little Shell) Valley.

The botanist, too, finds curious confirmation to our story. All about the Salton Sink as far as Indio and the Palm Springs farther west are curious isolated groves of palms of peculiar sort, the *Washingtonia*, in fact now commonly planted in Southern California cities. But *Washingtonia* should stand by the sea as the palms of Florida do, run down the shores of California Gulf, and so these isolated groves are but the remnant of a tropic flora, once rich no doubt, that all but perished with the last drying of the old Salton Sea.

It is not possible to state the exact period at which this lake disappeared. The time units of geology are too large and too indefinite to translate satisfactorily into years, so that when we say the last existence of the lake and its disappearance are the most recent of geologic events, we still leave the mind groping for a definite human standard of time. It is the crudest of estimates, merely a guess, indeed, to state that, reasoning from geologic evidence alone, it may be a thousand years since the lake vanished, yet it puts into a concrete form such a guess as the geologist is able to make. When human records are studied, some evidence on this point is found, but is almost as uncertain as to time as that furnished by physical features. The Indians now living at Toro and Alamo

Bonita have distinct legends to the effect that in some time past the valley was occupied by a large body of water. They record that this water contained many fish and that it disappeared gradually, until eventually the lake became dry. When questioned as to the date of this event, they state that it occurred as long ago as the lives of four or five very old men, say three or four centuries ago at the most. It is not at all probable that their statements are accurate as to time, but by combining them with evidence furnished by physical conditions, it is possible to say that the lake may have disappeared and left the desert as we have known it in historic time, 600 or 800 years ago.

The territory now occupied by the Salton Sea was covered with immense deposits of salt which created an important industry in the Salton Sink. The salt was secured from the surface by plowing and then carried away by the carload.

The desert land south of the Salton Sea has been known for years and has had a reputation for extreme aridity. Certain adventurous men, more farsighted than others, saw the possibilities of agricultural development, finally formed a company, and succeeded in perfecting plans for diverting some of the water of the Colorado River. This was done by a cut in the west bank of the river in the United States near the international boundary.

The very boldness of the undertaking, and the novelty of the situation, added to the popular interest, which was stimulated by advertising, thousands of settlers came in and took up claims under the Homestead or Desert Act. The water was applied to the fields and thousands of acres were put under cultivation.

The rapid development of the country and increasing demand for water, and the difficulties of keeping open the original heading due to the accumulation of sediment, finally forced the owners of the canal to look about for some quicker way of getting the needed supply of water to the agricultural lands.

About the time of the greatest need of water was felt in the valley, the California Development Co., which furnished the water, appears to have reached its limit as regards funds, and with the pressure of the farmers for more water, it became necessary to make a hazardous move. It was finally determined, much against the advice of the engineers, to cut into the bank of the river and lead the water down a short quick descent to one of the old delta channels, known as the Alamo Channel. This channel is just over the Mexican border.

Accordingly, in October, 1904, what is known as heading No. 3, this being 40 to 50 feet wide and 6 to 8 feet deep, was cut in the mud bank of the river, and a small amount of water was allowed to flow down, relieving the needs of the farmers. The California

Development Co. did not have approved plans or funds available to build head works in this opening, and it was assumed that with ordinary care and watching, the channel could be kept open just sufficient to allow the needed amount of water to pass out from the west gate.

With the next rise of the river, however, the fears of the engineers were realized. Following a capricious mood, the river concluded to go down the easy channel toward the Alamo and send from day to day, an ever-increasing flood, rapidly eroding the channel. This continued until in the spring of 1905, the entire river was passing by an abrupt turn to the westward, down the Alamo channel, spreading out over the low ground, and ultimately converging northward toward the Salton Sink.

It swept out across the desert, diverging and converging, forming many streams, and in many places covering the nearly level ground with a sheet of water which extended as far as the eye could reach. All of the soil of this country had been deposited by wind or by the river in its previous excursions, and hence consisted of extremely soft layers of sandy silt or fine mud. As the water progressed toward the Salton Sink, it tended to gather into narrow streams. Gaining velocity with increase of slope, these began quickly to establish for themselves definite beds by scouring out the soft material. At first slight falls or riffles were formed. Later these progressed backward, deepening as the water scoured out the channel, which had formed in the soft earth.

Sometimes the water coming from the Colorado River overflowed the fields of the farmers and the grain or alfalfa was overtopped by the muddy flood. In a few cases where small towns had been built, such as Calexico and Mexicala, the inhabitants gathered together and with strenuous exertion, working night and day, attempted by means of low dikes to hold back the flood and direct its course. In the case of Mexicala, the converging torrents formed a deep channel and began to progress in their cutting toward the town. Attempts were made by means of heavy explosives to change the direction of the back-cutting and turn it away from the settled country. All this, however, was without effect and the wide, deep channel turned abruptly toward the town, cutting a chasm into which toppled in succession houses and barns, the railroad station, and a large part of the railroad track.

The rapid influx of the entire volume of the Colorado River was quickly noticeable in the steady rise of the Salton Sea, which, swollen by the muddy torrent, gradually engulfed the works of the New Liverpool Salt Co. and, creeping up on the ranches near Mecca, threatened to submerge the main line of the Southern Pacific Railway.

In its course from New Orleans to Los Angeles, the Southern Pacific System, passing through Arizona, reaches the Colorado River at Yuma, which it crosses on a bridge leading north. It then swings westward and after climbing a low ridge, descends into the depression occupied in part by the Salton Sea. When it reaches a point about 250 feet below sea-level, it begins to climb out northwesterly through the passes which lead to the valleys in which are situated the prosperous towns of Southern California.

The Salton Sea had only a few feet to rise before it interfered seriously with the traffic on the Southern Pacific. The wind, driving the waters toward the railroad, imperiled the track and it became necessary to rebuild it at a higher level. This was done several times in succession and temporary track after temporary track was laid down out of immediate reach of the water in the hope that the floods would subside. Popular attention was drawn to this increase in water on the sea, and without seeking the cause, many statements were printed to the effect that the ocean had broken through a crack or fissur in the earth and was coming up through the bottom of the Salton Sea. The Southern Pacific officials, however, were all well aware of the cause of the difficulty under which they were laboring, and finally finding that the California Development Co. was unable to control the floods, they by an agreement dated June 20, 1905, virtually took possession of the company, loaning it sufficient money to begin the attempt to close the break. They also rebuilt 40 miles of track on the 200-foot contour below sea-level, and for possible future use graded another line on the 150-foot contour below sea-level.

In all, seven or eight distinct attempts were made to close the break in the river bank with almost as many failures. In each case success was nearly attained, but through some inadequate preparation or sudden rise of the river, the works were swept away. It seemed as though the river was taking a malicious delight in thwarting the efforts of the engineers. At first, it was assumed that the expenditure of a small amount of money would be sufficient to close the break. The throwing back of the river into its original channel was looked upon as merely an ordinary effort in engineering work. When, however, attempt after attempt failed and larger and larger expenditures were made until over \$1,000,000 was involved, the Southern Pacific officials began to awake to the fact that they had a difficult problem on hand and one which required far better equipment and preparation than had before been provided. Finally the supreme effort was made, and on Nov. 6, 1906, the break was closed, and the river forced to assume its normal channel to the Gulf.

This condition continued for just a month, when on Dec. 7, 1906,

the river in a sudden rise, forced its way under the dikes, in a few hours swept away a portion of the protecting works, passed around the dock dam, and again found its way to the Salton Sea. Then came the popular despair. One million dollars had been expended and there seemed no way of putting the river back again in place without having available an equipment and a sum of money beyond the reach of the people most immediately interested. Appeals were made to the Governor of California, and by the Governor to the President of the United States. These were given prompt attention. President Roosevelt took the matter up at once, and hastened to investigate, finding that the only man who could handle the situation, who had the equipment, the money and facilities, was Mr. E. H. Harriman, the President of the Southern Pacific, who at the same time controlled the destinies of the California Development Co.

At first in the pressure of large affairs, Mr. Harriman overlooked the fact that he was virtually the controller of the destiny of the California Development Co., and through this of the fortunes of a large community. He hesitated to advance more money, and wired to the President to that effect. Mr. Roosevelt in his telegram of Dec. 20, to Mr. Harriman, stated that—

“This is a matter of such vital importance that there is not the slightest excuse for the Development Co. waiting an hour for the action of the Government. It is its duty to meet the present danger immediately, and then the government will take up with it, as it has already taken up with Mexico, the question of providing in permanent shape, against the recurrence of the danger.”

Mr. Harriman's reply on the same day stated that—

“You seem to be under the impression that the California Development Co. is a Southern Pacific enterprise. This is erroneous. It has nothing to do with the work or the opening of the canal. We are not interested in the stock and in no way control it. We have loaned it some money to assist its dealing with the situation. What the Southern Pacific has done was for the protection of settlers as well as of the tracks, but we have determined to move the tracks to higher grounds anyway. However, in view of your message, I am giving authority to the Southern Pacific offices in the west to proceed at once with efforts to close the break, trusting that the Government, as soon as you can secure the necessary Congressional action, will assist us with the burden.”

The President in reply said—

“I am delighted to receive your telegram. Have at once directed the Reclamation Service to get into touch with you so that as soon as Congress assembles, I can recommend legislation which will provide against a repetition of this disaster and make provisions for an equitable distribution of the burden.”



As a result of these telegrams received in rapid succession, Mr. Harriman concluded again to make an effort, and on Jan. 12, 1907, the President, in accordance with his promise, laid the whole matter before Congress. The final effort was successful, and before the time of the spring flood of 1907, the river had once more been restored to its proper channel. During the summer, a series of dikes were built, intended to prevent any possibility of a recurrence of the danger in that part of the river.

To one who is accustomed to the surroundings of the ordinary river, the problem of turning back the Colorado River into its former channel may not appear to be very difficult. But to explain the reason of the failure in rapid succession, it should be borne in mind that the river at this point flows over deposits of silt or sand, whose character is such that under a swift current, they are torn up and carried away with wonderful rapidity. Whenever the channel, in a notable degree was confined, the water at once began hurrowing and cutting so that in some cases it is claimed that wooden piles over 70 feet long were cut out of the river almost as fast as they could be driven.

It was a simple matter to bring the work of closure or diversion to a point where it seemed as though the river could be quickly turned, but the construction of the channel due to any structure resulted in increasing the speed of the water and adding to its consequent erosive power to an extent such, that in a few hours, enormous gaps were created.

Added to the unfavorable character of the bed and banks was the fact that the river seldom remained quiet for any considerable length of time. It was subject to short, violent floods, especially from its tributary, the Gila. These, occurring at the time when the work was in a critical condition, quickly rendered useless the efforts of the constructors.

The method finally adopted for turning the stream was one whose success depended on having at hand a large railroad equipment and an enormous amount of material which could be quickly transported.

The attempt was on a gigantic scale.

First, a branch railroad was built from the main line at Pilot Knob, in California, to the break in Mexico—twelve miles—together with numerous side tracks for loaded cars.

Second, an order was issued by the Southern Pacific Railroad to every stone quarry within 350 miles. Thousands of men instantly attacked granite mountains with dynamite and steel.

Third, freight carrying business was stopped on two grand divisions of the road and every car was impressed as a rock carrier.

Fourth, a vast quantity of material was massed at the break in thousands of cars, rock, gravel, sand, clay, piles, ties, steel rails and

a host of other things. The plan was to prepare for one gigantic attack with all materials at hand. A steamer, a flat-boat, a giant dredger, steam shovels, a pile driver, steam pumps, cables, spikes, picks and hammers galore were accumulated. Then came 600 Europeans and Mexicans and 450 Indians—the largest number of the latter ever at work in one body. Then came 600 horses and mules, with a great number of plows, scrapers, carts, wagons, spades and shovels. Then up went electric lights for night work and telephones to Yuma and Los Angeles for emergency purposes. Every man from the highest engineer to the lowest Indian knew that a terrific battle was about to open. Every man of the 1,050 had been trained in engineering work before, and each knew what and when to do. If they had not been trained for critical and highly dangerous work, the Imperial Valley would still be traversed by the Colorado River and the Southern Pacific would have again been submerged. The entire southwest had been scoured for cars, and there they stood, filled with rocks, on the 10th day of August, 1906, with eight colossal locomotives to haul the immense loads.

On that day word was given and the pile driver began driving a straight row of piles across the river. Steel cables  $\frac{5}{8}$  of an inch in diameter were cut at proper lengths and attached to the piles, descending down stream. While the piles and cables were being placed, hundreds of men were at work on a flat-boat or barge, also attached to the cables fastened to the piles up stream. This boat was at the exact point where the dam was to begin. The men bound tall slender willows into bundles by means of heavy wire. These were 100 feet long and 20 inches in diameter. Twelve "dead men"—huge logs—were buried deep in the silt bank. One end of the cable was attached to each log, and the entire cable was wound on a great spool on the boat. There were twelve spools, twelve cables, eight feet apart. The willow bundles were then fastened by double loops to the cables. Thus the cables were the warp and the willows the woof of a carpet 100 feet wide and 3000 feet long. When everything was ready, a steamer pulled the boat out from the shore, the carpet slipped over the edge of the barge into the river and sank to the bottom, when silt at once began to fill in between the leaves and twigs.

Then came the carpet-tack men on a huge pile-driver; they tacked down the strip of "carpet" with heavy piles from 40 to 60 feet in length in two parallel rows. In the deepest part of the river, three widths of carpet were placed, one above the other. Now here is the secret of success. Silt brought many difficult problems. The bottom is of fine silt of great but unknown depth, anywhere from perhaps 2000 to 5000 feet. It is a remarkable substance, for a rock dropped into it under rapidly running water would have been under-

mined and settled lower and lower. Perhaps a dam could have been put in by the use of a number of millions of tons of rocks; but it was put across with only 70,000 tons—thanks to the willows. Then came the railroad builders and laid a heavy railroad on the tops of the piles from shore to shore. This roadbed is of enormous strength, necessary to hold the trainloads of rocks, and braced in every part to withstand pressure of water.

This dam was called the "Hind Dam," in honor of the field engineer, Thos. J. Hind. It was a conglomerated mass, 170 feet wide at the base, 30 feet across at the top and 35 feet high at the deepest places in the break. It was 3000 feet in length, of which 600 feet was of rock construction and 2400 feet of earth and gravel.

The work began on August 10th, 1906, and was completed on Nov. 4, 1906, at a cost of \$1,500,000. But the homes of 12,000 settlers and 1,500,000 acres of rich land were saved from inundation.

For a period of 35 days the river flowed on, when on December 7th, a break occurred about 2500 feet below the works, and was 1100 feet wide.

The engineer corps were again reassembled, E. K. Clark, engineer of the Tucson division of the Southern Pacific, placed in direct charge, and work was recommended to solve this troublesome problem.

To build the "Clark Dam," no attempt was made to follow science. The Southern Pacific placed their entire road subject to the orders of the engineers, and material of almost every kind were rushed to the break from points far and near as fast as it could be taken care of. Piles were driven, a temporary road was constructed across the break, and there was almost a continuous dumping of rocks, gravel and dirt into the gap. A carload of material was dumped every seven minutes, both day and night, and in the short period of thirteen days, 100,000 tons were disposed of, bringing the dam up to the water level. Much of the material was hauled a distance of 380 miles. The "Clark Dam" was practically completed February 10, 1907, and the river was declared conquered. The dam proper is 1200 feet in length, of which 700 feet is of rock and 500 feet of gravel and earth. The California Development Co. and the Southern Pacific expended on these two dams and other nearby levees, a sum in excess of \$3,500,000.

The Colorado River was thus directed onward and no further breaks have occurred. Steel and concrete head-gates have been built at the entrance to the irrigation canals and no further trouble is anticipated.

At its greatest extent the Salton Sea covered about 400 square miles, at a maximum depth of about 72 feet. The bottom of the Sink in November, 1904, just after the cut was made, stood 273.5 feet

below mean sea-level. The rise during November and December of that year was 0.8 feet. During 1905, it was 21.9 feet. In 1906, the water continued to rise and increased in depth by 49.8 feet; but in 1907, the closing of the break in February was followed by a decline beginning in March, the net fall, however, being only 0.18 feet. The level on January 1, 1908 was 201.18 feet below mean tide. The decline has continued ever since. At present, the Salton Sea is about 350 square miles in extent with a maximum depth of about 60 feet. The evaporation, however, is offset to a great degree by the surplus water not used in irrigation from the canals. This water flows down the incline till it finds the Salton Sea. However, six to eight square miles of land is reclaimed each year from the Salton Sea, and this will continue until the area of the lake is so small that the overflow from the canals will equal the evaporation.

## ARCHITECTURE OF THE CALIFORNIA MISSIONS.

BY REXFORD NEWCOMB.

In studying the sources of design in architecture, it is seldom given to us of America, to examine the originals without crossing the water. And among the limited sources within our own boundaries, there is no class of buildings more interesting than the old missions here in our midst. So many elements combine themselves in these buildings that the architect of the Southwest can find among them precedent for the design of a church, a residence, a workshop or if he desires, all of these well connected and charmingly related. For it must be understood that the mission establishment provided every desire, luxury as well as necessity for these early pioneers and the Indians whom they came to Christianize.

California is not the only home of the Franciscan missions; the missions of this order are to be found in Texas, New Mexico and Arizona as well as in California. Those of Texas, New Mexico and Arizona, being closer to old Mexico and hence easier of access, naturally resembled the Mexican churches of the time, which were built in a bad period of the Spanish Renaissance. Fortunately it was hard to get artisans and artists to come to Alta California and so the priests and Indians with humble materials and unskilled hands were compelled to build simply. And in meeting squarely and frankly their problem as they saw it, they were able to create a style, which for the country in which it was developed, has not been surpassed.

The geographical distribution of the missions in California ranges from San Diego on the south to San Francisco Solano on the north, taking in, roughly speaking, about two-thirds of the length of the state. There were in all twenty-one missions proper, with several *assistencias*, the presidio church at Monterey and the plaza church in this city. In no case were the missions any great distance from the sea coast, Soledad, San Fernando and San Gabriel being as far inland as any.

The construction of the earliest mission buildings was of wooden posts of pine or cypress set close together and plastered inside and out with clay. This was the method at San Carlos. They were roofed with earth and built around a quadrangle, which plan came to be the standard layout for the typical mission establishment.

This mode of construction was employed until 1780, except of course where wood was scarce, as at San Diego, at which place adobe, or sundried brick, were used. In 1780 the adobe brick, a material widely accessible and entirely non-combustible, came into general use, and in 1783 San Diego is said to have had two priest houses, a church, a guard-house, infirmary, nunnery, store-house, granary, wood-house, larder and kitchen, the whole forming the three sides of a quadrangle, the fourth side of which was protected by an adobe wall nine feet high.

It was soon apparent, however, that the adobe walls were not protected enough by an earth roof to insure permanence and the roofs made of reeds, in the fashion of the Indians were so inflammable that about 1790 the priests began to make tiles for roofing purposes. In 1793 stone began to be used as a material for walls at Santa Cruz, and at Capistrano, in 1797, the magnificent, seven-domed church was begun in cut stone. Eventually burned brick and tiles for floors and roofing were used throughout the coast.

The materials used in the construction of the mission buildings were: adobe, boulders, sand-stone, lime-stone, woods of various kinds, burned tiles and bricks, mortar, iron, raw-hide and tule or cat-tail stems. The boulders were, where used, generally employed as foundations for the adobe walls. This was the case at Capistrano, Pala chapel and other places. The adobe bricks and blocks were used in various ways, the ordinary method resembling our modern brick work, the sun-dried adobes being laid up in a wall with wet mud as an adhesive. Walls of this kind are to be found throughout California and when kept dry and protected stand for years in perfect condition. An interesting and ingenious method of wall construction is to be found at San Luis Rey, or could be seen previous to the recent restoration. It consisted of laying up blocks of adobe 6 x 6 inches to 8 x 8 inches square and 12 to 18 inches long, with a thick mortar course of concrete, made from lime and sand mortar and aggregates of small gravel, brickbats and pieces of burned tiles. These were laid and were then covered with stucco.

An interesting combination of materials is used at Capistrano, where the skew-backs and key-stones for the arches are of stone, while the voussours themselves are of burned brick, supported on brick piers. In several places the adobe walls are faced with burned brick. At San Luis Rey this scheme obtains, especially upon the facade of the church and the cemetery wall. Frequently lintels of stone are to be found in brick and adobe walls, while at Capistrano the great church and the sacristy were of solid stone, as were the towers and stairs at Carmel, parts of San Gabriel, Santa Barbara and many other places. In most cases the stone used was that locally

found and I find no records of materials having been transported any great distance.

The making of tiles for roofs and floors seems to have been an accomplishment of the padres, as the roofing tiles, and the floor tiles as well, are largely intact today where they have been left alone by the Americans. There were various types of flat tiles, those being used for wall facing, piers and arches being oblong in shape, while the floor tiles were square and diamond shaped. They were all thin compared with the modern brick, being  $1\frac{1}{4}$  to  $1\frac{1}{2}$  inches in thickness. The padres displayed a marked originality in combining these simple tiles, the charming chimneys at Capistrano and the latticed parapet above the corridors at San Luis Rey standing as worthy monuments to their skill. A better use of the materials at hand has been made nowhere than at San Luis Rey, due, no doubt, to the fact that the mission was built comparatively late in the mission period. The facade of the church and the cemetery wall, which parts furnish the chief interest of the group today, are admirable examples of brickwork and it is a pity that the masonry is covered with stucco. The facade, we may be sure, was designed in advance by a practiced hand, as all of the features—mouldings, niches, corbels and bands—are of brickwork, moulded for the particular situations in which they were placed. Upon first observation, I thought it would be possible to show that the various pilasters, moulds, bases and corbels were made up of a comparatively small number of type forms, laid up in various combinations, but upon further investigation, I found that this would be impossible to prove. The only other conclusion, then, is that each feature was designed beforehand and destined for the place it occupies.

An ingenious use of the arch is to be found at Capistrano, two examples of the same usage being found there, one at the northeast corner of the cloisters in the patio and one in what is now the sacristy of the church. The primitive builder has made the one arch do the work of two arches and to all intents and purposes it does its work well. The scheme is to place an arch at an angle of 45 degrees at the corners of the cloister, where the ordinary usage is to place an arch over the cloister each way. I know of no accepted term that would characterize this use, unless it could be called an "auxiliary arch" in the sense that it reinforces the others.

Various kinds of wood were used in the old missions, depending upon the location of the buildings and their surrounding supply. Sycamore was widely used at Capistrano and it has served its purpose well. I recently observed a workman, in making repairs at Capistrano, cut one of the original timbers in two. On the surface the wood appeared worm eaten and roted, but the heart seemed as solid as it was a century ago. The padres took little trouble to

square the timbers used in the buildings, due to the fact that they had few if any saw-mills. Timbers, however, used in prominent or exposed positions were roughly hewn into shape.

The padres evidently knew very little of the principles of truss building and roof construction. This will perhaps account for the narrowness of their churches. They were usually satisfied with the small span that could be roofed by a simple beaming process such as was used in Father Serra's church at Capistrano, at San Luis Rey, San Gabriel, Dolores and other places. Where trusses were used they were usually illy constructed, as was the case at Pala chapel, where the tension members having been omitted, it was necessary to introduce a post at the centre of the span to prevent failure. The tension members have been supplied in recent years and the posts removed, greatly improving the interior appearance of the church. An interesting system of roof construction was used at Carmel, where the roof was originally carried on stone arches which spanned the nave.

The padres had little iron for their work and consequently most of the structural members of any size had to be held together with raw-hide thongs. In the construction of ceilings to be plastered, the rawhide proved the only solution in the absence of an abundance of nails. The lathes used, upon which to apply the plaster, were the stems of the cat-tail so abundant in the marshes. They were bound together into fabric by means of interlacing raw-hide strings and laid on top of the ceiling joists to which they were secured by means of raw-hide ties. The lower side was then plastered with lime and sand plaster. Iron was used for rails, hinges, locks, nails, bolts, ties and window bars. There are various interesting rails among the old missions, a simple yet well designed example being the rail to the choir loft in the old Serra church at Capistrano. A very interesting series of window bars is to be seen today on the principal building San Fernando.

The artisans were few in number. San Carlos was built by four Indians and as many sailors. San Diego (second structure) was undertaken by neophytes and twenty sailors, while the greater number of edifices were reared by Indian workmen directed by the priests themselves. Borica, governor of Alta California, brought at one time six masons, two carpenters, and three blacksmiths from Mexico to serve at the missions, but within five years every one had returned to the older province, so that when the church at San Juan Capistrano was to be built, it was necessary to import a master-mason from Culiacan to superintend the stone-work.

The architects or designers of the missions were, as a usual thing, the priests themselves. In some cases the name of the designer is known: thus we are indebted to Father Antonio Peyri for the de-



sign of San Luis Rey and to Joseph de Jesus for the design for Santa Clara. In view of the fact that these buildings were designed in most cases by laymen, it seems wonderful that such charming results should have been obtained.

Before discussing the features of the style it will be necessary to investigate the purpose for which the buildings were erected. The education of the Indian was of two kinds; namely, training in the various crafts, like tanning, shoe-making, harness-making, weaving, hat-making, blacksmithing, carpentry, grain, fruit and cattle raising; and the book learning, such as the Spanish language, Christian doctrine and singing. Only two priests were in charge at any one time. They lived in the mission together with the servants and workmen, while the great body of the Indians lived in the small houses in the pueblo. The system required first of all, a church, then priests' quarters, shops for the craftsmen, quarters for the workmen and servants, guest rooms, store houses, etc.

The priests must have supervision and access at all times and the establishment must be protected from attack from without. Hence, the arrangement around a court or patio seemed the solution. This is the plan of practically all of the mission establishments that had any pretentious plan at all.

The style is characterized by the following features, two of which being original, at least in use, are sufficient to establish the style as separate and distinct from any other in the world.

(1) Solid and massive walls, piers and buttresses. All of the buildings show these characteristics.

(2) Arched corridors. These are found at Capistrano, San Luis Rey, San Fernando, Santa Barbara, San Antonio, Santa Ynez, San Juan Bautista and San Miguel.

(3) Curved pedimented gables. San Luis Rey, San Gabriel, San Antonio, San Diego.

(4) Terraced bell towers with lantern. San Luis Rey, Santa Barbara, Capistrano and San Buena Ventura.

(5) Pierced Campanile (wall or tower). San Gabriel, San Antonio, Santa Ynez, Pala Chapel, Capistrano.

(6) Patio with fountain or garden. Practically all of the missions were laid out around a patio or one was eventually projected. The best examples are, San Luis Rey, Santa Barbara, San Buena Ventura, San Juan Capistrano.

(7) Broad undecorated wall surfaces. All buildings.

(8) Wide projecting eaves. All buildings.

(9) Low sloping red tile roofs. All buildings.

Some of these features are directly traceable to European precedents, and in this connection it is interesting to trace them back to their European antecedents. In the tracing of any style of

architecture, it is always necessary to examine its beginnings thoroughly. Heredity counts for a great deal in the evolution of an art epoch. The mission style of California, perhaps more than any isolated modern style, has a long line of ancestry influencing it. It must not be thought, however, that each element of the mission style can be traced directly to its European antecedents. The influence of the country,—the geography, the topography, the climate,—has played a larger part in its development than has its ancestry. The style is above all Californian; it is her sloping hills, her beaches, her mountains, her sunshine. But let us turn for a moment to a discussion of the European antecedents of the style. In order to do this, it will be necessary first to consider the architecture of Spain, to trace its influence in the new world, in Mexico, Texas and Arizona, and to discover the relation of the mission architecture of California to the ecclesiastical work of Mexico.

From the earliest times, the Iberian peninsula has been subject to invasion by on-coming civilizations from the east. The original inhabitants, the Iberians, were conquered by the Romans, the Romans by the Visi-Goths, the Visi-Goths by the Moors and the Moors in turn by the combined forces that they had driven northward in their advance. Thus we see that Spain has been overrun with civilizations of various origins, institutions and standards. Each contributed to that cosmopolitan civilization which we have for years known as Spanish.

It is possible to classify the monuments of Spain according to the successive invasions. Thus in Spain we see Roman art, Visi-Gothic art, and Saracenic or Moorish art and after the Christian domination the art that resulted from an assimilation of all these preceding elements. Iberian art prevailed before 206 B. C., Roman from 206 B. C. to 417 A. D., Visi-Gothic from 417 to 711 A. D., Moorish from 711 to 1492, and Spanish from 1492 to the present time. The ancient Iberian architecture is represented in the cyclopean walls that appear in various parts of Spain, as at Gerona and Tarragona. These attempts were upon a parallel with those masonry constructions of the early Pelasgians in Greece and the Etruscans of Italy.

The Visi-Goths were primarily a race of warriors, and they held the arts of civilization in contempt. They adopted Roman culture and appropriated Roman luxuries and refinement, but failed to create anew to fit their needs or wishes. Thus we see that in matters of art and architecture they contributed little if any to the sum total of progress in the peninsula. Roman influence, on the other hand, must not be underestimated. Roman culture serves as the whole basis of subsequent institutions and Roman art was the basis of Spanish art. The arch and pier system of construction, the use of

conglomerate walls, the use of the round arch and classic details are striking evidences of Roman domination and serve to give Spanish architecture its whole Romantic basis.

It was the transplanted handiwork of French architecture, executed by French workmen to please French queens. The style lasted through the twelfth century, but gave way to the Gothic, which flourished under Ferdinand and Isabella, and was called in Spain the "Gothic of the Catholic Kings." The style was in no sense Spanish. It was adopted from the north as had been the shortlived Romanesque.

The architecture of the Iberian peninsula received no greater impress than that left upon it by the Moors. Coming into the country in 710 and holding ground in Spain for upward of 800 years, their influence upon the architecture and arts of the country is of undoubted magnitude. The evidence of their work is to be seen in their strongholds in the south of Spain, but their influence reached at places far into the north, due, no doubt, to the superior education and ability of the Moorish workmen. The influence of the Moors is to be traced in practically every style of Spain subsequent to their appearance in the peninsula and it is to their influence that tinge of orientalism so characteristic of the later school came into vogue.

The Moors were in no sense constructors. They were great decorators, consequently they appropriated the constructive principles of the people they subjugated. They came into Spain bringing with them a cosmopolitan architecture and finding the Roman and Visi-Gothic remains, grafted their art upon what they found. The result is the Mohammedan style of Spain, technically called the Moorish or Moresque.

Not only did the Moors appropriate the classic constructive principles in their work, but they also used the Gothic. As a result we get combinations such as the doorway in the House of Abla at Valencia. The mixture of Gothic and Moorish we call Gothic-Moresque.

Gothic architecture was introduced into Spain from France shortly after the campaigns of 1217-52, which marked the beginning of the downfall of the Moorish dominion. The spirit of exultation brought about by the victorious campaigns and the accession of wealth fostered a rapid development of architecture. French Gothic was at the time at its highest point. The cathedrals of Toledo and Burgos were begun at the time and were nearly pure French Gothic. Toledo was in imitation of Notre Dame. There was a tendency to over-decoration, due to the oriental influence of Moorish decorative ideas. The style became more and more decorative and less and less constructive until it reached that depth of degradation from which the architecture of Spain never recovered. The arcades of the patios

were formed of arches of fanciful shapes resting on twisted columns while the walls were covered with minute carving or exquisite workmanship but wholly irrational design. San Gregorio at Valladolid is an example of this period. The requirements of the luxurious and triumphant period that followed the discovery of the new world, but due to the importation and employment of Dutch and Flemish artists, the Renaissance style was introduced during this prosperous period. The importation of precious metals from the new world gave the arts of jewelry and silversmithing a new impulse which dominated all the other arts. The buildings took on an over ornate appearance, due to the minute, detailed and sumptuous decoration and hence it is usually referred to as Plateresque (i. e., from *platero*—silversmith). The classic elements of Italy imported *via* the low countries were mixed indiscriminately with Gothic-Moresque details, and the style is characterized by surface decoration covering broad areas, elaboration of openings, decorative pilasters, broken pediments and entablatures. The early Renaissance, or Plateresque, lasted from 1500 to 1556, and was followed by a reaction led by Herrera, who proposed to return to classic purity. How well Herrera succeeded may be judged by his Escorial. This reaction lasted until 1650, when it was followed by that most outlandish of all the Renaissance styles, the Churrigueresque. This style admittedly disregarded all architectural canons and plunged into a style of unrestrained fancy and debased taste. It prevailed until the coming of the Italian designers in the latter half of the 18th century, resulted in a second step toward classical purity and correctness.

Such is the ancestry of the style of architecture that was introduced into America with the coming of the Spaniards into Mexico. Spain possesses no pure style such as are encountered in other countries. Her architecture like her people is cosmopolitan. Nevertheless there are certain claims which Spanish architecture has upon the attention of the world and there is a certain charm to it which speaks, after all, of the land where it developed. In so far it is national and hence has many admirers.

When the Spaniards came into Mexico they began to build in the fashion of their native home. Prescott relates that the pagan city of Mexico was destroyed and that a new city was built upon its site. The Spaniards appropriated little if any of the ancient Mexican architecture. Professor Hamlin of Columbia says, "Some extreme examples of this style (i. e., Churrigueresque) are to be found in the Spanish-American churches of the seventeenth and eighteenth centuries as at Chihuahua and many other cities in Mexico, at Tucson (Arizona) and other places. The least offensive feature of the churches of this period were the towers, usually in pairs at the west end, some of them showing excellent proportions in spite

of their abominable details." Thus we have an estimate of the Spanish ecclesiastical work of the time. The churches of Mexico were designed as nearly in imitation of Spanish churches as their designers could make them. The attempt ended often in a horrid hodge-podge of Rococco ornamentation. Among the most satisfactory of the Mexican examples is the Cathedral in the City of Mexico.

The Texan and Arizona churches being in lands more or less accessible from Mexico were built largely in the same fashion. In them we find the same attempt at magnificence and grandeur, the same over-decorated and the same bare walls. They have a certain oriental atmosphere due to the use of domes, and a visit to San Xavier del Bac is like a trip into some enchanted land of the Moslems, so oriental is the architecture. Certain influences of the Gothic are to be noted in the pointed arches of San Jose Mission near San Antonio, Texas. The Texan and Arizonan churches are much more elaborate both in outline and decoration than any of the California churches. Therein, perhaps, lies the chief charm of the Franciscan edifices of California—simplicity and straightforwardness.

California was comparatively inaccessible and it is fortunate that it was so, else we might have had a poorer architecture in California. Of course, the style is Spanish in general feeling, but there is also that in it which makes it truly and purely a product of this land, of this climate.

The arched corridors or arcades are not, as often found in Europe, a series of arches supported upon columns but are formed of arches supported on square piers. No exception to this rule is to be found in California. The feature is Romantic, round, rythmic and suggests the arches of the Roman aqueducts found in Spain to this day. In the ruined state without roofs as they are found at San Juan Capistrano, the Roman aqueducts are immediately recalled to the beholder. Some writers say that elliptical arches were used. They were not used deliberately. With poor tools and poor workmen the pure circular curve one expects developed into an approximate ellipse, especially when an arch span was greater than others in the series.

The curved pedimented gables are a distinct and unique feature of the style. Similar details are found in Texas and Arizona, but the feature has no exact precedent in Spain. Curved gable ends are found in the German and Flemish cities, so that perhaps the germ of this detail came to Mexico through Spain from Germany or the low countries. Out of it was developed a feature that was absolutely different from any of its precedents. The curved pediment is beautiful in its simplicity and serves to supply a large part of our

interest in the mission style. It was more used in California than elsewhere in America.

The terraced bell tower is a feature found in many of the churches found in the United States, but the variety used in California is peculiar to California and resembles in no sense the towers used in the states to the east of us. The three examples at Santa Barbara, San Luis Rey and San Buena Ventura are distinctly Roman in feeling. This is not the case with a tower such as is found at Carmel, which by virtue of its egg-shaped dome has a peculiar oriental flavor.

The pierced campaniles are original and unique in design, but not in idea. Other examples of a similar nature or usage are to be found in Mexico and Texas. The belfry at Capistrano built after the great church was demolished by the earthquake of 1812 serves the double purpose of a wall and a belfry and is unique in this respect. The free standing campanile at Pala chapel is perhaps the only example of that usage in the world. The variety at San Gabriel is well known to every Californian and is a beautiful and interesting detail.

The patio is an old Spanish feature and is not original at all as a feature of mission architecture. It is found as well in the private dwellings in most of the Mediterranean countries and dates back to the earliest times in warm countries. Its use in California nevertheless has been varied and unique in many respects. At Capistrano and San Luis Rey the patio is one of the most interesting parts. At Capistrano the patio has no two sides of the same length. This will be noted from the plan. It was probably due to the fact that the padre in charge stepped off the distances between the piers and places sixteen arches on a side regardless of span. It would seem that the builders came out a little short at the southeast corner, as one of the spans there is strikingly short. The sides of the patio at Capistrano approximate 200 feet each. There are three openings into the patio, one on the north one on the south called the "Zaguan," meaning vestibule and the gate one near the southwest corner. When the mission was at its height the patio presented, no doubt, an appearance ever of vari-colored activity. As will be noted, the patio was surrounded on all sides by the buildings themselves, so that in times of danger all hands might be gathered into the patio and the guard mustered for action. That the layout was admirably adapted to the needs of such a community I think all will agree. The only objection, it would seem, was that the church at Capistrano was detached from the patio, but as this same scheme was employed at San Luis Rey, it would seem that the padres considered it necessary to have the worshipping place a little way removed from the busy centre of the work-a-day life.

The broad, undecorated wall faces are a feature of practically all of the missions north of Mexico and of the churches in Mexico, except the west front and the space around the openings. This idea has its precedent in the Moorish practice of lavishing the decoration upon the interior and leaving the exterior walls blank and bare. In this respect the Saracenic of Spain differs from the Saracenic of Persia, Egypt, Turkey or India.

The wide spreading eaves are a feature of the California style and come about as a direct effect of the climate. The intense sunshine requires a wide spreading eave. This feature is not found in Texas or Mexico. The low sloping roofs are likewise not a feature of the Mexican, Texan or Arizonan and may be attributed likewise to the climate of California. They are a feature of the domestic architecture in Spain, however.

## MEXICAN LAND GRANTS IN CALIFORNIA

BY CHARLES C. BAKER.

The tenth article of the famous treaty of Guadalupe Hidalgo, as concluded February 2, 1848, concerned the status of the titles to private land grants in the territories acquired by the United States from Mexico. It was, however, stricken out on the passage of the treaty by the United States Senate. In the protocol signed at Queretaro on May 26, 1848, by the commissioners of the United States who came "with full powers from their Government to make to the Mexican Republic suitable explanations in regard to the amendments which the Senate and Government of the said United States have made in the treaty of peace," was included this explanation: "The American Government by suppressing the Xth article of the treaty of Guadalupe did not in any way intend to annul the grants of lands made by Mexico in the ceded territories. \* \* \* Conformably to the law of the United States, legitimate titles to every description of property, personal and real, existing in the ceded territories are those which were legitimate titles under the Mexican law in California \* \* \* up to the 13th of May, 1846 \* \* \*" From a study of the United States patents covering the old grants, it may be learned how our government kept its promises of confirmation.

Of the patents recorded in Los Angeles County, 79 entries are of those issued by the United States confirming titles to private grants. I use the word entries advisedly, as there were but 78 instruments issued, one being twice recorded. The first of these patents, and the first patent recorded in this county, was for the Potrero Grande, recorded April 3, 1860. On December 7, 1897, the last patent covering a Los Angeles County land grant was recorded, it being for the Las Virgenes. Some of the grantees waited long to have their patents recorded. The patent for the Simi was twenty-four and a half years old when recorded, that for the Cañon de Santa Ana twenty-four years old, for the Potrero de Felipe Lugo eighteen years old, and for the Las Virgenes fourteen years old. Many were only recorded when a portion of the old grant was sold, the purchaser requiring it.

The oldest patent is that for the Rancho San Pedro, dated December 18, 1858, and signed by President Buchanan; the latest is for the Santiago de Santa Ana, dated December 21, 1883, and signed



by President Arthur. Of the 78 instruments, 39, or half, were signed by Grant, 17 by Johnson, 6 by Hayes, 5 by Lincoln, 4 each by Buchanan and Arthur, and 3 by Garfield. Thus it will be seen that it was over ten years after the treaty of Guadalupe was signed before the United States confirmed the title to any of these grants, while one claimant waited over thirty-five years till he could call his land his own. By 1869, or twenty-one years after the treaty, but twenty-six patents, or exactly a third of those recorded in this county, had issued.

The area of the patented grants was 1,419,474.93 acres. This is twice the land area of Rhode Island, with a tract one and a half times the land area of the District of Columbia thrown in for good measure. It would make a "shoestring" one mile wide from San Francisco to St. Louis, with over a Sabbath day's journey to spare.

The largest patented tract was the San Fernando Mission Estate, commonly called the Ex-Mission San Fernando, of 116,858 acres. A close second was the Simi of 113,009 acres. The Tejon of 97,616 acres was third, and the Santiago de Santa Ana of 78,941 acres fourth. These four contained over two-sevenths of the area of the entire patented grants. There were, besides these, nine tracts of forty thousand acres, five of thirty thousand, six of twenty thousand, and nine of ten thousand. Only thirteen tracts contained less than a thousand acres. The smallest tract was the Mission San Gabriel of 5.93 acres.

To any of you who are surprised at the areas of the old grants, I would say that the United States granted in this county to the Southern Pacific Railroad 162,331 acres, a tract greater than the Ex-Mission San Fernando, the San Pedro, the Potreros of San Juan Capistrano and the El Escorpion combined.

The decisions of the "United States Board of Land Commissioners to Ascertain and Settle the Private Land Claims in the State of California" were on the validity of the grant alone. Where valid and confirmed grants conflicted, it was the practice of the United States General Land Office to patent each grant, leaving to the courts the determination of matters of priority and superiority of right to the area in conflict. Two such cases occurred in this county. The Rancho San Jose was patented in 1875. In 1882 a 500-acre tract covered by the San Jose patent was included in that for the Los Nogales. The other, and most important, case was occasioned by the disputed boundaries of the Santa Gertrudis and Paso de Bartolo. A tract of 875 acres was patented to Bernardino Guirado in 1867 as "part of the Paso de Bartolo." Another tract was surveyed and confirmed, but not patented, to J. Sepulveda as part of the same rancho. In 1881 both the above tracts, and a portion of the Santa

Gertrudis, patented in 1870 to McFarland and Downey, were covered by the patent for the Paso de Bartolo Viejo to Pico and Perez.

The confirmation of the title to the city of Los Angeles for the old pueblo lands was of particular importance, as on it rested the titles of many holding under grant from the pueblo. Among these was the grant of a lot by the Ayuntamiento on May 27, 1844, to the "Society of Friends of the Country." President Johnson signed on August 9, 1866, the patent which confirmed a tract of over 17,000 acres, claimed by the city under a Mexican grant of August 25, 1844. This patent was twice recorded. A patent dated August 4, 1875, and signed by President Grant, was recorded before either entry of the Johnson patent. In the second patent the date of the grant under which the tract was claimed is not given. There are, therefore, due to the process of litigation, three entries of patents covering the old pueblo lands.

The grants under which claim was made for the various ranchos were both Spanish and Mexican. The United States did not recognize as valid the greater number of Spanish grants, but confirmed under a later Mexican grant. Under the early Spanish regime, a license was issued permitting settlement on and use of a certain tract. That this was not always a bona fide grant is shown by the fact that some were revoked. In the patents covering some of these Spanish grants, the later Mexican grant alone is avowed as giving title, which makes it difficult to determine the Spanish grants by a study of the patents alone.

The Spanish grants were eight in number, the San Rafael, the Los Nietos, the San Pedro, the Simi, the Topanja Malibu Sequit, the Santiago de Santa Ana, the San Antonio and the Rincon de las Bueyes.

Of these grants, the honor of greatest age belongs to the San Rafael, or La Zanja, granted by Gov. Fages October 20, 1784, to Jose Maria Verdugo, and regranted January 12, 1798, by Gov. Borica to the same. It is not only the oldest grant in this county, but in all California. The second grant was the Los Nietos, granted in November, 1784, by Gov. Fages, to Manuel Nieto. As patented, it contained 158,363 acres and was the largest grant in this county, Spanish or Mexican. It was not, however, patented by the United States in one tract. Seven patents were issued to the Nieto heirs or their assigns for portions of the old rancho, known as Los Cerritos, Los Coyotes, Las Bolsas, Los Alamitos and Santa Gertrudis. The third oldest grant, the San Pedro, was received by Juan Jose Dominguez in 1784 from Gov. Fages. These three are, in order, the oldest grants in California. Their nearest competitor was the Salinas, in the Monterey district, granted before 1795.

The fourth Spanish grant was the San Jose de Gracia de Simi to

Patricio, Javier and Miguel Pico about 1795 by Gov. Borica, and regranted by Gov. Sola in March, 1821, to the same. The rank of fifth Spanish grant in California lies between the Simi and the Buenavista, of the Monterey district, granted in 1795.

Gov. Arrillaga is credited with the next three Spanish grants in the Los Angeles district. These were the Topanja Malibu Sequit, about 1804 to Jose Bartolome Tapia, the Santiago de Santa Ana, July 1, 1810, to Antonio Yorba, and the San Antonio in 1810 to Antonio Maria Lugo. The eighth, last and smallest of the Spanish grants, being for a mere 3127 acres, was the Rincon de las Bueyes, made December 7, 1821, by Gov. Sola to Bernardo Higuera and Cornelio Lopez.

The Sausal Redondo and Las Cienegas I have not considered as Spanish grants. Gov. Sola granted the first in 1822, but perhaps not before he took the oath to the Mexican government on April 11th of that year. The Las Cienegas, though spoken of as a Spanish grant, was actually made in 1823.

Bancroft mentions also the El Conejo granted by Gov. Arrillaga in 1803 to Polanco and Rodriguez, and it is shown on an official Los Angeles County map, but no patent for it is recorded here.

There was much indefiniteness regarding the Mexican grants due to several causes. Most of the Spanish grants were regranted in Mexican times, and, as in the case of the Los Nietos, in several tracts to the heirs. There was also a practice of regranteeing with additions, and of regranteeing to confirm the sale of part interest, as in the case of the San Jose and San Jose Addition. The determination of seniority of these grants or rank as to size is difficult, but is of much less importance than as regards the Spanish grants.

The Mexican grants to Indians are of importance. El Encino of 4460 acres, the largest of these tracts, was granted in 1845 to the "natives Ramon, Francisco and Roque." A tract, known later, from its patentee, as the Jose Domingo Tract, was granted in 1845 to "Felipe." El Escorpion was granted the same year to "Urbano, Odon and Manuel, Indians." Simeon, styled "an emancipated Indian of San Gabriel," received a lot near San Gabriel in 1846. Victoria, wife of Perfecto Hugo Reid, and an Indian "princess," was granted the Huerta de Cuati in 1838. The last three tracts were patented by the United States to the grantees.

The Missions retained but little of the vast tracts they once claimed. The great estate of San Fernando, already noted, was granted in 1846 to Eulogio de Celis. That of San Juan Capistrano, known as the Potreros of San Juan Capistrano, was granted to Juan Forster in 1845. It was composed of three detached tracts, having an area of 1167 acres, called Potrero Los Pinos, Potrero El Cariso, and Potrero de la Cienega. The remains of the San

Gabriel estate came to a much different fate. Some of the creditors of the establishment made application in 1846 to Gov. Pio Pico for an adjustment of their claims. Pico in June of that year appointed Antonio Cat and Perfecto Hugo Reid as commissioners to audit and adjust these claims. In the same month Pico granted the mission estate to Reid and William Workman, the grantees to pay the claims against the estate and support the religious establishment. In 1852 the interest of Reid was sold on execution to Aaron Pollard of San Francisco. Later, Henry Dalton, one of the creditors of the former establishment, sued Workman and Pollard to collect his claim, but it came to naught for the reason that the United States refused to confirm the old grant. It is worthy of note that but one Mexican profited by the grants of the mission estates, and it is equally notable that all the other grantees were originally British subjects.

It must not be judged from the above that petitions for mission lands were invariably granted. In 1839 Hugo Reid made his first petition for the Santa Anita, but the committee of the Ayuntamiento reported that "the place is filled with young cattle of San Gabriel Mission and with Indian plantations of the same place," and Reid's petition was denied. Neither did the padres sit supinely by while the land they claimed was granted away. When Luis Arenas in 1841 petitioned for the Azusa, the matter was referred to Father Tomas Estenega. He declined to report, hinting very strongly that on the arrival of the bishop in the very near future, not only would future grants of mission land be stopped, but even lands then granted would be returned. The covert threat availed nothing, however.

The missions had received no grants from Spain or Mexico for their lands, but the United States patented to Joseph Sadoc Alemany, Bishop of Monterey, small tracts at each mission. Under the patents San Fernando received 76.94 acres, San Juan Capistrano 44.40 acres, and San Gabriel 5.93 acres, a total of 127.27 acres.

The grants made in 1846 were the cause not only of much litigation but of unfavorable comment by historians and others. Some were not confirmed, but eight were patented by the United States. These were La Liebre to Jose Maria Flores, Trabuco to Juan Forster, Lomas de Santiago to Teodocia Yorba, Cañada de Los Alisos to Jose Serano (a regrant from 1842), the lot of the Indian Simeon, Los Palos Verdes to Juan and Jose L. Supelveda, Ex-Mission San Fernando to Eulogio de Celis, and the Island of Catalina to Thomas M. Robbins. The Board of Land Commissioners had arbitrarily decided on July 7, 1846, as the date on which Mexican rule ceased in California. The grant of Catalina was dated July 4th of that year. Thus with the San Rafael and Catalina Los Angeles County may lay claim to the Alpha and Omega of the old land grants.

Bancroft shows eighteen Mexican grants in the Los Angeles district which failed of confirmation by the United States, one of which, however, the Topanja Malibu Sequit, was later confirmed. Seven of these, including the San Gabriel Mission Estate, were granted in 1846. The oldest was the Rosa de Castillo to Juan Ballesteros in 1831.

There was perhaps nothing which caused more litigation regarding the indefiniteness of the old grants than the use of perishable boundary marks, principally trees. In the act of judicial possession of the Rancho San Jose, occur these words: "A large oak was taken as a boundary, in which was placed the head of a beef and some of its limbs chopped." Sometimes the brand of the owner was burned in the tree. When the United States' surveyors came, many of these marks had entirely disappeared, and much trouble was caused by endeavoring to ascertain their former location.

An attempt to make a definite list of those tracts which passed from the hands of the grantee or his heirs and were patented to others was unsatisfactory. Some tracts, as the Santa Anita, were sold during the Mexican regime. Again, it would require an intimate knowledge of the old Mexican families, particularly as to intermarriages, to be able to decide which tracts were patented to heirs of the grantee, though not bearing his name. However, ten of the United States patents for the larger ranchos were issued to those who acquired their interest after the Mexican period, and principally due to financial troubles of the grantee or his heirs.

The names of some of the grants are perpetuated in our present towns. The best known is doubtless San Pedro. The Sausal Redondo y Guaspito and the San Vicente y Santa Monica gave portions of their names to two other beach cities. La Puente is remembered by Puente in the San Gabriel Valley. The Rancho Azusa Dalton gave its name to Azusa, while Duarte is named from the Rancho Azusa Duarte. The capital of Orange County recalls the old Santiago de Santa Ana.

There were many confusions or duplications in the names of the grants. Antonio Maria Lugo's rancho was named San Antonio, and both the Rodeo de las Aguas and the Rancho Azusa Duarte were often so called. Again, there was Las Cienegas, the Paso de la Tigera was also called Cienega, and part of the estate of San Juan Capistrano was called Potrero de la Cienega. The Rancho Azusa Dalton lay east across San Gabriel River from the Rancho Azusa Duarte. The first was often called El Susa, and the latter Susita. There were also La Brea and Rincon de la Brea. The Santa Ana family of ranchos included the Santiago de Santa Ana, San Juan Cajon de Santa Ana, and Cañon de Santa Ana. After reading a

list of these names it is readily seen why abbreviated names were imperative.

By the erection of new counties, Los Angeles County lost many of the old grants. The Tejon went to Kern County, the Simi and part of the San Francisco to Ventura County, the Trabuco, La Paz, San Joaquin, Cañada de los Alisos, Lomas de Santiago, Las Bolsas, Bolsa Chica, Los Coyotes, Mission San Juan Capistrano, El Niguel, San Juan Cajon de Santa Ana, Santiago de Santa Ana, Cañon de Santa Ana, and parts of the La Habra, Los Alamitos and Rincon de la Brea to Orange County, while Riverside and Orange Counties divided the Potreros of San Juan Capistrano. These divisions would make very difficult the ascertaining of the exact acreage of the grants yet remaining in the present Los Angeles County.

The names of the grantees are a most interesting study. There were six large land owning families. The Nietos held the great Los Nietos. The Yorba family received the Lomas de Santiago, the Cañon de Santa Ana and the Santiago de Santa Ana. The Verdugos owned San Rafael and Los Felis. The Sepulvedas owned San Joaquin, San Vicente y Santa Monica and Los Palos Verdes. The Sausal Redondo, Las Cienegas, El Niguel and Tajanta were granted to the descendants of Cornelio Abila, one of the Fundadores of Los Angeles. The Dominguez family held San Pedro and Las Virgenes, and a Dominguez was joint grantee of La Brea.

A number of grantees were of foreign birth. Juan Forster of Trabuco, Henry Dalton of San Francisquito, and William Workman of La Puente, were Englishmen; Perfecto Hugo Reid of the Santa Anita was a Scotchman, and Michael M. White, who received a lot near San Gabriel, was probably an Irishman. John Rowland of La Puente and Thomas M. Robbins of Catalina were Americans.

In the history of Los Angeles County the names of some of the grantees were prominent. Jose Sepulveda of San Joaquin, Anastacio Abila of Tajanta, Francisco Abila of Las Cienegas, Gil Ybarra of Rincon de la Brea, Antonio Maria Lugo of San Antonio, Luis Arenas of the Azusa, and Ygnacio Palomares of San Jose, were all alcaldes of Los Angeles. Manuel Garfias of San Pascual was a member of Gen. Jose Maria Flores' army. Augustin Olivera of La Paz signed on the part of the Californians the Treaty of Cahuenga with Fremont, January 13, 1847. It was Mariano R. Roldan of La Habra who, as auxiliary judge of Los Angeles in charge of the schools, reported to the Ayuntamiento on January 19, 1846, that a meeting of parents had been held to raise contributions with which to pay fifteen dollars a month to Don Vicente Moraga who had agreed "to teach the children from their first letters." The parents failed to contribute enough, and the Ayuntamiento was asked to donate the balance, which, however, it did not do.

A study of the confirmation of the old grants shows but too plainly the truth of Bancroft's arraignment of the procedure of our government in the matter. That all the claimants fought for their land is proved by the opening clause of each land grant patent: "Whereas it appears from a duly authenticated transcript filed in the General Land Office of the United States, that, pursuant to the provisions of the Act of Congress approved the 3rd day of March, 1851, entitled, 'An act to ascertain and settle the private land claims in the State of California,'" a certain person on a certain date filed his claim to a certain tract, when follows a survey of the litigation in the case. All too aptly it may be referred to as the tragedy of the old land grants.

## HISTORY OF EXPOSITION PARK.

BY MRS. LILLIAN A. VAN AKEN.

The importance of that tract of land, now known as Exposition Park, to the citizens of Los Angeles and particularly on account of its proximity to the University of Southern California, has become such as to warrant research into its history. Such research I have undertaken, in the process of which there are revealed such phases of greed and rapacity, debauchery and cruelty on the one hand and such public spirit and unselfish endeavor upon the other hand, as might profitably engage the attention of one possessing a more facile pen than mine.

In such fashion as I am able, I undertake to chronicle the facts which have been gathered.

Originally this tract formed a part of the Spanish Crown lands of the Mexican province of California. In 1848, by the treaty of Guadalupe Hidalgo, it passed into possession of the United States and later was opened as public land subject to entry.

An examination of the public records shows that in the year 1872 the following tract of land, to-wit, the N. W.  $\frac{1}{4}$  of Section 7, Township 2 S., Range 13 W., San Bernardino base and meridian, or that body of land containing one hundred and sixty acres bounded by what is now known as Santa Monica Avenue on the north, Figueroa Street on the east, Santa Barbara Avenue on the south, and Vermont Avenue on the west, was transferred by one James Thompson to a corporation known as the Southern District Agricultural Society.

Further research discloses the fact that this Society was composed of about one hundred gentlemen whose names are connected with many of the enterprises for the upbuilding of Southern California.

These gentlemen contributed from one hundred to five hundred dollars each toward a fund of twelve thousand five hundred dollars, which formed the capital stock of the Society. It would seem, however, that this sum was insufficient to carry out their aim to establish here an agricultural exposition.

Being a private corporation, they could not secure aid from the State. The following year (1873) the society obtained a loan of five thousand dollars and secured the same by a mortgage upon the property to W. W. O'Melveny.



In 1879 the mortgage was foreclosed and judgment entered for the sum of eight thousand nine hundred eighty-nine dollars and twenty-four cents (\$8,989.24). In 1880 these public spirited gentlemen, with others, conceived the idea that there should be a state organization for the purpose of encouraging the industries of the State. With the view to securing State aid, they requested the Legislature to pass a law dividing the State into districts and providing for the organization of district agricultural associations.

In this manner the "Sixth District Agricultural Association" came into existence, covering the territory of the following counties: Los Angeles, San Diego, San Bernardino, Ventura, Santa Barbara and Inyo (Orange, Riverside and Imperial Counties were not at that time organized).

The gentlemen interested in the old corporation then procured Mr. Isaac N. Moore to purchase the property at the Sheriff's sale which followed the foreclosure of the mortgage, and to hold the title until they could devise some plan by which the claims outstanding could be paid off and the property transferred to the new association.

On May 20, 1880, the Sixth District Agricultural Association was legally organized, and its first Board of Directors was nominated by the Governor.

This Board consisted of the following well-known gentlemen: J. E. Hollenbeck, William Niles, O. W. Childs, Elwood Cooper, John G. Downey, F. J. Barvette, James W. Waters Jr., and L. J. Rose.

The plan adopted for relieving the property of debt was as follows: A survey of the property was made and the west, east and south sides of the quarter section were platted in lots; on the west or Vermont Avenue frontage into one hundred and thirty building lots, which were sold for one hundred dollars each; on the east and south sides into acre lots.

The receipts from sales made were sufficient to redeem the property and on August 7, 1880, final payment was made and a receipt in full for five thousand, three hundred forty-seven and ninety-five hundredth dollars (\$5,347.95) was given by Mr. I. N. Moore to J. E. Hollenbeck, President and William Niles, Secretary of the Sixth District Agricultural Association. This receipt contained an agreement to deed to the Board of Directors of the Sixth District Agricultural Association, in one piece, or divided as they may elect, the property known as Agricultural Park.

Thereafter the board appointed a committee consisting of Messrs. Hollenbeck, Niles and Childs, to draw up the necessary deed to the Association.

This committee delegated Mr. Niles to prepare the deed.

Mr. Niles prepared a deed which contained a very peculiar provision. It was executed in favor of J. E. Hollenbeck and about one hundred other persons in undivided proportions and provided that "the property should be held for a period of twenty-five years as a place for holding agricultural expositions and fairs and thereafter the parties were to hold the property as tenants in common."

Evidently the gentlemen composing the Board of Directors of the Sixth District Agricultural Association did not take pains to scrutinize this document, or at least did not appreciate its import at the time. On June 19, 1883, an action was begun in the Superior Court of Los Angeles County, in which nearly all of the grantees in the above described deed were the plaintiffs, for the purpose of setting aside said deed on the ground that "it was procured through fraudulent and false representations." The case did not reach final adjudication until 1885.

In the meantime all the defendants except William Niles, his brother and one Fairchild, disclaimed any interest in the land above described. Judgment was finally rendered, setting aside the fraudulent deed and a new deed was ordered made to the Sixth District Agricultural Association. In some manner which it is difficult to harmonize with the findings of the court, William Niles, his brother and the man Fairchild, each received a deed to an acre tract designated as lots W, X and Y.

Because of his participation in this attempted fraud, William Niles was removed by the Governor from the Board of Directors, his place being taken by Mr. J. C. Newton.

In 1895 a new complication arose in the affairs of the Sixth District Agricultural Association. A fresh attack was made upon the integrity of the property, which by this time had become very valuable.

The Hon. John C. Lynch, of San Bernardino, at that time the speaker of the lower house of the Legislature, procured the passage of a bill amending the law of 1880, providing for the division of the State into agricultural districts and the organization of an association in each district. This amendment contained the provision that certain associations might elect to have a capital stock and further provided that the stockholders might elect their own board of directors and that all of the property of the association should be turned over to the exclusive control of the stockholders, "provided, however, that in the event of the State making an appropriation for holding fairs, the stockholders' board should turn over the property to the State Board for *one week* during the year for the purpose of holding said fair." (See Statutes of 1895.)

Strenuous objection was made by the members of the Board of Directors of the Sixth District Agricultural Association to this

barefaced attempt to rob the State of this valuable property. Mr. J. C. Newton and Mr. Stephens led the fight against the aggressors. It was not until 1897, when these gentlemen were displaced by other more pliable agents, that the new board went through the formalities provided in the amendment of 1895 and elected to have a capital stock divided into one hundred and thirty shares of one hundred dollars each.

The corporation thus formed was termed "Agricultural District Number Six," a name so like the legal designation as to be misleading. A Board of Directors was chosen for the new organization, five of whom were members of the State Board. Of this new board, known as the Stockholders' Board, the Hon. John C. Lynch became the president.

On May 22, 1897, the property was transferred to the control of this board, which for a period of nearly ten years, or until the decision of Judge Waldo M. York of the Superior Court restored the possession to the directors of the Sixth District Agricultural Association. At this time the area of the Sixth District had been reduced by successive amendments to the Statutes to include Los Angeles County only.

The suit to recover possession was brought by Attorney W. M. Bowen, in behalf of the Sixth District Agricultural Association.

We are indebted to Mr. Bowen for very valuable and interesting information regarding the incidents which led him to undertake this case.

"In the spring of 1899," says Mr. Bowen, "I began to see a falling off in the attendance upon my Sunday school class in the University Methodist Church. The class numbered twenty-seven boys, whom I had gathered from all over the University district, poor and neglected boys, most of them. I set out to discover the cause for their delinquency, and found it to lie in the demoralizing attractions of the former county fair grounds, called Agricultural Park, where "Col." F. D. Black, lessee of the grounds, was conducting Sunday coursing matches, with gambling places and open saloons in conjunction. I found the place to be, without doubt, the worst in Los Angeles County. The saloons ran wide open every Sunday, with dozens of boys going there each week to learn to gamble.

The hotel on the premises had a bad reputation, while the running of the rabbits was brutal and demoralizing in the extreme.

A canvass of the situation led to the conclusion that the only satisfactory thing to do was to remove the objectionable amusement center from the University district, which at that time lay outside the city limits and was therefore not amenable to city ordinance."

The task to which Mr. Bowen set himself was not unlike that of Hercules in the cleaning of the Augean stables. He immediately began to turn the current of public opinion in upon the bed of corruption. At this time, it should be remembered, Mr. Bowen had not thought that the property was not in the control of the rightful owners. This information came to him later, as we shall presently see.

By the aid of his pastor, Rev. Francis M. Larkin, the church people were aroused. The "Good Government Alliance," a civic organization formed for the betterment of the University district took up the fight to suppress violations of the Sunday closing ordinances. The Society for the Prevention of Cruelty to Animals was induced to institute legal proceedings to test the question of the right of the management to maintain such a sport under the conditions. A movement was started to annex the territory to the city of Los Angeles. This was bitterly fought by the race-track crowd, but they were beaten by the better element and the territory was annexed and thereafter the city ordinances applied.

Thus one by one the enemy's outposts were captured, but "Col." Black and his morally dark-hued companions still held the main position. In order to exert a closer scrutiny and more effectual suppression upon this plague spot, Mr. Bowen yielded to the demands of the citizens and entered the City Council as member from the Fifth Ward.

About this time Mr. Bowen conceived the idea that the only way to control this iniquity was to purchase the property and hold it as a public park. To this end, Mr. Bowen started to raise money by private subscription. About twenty-five thousand dollars had been subscribed when, in soliciting from one gentleman, the late Judge Slauson, it was suggested to him that he would do well to investigate the title and find out who was the real owner. Acting upon this suggestion, Mr. Bowen consulted Hon. Lee C. Gates, attorney for the Title Insurance and Trust Company, and by his aid discovered the flaw in the title which led to the litigation which resulted in the restoration of the property to its rightful owners, the people.

At this point it might be well to recite the trusts stipulated in the deed above referred to, bearing date May 7, 1885, from Isaac N. Moore to W. J. Broderick, William Ferguson and E. L. Maberry, in trust, to convey to the Sixth District Agricultural Association: "The said land shall be held in perpetuity as a place for holding agricultural exhibitions or fairs, and shall be managed and controlled by the said association for that purpose and also for the purpose, so far as consistent therewith, of renting or otherwise managing said property so as to raise revenue for meeting the

expenses of holding such exhibitions or fairs, and especially, so far as consistent with the above purposes, for the purpose of holding exhibitions of cattle, horses and other stock, and of agricultural, horticultural, viticultural, mechanical, manufacturing and domestic products of Agricultural District Number Six, with a view to the improvement of all industries in same."

The Supreme Court in its decision (see California Reports, 1908), after reviewing the facts as we have stated above, say: "Upon the foregoing facts it appears to us the important question in the case is as to the validity of the amendment of 1895, carried into the act of 1897, purporting to authorize the issuance of capital stock by such an association, and the control and management of the property thereof by the stockholders for their own benefit through their elected board of directors."

After discussing at some length the question of the legality of the organization of the "Sixth District Agricultural Association," they remark: "There can be no question as to the statue of any such association and the character of the property held by it at the time of the enactment of this amendment (that of 1895). It was, as expressly declared by both the acts of 1880 and 1891 a state institution." \* \* \*

"Its property was public property, dedicated to the purposes of such public corporation and accepted therefor by the state."

They then cite the State Constitution which "prohibits the Legislature from making gifts of public money or thing of value to any individual, municipality or corporation whatever."

They sum up in the following language:

"It appears to us in view of the facts already stated, that the amendment of 1895 is clearly in conflict with this provision. \* \* \*

"To our minds the amendment is a clear case of an attempted gift of public property and therefore void."

Having won the decision of the suit for recovery of the possession of the property, the reorganized Board of Directors of the Sixth District Agricultural Association began to plan for the future of the park. The new thought concerning it was to make it a perpetual exposition and playground for the citizens of the district.

By this time (1908) the city had grown up around and beyond it, so as to make it central rather than suburban. It naturally becomes one of the city's parks.

Led by Mr. Bowen, a movement was inaugurated to regain for this park a portion of the land of the original quarter section which had been sold in lots and acre tracts. The acre tracts were few, if any of them, improved with buildings. The larger portion of these have been recovered by condemnation proceedings. The cost of these proceedings has been very great and the burden of paying

for it has been unjustly placed upon an assessment district comprising but a limited portion of the city. Since it is the largest park within the city limits and the most central, it should be enlarged and improved by the whole city and not by a portion thereof. Sometime the people of Los Angeles will demand that the entire one hundred and sixty acres originally included in this tract shall be restored to the park and this can never be done at less expense than now. The acre lots lying along the Santa Barbara frontage, now belonging to the H. E. Huntington Land Company, are practically vacant and can be acquired at a fair valuation.

This brings us to consider the changes which have been made within the grounds since the property was recovered by the Sixth District Agricultural Association. These changes were brought about very largely through the efforts of Mr. Bowen.

First of all the idea was conceived to build a permanent exposition building and museum. To obtain the consent of the State Legislature to this object, Mr. Bowen devised the plan to interest the City Council and County Supervisors to agree to the expenditure of a sum equal to that appropriated by the State for building and for other improvements. In this manner it was finally accomplished that the Supervisors of the County appropriated one hundred and fifty thousand dollars for the erection of the Museum of History, Science and Art, the City Council appropriated one hundred thousand dollars for beautifying the grounds and the State appropriated two hundred and fifty thousand dollars toward the building. Later appropriations were made by the State for an armory to cost, when completed, two hundred and fifty thousand dollars.

These buildings are grouped at the north front of the park about a space of some ten or fifteen acres to be beautified as a sunken garden; in the center of this space is to be erected a magnificent fountain, commemorating the bringing to Los Angeles the waters from the distant Sierras. To make room for these improvements, it was necessary to do away with the old speedway, the long diameter of which was diagonal to the tract, and to establish an entirely new speedway having its long diameter east and west.

For this change there was no fund available. Mr. C. A. Canfield, lately deceased, a wealthy and very public-spirited gentleman, who was especially interested in the perpetuation of the speedway, contributed five thousand dollars toward the work. Other interested gentlemen contributed another five thousand dollars. The City Council appropriated ten thousand dollars for a fifty-year lease of the ground upon which to build an Art Gallery at the west side of the sunken garden. In this manner the necessary funds were gathered and the work of remodeling the grounds began.

On December 17, 1910, the corner stones of both the Exposition

building and the Museum of History, Science and Art were laid with appropriate and elaborate ceremonies.

The Museum of History, Science and Art is managed by a Board of Governors on an agreement with the Board of Supervisors, whereby the County defrays all expenses of management and maintenance for a period of fifty years. The Board of Governors consists of two representatives from each of the following organizations: The Fine Arts League, the Historical Society, the Southern California Academy of Science, the Cooper Ornithological Society, together with one member at large and the chairman of the Board of Supervisors.

An agreement has been entered into between the City of Los Angeles and the Sixth District Agricultural Association by which the entire infield inside the speedway is used as an athletic field. One of the features of this field is a great Stadium, to be constructed in the west end of the oval, which is to have a seating capacity of from thirty to fifty thousand persons. In this Stadium great athletic contests of the future will be held.

Through the splendid generosity of Mr. C. A. Canfield, the erection of a commodious and substantial amphitheatre was made possible, he having contributed thirty thousand dollars of the fifty thousand dollars that it is to cost.

Mr. Canfield also contributed an additional five thousand dollars for the construction of a subway under the speedway to the infield.

These improvements, some of them completed, some of them in process of construction, some of them existing only in the sketches of the architects, are but a beginning of what is to be done to transform this plat of ground from a plague spot, dangerous to the morals of the community, into a playground and breathing place alike delightful to the senses and uplifting to the intellect and morals.

The day of horse-racing for profit to the sporting fraternity is past. Mechanical devices are fast supplanting the horse for purposes of transportation. It may come to pass in some future period that this best friend of man in all the lower animal kingdom will be exhibited only as a historical relic. The two-minute race horse will be referred to as an example of the sedate and slow-going race of men that could be satisfied with such dilatory means of transportation.

The apprehension in the minds of many lest this race-track appendage to our park shall be a hindrance to its beneficial offices is therefore not well taken. Time will adjust all this and we shall see here, what Los Angeles so much needs, a park which in location, in size, in development and beauty shall be adequate and satisfactory.

On November 6, 1913, the park was formally opened to the public

with appropriate ceremonies. There was a great parade in which civic and military bodies participated. It was estimated that not fewer than thirty-five thousand people assembled here on this occasion.

The Museum of History, Science and Art was formally and officially opened with a speech by District Attorney Captain John D. Fredericks. Hon. Lee C. Gates was also one of the speakers. The corner stone of the Armory was laid with Masonic ceremonies, Judge J. D. Murphy conducting the same. Senator John D. Works delivered the oration at the dedicatory ceremonies of the ground for the erection of the fountain commemorating the advent of the great aqueduct.

Two men were especially applauded in these various ceremonies, Mr. W. M. Bowen for his efforts in behalf of the people in securing this splendid playground for them and the generations to come, and Mr. W. H. Mulholland, whose genius as an engineer has accomplished the great task of bringing to the city's gates the waters of the distant Sierra.

Upon the pages of history these names will ever remain as benefactors of their fellow citizens.



## A BRIEF HISTORY OF RANCHO LA BREA.

BY FLORENCE JOSEPHINE SEAMAN.

When Spain first began to colonize the New World which became hers through discovery and exploration, she did not make grants of land to be held in absolute individual ownership. All occupation of land was to redound to the glory and benefit of Spain. In 1773 we find the first authority for private grants in Viceroy Bucareli's instructions to Captain Rivera, but the first private land grant to be actually made was in 1775. Previous to 1800 there were only five private grants and sixteen provincial grants in California.

Under the Mexican regime, beginning in 1823, land grants were made in very much the same way as they had been before. A general colonization law was passed and during the succeeding years we find private grants becoming more numerous. Previous to 1830 there were fifty such grants.

The grant in which we are most interested is that of the Rancho La Brea. Cabrillo discovered California in 1542, but for two hundred and twenty-five years there was no attempt at settlement. In 1769 Galvez, Vistador-General of New Spain, and Father Junipero Serra came into California with the idea of settling it. Among their party were Portolá and Father Crespi, and it is from the diaries of these two men that we first hear of the brea beds. As the party travelled north they passed the beds on the left, and Father Crespi's diary records that "to the right were extensive swamps of bitumen called *chapapote*," meaning black wax or glue. In the same records we are told that the brea was used by the Indians for calking their canoes and for fuel.

During the adobe age in California brea was used for roofing. As the brea "boiled up from the earth," as James O. Pattie expressed it, great bubbles were formed which burst, making a report which could be heard in Los Angeles pueblo about four or five miles away. At the bursting great pieces of brea were thrown out, and these laid on the roofs, and melted by the sun, made a splendid roofing.

The next record we have of the Brea ranch was in 1803, when Mariano Castro returned from Mexico with a viceregal license to occupy La Brea in the region of San Juan Bautista. There seems to have been a plan to form a settlement at La Brea of six persons, namely: Jose Rodriguez, Juan Maria Rius, Dolores Mesa, Joaquin

Castro, Antonio Buelna and Pablo. These men decided as early as 1801 to obtain said grant, and make the settlement. At that time the friars were pasturing their stock on the land desired, and they upheld their claims so well that Castro had to surrender his license and accept instead a grant of government land near Watsonville.

In 1828 Rancho La Brea was granted by Governor Echeandia to Antonio Rocha, a Portuguese blacksmith, who was one of Los Angeles' most respectable and substantial settlers. He based his claim on a grant made by Carillo, the president of the ayuntamiento, or town council, of Los Angeles, on April 8, 1828, in accordance with a petition made by himself in January, 1828. The grant was one square league, or 4444.4 acres, and the title was issued so that  
"\* \* \* The parties interested in this petition can build their corrals, place their stock, make their fields in the same terms, conditions and circumstances as the other citizens have done who have received such a favor, being responsible for care, and only to report any crime which they may notice within their boundaries.

"Carillo."<sup>1</sup>

In the grant the right to use the brea was reversed to the citizens of Los Angeles. In 1835 we find, from the pueblo records, that there was some trouble, and the missions were accused of monopolizing this right. Upon inquiry the charge was found to be false. In this same year the city transferred its interest to Carlos Baric, who was to pay into the city treasury 5% of all sales.

Rocha built an adobe house on the ranch, and made it his home.

By the grant he was made not an absolute but only a provisional owner. It was supposed when the grant was made that it fell within the limits of Los Angeles, and that Rocha and his family were only provisional owners. Finally the ranch was sold in part, and resold until the major part of it came to Major Henry Hancock.

Major Hancock first became interested in the Pacific Coast during service in the Mexican War. The gold rush in '49 brought him to San Francisco where he opened a law office. In 1850 he came to Los Angeles which he twice represented in the State Assembly. He became a government surveyor, and surveyed most of the large ranches in Los Angeles and San Bernardino Counties. He was an expert in settling grants because his familiarity with Mexican and Spanish customs and all concerned felt, to put it popularly, that they had received a square deal.

Mr. Hancock chose La Brea ranch as his home, and here he raised sheep and cattle. After the Civil War he began a systematic excavation of asphaltum. He shipped large quantities of it to San Francisco, where it was used for sidewalks and for paving. Because of the extensive excavations a large lake of asphaltum and water

1. U. S. Supreme Court Records. Wall, Vol. IX.

formed, which now resembles a boiling pot as the gases from below push up, sending out great circles of tiny waves on the surface as it escapes. While these excavations were being made, bones were frequently found which were supposed to be those of sheep, cattle and horses. Because of the large number found, the ranch was called by some "La Huesamenta," or the "Bone-yard."

When Honorable Cornelius Cole was elected United States Senator from California in 1866, as a friend of Major Hancock he agreed to have the title, which had not yet been made other than provisional as it was in 1828, perfected in the United States Supreme Court.

As has been said, people thought the grant of 1828 was within the limits of Los Angeles pueblo, therefore its owners could only claim it provisionally unless it were proved to be outside of the pueblo. In 1841 Maria Josefa, widow of Rocha, petitioned for a definite grant. The governor gave her a provisional grant until the "ejidos," or common pasture land of the pueblo, should be determined. Madam Rocha took the land provisionally until the town limits should be determined. Under Mexican rule a pueblo would contain four square leagues, but under California rule there was a question as to whether it should be four leagues square, making sixteen square leagues, under which circumstances La Brea ranch would be included, or whether it should be the four square leagues. Los Angeles petitioned the California Land Commission for sixteen square leagues, but finally received only four. Previous to this the "ejidos" of Los Angeles had never been defined or the title to La Brea ranch, which now was proved to be outside of the city, need never have been questioned. The grant never was more provisional than other grants, only Madam Rocha desired a more formal concession. Since then there was no ground for the claim being invalid, the Supreme Court pronounced it valid, basing the validity "on the treaty of Guadalupe Hidalgo, the law of nations, the laws, usages and customs of the government from which the claim is derived, the principles of equity and the decisions of the Supreme Court of the United States so far as they are applicable."<sup>1</sup>

Mr. Hancock promised Senator Cole a one-tenth individual interest in La Brea because of his handling of the case before the Supreme Court, but finally Mr. Cole chose some four hundred and eighty acres in the vicinity of Colegrove. Much of the original grant has been sold, so that at present there are only some 2075 acres intact out of the original grant.

Mr. Hancock died in 1883. Mrs. Hancock moved onto the ranch with her three children, and here she raised barley and stock to support her family. She was in fact "land poor" until about fifteen or twenty years ago, when some oil prospectors working around

1. U. S. Supreme Court Records. Wall, Vol. IX.

Buena Vista Street district in Los Angeles found oil deposits on La Brea ranch. Immediately Mrs. Hancock became one of California's richest women. At present the ranch is owned by G. Allen Hancock, her son. Its value is conservatively estimated at \$3,000,000.00, one-fourth of the ranch being devoted to oil wells bringing in an income annually of over \$300,000.00. At the present rate of increase the ranch will be worth \$100,000,000.00 in fifty years.

But the greatest interest and value in La Brea ranch at present, and in fact for all time, is in the wealth of prehistoric deposits discovered there, opening up to us a new knowledge of the animal and plant life which, at one time, existed on these golden shores.

In 1901-1902 Professor W. W. Orcutt, manager of the geological and land departments of the Union Oil Company, found some sabers of the saber-toothed tiger. In 1875 Mr. Hancock had found a saber but his find had caused little interest. As I have said, the bones were generally supposed to be those of domestic animals raised on the ranch.

In 1907 Professor Merriam of the University of California received permission to excavate in the interest of the University. He had this right during the year 1907-1908. The first public announcement of the deposits came through an article written by Prof. Merriam, and published in the *Sunset Magazine*, in October, 1908.

The Southern California Academy of Science had the privilege of excavating in 1908. The Los Angeles High School has also enjoyed this privilege, and now the County of Los Angeles has the right for two years, fourteen months of which still remain. The finds are placed in the Museum of History, Science and Art at Exposition Park, Los Angeles. The Museum and the ranch are acquiring great fame. Three thousand persons visited the Museum one Sunday afternoon and four hundred teachers visited the ranch in one day. At present Monday is the only visiting day at the ranch. This ruling had to be made because so many were visiting that the work was seriously interfered with.

The bones are widely scattered and are penetrated with the oil so that we have preserved not fossils, but the genuine bones of these ancient animals. They are supposed to be from the Pleocene or Pleistocene period, probably about a quarter of a million years ago, though some put the figure much higher. I can go no further in detail concerning this, one of the most interesting phases of my study. Suffice it to say that among the finds are ancient trees, a pigmy man (of more recent date) saber-toothed tigers, camels, elephants, mastodons, birds of many species, wolves, and probably the most interesting of all, the great ground sloth. Because of this wealth of treasure, Los Angeles may hope for new fame, and undoubtedly La Brea will become known all over the world within a very few years.

ANNUAL REPORT OF THE SECRETARY.

DECEMBER 7, 1914.

*To the Officers and Members of the Historical Society of Southern California:*

I beg leave to submit the following report of the meetings held, papers read and new members elected since the last publication of the Society was issued:

ANNUAL MEETING, DECEMBER, 1913.

Paper read, Lost Mines of Santa Catalina. J. M. Guinn.  
New member elected, Harry L. Colestock of Pasadena.

JANUARY, 1914. No meeting held.

FEBRUARY MEETING, 1914.

Paper, When George III was King. Mrs. Mary M. Bowman.  
Paper, The Lugo Family. H. D. Barrows.  
New member elected, Dr. Norman Bridge, Pasadena.

MARCH MEETING, 1914.

Paper, Present Aspect of Home Rule in Ireland. Miss Jessie Lickel.

Paper, History of Exposition Park. Mrs. Lillian Van Aken.  
New members elected, J. C. Rinehart, Henry K. Norton.

APRIL MEETING, 1914.

History of the Telegraph in California. Miss Alice L. Bates.  
History of Occidental College. Rev. W. S. Young, D. D.  
New members elected, Miss Jane E. Hartnett, Long Beach; Raymond G. Randall.

MAY MEETING, 1914.

Paper, To California via Panama in 1852. Mrs. Cornelius Cole.  
Paper, Pioneer Days in Azusa. Mrs. Emma J. Gordon.

JUNE MEETING, 1914.

Paper, History of the Rancho La Brea. Miss Florence J. Seaman.

Paper, The Mormons in California. Mrs. Lucy M. Gains.  
New member elected, Miss Ella A. Ludwig of San Pedro.

OCTOBER MEETING, 1914.

Paper, Architectural Work of the Mission Buildings of California. Rexford Newcomb.

New member, Chas Clancy Baker of Azusa.

NOVEMBER MEETING, 1914.

Early Spanish Land Grants in California. M. M. Livingston.

The Rise and Fall of the City of Gladstone. Chas. C. Baker.

Marshall, the Discoverer of Gold in California. Percival J. Cooney.

New member elected, Lucy M. Gaines.

DECEMBER MEETING, 1914.

Genesis of the State of Nevada. Miss Katherine McClung.

New members elected, M. M. Livingston, Burbank; Prof. Robert G. Cleland, Occidental College; and Rexford Newcomb, Long Beach.

|                           |    |
|---------------------------|----|
| Meetings held .....       | 8  |
| Papers read .....         | 15 |
| New members elected ..... | 11 |
| Members died .....        | 1  |
| Total membership .....    | 80 |

#### SUPPLEMENTARY REPORT

*Report Since Annual Meeting of December, 1914, to Date of Publication*

JANUARY MEETING, 1915.

Asiatic Influence on the Settlement of the Pacific Coast. Prof. Robert G. Cleland.

How the Area of Los Angeles City was Enlarged. J. M. Guinn.

FEBRUARY MEETING, 1915.

Two Interpretations of History. James Main Dixon.

History of Salton Sea. W. B. Crane.

MARCH, 1915. No meeting held.

APRIL MEETING, 1915.

The Great Real Estate Boom of 1887. Joseph Netz.

MAY MEETING, 1915.

Acts Excluding Chinese from California. Miss Brickman.

A Plea for Local History Teaching in Our Schools. J. M. Guinn.

OCTOBER MEETING, 1915.

Mexican Land Grants. Charles C. Baker.

The Ninety-third Birthday of a California Pioneer (Hon. Cornelius Cole). Dr. Rockwell D. Hunt.

At the May meeting Prof. Robert G. Cleland was elected to fill a vacancy in the Board of Directors occasioned by the death of Mr. Valentine Mott Porter, deceased.\*

Respectfully submitted,

J. M. GUINN, Secretary.

\*Mr. Valentine Mott Porter died February 24, 1915, Mr. Cameron Erskine Thom February 2, 1915, and Dr. James Harmon Hoose August 31, 1915. Biographies of the deceased members will appear in the Annual of 1915.

ANNUAL REPORT OF THE TREASURER OF  
HISTORICAL SOCIETY OF SOUTHERN CALIFORNIA.

Los Angeles, Cal., Dec. 7, 1914.

RECEIPTS.

|                                                |          |
|------------------------------------------------|----------|
| Dec. 8, 1913—Balance on Hand.....              | \$250.47 |
| Nov. 2, 1914—One Set Volume of Proceedings.... | 12.00    |
| Dec. 7, 1914—Membership fees to date.....      | 14.00    |
| Dec. 7, 1914—Dues to Date.....                 | 114.00   |
|                                                | <hr/>    |
|                                                | \$390.47 |

DISBURSEMENTS.

|                                                                     |          |
|---------------------------------------------------------------------|----------|
| Dec. 12, 1913—To Com'l Printing House, Printing..\$                 | 4.20     |
| Dec. 12, 1913—To University Book Store, Menus..                     | 7.25     |
| Dec. 12, 1913—To M. C. Bettinger, Stamped Envelopes .....           | 2.40     |
| Dec. 12, 1913—To J. M. Guinn, Postage and Envelopes .....           | 6.20     |
| April 7, 1914—To J. B. Walters, Printing Annual..                   | 227.95   |
| April 7, 1914—To J. M. Guinn, Postage on Publication .....          | 5.00     |
| June 5, 1914—To J. M. Guinn, Postage and Envelopes .....            | 6.65     |
| Oct. 6, 1914—To Subscription to <i>Southwestern Quarterly</i> ..... | 2.00     |
| Dec. 7, 1914—To Balance on Hand.....                                | 128.82   |
|                                                                     | <hr/>    |
|                                                                     | \$390.47 |

NOTE.—Only about one-half of the members have paid dues for the current year.

Respectfully submitted,  
M. C. BETTINGER,  
Treasurer.

## HENRY DWIGHT BARROWS.

Henry Dwight Barrows was born in Mansfield, Conn., February 23, 1825. Died in Los Angeles, August 7, 1914, in the ninetyeth year of his age. His ancestors came from England to Plymouth Colony. His mother's name was Bingham, of a good old family.

Mr. Barrows' boyhood was spent on a farm; he received a good, thorough English education in the common schools and academies of Tolland County, Conn. He taught school several winters, commencing when only seventeen years old. Early in life he acquired a strong love for music, which he cultivated as he had opportunity, learning to play on any instrument he could get hold of. He became leader of the local brass band when only eighteen years old; was very fond of books, and loved to read all that was best in literature.

He went to New York in 1849, and to Boston in 1850, where he was employed in bookkeeping for the large jobbing firm of J. W. Blodgett & Co.; during his residence in Boston he enjoyed all the best lectures and music of that center of intellectual activity.

The "California Fever" having broken out all along the Atlantic coast, and in many places reached an acute stage, Mr. Barrows decided to cast his lot with the Argonauts for the new El Dorado, as the glittering tales from here were too persuasive to withstand. He left Boston, where he then was employed, for his old home in Connecticut on April 1, 1852, to prepare for the contemplated trip. He sailed from New York for Panama on the 26th of the same month on the steamer Illinois, bound for the Isthmus, together with as many passengers as the old craft could carry—not accommodate—in a stormy passage. The crossing of the Isthmus, in a tropical climate, with insufficient means of transportation, was a journey of hardships, deprivations and misery which has long been unpleasantly historic. The journey from Panama to San Francisco was uneventful, but slow; arriving in San Francisco, Mr. Barrows found it a busy whirl of gold seekers from the world over, with but little regard as to how it might be secured.

He soon started out for the northern mines, the Shasta region. Being a book lover, a scholar, a music lover, with thorough instincts of the guild, and no desire or love for the wild life in a gold-mining camp, he sought for and obtained—having enjoyed



fair success as a miner—a position as teacher of music at the Collegiate Institute at Benicia, even then a flourishing educational establishment, amid the wild orgies of a gold hunting period. He remained there during the greater part of 1854.

While in Benecia the late William Wolfskill, who had removed here from Solano County, engaged him to teach a private school in his family in Los Angeles, and he came here in December, 1854, and continued teaching for the following four years.

It was here that Mr. Barrows acquired that love for the California Spanish people and their language and ways of living which made him the broad-minded and liberal man he was. He loved to converse with the old-time Spanish Californians in their own language, and was ever their friend and champion.

On November 14th, 1860, Mr. Barrows married Mr. Wolfskill's oldest daughter, Juanita Wolfskill. She died January 31st, 1863, leaving one daughter, Alice, who became the wife of Henry G. Weyse. Mrs. Weyse died November 6th, 1893.

In 1861 Mr. Barrows was appointed United States Marshal for the Southern District of California by President Lincoln, which office he held for four years.

In 1864 he engaged in the hardware business, in which he continued for about fifteen years. Mr. Barrows married Mrs. Mary Alice Workman, daughter of John D. Woodworth and the widow of Thomas H. Workman, who was killed by the explosion of the steamer *Ada Hancock* in the Bay of San Pedro, April 23rd, 1863. Mrs. Barrows died March 9th, 1868, leaving two daughters, one of whom is living, Mrs. Rudolf G. Weyse. Mr. Barrows was married a third time to Bessie A. Green, by whom he had one son, Harry Prosper Barrows.

For many years Mr. Barrows took an active part in public education. He was many times member of the Board of Education. In 1867 he was elected City Superintendent, and in 1868 County Superintendent of Schools.

He was a frequent writer for the local and other papers on economic and social questions. A close watcher of current events, he to the last retained his faculties to a remarkable degree. He has written many sketches of the lives of Pioneers of Los Angeles, most of whom he knew personally. In 1888 he was President of the Historical Society of Southern California, of which he was one of the founders, and to the publications of which he has contributed many valuable papers. He was one of the charter members of the Society of Los Angeles Pioneers.

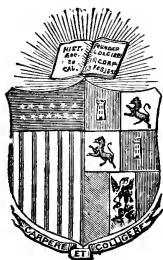
Such in brief is the personal history of one of the best and most upright men ever known in California, and whose memory will be enduring to his many warm and intimate friends. Upright in every

walk of life, true to his instincts of manhood and civic righteousness, he was identified with every measure and movement for the betterment of conditions in society and public affairs.

Being an accomplished scholar, a great reader, and close observer, no one was better acquainted with California history and local affairs, and his every ready and trenchant pen was active in presenting a record of events and persuasive arguments for clean and wholesome administration in all things. Many a paper of literary merit prepared by Mr. Barrows will be preserved in the publications of the Historical Society and the Pioneer Society, of which he was President in 1901.

Mr. Barrows was a charter member of the Historical Society of Southern California. He took an active part in its founding. He was faithful in attendance at the meetings. His contributions form a large part of the nine volumes of its collection. Mr. Barrows is the last but one (J. M. Guinn) of the founders of the Society.

# PUBLICATIONS



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OF

## Southern California

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## Volume IX

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