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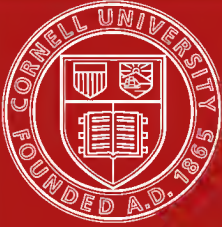
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# ADDRESSES

DELIVERED BEFORE THE

CALIFORNIA SOCIETY

Sons of the American Revolution

---

BIOGRAPHICAL SKETCHES

BY

THOMAS ALLEN PERKINS









# ADDRESSES

DELIVERED BEFORE THE

CALIFORNIA SOCIETY

OF THE

Sons of the American Revolution



BIOGRAPHICAL SKETCHES

BY

THOMAS ALLEN PERKINS

Historian

SAN FRANCISCO, CALIFORNIA

Published by the Society

June, 1913

A.284914



PRESS OF

SHANNON-CONMY Co., 509 SANSOME STREET  
SAN FRANCISCO, CAL.

1913

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Plates by S. F. Photo Engraving Co.

# Sons of Revolutionary Heroes

ITS ORIGIN,

NAMES OF OFFICERS,

*CONSTITUTION, BY-LAWS,*

ARTICLES OF INCORPORATION,

NAMES OF MEMBERS,

AND

RULES AND REGULATIONS OF AUXILIARIES

---

ORGANIZED IN SAN FRANCISCO,

STATE OF CALIFORNIA,

JULY 4, 1876.

---

All honor to the brave,  
Who in the cause of freedom fought,  
Who would not be a tory knave,  
Or by the British bought.

---

SAN FRANCISCO:  
ALTA-PRINT, 529 CALIFORNIA STREET.  
1876.

Cover Constitution S. R. S.





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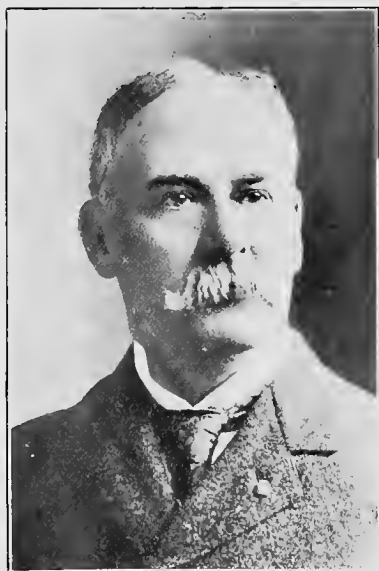




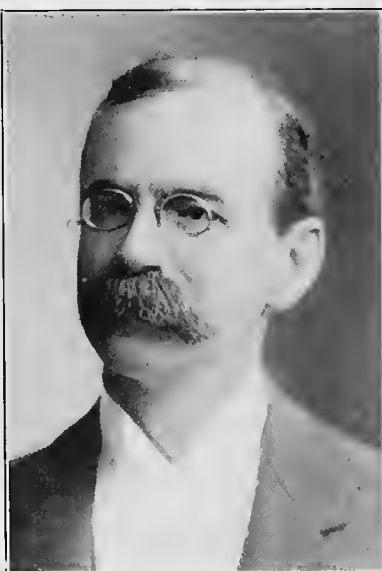
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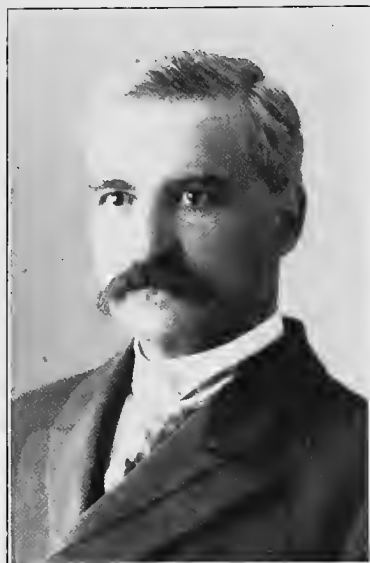


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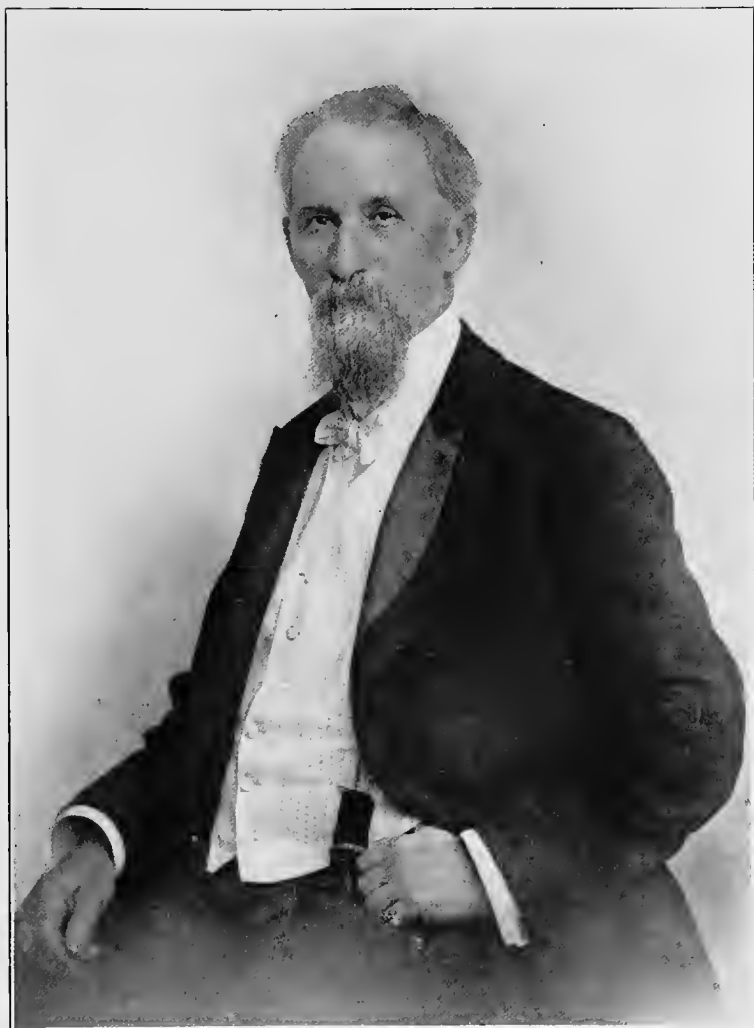






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HORACE B. DAY



F. BLAIR TURPIN



J. R. MUNSELL, B. L.

OFFICERS 1913



## P R E F A C E

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In 1909 the Society published a book of Addresses delivered before the Society and Memorial Sketches, edited by the Historian.

Prior to that time only circulars, pamphlets, constitutions and rolls of members had been published, except a Register in 1901. In 1910 the constitution and by-laws and roll of members were published.

The Board of Managers authorized the Historian to procure a photograph of each past president. A request for a photograph was sent to all past presidents and families of deceased past presidents, except Winn, Fay, Taylor and Pickering, whose addresses are unknown.

THOMAS A. PERKINS.



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# THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION

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*Organized April 30, 1889*

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*Incorporated by Act of Congress June 9, 1906*

Officers elected at Chicago, May 20, 1913

## *President General*

ROGERS CLARK BALLARD THRUSTON.....Louisville, Ky.

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JOHN H. BURROUGHS.....15 William St., New York City

## *Historian General*

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## *Chaplain General*

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Organized July 4, 1876.

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### PRESIDENTS

- \*Albert M. Winn, 1876-1881.      \*Augustus C. Taylor, 1882-1884.  
\*Caleb T. Fay, 1881-1882.      \*Loring Pickering, 1884-1886.  
\*A. S. Hubbard, 1886-1890.

### SECRETARIES

- W. B. Eastin, 1876-1877.      Emory L. Willard, 1886-1889.  
\*A. S. Hubbard, 1877-1886.      W. B. Eastin, 1889-1890.

### TREASURER

- \*James P. Dameron, 1876-1890.

### MARSHAL

- \*William S. Moses, 1876-1890.

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\*Deceased.

# CALIFORNIA SOCIETY SONS OF THE AMERICAN REVOLUTION

Organized March 22, 1890.

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## OFFICERS

### PRESIDENTS

- \*A. S. Hubbard, 1890-1892.
- \*Admiral John W. Moore, U. S. N., 1892-1893.  
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- \*Charles J. King, 1894-1895.  
Col. Edward Hunter, U. S. A., 1895-1896.
- \*Hon. Elisha W. McKinstry, LL.D., 1896-1897.
- \*Sidney Mason Smith, 1897-1898.  
Col. John C. Currier, 1898-1899.  
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Hon. Wm. H. Jordan, 1901-1902.  
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- \*Giles H. Gray, A.M., 1903-1904.  
Col. Alfred D. Cutler, 1904-1905.
- \*Alexander G. Eells, Ph.B., 1905-1906.  
Edward Mills Adams, 1906-1907.
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Pelham W. Ames, A.B., 1907-1908.  
Geo. C. Sargent, 1908-1909.  
R. M. Sims, 1909-1910.  
Thomas A. Perkins, A.M., 1910-1911.  
Orville D. Baldwin, 1911-1912.  
A. J. Vining, 1912-1913.

### SECRETARIES

- W. B. Eastin, 1890-1892.
- Roseoe S. Gray, 1892-1894.
- E. Burke Holladay, 1894-1895.
- Frank K. Upham, 1895 (resigned).
- Edwin Bonnell, 1895-1905.
- J. Mora Moss, 1905-1909 (resigned).
- †Edwin Bonnell, 1909-1912.  
Thomas A. Perkins, 1912 (unexpired term).

---

\*Deceased.

†Died in office.

#### TREASURERS

- \*James P. Dameron, 1890-1891.  
Henry M. Martin, 1891-1892.
- \*Charles J. King, 1892-1893.  
Charles H. Warner, 1893-1904.  
Clarence S. Scott, 1904-1906.
- \*Edwin Bonnell, 1906-1909 (resigned).  
A. D. Cutler, 1909-1911.  
Clarence S. Scott, 1911-1913.

#### REGISTRARS

- †A. S. Hubbard, 1892-1913.  
Thomas A. Perkins, 1913 (unexpired term).

#### HISTORIANS

- Thomas A. Perkins, 1908-1913 (resigned).  
Geo. W. Merrill, 1913 (unexpired term).  
(The office was appointive until 1912, when it was made elective by constitutional amendment.)

#### MARSHALS

- \*William S. Moses, 1890-1898.  
Thomas A. Perkins, 1898-1899.  
Sheldon I. Kellogg, Jr., 1899-1900.  
Frank W. Sumner, 1900-1901.  
Byron Mauzy, 1901-1906.  
J. R. Munsell, 1906-1907.
- \*James S. Manley, 1907-1908.  
Edward M. Adams, 1908-1910.  
Frank W. Cushing, 1910-1911.  
Thomas A. Perkins, 1911-1912.  
(The office was abolished by constitutional amendment, 1912.)

---

\*Deceased.

†Died in office.

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Elected April 18, 1913.

President—H. C. Capwell, Oakland.

Senior Vice President—J. Mora Moss, M. D., San Francisco.

Junior Vice President—Chas. H. Blinn, San Francisco.

Secretary and Registrar—Thomas A. Perkins, A. M., LL. B., Mills  
Bldg., San Francisco.

Treasurer—Col. J. C. Currier, San Francisco.

Historian—Ernest J. Mott, LL.B., San Francisco.

R. Cadwallader, M. D., San Francisco; Horace B. Day, San Diego;  
W. P. Hubbard, San Francisco; Frank A. Leach, Jr., Oakland;  
J. R. Munsell, B.L., Oakland; F. Blair Turpin, San Francisco.

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## CHAPTER OFFICERS—1913

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Vice-President—Chas. L. Allen, M. D.

Secretary and Treasurer—N. J. Cordary, Hollingsworth Bldg.

### SAN DIEGO CHAPTER NO. 2

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First Vice President—F. P. Reed.

Second Vice President—John H. Elseffer.

Secretary—Allen H. Wright, City Hall.

Treasurer—John P. Burt.

Registrar—Putnam Field.

Historian—F. Baker.



# ADDRESSES

Delivered before the

## California Society

— of the —

# Sons of the American Revolution

---

## ALEXANDER HAMILTON

By GEORGE W. MERRILL, A. B.

SAN FRANCISCO, August 7, 1909.

Born on a foreign, sea-girt isle, his infantile cradle rocked by nature's violent convulsions, his lullabies being the tempestuous winds of a tropical clime, transported to American soil, reared in the environments of a Revolutionary epoch, there appeared on the horizon of the dawning day of civil liberty in America, a boy saturated with brains, brave, cool and indefatigable, subsequently developing into a soldier and statesman, the founder of an enduring financial system, one of the builders of a Nation, one of the architects of a constitutional Government, which has been tested and not found wanting for more than a century, the basic principles of which will remain an everlasting monument of civil liberty, co-existent with the rights and freedom of mankind.

It is not my purpose to enter into details, and trace his ancestry, or endeavor to settle the controversy concerning the legitimacy of the birth, or excuse the social foibles, if any such there were, of Alexander Hamilton.

Whether a legitimate or illegitimate child was an affair beyond his control, but his life work proves to me the indisputable fact that through some source, by some one, at some time, he was impregnated with extraordinary mentality. a tenacity of purpose, a prophetic vision, and an unswerving devotion to the development of the heavenly implanted rights of man.

Left an orphan while yet in his swaddling clothes, the manager of a mercantile establishment before attaining his thirteenth year, migrating to America, and mingling the duties of a student with an active interest in the rights of the people, he never participated in the sports of youth or knew any childhood.

Perhaps his providential advent in America may be attributed to a West Indian hurricane, hurling a giant brain to these shores and dropping it into a whirlpool of British soldiers, New York Tories and Colonial patriots.

It was in New York that an unknown boy, facing a mixed population assembled to consider the attitude of England toward her Colonial subjects, was among the first to prognosticate the future as he cried out, "It is the battlefield or slavery."

It was then that he pledged himself to the most sacred cause of the American Colonies, to fight for it, and when the enemy was driven out, to give all that his brain was capable of learning and conceiving to aid in reconstructing the tattered colonies and unifying them into one great State or group of allied States.

Whether as a soldier or statesman, in private life or in public office, he is accorded the honor of being ever faithful to this youthful pledge.

As to his career as a soldier, whether commander of the rear guard, protecting the retreat of the American forces from Long Island, rescuing the munitions of war in New York harbor from under the guns of the British ship "Asia," disemboweling the British soldiers with his artillery at White Plains, enduring the rigors of winter at Valley Forge, a staff officer with Washington, or successfully storming the redoubts at Yorktown, we recognize a cool, brave, unyielding spirit, which never surrenders when enlisted in a righteous cause.

But it was in civil life that he achieved his greatest triumphs, and established a fame akin to immortality.

For many years there existed among the people the prevailing opinion created by politicians for party purposes, that in the formative period of this Government, Hamilton favored and struggled for the establishment of a monarchy. But an inquisitorial searchlight thrown upon the history of those times fails to reveal any such sentiments.

The absurdity of such a charge is best refuted by his own argument against it, when he says, "The idea of introducing a monarchy into this country is one of those visionary things that none but mad men could meditate. The fabric of the American Empire ought to rest on the solid basis of the consent of the people and the streams of national power ought to flow immediately from that pure, original fountain of all legitimate authority."



That he favored a strong, firm and enduring government, based on a constitution which could be impregnated with life, vigor and power as the antithesis of the powerless, lifeless articles of confederation, cannot be denied.

His observation and experience in that heroic Revolutionary struggle made manifest the fact that there was no dominant authority to enforce laws passed by Congress, that the States were extremely jealous of their rights, and would comply or not with the laws of Congress as their local interests were favorably or unfavorably affected.

In fact, it seemed to have all the characteristics of a go-as-you-please government, without power to enforce treaties which it had essayed to make, regulate commerce or levy taxes.

It was a nation on paper, ridiculed by foreign powers, while the results of the war for independence were being jeopardized.

It was then that Hamilton became the leading spirit to establish a more permanent union among the states, to weld them together and thereby build a responsible, active, vitalized nation, capable of commanding influence and respect from the civilized world.

It was his constant aim to harmonize the various interests and weld together the discordant states into one harmonious whole, reserving to each its proper rights, and avoid, if possible, that contest of three-fourths of a century later, which he so much feared, which cost so many lives and saturated American soil with the blood of numberless heroes.

The fundamental principles which actuated Hamilton in the struggle for the establishment of a more perfect union was the same spirit which fought for a perfect union in the convention at Philadelphia, and immersed a newborn child of freedom in the baptismal blood of millions.

Washington and Lincoln stand apart in the history of this Republic as isolated monuments, majestic and grand, the one marking the foundation, the other the completion and establishment of a stable national entity.

But in a class by themselves, different and distinct from either Washington or Lincoln, there stands apart in our history a monumental group of constructive statesmen, the framers of a constitution, the conceivers of a fundamental law, not only remarkable as applicable to a newborn republic, but a marvelous structure which has withstood the gigantic evolutions of a century and today is the basic model for future liberty-aspiring nations.

Not only was Alexander Hamilton among that group of statesmen, but as a maker of this government the light of history illumines his name with a brilliant halo, unequaled by any of his contemporaries.

Paradoxical as it may seem, the doctrine of the extreme States' Rights advocates, coupled with commercialism, became the cornerstone on which is constructed the constitutional fabric of the United States. With Spain still dominant on the Southern coast; refusing to permit the waters of the Mississippi bearing the rapidly increasing commerce of the Western frontier to go unvexed to the sea; with obstinate England still refusing to comply with its treaty obligations to vacate the forts along the lakes and the Northern boundary; amid the turbulence of warring and jealous states; amid the antagonism predominating in commercial circles; with the different states entering into treaties of commerce with each other; amidst threats of secession; with anarchy impending, and the insistence of the paramount rights and independence of the states, a convention was called to meet at Annapolis, to which representatives of all the states were invited, to harmonize, if possible, the various interests and to consider the establishment of a uniform commercial system.

But the public indifference was so great that only five states were represented, but Hamilton was there, a chief among the number. As nothing could be accomplished by such a limited representation, with delegated powers limited to the regulation of commerce, Hamilton conceived and drafted an address to the different states, which the convention adopted, forcibly setting forth the alarming condition of the country, the inadequacy of the confederate government to meet the demands of the times, and calling another convention composed of delegates with more general powers.

Thus was conceived and born that famous Philadelphia convention which, in turn, gave birth to a constitution, unparalleled in history, and is today the guiding rudder of the greatest nation on earth.

In that convention, as is well known, there were presented three plans for the construction of a constitution, known as the Virginia, New Jersey and Hamilton plans.

Obedient to his convictions that the imbecility of the confederation had been fully demonstrated, that it contained no cohesive force such as ought to exist as the basis of a nation capable of enforcing its rights and redressing its wrongs, the plan of Hamilton was the most radical of all, providing for an indissoluble union and bordering on aristocracy, in that he proposed that the President and Members of the Senate should be elected for life, or during good behavior, by an electorate having a property qualification, while the Members of the House of Representatives should be elected triennially.

Although fully aware that his plans would not be acceptable in all its parts, to the convention and could not be adopted by the people,

yet it furnished him the opportunity of presenting his ideals of a powerful national government, based on the lasting unity of the states.

It was his able, logical and convincing arguments showing the necessity of a radical change that stimulated the members of that august body to take more advanced ground in framing the organic law than they had at first entertained, and largely influenced the members of that convention in strengthening the Constitution and effecting compromises tending to greater national power.

But it was after the completion of the labors of that convention that the brilliancy of his genius illumined the character of the man, unfolded the underlying principles which actuated him, and proved his fidelity to the cause of Constitutional Liberty.

With his colleagues from New York opposed, he alone as its representative signed the proposed Constitution and entered at once upon a vigorous campaign with pen and tongue in favor of its adoption.

In the State Convention of New York, then, for many reasons, considered the pivotal state, his heroic struggle and marvelous power changed a determined majority of 46 against to a majority of three in favor of its adoption. It was an alarming and critical period in our history, with an evident majority of the people seemingly determined to yield no further rights than existed under the confederation.

Hamilton did not sulk because his ideals of a constitution were not fully approved by that convention, but with patriotic instinct he realized that in the proposed constitution the States had yielded many rights, the preservation of our independence had been gained, and the safety of the nation and the liberties of the people demanded a government more powerful than that afforded by the powerless articles of confederation. With the full force of his majestic power, he leaped into the arena, determined to rescue it from defeat, then threatening, and by his unequalled, clear, logical, vivid and convincing oral and written arguments superadded to those of Madison and others, swept the hesitating, doubting Thomases and luke-warm adherents of States' Rights into the ranks of those favoring its adoption.

He did not appeal to the passions of the people, but it was his plain arguments, clear reasoning and logical conclusions which carried conviction to the minds of the people and established Hamilton as the great leader in those critical times, and procured the adoption of our great charter of liberty then hanging in the balance.

Having full knowledge of his patriotism, untiring energy and devotion to the interests of the new nation, Washington invited him

to become a member of his political family to assist in organizing and vitalizing the infant Republic.

At no period in our history has there existed a greater necessity for a clear promulgation and adoption of a solid financial system that at that time, when our domestic, foreign and state obligations were in a chaotic condition. A system was needed which would be able not only to resist the tidal waves of external and internal war then threatening, but one which would withstand the buffeting storms of the future and adapt itself to the expansion of a progressive nation.

To Alexander Hamilton must be accredited the honor of laying the foundation of such a system, and constructing thereon a financial edifice which has withstood the buffetings of over a century and will remain a monument to his memory as long as the Constitutional Government of the United States shall endure.

Whatever he proposed, his great object and aim "to cement more closely the union of the States" constantly permeated his every thought and act, and any scheme which would mold public opinion favorable to a strong, central head was never allowed to escape his consideration.

Not that he aimed at the abrogation of the identity of the States, or attempted to deprive them of certain distinct and proper rights, but his great aim and object was that they should form a nation, the component parts of which, under the Constitution, would become so solidified as to command obedience at home and respect abroad.

His reports to Congress embracing schemes to establish public credit; to assume the debts of the States; provide for the full payment of domestic and foreign obligations; the establishment of a national bank, urging impost duties and excise tax, and his report on manufactures, embracing the foundation of the present protective policy of the United States, were bold, courageous and daring propositions at the time, conceived not only for the upbuilding and permanent welfare of the nation, but as measures designed to enlist the sympathies, the financial interests and co-operation of all the people of all the States in an endeavor to unite them in aiding the general government to rehabilitate the internal commerce of the country, restore confidence at home, and influence abroad, to stimulate a diversity of pursuits, silence the bickerings of discordant States, and clarify the political atmosphere already surcharged with threats of secession.

To him the United States owes its funding system, its revenue system, national banking system, currency, and the first enunciation of its protective policy.

He fully realized and acted on the belief that a successful financial policy meant the firm establishment of the new government.

By these means, he imparted vigorous national life and strength into the new government, and drew to his aid a powerful class, whose pecuniary interests, the strongest of all ties, for a time caused them to forget State lines.

It was the work of a mastermind, acting for the present and penetrating a far-distant future, even beyond this day and our generation.

In the language of Webster, "he smote the rock of the national resources and abundant streams of revenue gushed forth. He touched the dead corpse of public credit, and it sprang upon its feet."

In an argument before a divided cabinet council on the Constitutionality of the National Bank Act, with President Washington in doubt, Hamilton first called into vigorous life the doctrine of the implied powers of the Constitution, a doctrine subsequently enunciated and affirmed by Chief Justice Marshall in the celebrated case of *McCullough vs. Maryland*, which has so largely aided in safely piloting the country through the vicissitudes of a century and assisted in the successful building of a powerful nation.

In short, Hamilton seemed to be possessed of magical legal acumen, which served him well in a political capacity when struggling to rescue the country from its deplorable financial condition and establish a permanent financial policy.

He was ever vigilant in pointing out the hidden powers of the Constitution, and injecting vitality into what, in the opinion of its opponents, was a lifeless instrument.

Undoubtedly it was his financial policy and the wielding of the powers of the Constitution which developed internal resources of the country and laid the foundation of a great nation. While doubting the merits of the Constitution and its ability to stand the strain of the burden it was destined to bear, yet he bent all his energies to make it a success, and to strengthen all its weak points was his constant aim.

By establishing the doctrine of a liberal construction and the implied powers, he injected that vitality into seemingly barren clauses of the Constitution which gives to the whole organism eternal life.

It is said of him that he did the thinking of the time, but his life work indicates that he did the thinking for the future generations as well.

The implied powers so strenuously invoked by Hamilton in advocating the Constitutionality of the National Bank measure, marked the parting of the ways when Hamilton and Jefferson became estranged and traveled divergent paths, the one leading to a close unification

of the States, and a strong nationality, the other, along the way leading to a larger independence of the States and a union dependent upon their will.

While the political antagonisms and personal enmities thus engendered were never healed, yet Jefferson designated Hamilton as the "Colossus of Federalism," and when the contest for President was evenly divided between Jefferson and Burr, Hamilton, as ever controlled by the broad, intense, patriotic instincts of his nature, and believing that the government would be endangered by the election of Burr, rose above party and utilized his vast influence in favor of his bitter enemy and secured the election of Jefferson.

Not only in the department of finance, but in all matters relating to the internal and foreign policy of the Government, he was a controlling factor among the Cabinet Councillors of Washington.

With Washington, he joined in resisting the clamors of the multitude for entangling alliances with France and all foreign powers.

Notwithstanding gratitude would seem to have created an implied duty, at least, for us to join in an alliance with France against England, at the time of the French Revolution, yet, guarding against a precedent for posterity, the policy of Washington and Hamilton was strict, genuine neutrality.

Hamilton maintained that gratitude, or Treaty rights, did not extend to the subjects of a King who had aided us, and whom they had deserted and beheaded; that it was not a violation of good faith to refuse to join an alliance with a people, who, under the pretext of reform, had changed to revolution, anarchy, revenge, cold-blooded massacres, cowardly murders and the execution of a king, in rapid succession.

Then was laid the foundation of a policy forbidding entangling alliances with foreign nations. It was also at this period, under the administration of Washington, strongly supported and earnestly advocated by Hamilton, that the so called Monroe Doctrine first had its birth.

His genius, his logic, his intellectuality, his irresistible persuasive power over assembled bodies, even against their will, his convincing power before judicial tribunals, were marvelous revelations alike to his contemporaneous friends and foes; they have been the marvel of a century, and will ever remain so while history is read, and whenever future generations discuss the rights of man, or attempt to weave into a governmental fabric a fundamental or constitutional guide, Hamilton will be the brilliant headlight to illumine the way, to detect obstructions on the great highway of progression, aid them to escape

a wreck of their hopes, and enable them to reach the safety station of constitutional liberty.

Whether that fatal wound inflicted by the unerring aim of Burr, on that peaceful July morning, is to be considered, according to popular parlance, untimely, must remain a mooted question, resting in conjecture only.

Ought we to weep for one who dies mid honor's full glow, or shall we say of such a one, who has stepped to the sky, that it is blessed to go when so ready to die?

In his 47 years of youth and middle age, he accomplished the life work of an octogenarian, and the flickering flame we call life, went out with a mourning nation at his bier, while the plaudits of posterity are still echoing around that monument of constitutional liberty in the upbuilding of which was employed the powerful intellect and wonderful genius of Alexander Hamilton.

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## TREATY OF PARIS

By William Ford Nichols, D. D., Bishop of California.

Trinity Church, San Francisco, Sept. 5, 1909.

Towards the end of the eighteenth century, as the three hundredth anniversary of the discovery of America drew near, a prize was offered in France for the best essay upon the effect of that discovery upon mankind. And just four years after the Treaty of Paris, as one outcome of that prize, there appeared a book in France entitled, "The Influence of the Discovery of America Upon the Happiness of the Human Race." The writer was rather disposed to look upon it as a great mistake; that the reckoning, when it was all summed up, of the year 1792, which he anticipated by a few years, the condition of the world in his rating at the time of the three hundredth anniversary of the discovery of America, was that the world, on the whole, would have been rather better off if Columbus had not discovered this continent. One redeeming feature that the writer found for that discovery—and it shows his perspective—was the fact that quinine had been introduced into Europe as a good specific for fever. That was four years after the Treaty of Paris, and it reflects a world sentiment at that time, utterly ignoring the significance of what was going on in this country.

Not long ago a distinguished Englishman, in visiting our city, soon after the Spanish War, struck a note (and he was "English of the English") of a decidedly opposite character. Said he, "The United States first told the modern world how to have Colonies—that was in your Revolution. And just after the Spanish War and the splendid achievement of Mr. Day, in diplomatic circles, as in your Revolutionary War you had taught the world how to foster colonies, you taught the modern world straightforward diplomacy and diplomatic relations, in directness of speech."

When, then, we turn back our thoughts over that stretch of a little more than a century and a quarter, and when we remember that the surrender of Cornwallis in the latter part of 1781 had awakened in Parliament a sense that the American war should come to a close, and voices were lifted there and matters were progressing rapidly, so that two ministries were wrecked before the King was willing to fully recognize our independence; when we study, as you have studied, the complicated condition of things in the world, because England found itself at that time not only with the prospect of making a treaty of peace with America, but with the necessity of making a treaty of peace with France, and one with Spain, and one with The Netherlands; when we turn back and look into the difficulties and the problems that confronted our representatives; it is of the utmost importance first, that out of it all we should pick out what was the opportune moment for our lifting up an ensign to the nations.

First I want to say something about the significance of the event we are celebrating and next to say a word about the signers of the treaty. The significance of the event was not merely that it was the result of a revolution, but that it was, first, a devolution, and next, an evolution. It was a devolution, because it was chartering for the first time in the world's history a power of democracy. The world had known republics before, of course, but never was unfolded to the breeze such a standard of a republic as that republic which was consummated in that treaty.

It was by a sweep of affairs in human history that we realize that democracy is a devolution from aristocracy, that the rule of the people is a distribution from the rule of the autocrat. We saw at that signal time in our history the distribution of the power. Just as we have strong instances, like that of Constantine at the beginning of the fourth century of concentrated imperialism, power gathered up into one man, autocratic power, arbitrary power, power that could speak its voice and have its behest observed over a whole world and over a united world; just as in imperialism we see power gathered up



and centralized in one man, we see that the history of government power since that time became a history of gradual decentralization, a gradual tearing down, a gradual elimination, gradual distribution from the one center. So that from a Constantine to an American Congress of free people, you see centuries and ages in this kind of progress of human action and human thought. It is that masterly outlook down the ages that you and I need to take when we consider the events of a century and a quarter ago. It is for us to see the process which was going on century after century, many an agency, many a country, many a statesman, many a general, contributing to it, building better than they knew, in the great momentum of this object, in its sweep forward to its consummation, until from imperialism you have the sovereign exercise of authority in the people.

It took at least fifteen centuries for that process to work itself to completion. And the doctrine of a Locke and the exigencies of an American freedom were only the ultimate culminations of these powers which had been working underneath all the time. Men had risen against arbitrary assumption, men had given their lives against arbitrary dictation, here a little, there a little, until the power was distributed. But for the first time, did democracy, as a distinct devolution, have this power, when that treaty of Paris was signed in 1783.

It is, then, first, a more noteworthy fact upon which I cannot elaborate further here, that that document registered on the page of human history a devolution of government power from the autocrat to the democrat.

But it was not merely a devolution. It was instantly taken up as an evolution. Professor Fiske calls attention to that utterance of Tom Payne, when he heard of this treaty, to the effect that "the times that tried men's souls are over." And then Fiske proceeds, in that masterly book he has written of the critical period of American history, to show us that the five years which followed that treaty, from 1783 to the adoption of the Constitution in 1788, was the most critical five years in American history. The treaty was not the end—it was only the beginning of a crisis. This power, dowered upon a whole people, had to be interpreted by that people aright, had to be led into right channels. There was a danger it would be led into wrong channels. It was only ten years later, that, with fire and frenzy, Paris and France were swept over by another kind of revolution, which was not a sane evolution,

as here, of this democratic spirit. But, thank God, in the three signers of that treaty, we had men competent to meet the crisis, as the American nation always had men ready, always has the man behind the emergency. And when we think of John Adams and John Jay and Benjamin Franklin, when we think of them in that statuesque way, as you remember Benjamin West portrayed them in his unfinished picture, patrician Jay standing there, honest, farmerlike Benjamin Franklin at his side, then sturdy John Adams, the statesman in every feature—they were indeed the men for the times. Curiously enough, every one of them was experienced in the courts with which England was entangled, and our own independence was in some way complicated with all those other wars. Adams had been at the court of The Netherlands, as he had been at the court of France. Franklin had been at the court of France; Jay at the court of Spain. These men of America, as our Judge Day after our Spanish war, were on the spot, furnished and finished with all that was needed to meet any Machiavellian artifices and ingenuities and intrigues, in a straightforward way carried their point.

I know you will allow me, in the House of God and in the service of high praise to that Providence Who overruled it for good, while I do not underrate many another aspect of the agency of these three men of that great transaction, while I recognize their diplomacy, their ability, their training, if I, in the brief time for dealing with this subject, stress the way in which they recognized God in this destiny of the nation.

To begin with, as you read that treaty, it has, "In the Name of the Most Holy and Undivided Trinity" at the top of it. Of course, it may be a mere conventional phrase. But, backed up by what we know of those three men, realizing, as they did, that they were making a great page of American history, we may well consider that it was no mere fictitious nor conventional sense in which they used it or that it had to them, as they realized what they wrote and what they did was under the overruling of that same most high and undivided Trinity, the Providence of Almighty God.

It so happens that the annals of our own Church are rich with the agency of all these three men. John Adams was not of our communion. But, as Minister to England, he was instrumental in bringing some very delicate questions of our own Church at that time before the British Ministry, before the Archbishop of Canterbury, and in later life, he looked back with especial pleasure upon the instrumentality he had had in settling the matter for us, the

question of bringing over here the episcopate into America which had been so identified with the state in the country from which we had just become freed.

But, while John Adams was not a member of our communion, both John Jay and Benjamin Franklin were. Benjamin Franklin was vestryman of Christ Church in Philadelphia. Benjamin Franklin, curiously enough, suggested a revision of the prayerbook, all of his own, a copy of which Mr. Pierpont Morgan has in his library to-day as a very great rarity. He also, in the delicate diplomacies of the day, had an active agency in adjusting matters for our own Church.

John Jay was an active churchman in New York city, and was a member of our second general convention in 1786. He had a hand in phrasing some of the documents which our Church sent over to the Archbishop of Canterbury and others at the time.

And so they all made direct recognition of the power and agency of religion in envolving the great principle of freedom with which they were so closely concerned. Perhaps an utterance, which, more than anything else, would fix that, was an utterance of Franklin himself, in which he says that if, in public affairs, men would apply the principles of primitive christianity, they would change the face of the world tomorrow. That is Franklin's sentiment, and presumably was the sentiment with which he wrote at that time. It seems to me that, as we have had our Te Deum to-night, and our praises to God, so we should carry away from this service first realization that back of our indebtedness to a Washington, back of our indebtedness to a Chief Justice John Marshall, back of our indebtedness to those men that fought the battles and carried through this critical period our newly freed country, was Almighty God; and it was happily conceived by those who have thought of it, to bring to-night this anniversary celebration within the walls of God's House, and in praises and in prayer to lift up a united voice to Him in recognition of the way in which He rules the destines of nations and in which he has brought about the epochal career of this American Republic.

What is the bearing of this religion upon that evolution of democratic principle? It is this: that at the very beginning it was recognized that this new power of democracy was one which, let loose in the world, had to be tamed, that christianity is the power in the world to tame and assimilate and develop these great forces. They might, like great Niagara, thunder down the ages, carrying

destruction before them, or they might be chained and harnessed to the use of men. And the power of religion is to take this great underlying power of humanity, and, not in one year, nor in one century, nor in ten centuries, but in many, to take it and turn it to the elevation and betterment of mankind.

That, then, is the concluding thought with which I would leave this topic, that we have here something like the full orbiting of the earth, which is unique in the role of humanity. Upon it depend the great movements of the globe itself, this unloosing, this emancipation of the power of the people. It is a great power. It was a devolution from imperial power and autocratic power. The men who did it stood upon the eve of a revolution of democratic power. What did they do? Why, they adapted it to the emergencies of the time, and in order to carry the country through those five years of its crisis and give us this century and a quarter of national life, they recognized immediately that the only thing under Heaven that could use this power and save us from carnage and destruction and anarchy was the power of Jesus Christ.

And they learned that lesson from the past. When imperialism was in the world, off in little Judea was born one who was called a King. It was at first but the sneer of the Emperor to recognize such a one as a King. When Jesus was dying and bleeding on the Cross, over a crown, not of brilliants, over a robe not of purple on the imperial throne, but over a robe of scorn, over a crown of thorns, was written in scorn "The King! The King! The King!" It was written in three languages, the language of Greece, the language of Rome, the language of Judea—the three great world civilizations—"The King!"—the scoffed-at King.

But Christianity took that imperial power in the world, that power of your Caesars, and the one born there after a while vindicated, in the three civilizations, in the language of the old Greek civilization, in the Roman civilization, in the Hebrew civilization, vindicated that he was a King. It took three centuries for that imperial purple to wrestle with this new Power and this new King before the standards that fluttered before the Roman legion had on them the Cross of Jesus Christ. Imperialism was tamed in three centuries. And in this modern time, when this new power was let loose, when the power of democracy became a new thing under the sun, Christianity was quick to grapple with it. It has grappled with it one hundred and twenty-six years. We have big problems yet, problems of democracy that are veering towards anarchy, problems to the right and to the left that are puzzling the statesmen

of the world. But we have only had one hundred and twenty-six years, and it took three hundred years for Christ to tame imperialism. If it should take three hundred years to christianize democracy, does it not make us brave and does it not make us feel that we have the power of history behind us, when we reflect upon that earlier struggle?

If it is not tamed, if this power of the people shall run riot, why, it will be like that old story which appealed to Tennyson, that story which has its direct association with those stirring times of old, almost coincident with our own attainment of democracy. You remember the key of the Bastille was sent to our Washington, and the story was that, in the old days of that prison, one day there came a pardon to a political prisoner who had been immured there for years. He had settled down into this as his lifelong sentence, the narrow constraint of the cell, the darkness to his eye. One day he walked forth a free man. Some friend, as he went forth, put a few sous into his hand, that he might buy the necessities of life until he could turn himself about, and, as he walks forth with elasticity and buoyancy, he suddenly sees a lark in a cage, and it at once impresses him, "There is a prisoner in that cage—there is a prisoner as I was a prisoner. I will not tolerate it a moment. These few coins shall go to buy freedom." Instantly he bought it and took the cage, and, as soon as he could, he opened the door of the cage, and the bird, freed, sped up toward Heaven. But not having known what freedom was, the bird exhausted itself, and dropped dead at his feet. Such will be the fate of human freedom, disenthralled, unless it has something to tame it, to check it, to grasp it and carry it along right lines for human progress and human elevation and human conduct. And so, if we realize that this treaty stood for the devolution from imperial power to the sovereignty of the people, and reflect upon the might of the men who steered it through those critical years, and conceive the evolution of religion bringing it to the benefit of mankind, I believe we put our finger upon a lesson for the voter, a lesson for every man to-day, and that is, to be patient, to use our religion, to vote, to think, to write, to act as if Christ were underneath the things of to-day, and He is only using us in our generation, and perhaps it will be other generations, perhaps it will be three hundred years before it is all accomplished as it was in that older time. But in our day and generation we shall each be doing our part.

And so, in greeting you to-night, Sons and Daughters of the American Revolution, I would greet you on the anniversary of this

treaty as Sons and Daughters of the American devolution, and as Sons and Daughters of the American evolution, as you bring your principle, as you bring your integrity, as you bring your patriotic pride, as you bring your ancestral loyalty, as you bring your religion down to the realization of the fact that religion, in its own way, is to have a part in making American citizenship a proverb for christianized democracy.

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## PERPETUITY OF THE AMERICAN NATION

*By* EDWARD ROBESON TAYLOR, M. D., Mayor of San Francisco,

At Trinity Church, September 5, 1909.

This is an occasion which might well serve to stir the hearts of all of us. An occasion like this takes us back to the Revolutionary days, when our fathers were indeed the heroes that we have always imagined them to be, and when, after a hard struggle of eight years, the peace was concluded and signed, which we celebrate tonight. I am not here to say anything to you about that occasion. The Bishop has already eloquently said all that is to be said about it. But I am here to speak upon the subject given to me, the "Perpetuity of the American Nation."

That means to me the taking an account of stock: to see how the books stand, what debits there are, what credits there are, and whether or not the credits so outbalance the debits as that we may feel reasonably well assured that our republic will be perpetuated, and will not, as others before it have done, strew the shores of Time with its dismembered fragments.

"We have made extraordinary material progress during the one hundred and twenty-six years since the treaty which started our country unquestioned on an independent career, a material progress beyond all expectations, undoubtedly, of the fathers of our country.

First take the population, which at the time of this treaty was a little more than three millions of people, certainly not as much as four. Now our population cannot be less than ninety millions, and may, perhaps, be more. In the next place, take the increase of our territorial domain. By the treaty we got simply what is now the territory within the United States from the Atlantic Ocean to the

Mississippi River, and not all of that, because some of the country south belonged to France and some to Spain. But from Spain and France and Mexico we received other territory, till now our domain extends to the Pacific Ocean and beyond, for by the conquest from Spain of the Philippine Islands, the spread of the wings of the American eagle is nearly ten thousand miles.

At the time of the treaty our cities were few, nearly all on the Atlantic seaboard, and small in size. Now behold them—New York, for instance, one of the great metropolises of the world, where in bounteous and multifarious profusion is centered all that is best of American civilization. Indeed, it is the greatest expression of American civilization, that expression embracing all that's best as well as all that is worst in our life. Our great cities, with their modern sky-scrapers, are little worlds in themselves. Certainly nothing of that kind could have been in the wildest imaginings of those who signed the treaty which we now celebrate.

Our manufactures have grown enormously. Under a system of protective tariff our iron industry has grown so that the steel corporation has I do not know how many millions of capital, but more than a thousand. Great, indeed, beyond all expectations, and, in fact, beyond all expectation you might say of less than fifty years ago, has been the increase in our manufacturing industries. So with agriculture. Not only have agricultural products enormously increased in quantity, but also in quality. We have professors now, traveling up and down the country, delivering lectures on agriculture in the steam trains, so that we have our farmers using the very best seeds, not taking the seeds indiscriminately and sowing them, but using the very best. The result is that the quantity is enormously increased, and the quality is very much better.

So with our educational institutions. Not only with the great universities has there been progress, but the primary schools have likewise enormously increased in numbers and in educational equipment and endowment.

The application of physical science in every direction is beyond all calculation. Inventions are multiplied so that we can scarcely keep the run of them. And now we have men conquering the air; literally flying like birds. War, too, has had its victories no less than peace, for all of its instrumentalities have enormously increased in destructive force. The construction of railroads has likewise kept pace with all other material progress. How many thousands

of miles of railroad we have in this country now, I do not know, but perhaps nearly a hundred thousand.

These are some of the manifestations of material progress which we may put to the credit side of the account. And all these strike the imagination so powerfully that most of us deem them all in all, and measure everything in their terms. We may note this particularly on the question of the municipalization of our public utilities. I am not here to say whether it is a good thing or a bad thing. But have not all of you noted the fact that when it is proposed to acquire a public utility, the principal argument used against it is that if the city were to acquire it, it would not be profitable, the city would not make money out of it? That is taking no account at all of that great self-respect which a community necessarily would have if it owned its public utilities, and did not farm them out to others.

And so it is in every field. Everything is valued in terms of money or in terms of material wealth. But is it not too obvious that the perpetuity of our nation depends, not on the increase or betterment of material means, but rather on the character of the men and women that make up the elements of the nation? This character must be rooted in religion, in the virtues, otherwise it will perish off the face of the earth, as have others before it. It is, indeed, in the best sense true, as John Beattie Crozier affirms, that a spark of high virtue is worth a whole mountain of utility.

It cannot be too often or too earnestly repeated that everything in the way of material manifestation beats only on the outside of us. It can only affect the environment, so that an improved environment simply renders it easier for us to develop as moral beings ought to develop. It of itself cannot develop us; we alone can do that. It remains forever true that every human soul must work out its own salvation. Therefore it is that we must consider whether or not we have improved morally and spiritually as we have materially.

I do not deprecate the material side of us. It is that with which we come in contact every moment of our lives. Who dare doubt that the material exists as he views the eternal procession of the stars? Who does not feel, in the innermost recesses of his being, as he stands beneath the unutterable glory of the starlighted dome of heaven that all this constitutes an expression of the divine mind, and that it exists for him and he for it. Kant, the great philosopher, said that the two things which struck him with more awe than anything else in the world were the stars that blazoned



the night and the sense of right and wrong. And who can properly deem that anything of which the material universe is composed is evil, when we reflect that it is this which alone furnishes the mode of communication between man and man, and similarly, furnishes the mode of communication between the Divine Power and man? And it is this which the poet uses as multitudinous material with which to carry us to ineffable spiritual heights.

In this life, surely we must depend upon material things. No matter how deeply your head may be immersed in the stars, to be sane human beings, to be fit for life, you must stand firmly on the ground. But, standing there, we must realize that material things are not of primary, but rather of secondary importance; that they are but some of the means, some of the rungs of the ladder whereby we may ascend, each one of us, to the highest things of which we are susceptible. If we treat material things as ends, rather than as means, we are lost beyond possibility of redemption. And that is the canker which is eating out the heart of American civilization today, and which will eat that heart out unless it is destroyed. It is that which has produced the enormous gap between the very rich and the very poor, a gap that is increasing day by day. This was what destroyed Rome. This is what will inevitably destroy us, unless we find the means to check it. As long as Rome was a city of independent farmers, Rome was indeed great, Rome conquered the world. But when from the conquest of the world she gathered those riches with which she was intoxicated and which led to luxuries such as had never been seen before, and which we see particularly in this country at this day, she became enervated. The small farms became great estates. Villas grew up with slaves and with others that were in reality slaves. The whole campagna, which is now deserted, was covered with magnificent villas of the most luxurious kind. And so in South Italy, on the Mediterranean, there were other villas of almost inconceivable luxurious appointment.

Where did all this end? It ended in an enormous gap between the very rich and the very poor. The very poor lost all self-respect. They got to be perfectly satisfied with free bread. They did not care to work. All self-respect was lost. As long as they had splendid circuses, as long as they had plenty of gladiatorial shows and plenty of chariot races, together with plenty of free bread, they were satisfied. A people like that was bound to fall, and fall they did before the fresh, the strong, the uncorrupted barbarian tribes.

And do we not have like luxuries with us? I do not intend here to particularize, but we know perfectly well where these luxuries are, and who constitute the class that enjoys them. We have villas here perhaps more luxurious even than the Roman Senator had. Look at the enormous distance between fortunes like that of Rockefeller, and Carnegie, and the fortune, if it may be so termed, of the poor fellow that lives in the slums, who perhaps never knows where the next meal is to come from. Does anyone suppose that with such a condition as this we can rest secure in the confidence of the perpetuity of this nation? Is it not plain that, in order for a society to move along surely and safely, the different aggregates, or rather, the different units of that society which go to make up the aggregate, shall at least be within hearing distance of each other? Can the grand procession of any society move on and keep a congruous procession, a procession which will hold together, when the head of that procession is enormously in advance of the tail of it? What will become of a procession of that kind in the end? It will fall to pieces. And when we talk about the perpetuity of this nation, or of any nation, we mean and must mean that the perpetuity rests, and can only rest, upon a society the units of which march at least in some degree *pari passu*.

There are other topics which on this occasion it might be well for us to point some attention to. It is perfectly obvious that there is in this country increased lawlessness as manifested by lynchings and violences of many kinds. There is also plain to the observation a disobedience to, and contempt of, constituted authority. We lack now, and are getting to lack more, it seems to me, one of the finest traits of human character, and that is reverence. Without it in some degree, at least, it seems to me the human character lacks something of wholesomeness: reverence—not only reverence for God, but reverence for man. And then again look at the municipal corruption, not only as we have had it evidenced with us, but evidenced in many cities of the American Union.

Take note, also, of the great waste of our natural resources. It makes one shudder when one considers alone the indiscriminate murder of the trees, regardless of other resources which are necessary to be conserved—the trees which if once destroyed can perhaps never in full measure be restored. Has Spain recovered from her deforestations? Have other countries recovered from their deforestations? This subject has been treated recently in a very thorough manner by our State Superintendent of Schools, Mr. Hyatt. He incorporated his views thereon in his report this year, and I beg all

of you to secure a copy of Mr. Hyatt's book, and give it a thorough reading. Note the great individual trusts, so-called, some of which are steeped in corruption, and in that connection the railroad corporations, as best illustrated in the Harriman system. Where we are going to stop on this, heaven only knows. By the simple device of prohibiting one corporation from owning stock in another we would have prevented such enormous consolidations as Mr. Harriman's. No corporation should be permitted to own a share of stock of another corporation except under very peculiar and exceptional circumstances. And yet we have permitted it, particularly if a corporation declares in its articles of incorporation that it is incorporated for that among other purposes. And these railroad corporations never have the least intention of paying their debts. They refund them and refund them, and in that way, by keeping alive their corporate debts and their stock, they are enabled to keep up rates. Now, my friends, this is one of the great cankers. It is not natural, it is not wholesome, it is not safe for any one man to have the power that is given to him by the ownership of a great system of transportation.

Yet should we look at the future altogether pessimistically, or pessimistically at all? No. Optimism is what we must believe in. Optimism is what we must endeavor to bring about. Negative optimism is just as bad as pessimism. Sitting down and doing nothing, and expecting that apples and plums will fall in the lap, will not bring apples and plums. If you want apples and plums you must plant the trees, you must take care of the soil, you must follow the trees from day to day in the care of them, before you will get apples and plums. So that if we wish the best to come about, we must try our utmost to bring it about.

The great trouble is that we look upon the material and forget the spiritual. If man would only come to the conclusion, which is so plain to some of us, that he is not made of so much flesh and blood and bone and nerve, that he is not a mere mechanical construction, that he is not moved alone by chemistry and physics, but that he is really and essentially a spirit, many problems would be solved. If labor and capital, for instance, would treat with each other, not as they do, from a material stand-point alone, but from the stand-point of the spiritualities, if the man who represents capital would come to the proper conclusion that he is a spirit and not a mechanical construction, and the man who is to give him his labor should come to the same conclusion, there would be no

trouble. I have said before, and I am satisfied in my own mind that it is so, that these controversies never will be settled until you bridge the gap with the humanities. And when you bridge the gap in that way, then you have it settled, and settled right. And this means that we have got to come to Christ. It was Christ who brought the real humanities to this world. It was Christ who proclaimed the vital, the immortal doctrine that one man in the soul of him is as good as another man in the soul of him, and that men are indeed brothers. And when we get to Christ, as we must, we will base this nation upon an unshakable foundation. We *are* our brother's keeper. It has been recognized by Huxley, and by other evolutionists, that the struggle for existence cannot apply to social aggregates. It cannot, in the nature of things. If it did, what would you have? You would have societies drowned, literally drowned, extinguished, in the black sea of selfishness. Never can you apply the evolutionary doctrine of the struggle for existence to humanity. We *are* our brother's keeper. And until we fully realize that, until we put ourselves, my friends, truly and really under the banner of Christ, these things will not be settled. And I say now that the perpetuity of this nation rests upon that. It rests upon the vital essentiality of Christian doctrine; and unless we maintain that essentiality, unless under its influence we become educated to proper action and conduct, this republic will go down to black death as others have gone. This does not mean socialism, the vain attempt of trying to make the all social units alike; but it means that we must cease measuring everything in terms of the material; it means that we must realize what the human soul is; it means that we must in some degree live with the ideal and breathe with it a purer ether and diviner air; it means that we must draw close to the love for the man that Christ brought to earth. Let us, if we can, give full rein to our optimism, and doing so, let us in imagination picture the American eagle renewing his mighty youth, and from the topmost heights of national grandeur gazing with serene yet glowing eye upon a great people moving steadily forward in the achievement of all that is noblest and best for mankind, neither unduly exalting the high nor unduly depressing the low, so that each and all, with freedom of opportunity and equality before the law, can see his way clear to the highest development of soul and character.

## MARY, THE MOTHER OF WASHINGTON

By Hulda H. B. Brown, Hotel St. Francis, San Francisco,  
February 22, 1910.

It is said "All great men had great mothers"! It is most fitting that on this, the natal day of the first President of our Republic, we should honor Mary Ball, the wife of Augustine Washington, and the mother of him who was "First in War, First in Peace, and First in the hearts of his Countrymen," General George Washington, the great hero of the American Revolution, to whom as Sons and Daughters we would render homage.

The name "Mary" is ever dear to all Christendom, since the days of the Manger in Bethlehem, and at the Cross; frequent as a Royal name; and Mary Stuart had for playmates, the celebrated "Four Marys." Adverse comments have been made of our Mary Washington, and it remained for two women writers of note, Virginians, now residing in New York, to vindicate the strength and beauty of her character. The wife of the Rev. E. P. Terhune of the Dutch Reformed Church, better known as Marion Harland, and Mrs. Rofet, a prior wife of an ex-Confederate General and New York Judge—the first on the list of Honorary Vice Presidents General of the Daughters of the American Revolution.

It is said our Mary was a beauty, a belle, and we learn that she was called not only "The Toast of the Gallants of Her Day," but also "Rose of Epping Forest" (seat of the Balls), and the reigning belle of the aristocratic Northern neck of Virginia.

It is easy to imagine her childhood. Children in her day escaped from the nursery at an early age. Neither were they hidden away in convents nor sent to finishing schools. There was no ostentatious "debut," nor "coming out" tea. As soon as a girl was fairly in her "teens," she was marriageable. No lounging, idleness, nor loss of time was permitted. The social customs of the day, enforced habits of *self control*. Little girls from early babyhood became the constant companions of their mothers, and were treated with respect. Washington writes gravely of "Miss Custis," six years old! They worked samplers, edged handkerchiefs, plaited lace strings, twisted the fine cords that drew into proper bounds their stiff bodices, knitted garters and long hose, took lessons on the harpsichord, danced the minuet, and lent their little hands to "clap muslins" on the great clear starching days, when the lace "steenkirck" and ruffled bosoms,

and simple kerchiefs, were "gotten up" and crimped into prescribed shape.

No children's books were printed in England until the middle of the eighteenth century, but one Thomas Flint, a Boston printer, appreciating the rhymes that his mother-(in-law) *Mrs. Goose*, sang to his children, published them in book form, and gave them a name, than which none is more *sure* of immortality. This, however, was in 1719, too late for our little Mary Ball, born March 6, 1708. *She* had only the Horn-book as a resource in the long, dark days when the fairest of all books, *Nature*, lay hidden beneath the snows of winter.

The gentry employed private tutors in their own families, Scotchmen or Englishmen, fresh from the Universities, or young graduates from Princeton, New Jersey, or Faggs Manor, Pennsylvania. Others secured teachers by indenture. Early advertisements in the Virginia Gazette, assured all "single men capable of teaching children to read English, write or cypher, or Greek or Latin and mathematicks, also all dancing masters, that they would meet with good encouragement in certain neighborhoods." Yet books were *unfashionable* at court in England, and probably most of Mary Ball's early school days, were the silent listening to the talk of other people. And there were earnest talkers in Virginia, and the liveliest interest in all kinds of affairs. It was a picturesque time in the life of the colony. Things of interest were always happening.

This we know of the little Mary: She was observant and wise, quiet and reflective. Doubtless she had early opinions of the *powers* of the *Vestries*, the African slave-trade, the right of a Virginia Assembly to the privileges of Parliament, and other grave questions. Stories were told around the fireside on winter nights, when the wooden shutters settled—for rarely before 1720 were "window sasht with crystal glass." Men returning to England were waylaid on the high seas, robbed and murdered. In Virginia waters, the dreaded "Black-beard" had it all his own way for a while. Finally his grim head is brought home on the bowsprit of a Virginia ship, and a drinking cup, rimmed with silver, made of the skull that held his wicked brains. Of course, it could not be expected that he could *rest* in his grave, under these circumstances. And so until 50 years ago, when possibly the drinking cup was *reclaimed* by his restless spirit, his phantom sloop might be seen spreading its ghostly sails in the moonlight on the York river, and putting into Ware creek, to hide ill-gotten gains in the old Stone house, where people talked of strange, unreal lights, peeping through the tiny port holes of this old Stone house, believed to have been built by Captain John

Smith; while flitting across the doorway had been *seen* the dusky form of Pocahontas, clad in her buckskin robe, with a white plume in her hair, keeping tryst—perhaps with Captain Smith! Moreover, Nathaniel Brown, instigator of the famous Bacon Rebellion of 1676, a century before our own Declaration of Independence, had risen from his grave in York river, and had been seen at the Stone house with his compatriots, Drummond, Bland and Hansford.

Doubtless such stories inspired many of the little Mary's early dreams and caused her to tremble, as she lay in her trundle-bed, kept all day beneath the great four poster and drawn out at night, unless indeed her loving mother allowed her to climb the four steps leading to the feather sanctuary behind the heavy curtains where she reposed in state.

These days of Mary Ball's childhood were the days known as the "Good old time in old Virginia." It was the life of the family. Portraits of the times show us faces without those lines which care furrows in the faces of the men of today. It was a time of most affluent abundance. The common people lived in the greatest comfort as far as food was concerned; game and fish being plentiful. In their general tone of character, the aristocracy of Virginia resembled the landed gentry of England. As a class they were intelligent, polished in manners, hospitable and sturdy in their loyalty to state and church. When the Virginia gentleman went forth with his household his cavalcade consisted of the mounted white males of his family, the coach and six (*lumbering* through the sands) and a retinue of mounted servants and led horses bringing up the rear. There was no newspaper until 1736.

The Colonial Dame had small knowledge of any world *better* than her own. She managed well her large family and household, and however and wherever her lot was cast, she endured to the end, fully assured that when she went to sleep behind the marble slab in the garden or churchyard an enumeration of her virtues would adorn her tombstone. Life was too often a *brief* enjoyment, and little Mary Ball, demurely reading from the tombstones in old St. Stephen's church, had small occasion for arithmetic, beyond the numbers of thirty or forty years, at which age, as an epitaph said of a Colonial Dame, "Having piously lived and comfortably died, she left behind the sweet perfume of a good reputation."

Mary Ball was only thirteen when her mother died, who had successively been the Widow Johnson, the Widow Ball, and the Widow Hewes. Henceforth, Mary's home was with her married half sister, Mrs. Elizabeth Johnson Bonum, residing in Westmore-

land County. Around her lived the families of Mason, Taliaferro, Mountjoy, Travers, Taylor, Fitzhugh, Newton, Lee, Washington and others—society leaders in 1730. These were the *gallants* whose "Toast" she was; who wore velvet and much silk, the long vests that Charles II invented, curled powdered wigs, silver and gold lace, silken hose and brilliant buckles; doubtless visited by their tidewater friends, the Randolphs, Harrisons, Byrds, Nelsons and Carters. It was the fashion to present locks of hair, tied in true lovers' knots, to work book marks, to manufacture valentines of thinnest cut paper. They had no dreams sadder than mystic dreams on brides' cakes. They sang the old time songs, danced the old time dances, played the old time English games around the Christmas fires, burning nuts and naming apple seeds, and loving their loves with an "A" or a "B."

George Washington Parke Custis said Washington inherited his personal appearance from his mother, whom he knew in middle life; that she was called handsome and distingué, and we can imagine her on state occasions fittingly garbed in paduasoy and tabby velvet that could stand alone, softened by laces, a superb woman in every particular. She was a fearless horsewoman. At thirteen she owned her own "mount," her own plush saddle. At twenty, we find her "in habit, hat and feather" at home on her own dapple gray, "pacing" through the lanes in Westmoreland (she was too good a horsewoman for a mad gallop). Evidently, our Mary was "hard to please," in that in times when marriages were early she did not resign her sceptre until the ripe age of twenty-two—not at "love inspiring sixteen," as the custom then was. A late marriage was condemned as eccentric and unwise. The Virginia belle was warned "That those who walked through the woods with a haughty spirit would have to stoop at last, and pick up a crooked stick."

When she was married in 1730, it was a long way from October, 1752, when the calendar was changed, and we had the supposed privileges of leap year thrust upon us. Mary Ball married a widower of experience and dignity, aged thirty-six, Augustine Washington, whose two older sons were devoted brothers to her eldest, George. In her married home she found a book which became her constant companion. On the fly-leaf was its owner's name, "Jane Washington." She added in characteristic handwriting, "and Mary Washington," thus showing a spirit above petty vanity or jealousy of her predecessor. The title page read "Sir Matthew Hale's Contemplations." She read it aloud to her step-sons and her own



four sons; it was revered by George Washington. Today it is treasured at our National Mecca, Mt. Vernon, home of Washington—saved to the country some years since by its purchase by the women constituting the Mt. Vernon Association, many of them now enrolled in the Daughters of the American Revolution and our National Society of Colonial Dames.

At thirty-five, Madam Washington was a widow, and elected so to remain at a period when "several ventures," as Augustine Washington called his marriages in his will, was the custom, both for men and women—their son Samuel had five of these "ventures"—Mary Washington's mother had three.

It is said she possessed a high spirit, passionate, lofty, intense, "under the most magnificent control"—a definition of a lady. In her widowed home in Fredericksburg, where she died in her eighty-second year, her garden was her delight, and there, when the weather permitted, she prayed daily in a secluded spot. When the Army and the New Republic glorified her noted son, her constant refrain was "This is too much praise—George has only done his duty." And of that mother, whom he always addressed in his letters as "Honored Madam," he said, "All that I am, I owe to my mother!"

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## THE SPIRIT OF THE WEST

By Joseph F. Tuttle, Jr., A. B., LL.B., of Denver, Colorado,

Hotel St. Francis, San Francisco, February 22, 1910.

It is said that it was the custom in ancient Athens, when a speaker mounted the rostrum, for his friend to sound a musical note upon his little pitch-pipe for the proper modulation of the speaker's voice. That note has been most beautifully sounded for us tonight in this paper of Mrs. Brown upon "Mary, the Mother of Washington," in this distinguished gathering of the Daughters and Sons of the American Revolution, in these beautiful emblems of our beloved society, in these National flags which are ever loving benedictions upon us without the laying on of hands and in these expressions of patriotic thought as upon this night of February 22nd we kneel at this shrine to revere the memory of George Washington. God bless to the appreciation of the American people, the rich, the sweet, the motherly personality of Mary Ball Washington, so beautifully portrayed by Mrs. Brown—Mary Ball Washington, who

moulded the character of George Washington, which has been the standard of American character value for over a hundred years, so high, so fixed, so abiding, that no reaction has ever restricted it; so rich in its healthful profit that no loss has ever wasted it; so adorned with all the graces of well rounded, finished life, that no detraction has ever disparaged it; so affirmed with every graceful income and resource, that no envy has ever impaired it; so comely in its symmetry and beauty, that no blemish has ever tarnished the name or the fame of George Washington.

And so tonight we raise our glasses to the memory of George Washington, the soldier whose escutcheon was never tarnished with dishonor; George Washington, the patriot whose magic name is the synonym of all that is most exalted and devoted in patriotism; George Washington, the President who was twice unanimously elected to that high office, and whose incumbency of eight years is still the unit of value of all Presidential terms; George Washington, the citizen who waved back an offered crown; George Washington the Statesman who laid deep and broad the foundations of the Republic; George Washington, the incomparable American whose brow the graceful laurel could honor no more; George Washington, the Father of his County; and, from the depths of our loving hearts, we add tonight as we have listened to this charming tribute of the preceding speaker, George Washington, the son of Mary Ball Washington, the high priestess, the tutelary Goddess, the beautiful ideal of the American Home! I had thought to offer a few thoughts tonight upon "Washington and the American Home." They will not now be necessary, as nothing could so beautifully emphasize the home as the great source of our national strength as these words to which we have listened tonight.

If the "Man without a country" excites our pity, how much more so should the man without a subject! And will you pardon one further word from the stranger within your gates tonight? It is said that the beauty of Helen of Troy was so bewitching that the Temple the Greeks built to her possessed the magic power of bestowing beauty of spirit upon all who entered it. Such are my thoughts as I have today for the first time entered your beautiful city—an enchanted land to me, literally the land of my dreams. My very earliest recollections are of a certain day in the old home in the Jersey hills, when all the family tribes assembled to bid farewell to my mother's two brothers, who were setting out for the Land by the "Golden Gate," and who arrived where San Francisco stands in the early months of 1850. And so with these home memories

thrumming at my heart chords tonight, with you I love this city, the beautiful sanctuary of the new spirit of San Francisco; a spirit that is as virile today as if it had flesh and blood; a spirit that is the fine residuum in the retort of the brain, the heart and hand of the old Argonauts of '49; a spirit that does not walk around its difficulties, but goes straight through them, and upon its own feet, as witness the beautiful resurrection of this new city by the western sea, from its ruins of 1906; a spirit that puts passion in the sluggish pulses and quickens the deadened senses that we may hear as the pioneers and Argonauts of '49 heard in these western skies—the music of those

“Wild pulsations we felt before the strife,

“When we had our days before us and the tumult of our life.”

Like a fiery magnet this new spirit of San Francisco is attracting the attention of an admiring world today. In the Masonic touch that makes the world akin; in the triumphs of the hour when San Francisco is coming to her own, as to a kingdom of honor and profit she has made for herself in the great commercial world; in the new great domain of work, with its inviting new fields of the shop, the mine, and the soil; in the awakening interest of the citizen in the civic and social reforms of the day;—in all these and more, this new spirit is waiting to touch the heart with the electric thrill of the people you are going to be!

But most of all we love this new spirit, this spirit of the West, because it is the irresistible charmer with magic music in its heart of the new and better day that is to be; music that is throbbing with the blood and passion of a little fugitive anonymous poem I found in a paper many years ago. May I tender you its hopeful philosophy as the greetings from my confreres from the Colorado society?

“Oh! the Fly-Away-Bird is swift of wing,  
And swift and high is he,  
And he flies as high in the blue of the sky,  
As any birds that be;  
And fleet of foot is the lusty man,  
As swift as a winged word,  
Who without default would sprinkle with salt  
The tail of the Fly-Away-Bird.

“But we all chase after the Fly-Away-Bird,  
O’er river and mountain and dale,  
Till we think in an hour we’ll have the power  
To sprinkle salt on his tail;  
But since the base of the planet was laid,  
And the morning stars were heard,  
No fortunate fellow has ever felt the mellow  
Bright plumes of the Fly-Away-Bird.

“For the Fly-Away-Bird is our own bright dream,  
’Tis the hope that is born in man:  
Then follow it afar to the uttermost star,  
The clear blue’s farthest span:  
And the man who has no Fly-Away-Bird  
Is of mortals most forlorn;  
’Twere better that he be cast in the sea,  
Or that he’d never been born.

“See! he lights up there on the crags of hope,  
And his wings, they gleam in the sun  
With the gorgeous dyes of the sunset skies,  
When the summer day is done.  
And though this bird was never caged  
In a narrower cage than the sky,  
Whoso is deterred from following that bird,  
’Tis time for that man to die.

“Then up and away for the Fly-Away-Bird,  
Let us lead him a jolly good race:  
And let every man know that the bird that flies low  
Is no kind of a bird to chase.  
Then up and away for the Fly-Away-Bird,  
Though he pierce the depths of the sky,  
Let him understand with the salt in our hand,  
We’ll chase him to the day that we die.”

## THE LAST BATTLE OF THE AMERICAN REVOLUTION

By George C. Pardee, M. D., Ex-Governor California, at Key Route Inn, Oakland, August 27, 1910.

One hundred and twenty-seven years is not a very long time in the history of a nation. And yet, sitting around this table tonight to celebrate an event that occurred one hundred and twenty-seven years ago, we look back to the beginnings of our nation, and through several generations of ancestors. And as we do so, I hope there is not one of us who does not appreciate the patriotism, the unswerving fidelity to truth, to personal and national honor, that made nearly every man who was an inhabitant of this country at that time a patriot willing and ready to lay down his life, if the necessity arose, for that liberty which we today possess. As we look back upon it, we must not forget that the last battle that was fought in that great struggle, one hundred and twenty-seven years ago today, did not finally establish the liberty of our people, did not give us the nation which we have today. Those who fought that battle, and those who were then the people of this country, thought that the war was over, and that liberty was then theirs and their successors. But liberty is a thing that must always be fought for. There are traitors in times of peace as there are traitors in times of war, and there are enemies to the public good in times of peace as there are in times of war. And so we today, the successors of those men who fought and bled and starved and froze in the days of the revolution, we, their successors, their grandsons, their great grand-sons, and even their great-great-grandsons, must bear in mind that we have a battle to fight, that we have a sword to draw in time of peace as they had in time of war. And so, when we sit around this table here tonight celebrating that skirmish—for it was nothing more than a skirmish that occurred after the war of the revolution was over and had been settled for all time, we must not forget that we also have the burden and heat of battle to bear, and that there are more than mere skirmishes in which we must take our part.

I have often been struck with the patriotism of the men and women who look back at their forefathers and are proud to bear the name which we bear as members of this Society. It is said that it is foreign to the legends and history of this country that we should carry

those memories of our forefathers. And yet it is a heritage of which we are all proud, it is a heritage which should cause us to follow the patriotic examples of our Revolutionary forefathers. I take it that there is not one of us who does not look with pride upon the deeds of those who went before him. I take it that there is not one of us who does not cherish the memories of the great men of this country. No nation can long be free, no nation ought long to be free, that does not cherish in its heart of hearts the memories of its great men, and does not celebrate the recurring anniversaries of the great events in its history. Such celebrations as we are holding here tonight kindle and keep alive in the hearts of those who participate in them the fires of patriotism, and make better men of those who take part in them.

Compatriots, remember that our forefathers, bearing the old flint lock muskets, unfed, unpaid, unclothed, unshod, starving and freezing, fought for the liberties which we enjoy, fought for the liberties for which we must fight, fought for the things which we enjoy, fought for the things for which we must fight in time of war and in time of peace, fought for the things which the great men of this country have fought for, fought for the things which our children will have, only if we are jealous of the things our forefathers gave us—the things which, unto the end of time, all Americans will enjoy if the members of this Society and other good American citizens treasure in their hearts the memories of the men and the deeds and the times of the American Revolution.

## WHAT TIME IS IT, AND WHERE ARE WE?

By Rev. Thomas A. Boyer, at Key Route Inn, Oakland, California,  
August 27, 1910.

There comes to me a story of some young men who had chartered a car somewhere on an interurban line across the country, in order to attend a meeting of an alumni association of which they were all members. By some inadvertence an old man clambered aboard this car and successfully stowed himself away from the observation of these young chaps for some considerable time. At length, however, when liquid-cheer refreshments had been served a time or two, one of these young fellows spied the old man and propounded to him the inquiry as whether or not he belonged to the alumni association, and to which the old man replied, "I am not a member, but I believe in it."

I haven't the honor of belonging to the organization that is gathered here tonight, yet I beg you to believe me when I tell you that my heart beats in harmony with this and all kindred organizations seeking to keep alive in the minds and hearts of the people of our times, the spirit and purpose of the olden times. And I want tonight, in order, if possible, that we may sense a little more clearly what that spirit and purpose was, to call your attention to its natural offspring, our heritage.

The age of which we are a part, among other things, is designated as an age of great questions. And without doubt, that designation is a true one. It is an age of great questions; questions relating to the black man, the brown man, to colonies and dependencies, to capital and labor, to the functions of federated trades and labor unions, etc.; in a word, questions relating to all sorts of subjects, the most cursory contemplation of which reminds one of the charge of the light brigade:

"Cannon to the right of them,  
Cannon to the left of them,  
Volleyed and thundered."

Or DeMorgan's description of the prolific flea, when he says:

"Big fleas have little fleas upon their backs to bite 'em,  
And these again have lesser still, and so ad infinitum,  
The great fleas themselves have greater fleas to go on,

And these again have greater still, and greater still, and so on.”

Or the woman on the street car with a great bunch of children huddled about, who when she was interrogated by the conductor as to whether the children all belonged to her, or if it were a picnic, replied, “No, sir, these children are all mine, I’ll have you to understand, and it’s no picnic.”

And yet, gentlemen, I apprehend I will have no difficulty in securing a verdict in the affirmative here tonight, when I allege that of all the questions that like dandelion blossoms, are breaking into bloom upon the bank and shoal of modern life, none of them are equal in importance to the question that lies back of and comprehends them all, namely, the question of our modern times in their relation to all other times.

Theodore Parker said: “When a man looks through a telescope toward a star, the biggest star is always at the little end of the telescope.”

Carlyle said: “The present age—the youngest born of all eternity, the child and heir of all the past, the parent of all the ages yet to be—is ever a ‘New Era’ to the thinking man. To know it, and what it bids us do is ever the sum of knowledge for us all.”

Why, without a knowledge of our times and their relation to all other times, the world of events disintegrates and life resolves itself into a species of somnambulism; it becomes a game of blind man’s buff, in which all effort is as idle and unavailing as the effort of the man who tries to shake hands with himself in the mirror at the merchants’ exchange. Or as was Abraham Lincoln’s recommendation of a certain book, when he was importuned for some helpful word of commendation on the part of some pestering agent. He wrote, “For the sort of people who will like this kind of a book, this is the kind of a book that sort of people will like.” Or Herbert Spencer’s definition of evolution. He says: “Evolution is a change from an indefinite, incoherent heterogeneity to a definite, coherent homogeneity, through continuous differentiations and interrogations.”

Now, if you don’t understand that, I’m sorry for you.

And yet, do you know that the one thing about which most of us are negligent and lacking is exact information, in this very fundamental thing—our own whereabouts.

We have automobiles and the Australian ballot system and Dr. Williams’ pink pills for pale people. We have wireless telegraphy, smokeless powder, horseless carriages and liquid air; we cut our clothing according to the latest Paris fashion plate, we are orthodox in religion, gold standard in politics; we have 20th century systems



of teaching cube-root and compound fractions, we have great telescopes that make the canals on the planet Mars look like the paths that lead to the drug stores in prohibition towns. And yet when it comes to a historic and scientific acquaintance with our own times, with a depth of conviction that comes of conscious innocence, most of us can say, "Search me."

Our condition of mind doesn't differ very materially from that of the little fellow at Sunday school who, when in answer to his inquiry, as to what nationality a little boy would belong who was born at sea, he was told by his Sunday school teacher that he would belong to the nationality of his father and mother, of course, replied: "Yes, but suppose his father and mother weren't along, and he was traveling with his uncle."

One of the first theories that the aspirant for sociological honors encounters as he comes knocking at the closed door of the present inquiring as to its parentage, its social preferences or its moral and spiritual health, is the one that is held by the man who walks on the shady side of the street, who enjoys bad health; the man who looks at life through jaundiced eyes, who has a nose for sewer gas, and whose philosophy of life is suggested by the declaration of an over-affrighted Sunday school lad who was called upon suddenly to recite some verse of scripture immediately following the declaration on the part of one of his fellow classmates to the effect that "He that hath ears to hear, let him hear," and who astonished the whole school by blurting out, "He that hath a nose to smell, let him smell."

According to this form of philosophizing, our age, when matched against the other golden ages of history which lie and shimmer in the background of the past like the aftermath of a poet's dream, is an age of paint and paraffine, of dabble and dilettanteism—an age of disintegration and decay. An age that suggests Oliver Wendell Holmes' characterization of a certain phase of social life, which he described as a thing of "Gabble and gobble and git." In a word, that human progress is a most striking illustration of the nebular hypothesis reversed. That instead of everything coming from fire-mist, it is going the other way.

One of the somberest characterizations of contemporary life that I have noticed is a recent contribution that was made by an eminent member of the local judiciary in a volume entitled "A Pack of Cards and a Joker" in which he alleges that as there was an age of stone, an age of bronze and of iron, so our age will be known in history as the "Flippant age." In attempting to sustain this allegation, he

charges that there is "No more any rest, no babbling brooks, no more are the cows coming home from the meadows in the evening time, the sweet low music of the tinkling bells filling all the shadowy landscape. No more the berries and the cream with the good old fashioned mothers sitting at the head of the table saying, 'Won't you please pass up your plate again.' Our sweet gentle lady mothers, where are they? Most women belong to clubs and give five o'clock teas today. Who writes anything and who reads what is written? You wouldn't sit an evening out with Hamlet now, and if you did you wouldn't understand him, and as for Richelieu, who cares for him? We go to see, and shriek our merriment over 'All coons look alike to me,' and 'I don't like no cheap man.'"

This somber-visaged doctrine of fault-finding is no New Thought disclosure, neither are its devotees all able to "Look through a key-hole with both eyes at the same time without being cross-eyed." The fact of the matter is, it is one of the oldest forms of philosophizing concerning which there is any historic record. It is an attempt at interpretation compared to which that vast ecclesiasticism referred to by Macaulay as "Great and respected before the Saxon had set foot on Britain or the Frank had crossed the Rhine. While yet Grecian eloquence still flourished at Antioch, and pagan idols still held captive those who made solemn pilgrimages to the temple at Mecca," seems as bright and fresh and new as a modern motor-car with its miracle of mechanism and red paint.

Alonzo of Aragon said that "Age is to be recommended in four things, old wood to burn, old wine to drink, old friends to trust and old books to read." And he might have added, "Old times to dream about." In the central depths of all human consciousness so it would seem, there is an oasis of memory upon which the tears of affection are ever falling to refresh it and keep it green within us.

"O for the old times, we stretch across the distance,  
Eager, yearning hands, hot with the heart's desire.  
O vanished days, how fair they seem with colors  
Mixed with imagination's holy fire.

"O for the old friends, their faults are still forgotten.  
From the far past, their glances woo us bright,  
As the fixed stars that mock our aspirations,  
Set in the purple palpitating night."

For one however, I have no word of encomium for the man who goes about with the corners of his mouth pulled down, and who feels

called, sent and qualified, upon the slightest of pretexts, to make use of a little hammer that he always carries about with him in consequence of which, he has gained for himself the unenviable sobriquet, "The man who knocks."

Granted if you will, that we have not yet learned how to successfully curb and control the instincts of the beast that are within us; that in relation to the problem of representative government, we are still in the gristle period. Granted, that we still have trusts and tramps, that our army is an army of lions led by jackasses, that beneath the gilded exterior of silk tiles, and Parisian phylacteries we all have troubles that we never tell to the policeman. Granted, that there are specters a plenty that the hum of machinery and the glare of the electric lights haven't been able to banish from our streets. In a word, granted that all we hear about the demagoguery and defalcation of our times is true, in the language of good old Sir Isaac Newton who exclaimed upon reading Milton's *Paradise Lost*, "What does it prove."

Pepys' diary, published three or four hundred years ago in London, portrays a remonstrance against evils in excess of any that we know. The German reformation of the 16th century was a remonstrance against sins more sinister of aspect than our own.

So it is all the way along. Pessimism is a cheap papier-mache form of philosophizing, a form of philosophizing that won't stand the test of true scientific and historical analysis. The only two influences that operate to make a man a pessimist, are a disordered physical anatomy, or a lack of acquaintance with the facts.

One of the fundamental weaknesses of all comparative historical inquiry is the universal tendency to magnify the past. It is always twilight in the land of memory. One of the strange paradoxes of all progress is that no man arrives until after his departure. We now know that not one half the things attributed to the past ever happened in reality.

Take if you will, the story of Romulus and Remus the founders of the Eternal city. We now know that there were no wolf children. The mythological romance of Paris and the beautiful Helen has lost its power to please in this age of electric lights. Why, Paris was sixty years old before he ever set eyes on the beautiful Helen, if, perchance, such a personage as she ever existed at all, and even in the heroic age of the world people were slightly passe at the age of sixty. We now know, that Queen Elizabeth of England was not the good Queen Bess that we have been led to think she was, but that on the contrary she was a woman given much to deception and false-

hood, and that in the "Profusion and recklessness of her lies" she probably stood without a peer not only in her own immediate realm, but in the whole world as well. We have long since relegated the hatchet story of the venerable father of his country to the junk heap of exploded myths, and as to his having never told a lie, we now know, that no man can make love to four women at the same time and not lie.

With absolute confidence, gentlemen, in the heritage that has been given us, I beg you to indulge me while I shall attempt to enunciate some of its more basic characteristics. And first of all we need to recognize that our age in contradistinction to all other times, may be designated as a scientific age. Now as never before in the whole sweep of history the things that have lain hidden from the minds of men from the foundation of the world are understood. Vivisection, against which there is such hue and cry in medical matters, is but partial illustration of that severe diagnosis that is laying every conceivable thing under tribute to itself.

Why, incredible as it may seem, up to four hundred years ago men held to the idea that the earth was flat. If at that time you had interrogated the brightest high school pupil as to the foundation of the earth, he would have told you that it rested upon a rock. And if dissatisfied with the answer, you had inquired of him upon what that rock rested, he would have told you that "it was rock all the way down."

As late as 1665, when John Lightfoot was arch-chancellor of the university of Cambridge, he taught that the creation of the world took place on the 23d day of October, 4004 before Christ, at nine o'clock in the morning, while today we know, since the secrets of the great glacial age have been revealed, when the New England states were covered with ice of Alpine thickness and Greenland's icy mountains extended as far south as Cincinnati and St. Louis, that in order to grow a great red-wood tree of California a longer period is required than our earth is old according to the old—the mistaken—chronology, and that the creation of the world actually took place at a period so remote from the present, that compared to our earth, Eugene Sue's wandering jew, were he here tonight with the mantle of nineteen centuries over his shoulders, he would be but a babe in arms.

Until two or three hundred years ago, man had no knowledge of himself or his relation to all other forms of life. The circulation of the blood was unknown until the middle of the seventeenth century. They took four quarts of blood from George Washington on his death-

bed. Any man would have been on his death-bed under similar circumstances.

Men used to die when they got sick. Today, if they possess the services of a good doctor and a trained nurse it is next to impossible to die.

There is a story told of a certain locality that boasted among its objects of pride a citizen who had attained to the ripe old age of one hundred and four years. The fame of this centenarian, so it seems, had gone abroad so that on one occasion he was approached by a manager of a curio collection as to whether he would consider at any price lending the sanction of his presence and prestige to the already celebrated group of star attractions that he managed, and accompany him for a short trip at least through the adjacent territory. To all of which the old man replied:

"I couldn't decide such a matter hastily; I think I should like to ask father about it."

"Your father" replied the astute manager, "You don't mean to tell me that your father is still living?"

"Oh, yes," said the old man, "Father is in good health, he is upstairs now, putting grand-father to bed."

So it is, in consequence of a more intimate acquaintance with the laws that make for longevity, men are attaining more and more unto a robust old age.

In contradistinction, furthermore, to other ages of history in which muscular power has been mainly relied upon, our age is an age of machinery.

All hay and grain were harvested by hand until the invention of the McCormick reaper in 1831. All garments were "home-made" and hand made and poorly made until the invention of the sewing-machine by Howe in 1847. Matches were unknown until 1834. Daguerre gave the world its first photograph in 1839. Ancient kings knew no better method of journeying about from province to province than the ox-cart. In 1828 Stevenson and Arkwright completed their invention of a steam locomotive which would travel six miles an hour; and for its marvelous speed, it was named the "Rocket." Think of calling anything that has a capacity of only six miles an hour, "The Rocket," today.

As an illustration of modern methods of transportation there is a story of a gentleman who lived midway between Buffalo and Albany, New York. One day he boarded the Empire Express and wired his wife that he would be on the express on his way to Buffalo, and that while the flyer didn't stop at the station near which they lived, that if she would come to the station he would be glad to

see her at least as the train passed through. She received his message and stood upon the platform awaiting him. As the train whistled sighting the station, he stood on the steps of the rear coach from which he leaned over to kiss his wife who was standing on the platform, and kissed a cow two miles and a half further down the road.

And then there is that other story that sheds something of light on this subject of rapid transit. It seems as though a guest was shot and killed somewhere in a hotel. The negro porter who heard the shooting was a witness at the trial.

“How many shots did you hear?” asked the lawyer.

“Two shots, sah,” he replied.

“How far apart were they?”

“Bout like dis way,” explained the negro, clapping his hands with an interval of about a second between them.

“Where were you when the first shot was fired?”

“Shinin’ a gemmen’s shoes in de basement ob de hotel, suh.”

“Where were you when the second shot was fired?”

“Ah was passin’ de Big Fo’ depot.”

And so it is, everything goes today, even the “dagos.” We are born in a hurry, we live fast lives and die by electricity.

Manila is nearer Washington than New Orleans was when Jefferson purchased Louisiana.

“But the most wonderful craze of these wonderful days  
Is to carry an X-ray around in your pocket.  
And then if you fear there’s a bug in your ear,  
You can turn on the X-ray and so certainly knock it.

“If about to propose, the X-ray will disclose  
If the lady possess heart that is true.  
’Twill also you’ll find illumine her mind  
And allow her to know if she’s suited to you.

“And if by mistake you chance to partake  
Of a liquor that makes men delightfully frisky,  
You can turn on the X-ray, and so they all say,  
It will knock the jim-jams clear out of the whisky.”

And, gentlemen, as it is with reference to knowledge and machinery so it is with every other phase of our multiform life.

For among the laws that may be said to be basic in the history of our planet, is one that in some way sees to it, that when one thing changes, all other things must change to keep it company.

Thus, when our forebears lived in log cabins in the edge of the forests, they had never so much as heard of marble doorsteps and brass door-knobs. All they knew anything about in these particulars, all they cared to know about was a puncheon slab and a leather latch-string hanging out. But by-and-by, when the sons and daughters that had been born to them had grown in stature and refinement; when the verb began to agree with the nominative case and the nose began to be used more as an organ of respiration and less as an organ of speech; when the daughters with roses blooming in their cheeks, more winsome far than those that bloomed each spring in the clearing about the cabin home, began to sigh, and long for a larger and a better house, the old log house was doomed. And when the newer—the bigger and the better house came along it called for a better door step—a lime-stone slab, and a brass door-knob, and so the leather latch-string was laid away. But it had lived an honored life. Abraham Lincoln and General Grant had pulled it.

So it is with human progress, when one thing changes all other things that live in the same era of unfoldment must change also.

Instead of the oldtime tooth and nail tactics that arrayed every man against his fellows, the prevalent spirit of our times is the spirit of co-operation. In other ages of the world when men were widely separated from each other, in consequence of which they felt little the need of each other, the ideas that were to the fore were, "Every man for himself and the devil take the hindermost." Now, however, men are coming to recognize that they were made for each other; that they ought to pull together in the development of a common life and destiny toward which all ought to contribute and in which all ought to share.

Fifty years ago China and India might have torn each other into tatters, and the peace of the world would have been little more disturbed than when two storms meet in the midst of the Atlantic. Today, however, let a most inconsequential little squall occur among two outlying tribes on the far frontier of the world, and the pacific equanimity of the world's secret council chambers is disturbed with confusion like that which would be occasioned by the striking of a match in a powder magazine.

The taking of snuff on the part of one nation is the signal to sneeze to all the rest of mankind.

In neighborliness, and brotherliness, and in all the gentler and more refining virtues, no less than in the more strenuous and determined ways of life, our age steps grandly in the fore-front of all the ages that have been. Why, the most prejudiced Protestant no longer deems it expedient to carry a pistol in his hip-pocket and to be on the constant lookout for poison in his coffee when dining out with his Catholic friends. Indeed narrowness and bigotry; religious and social intolerance are becoming rare birds in the land when seventy-five millions of the most enlightened and progressive people upon whom the sun shines bow in humble acknowledgment of the sentiments of two such songs as "Lead Kindly Light" and "Nearer My God to Thee" as they did at the death-bed of the martyred McKinley, written as these songs were, one by a Unitarian woman, and the other by a Catholic priest.

Again, while the final word has not yet been uttered relative to the rights of labor, as the case now stands, the condition of the working-man is so far removed from what it was in other times that there are hardly any parallels by means of which comparison can be made. Indeed, it is a far cry from the days of Bobbie Burns, whose chief article of diet was oatmeal, to the modern farmer whose daily bill of fare comprises porterhouse steak smothered in onions with braized halibut and oysters a la poulette on the side.

Still again, with an intensity of meaning hitherto unheard of in all the world, the rights of womankind are being emphasized today. From the very dawn of history it would seem that all law, all education, all emolument had been for man; the plums that have ripened in the sunshine that has glinted and gleamed along the way, have ripened for him alone. With a masculine sense of superiority men the world over have been wont to cherish with unction the idea that, "A wise son maketh a glad father but a foolish son is just like his mother." The statutes of forty states however, have undergone a change in this regard since the days of Washington and Jefferson. The old saying to the effect that "God made man and then rested, and that afterwards, he made woman, since which time neither God nor man has rested," has given way to the other saying, that, "God made man and looking upon his handiwork said, "I know I can beat that," and so made woman.

And finally gentlemen, when burdened and appalled by the din and dissonance of a great city's streets where traffic holds its sway, I tear myself from the distractions of it all; when I invade the quiet of the country places with their interminable stretches of restfulness and repose. When I climb in fancy at least to the summits of the hills—



those primeval trysting places where men have communed with the Almighty; when my ears, hurt by the ceaseless clangor of the streets are filled with sweet snatches of the songs that are to be, in a word, when I saturate my soul in the spirit of the times as I see and know it, the spirit of gentleness and helpfulness; the spirit of physical and moral cleanliness that is blowing over the world, I feel that to us who live today, it is given to look out upon the world's true Golden Age, compared to which all the other golden ages of history are lusterless and dim indeed.

To be sure, there remaineth very much land yet to be possessed. There are still many down-trodden nations. Greed still stalks wantonly in the world's market places, making gleeful merchandise of the light that shines from the eyes of dying babes. A new adjustment of relations is long overdue between the coal baron and the coal digger, the capitalist and the chimney sweep. The world of society is still a world of hypocrisy and sham. Even in religion there is a vast surplusage of loud sounding and clamorous cant that serves only to retard and entammel the soul in its approach to God, And yet withal, the tendency of the world is an upward tendency. It cannot be otherwise. Think you that he who has assured us in His holy word that "Not even a sparrow falleth to the ground without the Father's notice" has allowed the countless lives to come to naught that have been flung away in the interest of gentleness and justice and love and truth? I tell you no.

"They never fail to fight in a great cause.  
The block may soak their gore,  
Their heads may sodden in the sun.  
Their limbs to be hung to cities' gates and castles' walls.  
Their spirits stalk abroad.  
They augment the deep and sweeping thoughts  
That overpower all others, and that guide  
The world to freedom."

" 'Tis weary watching wave by wave,  
And yet the tide heaves onward;  
We climb like corals, grave by grave,  
But pave a pathway sunward.  
We're beaten back by many a fray,  
But newer strength we borrow,  
And where the vanguard camps today,  
The rear shall camp tomorrow."

As it is with the ocean, so it is with men and nations—their thoughts, and purposes, and processes of life, widen, and deepen, and strengthen with the processes of the suns.

Let us open our hearts and lives to this great truth and go out from this happy and hospitable occasion here tonight more ready to render yeoman service in transmitting to on-coming generations the unsoiled heritage that has been given us to possess.

“New occasions teach new duties, time makes ancient good uncouth.

We must upward still and onward, if we keep abreast with truth.”

“Let us then be up and doing, with a heart for any fate,  
Still achieving, still pursuing, learn to labor and to wait.”

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## THE SIOUX CAMPAIGN OF 1876, AND THE LAST BATTLE OF GENERAL CUSTER

By General Charles A. Woodruff, U. S. A. retired, at San Francisco,  
January 25, 1911.

Your president is responsible for the subject, I for the statement of facts and the few theories advanced.

While my talk is about Indian warfare, I desire most earnestly to impress upon you the fact that the soldier does not desire war and that our army was no more responsible for this war than the church for the sins against which it battles or the surgeon for the disease which he cures with the knife. I will go further and say that our army and navy have neither caused nor been responsible for bringing on a single one of our great wars, though they brought every one of them to a successful conclusion.

The army had no part in making or breaking the long list of treaties; was not responsible for the constant crowding of the Indian by the onward march of the settler and miner, nor can the oppression of the weaker race by the stronger be charged against the army.

The soldier was the buffer between the hostile forces and was only called in to preserve peace and protect all parties after the civil authorities had admitted their absolute helplessness. The campaign I shall discuss originated in a request by the Interior Department for the Army to force certain bands upon reservations that were objectionable to them.

In his annual report for 1877, General Sheridan said :

“During the last two years the ratio of loss of officers and men in proportion to the number engaged in this Division in the Indian Wars, has been equal to or greater than the ratio of loss on either side in the present Russo-Turkish campaign or in the late Civil War in this country. I take pleasure in saying that both officers and men throughout the Division have shown a thorough and commendable devotion to duty, and deserve the approbation of the country.”

During these two years, years of “profound peace” as our Thanksgiving proclamation puts it, while part of the Army was engaged in quelling one of the most widespread series of railroad strikes this country had ever seen, another portion was looking after the disturbances incident to the Hayes-Tilden election and also while there was Indian fighting by the troops under Generals Pope, Ord and Kaurz; the number of soldiers killed in the Departments commanded by Generals Terry, Crook and Howard was greater than the number killed in the Philippines, from May 1, 1898, to September 30, 1899, and nearly twice the number of soldiers and sailors, regulars and volunteers, killed in Cuba and Porto Rico during the same period.

I am going to talk about some of our troubles with the Sioux, a tribe that has always been hostile to the United States. They assisted the British in 1812; they were the scourge of the overland route from its inception until after the Union Pacific was built; they committed the most horrible outrages in Minnesota in 1862, five hundred were tried by Military Commission and 321 were convicted of having been present at one or more of the murders or outragings and sentenced to death, but humanitarian sentiment prevailed and only 39 were actually hanged. They massacred Major Fetterman’s command of 84 in 1866, and generally deserved no sympathy. The only peaceable Sioux were dead ones.

In February 1876 the Interior Department asked that Sitting Bull’s band of 30 or 40 lodges not exceeding 70 warriors, and Crazy Horse’s band not exceeding 120 lodges with about 200 warriors, be forced upon their reservation. It is well to remember that the Interior Department estimated the hostile warriors at about 270—before the end came the troops faced more than 4,000 warriors.

General Crook took the field from Fort Fetterman with 600 men; General Gibbon from Fort Shaw, Montana, with 200 men and a week later joined by 200 men from Fort Ellis, Montana; Terry with the 7th Cavalry and the 6th Infantry about 1000, from Fort Abraham Lincoln, North Dakota. The country included between these four

points and the British line is 200,000 square miles, greater than the combined area of New England, New Jersey, Pennsylvania, Delaware and Maryland, and New York, with absolutely no settlement; no roads, no traces of civilization.

General Gibbon's command, to which I belonged, left Fort Shaw, March 17th 1876, at noon, with the thermometer twenty degrees below zero; that night and the succeeding night it fell to forty degrees below; while on the Rosebud, in August the thermometer registered one hundred and eleven degrees in the shade; in other words, we experienced a variation of one hundred and fifty-one degrees, with no change of outer clothing. In warm weather we went in our shirt sleeves, in cold weather put on our overcoats. You could tell the kind of flour we used by reading the brand on the sacks used for reseating our trousers; and I have seen a general officer wash his underclothes in the Yellowstone and sit on the bank, wrapped in meditation, while they were drying.

We were absent until October 6th and for five months of this time we never saw a house or building of any kind, and during this period we had no fresh meat except a few buffalo and deer and very few vegetables; during the summer's operations the column marched about 1,700 miles.

March 1st Crook sent a command from Fort Fetterman which struck Crazy Horse's village, destroyed 105 lodges, killed several Indians and captured the immense herd of horses. The herd was run off the next day, the command suffered terribly and the expedition was not a success. May 17th Terry with the Seventh Cavalry, three gatling guns and six companies of Infantry, about 1000 in all, left Fort Lincoln and established a supply camp at the mouth of Powder River.

May 29th Crook left Fort Fetterman with fifteen companies of Cavalry and five companies of Infantry and on the 17th of June, on the Rosebud, was attacked by the Indians, and while he drove them off it was a barren victory but it showed distinctly that the hostile force had been augmented by large numbers of the young warriors from the Red Cloud and Spotted Tail agencies in Nebraska and from the agencies along the Missouri and Milk rivers. Let me digress a moment: In May Sheridan asked that the military be given authority to exercise supervisory control over the Agencies but his request was ignored. On July 18th he renewed this request and it was granted, but it was too late.

He says: "A careful count was made by September 1st, and it was found that those at Red Cloud numbered 4,760, nearly one-half less than had been reported by the agent. The count at Spotted Tail's

agency was less than 5,000 whereas nearly double that number was alleged to be present at that agency and were issued to. Troops were also sent to occupy the Missouri River agencies, Standing Rock, Cheyenne, Lower Brule and Fort Peck, to accomplish the same purposes and the number of Indians found present was less from one-half to one-third than was reported present and issued to by the agents. It was then easy to see where the small bands, originally out and on whom war was made, got their strength from, as well as their supplies."

It is said that it is cheaper to feed Indians than to fight them, but in this case we were doing both.

From April 15th to June 21st, General Gibbon's command moved up and down the Yellowstone to keep the Indians south of that stream.

June 9th Major Reno with six companies of the 7th Cavalry was directed to scout up the Powder River and over to Tongue. June 19th he reported that he had struck the Indian's Trail going up the Rosebud. On the 21st of June Terry, Custer and Reno were at the mouth of the Rosebud with Gibbon on the other side of the river and a conference was held on the steamer Far West between Terry, Gibbon and Custer. The result of that conference was embodied in a letter to Custer as follows:

Headquarters Department of Dakota,  
(In the Field,) Camp at mouth of  
Rosebud River, Montana, June 22, 1876.

Colonel:

The brigadier-general commanding directs that as soon as your regiment can be made ready for the march, you proceed up the Rosebud in pursuit of the Indians whose trail was discovered by Major Reno a few days ago. It is, of course, impossible to give you any definite instructions in regard to this movement; and were it not impossible to do so, the Department Commander places too much confidence in your zeal, energy and ability to wish to impose upon you precise orders, which might hamper your action when nearly in contact with the enemy. He will, however, indicate to you his own views of what your actions should be and he desires that you should conform to them unless you shall see sufficient reason for departing from them. He thinks that you should proceed up the Rosebud until you ascertain definitely the direction in which the trail above spoken of leads. Should it be found (as it appears to be almost certain that it will be found) to turn toward the Little Horn, he thinks that you should still proceed southward, perhaps as far as the headwaters of the Tongue, and then turn toward the Little Horn, feeling constantly

however, to your left, so as to preclude the possibility of the escape of the Indians to the south or southeast by passing around your left flank

The column of Colonel Gibbon is now in motion for the mouth of the Big Horn. As soon as it reaches that point it will cross the Yellowstone and move up at least as far as the forks of the Little and Big Horns. Of course its future movements must be controlled by circumstances as they arise; but it is hoped that the Indians, if upon the Little Horn, may be so nearly enclosed by the two columns that their escape will be impossible. The department commander desires that on your way up the Rosebud you should thoroughly examine the upper part of Tullock's Creek; and that you should endeavor to send a scout through to Colonel Gibbon's column with information of the result of your examination. The lower part of this creek will be examined by a detachment from Colonel Gibbon's command.

The supply steamer will be pushed up the Big Horn as far as the forks, if the river is found to be navigable for that distance; and the department commander (who will accompany the column of Colonel Gibbon) desires you to report to him not later than the expiration of the time for which your troops are rationed, unless in the meantime you receive further orders.

Very respectfully your obedient servant,

ED W. SMITH, Captain, Eighteenth Infantry, A. A. A. G.

Lieut. Col. G. A. Custer, Seventh Cavalry.

As upon the various constructions given the language of this letter hinged the question of Custer's obedience, I have given it in full. Terry, who was friendly to Custer says that the object of Custer's not following the trail but keeping to the south were "in order to intercept the Indians should they attempt to pass around his left, and in order, by a longer march, to give time for Colonel Gibbon's column to come up."

General Gibbon, commanding the co-operating column, and the third party to the conference, also friendly to Custer, said: "So great was my fear that Custer's zeal would carry him forward too rapidly, that the last thing I said to him, when bidding him goodbye after his regiment had filed past when starting on his march, was: 'Now Custer, don't be greedy, but wait for us.' He replied gaily as, with a wave of his hand, he dashed off to follow his regiment, 'No, I will not.' Poor fellow. Knowing what we do now, and what an effect a fresh Indian trail seemed to have had on him, perhaps we were ex-

pecting too much to anticipate a forbearance upon his part which would have rendered co-operation of the two columns practicable."

The conditions were exactly as anticipated by General Terry, except that the village was supposed to contain only about 400 lodges, about 800 warriors; this number of lodges had been counted by Reno and, of course, Terry did not know that Crook, with 1000 soldiers and 250 Indian auxiliaries, had been fought to a stand still by Crazy Horse, that he had joined the 400 lodges that Reno had counted, and at that moment, a dispatch from Sheridan to Terry was en-route, stating that 1800 lodges had departed from the Agencies.

In any criticism of General Custer it should be understood that he thought 1000 warriors was the very maximum number he would meet, and he would not hesitate to attack this number. General Terry did not think there were as many, and the object of co-operation was not based upon fear for the safety of the attacking force, but fear that the Indians might escape.

General Gibbon offered Custer his four troops of Cavalry or three Gatling guns, but he did not wish them. General Gibbon gave him Mitch Bouyer a half breed guide, Herndon, a white scout and six Crows. The object of the scout and Crows was to keep up communication with Gibbon's column, but they were never used for this purpose.

Custer's command was composed of 31 Commissioned Officers, 585 enlisted men, 3 citizens, 4 white scouts, 6 Crow Indians, 25 Arikaree Indians or "Rees," and one half-breed guide, a total of 655.

His command left the Yellowstone, going up the Rosebud, at 2 p. m., Thursday, June 22nd, marched 12 miles and went into bivouac at 4 p. m. That evening the officers were called to Custer's headquarters, and marching instructions given them. Squadron and battalion formations were abandoned and each troop commander was to report to Custer in person. No bugle-calls were to be sounded. No straggling allowed and every officer was to look carefully to the condition of men and horses. Generally Custer was very uncommunicative; on this occasion he talked freely, he announced that he intended to follow the trail until he found the Indians and then "go for them."

This statement indicates that Custer intended to take full advantage of the liberal suggestion to depart from the order if he saw "sufficient reason for so doing."

On June 23d the command started at 5 a. m. and marched until 5 p. m. making 33 miles over a very rough country; the trail was a large one, but not very fresh. On the 24th they marched 28 miles, still over a rough country, but the trail was getting fresher; they went

into camp about 4 p.m. to wait for the return of the scouts. They returned about this time and reported that the Sioux had passed over the divide, and were now on, or near the Little Big Horn. Here was the point where having ascertained that the trail led to the Little Big Horn, he was not to follow it, but keep still further to the south, and send a scout to Gibbon. After supper all fires were extinguished, and at 9:25 the officers were called to Custer and informed that the Indians were doubtless on the Little Big Horn and that the command would move at 11 p. m.

Custer could have remained here Saturday night and most of Sunday, sent scouts to Gibbon and, marching Sunday night and Monday night, been in the Little Big Horn ready to attack Tuesday morning and Gibbon could have reached there Tuesday a. m. And we would have seen the biggest killing of Indians, that needed killing, ever witnessed on the American Continent since the days of Cortez. Saturday evening Gibbon and Custer were each just 40 miles from where Custer's monument now stands, and 45 miles from each other.

The command moved at the designated time and the march continued until 2:30 a. m., when they made some coffee and rested for several hours. While his command was resting Custer went with Mitch Bouyer and the Crows to the summit of Crows Nest, a part of the Rosebud or Wolf mountains, and from there had a view of the Little Big Horn and the upper portion (about one-sixth) of the village and hundreds of horses grazing on the hills to the west of the village.

I visited this Crow's Nest just five years ago, accompanied by White-Man-Runs-Him and Hairy Moccasin, who were with Custer when he was there; with the naked eye I could see a railroad train at Garryowen's, which is at the point of Reno's farthest advance, and by the map just 15 miles from Crow's Nest. White-Man-Runs-Him had a telescope which he had at that time, though he said Custer had a "two-eyed" one. Custer returned to his command and marched for three hours more and halted in a little valley near the divide.

I presume you wish to know something of distances. On the 23rd of June Custer marched 33 miles; on the 24th, before halting, 28 miles, in the night about 10 miles and about 10 in the morning. He halted just 16 miles from the ford, so that between 5 a. m. Saturday and about 1 p. m. Sunday he had marched 64 miles, the first 40 miles over very rough ground with very poor feed.

Some claim that it was Custer's intention to remain in hiding here and deliver his attack the next morning. I think this is an absurd



idea, for he had been marching in broad daylight for two and a half hours, over a country visible from a hundred points.

After resting a short time he made that unfortunate division of his command. To Major Marcus A. Reno he gave three troops, Captain Benteen three troops, Capt. Tom McDougall one troop in charge of the pack train; while he took five troops himself. The average strength of the several troops was 49 enlisted men but as 8 men are detailed from each troop to accompany the pack train McDougall had as many men as Reno or Benteen. Benteen moved off to the south and west, while Reno was to follow down Sundance or Thick Ash Creek. They all got started off at a lively gait, Custer following Reno; when about a mile from the Little Big Horn and at 12:30 p.m. Reno was told that the village was only two miles distant and running away. He was ordered to move forward as rapidly as was prudent, to charge when the time came and that the whole outfit would support him.

The upper end of the valley was held by the Hunkpapas and Blackfeet, the Sans Arcs were about opposite the ford, then came the Minneconjous, next the Ogalalas, then the Brules and last the Cheyennes. The war chiefs in order of prominence were Gall, a Hunkpapa; Crazy Horse, an Ogalala Sioux by birth, a northern Cheyenne by affiliation; Crow King, Hunkpapa; Lane Deer and Hump, Minneconjous, Big Road and He Dog, Ogalalas, Dull Knife and Two Moons, Cheyennes, and black moon, a Hunkpapa.

Reno took up a fast trot, forded the Little Big Horn, halted about ten minutes to re-form and then started down the valley in line, with the Rees on the left, driving the Indians, who soon began to appear, before him.

It should be understood that most of the Indians were watching Custer's movements. Reno's advance was not a headlong charge but at a trot, the Indians increasing in number as he approached a thick growth of timber behind which was the upper end of the village. Here the Indians grew desperate, the advance had not been sharp enough to dismay them, they threw themselves upon Reno's left flank, and in an instant the Rees fled and never stopped running until they reached Powder River, over 100 miles away.

When the Rees gave way the Sioux turned Reno's flank, there was no reserve and the left of the line was swung back like a closing jack knife. They moved into the timber and were ordered to dismount.

Of course Custer had expected Reno to charge, to push his attack home. At first it would have been done, now it was too late. The

time for audacity, the Cavalryman's ten commandments rolled into one, was gone.

All the Indian accounts agree, and that is the only thing they do agree upon, that Reno's attack was something of a surprise, they were watching Custer's column and there is no doubt but that a determined charge by Reno would have resulted in capturing the upper third of the village and in discouraging the Indians. Reno had taken a splendid position for defense, an old river bed, considerable cover and water close at hand, and the bluff too far off to be dangerous. Reno's fire struck terror to the women of the Hunkpapas and to Sitting Bull. This man was known as "a man with a big head and a little heart," i. e., an able man but a coward, a medicine man, not a warrior, he was also a charlatan and a liar.

When Reno's shots commenced striking the lodges, Sitting Bull "lit out" with his family and only stopped when couriers overtook him and announced the annihilation of Custer's command. He returned late in the afternoon and announced that he had been in the hills engaged in propitiating the evil spirits and invoking the Gods of War. As he had predicted that the soldiers would attack them and all be destroyed, the superstitious believed him.

How long the troops remained in the river bottom is matter of conjecture, some say "a few minutes" others "nearly an hour." I think from 20 minutes to half an hour. Reno was demoralized or "rattled," he ordered his men to mount, then immediately to dismount, and at such time hesitation on the part of the commander breeds a panic. The order to mount was again given, and generally not heard, but as the men saw others mounting and leaving, they followed suit, and it became a horse race, with Reno leading. This gave the Indians more courage; it is exciting to hunt men whom you hate, when there is only danger enough to make it interesting. The column had lost all semblance of order, it was a panic-stricken mob of frightened men, though some never lost their nerve. They struck the river where there was a path and plunged in, and all the Indians had to do then was to stand on the bank and "give it to them" in the river and as they straggled out on the far side. At that crossing it was simply hell.

As soon as they got across the coolest men turned and covered the retreat, while the mass struggled to the top of the bluff, where Benteen soon joined them. This was about 2 to 2:30 p. m. (Reno says about 2:30 p. m.), that is, from one hour and a half to two hours had elapsed since Reno started about one mile from the Little Big

Horn. He had traveled about three and one half miles to the stand in the valley, fought there and retreated to the bluff a mile or more.

But one man was wounded before Reno made his stand at the bottom, and only one soldier and two scouts were killed there, but by the time the command reached the bluffs, 3 officers and 29 men and scouts were killed, and seven badly wounded, and 1 officer and 15 men missing, 14 of these came in soon after Benteen joined and the officer and other enlisted man joined the night of the 26th. The Indians started fires in the bottom, to drive these men out of the bushes.

Reno and his friends have claimed that he retreated because he did not know what had become of Custer and felt that he must look out for himself.

To understand this fight fairly well it is necessary to follow each command in detail. Leaving Reno where the Sioux have driven him, we will accompany Benteen's column, which we left marching off to the south and west. He struck very rough country, saw no signs of Indians, so turned to the right and struck Sundance creek, just ahead of McDougall and his pack train, and about one hour and a half behind Reno. Here he watered his horses and started on. While he was watering, Sergeant Knipe of Captain Tom Custer's Company, passed on the run with an order for the pack train to hurry up. Benteen continued his march at a slow trot. About a mile further on, Trumpeter Martin, the last man to see Custer galloped up with this message: "Benteen, Come on. Big village. Be quick. Bring packs. W. W. Cook. P. S. Bring packs." At this time Benteen was ahead of his command and near where Reno first forded the Little Big Horn. He saw fighting in the valley and on the bluffs. Just then he saw three Crow scouts, who told him that Reno had retreated to the bluffs. These Crows had been with Custer to a point below where Reno had his fight. Benteen sent his orderly for his command to come up at a gallop, and to McDougall to hurry up, and in ten minutes Benteen was with Reno.

Benteen's men divided their ammunition with Reno's men, efforts were made to get water, and reserve dead bodies, every attempt to get water started fire from the brush on the river bank. Godfrey says, "At this time there was a large number of horsemen, Indians, in the valley"—"at least 1000," says Benteen—"suddenly they all started down the valley, and in a few moments scarcely one was to be seen." Firing was heard to the northward about this time, two volleys were heard, and officers and men speculated upon what it meant, some looked upon it as a signal for Custer, and there was serious mut-

terings. Captain Weir finally without orders started with his company. At last McDougall came up with the pack train.

Finally Reno yielded and started towards Weir, but the latter was about this time forced to retreat, the Indians were gathering in his front in great numbers. Custer had been disposed of and they returned to finish Reno, and the whole command moved back looking for a decent place for a stand, and finally finding a little depression, they formed a sort of square and prepared for the worst. It was now half past five and until seven o'clock the contest was severe. Dead mules and horses were used as breastworks, and rifle pits dug with knives, cups and plates. After seven the fire slackened, and by nine it ceased. The night was spent by the troops in strengthening their position and speculations as to what had become of Custer.

The Indians spent the night in a wild carnival of rejoicing. They were drunk with slaughter and held an orgie of dancing, shouting and boasting.

At 6 a. m. on the 26th the firing re-commenced, but no attack was made; from about 7 o'clock to 9 a. m. there was fierce fighting, but the leading chiefs put no heart in it, they knew that victory would be costly, they said: "We will shoot at them occasionally, but not charge. They will fall into our hands when the thirst burns in their throats and makes them mad for drink."

At 11 a. m. 19 men volunteered to get water. Four of the best marksmen took exposed positions and the other 15, taking canteens and camp kettles crawled through the ravines and then made a rush for the river. Several were wounded, but they got the water.

At 3 p. m. the firing ceased entirely. The Indians set fire to the grass, and late in the afternoon the village started southwest for the Big Horn.

Custer and Reno separated about 12:30 three-fourths of a mile from the Little Big Horn. Custer's column marched almost north, just after Reno had forded and halted to close up, Custer and some of his officers and Crow scouts rode to a point of the bluff and waved to them. One of these scouts told me that he only "stopped a little while, like a big bird that lights and flies on." His command passed right near where Reno had his intrenchments later, and continued on behind the crest of the ridge, just opposite the point where Reno dismounted Custer struck a little "draw" or valley that led down to Medicine Tail Coulee; when he reached this Coulee, Trumper Martin was sent back with the message to Benteen. From now on it is speculation, for unless the Crow Curley is truthful, no man who rode from this point, lived to see the sun set.

Custer started down Medicine Tail Coulee for the ford which was near the middle of the village. I don't think he hastened, he was waiting to see the stampede which Reno would start, and then with his five troops strike right into the midst of it and nothing could stay his advance. But the stampede Reno started was toward the bluff. Finally, and I think tired of waiting, he came out on the flat near the mouth of Medicine Tail Coulee, and the Indians commenced to fire upon his command. \*The Indians were thick on the far side. He recognized that the Indians were prepared and that it was useless to cross the river, and strike the village. There was some fighting here. Troops obliqued to the right by companies and took possession of the point which was the southern end of the bluff upon which he fell. This point is about 650 yards from the ford. Here some of the troops dismounted, and there was some fighting.

Of all the places passed by Custer along the river, this point was the best for defensive purposes. The south end was about 50 feet high and too steep for horses, and the river side was almost impassable, so that two sides were protected and water easy of access, but he mounted and started along the ridge, and there was fighting all the time, but at rather long range. Custer was evidently pushing for the high point where the monument now stands. Finally the Indians, who were following, crowded harder and Calhoun's company halted to cover the rear, and here are many monuments. Soon the right flank was hard pressed by Indians who had passed around behind the bluff, and here fell Keogh and most of his company. Then, evidently just as the head of the column saw the top of the bluff in their grasp, hundreds of Cheyennes, who had passed around in front, struck them and there were a few moments of fierce fighting; they were surrounded. Hordes of Indians coming up from the river, those who had exterminated Keogh closing in, and those who had fought the rear guard closed in, and it must have been a regular melee. On a space, hardly, if any more than sixty feet square, was General Custer, Captains Tom Custer and Yates, Lieutenants Cook, Smith and Riley, and some 58 enlisted men. Part of Captain Custer's troop and part of Smith's evidently tried to strike for the river but only got a quarter of a mile, when they were killed to a man.

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\*This was the first resistance Custer had encountered, and everything indicated that this was after Benteen had joined Reno or, according to Reno, two hours after he left Custer at 12:30, and the distance his column marched from the point of reporting to the Ford is only about six miles and not a very rough trail. I followed the exact route on horseback with the Crows and drove a two-horse wagon over it.

This was Sunday afternoon, probably about 4 o'clock. At that hour the women of the garrison at Fort Abraham Lincoln gathered in one of the quarters and sang "Nearer my God to Thee." Just ten days later they learned that at that hour their loved ones were dying on this bluff.

General Gibson's command, which General Terry accompanied, started up the Yellowstone Wednesday the 21st, and on Saturday were ferried over the river by the steamer *Far West*, moved up Tullock Fork a few miles and camped. One company was left on the north side of the Yellowstone to guard the train.

The command consisted of 4 troops of Cavalry, 5 companies of Infantry and three Gatling guns, 389 veterans. Sunday morning we expected a scout from Custer. At 4 a. m. our mounted detachment of Crow scouts went up Tullock's Fork, nine miles, then returned. The command started at 5:30 and marched up the Fork two miles, then struck off, expecting to find a table land, leading to the Little Big Horn. As the water was bad, the men were ordered to empty canteens, good water reported a short distance ahead. Instead of a table land, we struck the worst sort of bad lands. General Terry said:

"The Infantry made a march of 25 miles over the most difficult country which I have ever seen," and they suffered intensely for water. I personally took about 20 canteens and rode my horse rapidly for four miles, filled the canteens and returned. It was with difficulty that the officers were able to keep the men from dragging me from the saddle. Every man got a sup and then the certainty that water was ahead put life into them, and when the beautiful creek was reached, many of the men just wallowed in it.

We got into camp about 5 p. m. The Cavalry and Gatling guns pushed on, for we had seen a big smoke, caused by the Indians trying to drive the dismounted men out of the brush in the bottom. It rained half the night, but we started at 4:30 a. m. It was slow marching at first, pretty muddy, and the wet pack ropes dried, stretched and had to be tightened; finally we joined the Cavalry. Our scouts had struck the trail of three Indians, followed it and these Indians threw off much of their clothing and plunged into the Big Horn; our scouts recognized the clothing as belonging to some of the scouts we had loaned to Custer. After much trouble we got them to talk. They told of the awful catastrophe, said all were killed. We could not persuade them to return, we could not, did not believe their story. Our remaining 17 scouts left us, after begging us to turn back, and they actually had tears in their eyes as they bid us goodbye.

We pushed on, and just before noon passed down into the valley of the Little Big Horn. As the command was very weary and had practically no breakfast, we rested for an hour and made coffee. Two scouts, white men, were sent out with messages for Custer, the one getting through and returning with an answer was to receive \$200. Soon both returned saying that the country was full of Indians. We went up the beautiful valley prepared for a fight. Columns were seen in the distance, dressed in blue, with guidons. They had dressed two or three troops in the uniform stripped from the dead and tried to make us think they were soldiers. We tried to communicate with them but failed. At 9 p. m. we halted just where the Little Big Horn makes a sharp bend, watered our animals in squads, filled our canteens and camp kettles and slept in line of battle, or rather in hollow square, with the animals in the center. At daylight we started, Bradley's mounted detachment in skirmish line pushed through the timber on the banks of the river which he was within 300 yards of when we halted, and found that the timber had been literally filled with Indians the night before. He pushed on, striking for the high hill where Custer's monument now stands. The rest of the command passed around the bend through some rough country and out into the bottom where the Indian village had stood. We saw Bradley's men galloping about in all directions and soon Bradley rode up to General Gibbon and said: "I have the honor to report that I have counted 194 dead bodies, I think they are soldiers, but all are stripped and some are badly mutilated."

At the upper end of the village two lodges were standing, and in these were 18 dead Indians. On the hill beyond we could see moving figures and some animals, and we met two men from Reno and then we knew what had happened.

Gibbon's command went into camp in the bottom, having to bury men and horses before doing so, and some of us rode up to Reno's intrenchments. It was a trying time.

Reno's men packed up and moved down and camped alongside of us. I had charge of bringing down the wounded, 52 in number, and it was quite a task.

The next day a scouting party was sent out, and followed the main trail ten or twelve miles, returning they struck a large fresh trail down the Little Big Horn, undoubtedly the trail made by the Cheyennes under Crazy Horse when joining Sitting Bull. We buried the dead and made litters, but it was slow work, and we laid over all the next day, making mule litters, skinning the dead horses for thongs to make the beds. About dark we started and at 2 a. m.

we met the steamer which had pushed up the Big Horn to the mouth of the Little Big Horn, and the whole lower deck was made into a hospital, the floor covered with grass and tarpaulin. The campaign was over and we returned to our camp on the north side of the Yellowstone, just below the mouth of the Big Horn.

#### CUSTER'S COMMAND.

Commissioned officers .....	31
Enlisted men .....	585
Citizens .....	3
White scouts .....	3
Colored interpreter .....	1
Half breed guide .....	1
Crow scouts .....	6
Arikaree or Rees .....	25
	<hr/>
	655

#### LOSSES, KILLED WITH CUSTER.

Officers .....	13
Enlisted men .....	191
Citizens .....	3
Half Breed guide .....	1
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	208

#### KILLED WITH RENO.

Officers .....	3
Enlisted men .....	48
White scout .....	1
Colored interpreter .....	1
Indians (Rees) .....	3
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	56
Total killed .....	264

#### WOUNDED WITH RENO

Enlisted men (one died) .....	52
Indian, Crow .....	1
	<hr/>
Total .....	53



Twenty-four were killed and 16 wounded in the intrenchments with Reno.

I suppose you will wish to hear the aftermath, and learn what happened to these Indians, that gave the army such a blow. As early as July the Indians who had left the agencies, secretly left the hostiles and began to return, though the agents made as little noise over their return as they had over the departure. Surgeon Lord's pocket medical case, blood-stained, was at a friendly agency, 200 miles from the battle-field, four days after the fight. This indicates the intimate relations between the peaceful, friendly Indians and the hostiles in the field.

There still remained about 7,000 of the wildest Indians to be dealt with. The army was given full charge, and the work of reformation began.

The Indians could not keep together, it was necessary to split up to subsist, and they did so, expecting to be unmolested during the winter. It was decided to punish none individually, but to conquer every bond and to dismount and disarm all that were captured, a dismounted and disarmed Sioux being fairly innocuous.

Sept. 8th Captain Mills destroyed a village of 37 lodges, killing or capturing nearly the whole outfit with their winter supplies and many trophies of the Custer battle. Crazy Horse heard of it and came up with 1,000 warriors, to destroy the two companies that had done this, but Crook arrived on the spot with his whole command, in time to drive him from the field.

Oct. 21st, Miles struck Sitting Bull's following of over 400 lodges, and so thoroughly defeated and pursued him, that over half of his followers deserted and came in and surrendered.

Nov. 25th, General Mackenzie struck Dull Knife's village of 173 lodges, killed many, captured almost everything and drove the Indians into the mountains, where many perished from cold and hunger. This camp was also a store-house of provisions and trophies of the Custer battle.

Dec. 7th, Lieutenant Baldwin struck Sitting Bull's village, now reduced to 199 lodges, and drove them 20 miles, capturing considerable property. Five days later he surprised this village, now reduced to 130 lodges, and captured several hundred horses and practically the entire camp with its winter supplies. This fight eliminated Sitting Bull, who later moved to British territory with a few miserable followers.

Jan. 1st, 3rd, 7th and 8th, General Miles struck Crazy Horse, defeated him completely, driving him for miles in a terrible storm and breaking the spirit of this able warrior and demoralizing his followers.

These engagements only represent a series of culminations, the result of constant scouting which prevented hunting, and caused frequent removals of winter camps with much suffering. As Sheridan said: "This constant pounding and sleepless activity upon the part of our troops in midwinter began to tell."

By the 6th of May over 5,000 Indians, not counting the little bands that sneaked in, came in, gave themselves up and surrendered horses and arms.

May 7th, General Miles struck Lame Deer's camp of 51 lodges, captured 400 horses, killed Lame Deer, destroyed the camp and dispersed the last organized band of Sioux in the field.

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## THE MISSION OF THE UNITED STATES

By HARRIS WEINSTOCK, at Palace Hotel, Sept. 14, 1911.

Sometime ago, I was in Dublin. Finding myself in the great National Museum, I was soon ushered into a goodsized chamber, the walls of which were covered with portraits of Ireland's celebrities. Looking over them, I was rather surprised to find among them the picture of the great English actor, David Garrick. Calling an Irish attendant nearby, I said to him, "I see that you have the portrait here of David Garrick. Was he an Irishman?" He replied, "I don't know, sir, but I will find out for yez," and he trotted off and presently he returned with a catalog, and handed me the open page, upon which was given a biographical sketch of Garrick. I read it through carefully and I found that it was non-committal—It made no reference to the land of his birth. So I concluded that he must have had something to do with the Irish stage during his career, and in that way got his portrait in the collection. Turning to this Irishman, I said, "By the way, old man, you ought to be mighty proud of being an Irishman. Just see what a wonderful gathering you have here of great men. See the remarkable orators and statesmen and writers and soldiers and poets that this little country has given to civilization. You ought to be mighty proud of being an Irishman." I thought I was making

a great impression upon my friend, when suddenly he turned upon me, and he said, "Ah, but you ought to see the prize fighters that Ireland has given to the world." He said, "Do you know Billie Burke? Oh, Billie is the bye for yez. You know when Billie gets his fish into the place where the other fellow ought to grow his galway sluggers, he just sends them into the land of nod. Billie is the bye for yez." And from his point of view, that was Ireland's greatest achievement.

Now, strange as it may seem, my Irish friend belongs to a good sized family. There are even those among us who look upon our fighters as our greatest men, who regard the soldier as foremost in the rank of the world's celebrities. I, for one, would not want to say a disparaging word against the soldier, because I realize that, in common with the rest of you, I owe a great debt to the soldier, and especially to the soldiers of this nation. And yet if you and I were to look down the pages of history, with the thought in mind of picking out the world's greatest men, of picking out those who have achieved most for humanity, we would not select the Hannibals and the Caesars and the Alexanders and the Napoleons; we would seek out the great men of peace, we should regard as the world's highest and noblest immortals such names as Abraham and Moses and Jesus and Paul, who gave all that they had to give, the very best within them for the peaceful uplift of the human family, and whose influences for good have been felt by untold millions who have passed away, by untold millions who are living today, the world's highest and noblest deeds have been achieved and will be achieved by the men of peace rather than by the men of war.

This is an age of the achievement of seeming political and social impossibilities. Who could have dreamed a few decades ago that such benighted nations as Russia and Persia and Turkey and China, would, in our day, have a constitutional form of government? And yet we have lived to see Russia, benighted, down-trodden, oppressed Russia, enjoying a *duma*, we have lived to see Turkey, and Persia despotically ruled for ages, enjoying a constitutional form of government. And now the rulers of China have announced that they propose voluntarily to give to their people likewise a constitutional form of government. Who could have believed a few decades ago that a Peace Congress, attended by the representatives of practically all the nations, would be assembled in one of the cities of Europe, to discuss, not the ways of war, but the ways of peace?

We can look back upon many great and serious evils that have been wiped out. Think of the tremendous evil under which our fore-

bears lived in the times of the inquisition, when the dungeon, the rack, the thumb screw and the stake prevailed. Think of living in the time when the burning of witches upon our own soil was a matter of common occurrence. Think of living in the period when imprisonment for debt was the accepted condition. And then think of living in the era when man regarded it as his divine right to own his fellow man. You and I are blessed in living in a period when these things are all things of the dead past. And yet the world's greatest evil still remains to be wiped out, the greatest evil since the dawn of civilization, the greatest plague of mankind—war. This evil, my friends, overshadows all other evils. Just think of the tremendous cost to civilization in human life, in happiness, in human comfort and profit, at which the world's wars have been conducted. Think of Europe alone, expending annually five hundred millions of dollars upon her armies and navies. Think of her four millions of men, wearing her naval and military uniforms, leading the lives purely of consumers, a burden and a tremendous tax upon their fellows. So long as innocent men can be pitted against each other, ready to cut each other's throats, so long as human beings stand ready to slaughter each other and to wallow in each other's blood for no personal grievance, and because of no personal injury, so long will you and I still be living in an age of slavery, and so long will it be impossible to bring near the day of the brotherhood of man.

The American people are regarded and regard themselves, and I think properly so, as the world's most moral and most enlightened people. From my reading of history, they are, on the whole, the most moral and the most enlightened people that the world has seen. And yet I ask, what would the world think of you, what would the world think of me, as an American, if, for example, as a wage earner, out of the daily pay of, say, three dollars, we were to spend 72%, or, to be more exact, \$2.16, to meet the consequential cost of fights of the past and for the purchase of swords and guns and pistols and ammunition to be worn while strutting about among our neighbors, in order to impress them with the thought that we are dangerous men to attack? What would the world think of us as individuals, I ask if, out of this daily pay of three dollars, we should retain but 84 cents to feed and to clothe and to lodge and educate ourselves, our wives, and our children? And yet, my friends, that is precisely what we are doing. Do you know that, out of the annual income of this nation, so far back as 1908, out of six hundred million dollars of revenue, we expended over four hundred and twenty millions for past and for future wars? For every dollar taken out of the pockets of the

people in the way of federal taxes, we have spent for pensions and for war armaments just 72 cents. And yet, we regard ourselves as a most enlightened and a most progressive people.

If you and I were to substitute force for reason and for law, were to go out upon the streets of this commonwealth, or upon the streets of any other land, and for some real or fancied grievance war upon each other, the government upon whose territory this would happen would promptly and properly pounce upon and suppress us. And yet all the nations feel themselves at perfect liberty to do what they will not permit their own to do.

So long as the great evil of war is permitted to go on, civilized men cannot be called entirely sane. Sane men are guided by law and by reason, and not by force. Thank God, however, that sanity is gaining in the world. Thank God that war, the greatest of all evils, is being attacked by sane men the world over as no evil was ever before attacked. The world's sane and humanitarian forces are becoming speedily organized in all the corners of the earth, and are waging war against war so effectively that startling results are happening in wonderfully quick succession. So promising are these results, that, without pretending to be a prophet or even the son of a prophet, I venture the prediction that there are those within the sound of my voice tonight who are destined to see within their own time an era of international peace such as the world has never before seen.

Peace with foreign nations, my friends, is to be secured precisely as domestic peace is secured. The nations must, and in the near future will be compelled, to settle their disputes as you and I are compelled to settle our disputes, not by force, but by exercise of law and by peaceful methods. There must be, as there will be established, a court organized by all nations for all the nations. There must be, as there shall be created a supreme court of international justice. The peace conference at The Hague is the first step in this direction. Many things are happening to speed the movement of international peace. One of the greatest feeders of war in the past has been the national and the racial and religious prejudices, and hatred of man against man. Many modern tendencies are speedily tearing down the artificial walls erected in the past to keep men apart and to intensify this hatred and this ill will. Twentieth century means of communication, science, invention, international conventions and congresses, are all doing heroic service in making clear how much men of all races, men of all creeds, have in common. Unionism, for example, is another factor that is rendering most important aid in this direction. It was a trick, a trick of the rulers in the past, a trick of

those high in power, to encourage resentment and hatred and ill will on the part of their subjects against the people of other races and of other nations. They encouraged this hatred and this ill will, realizing that in time of war, the great mass of the people will be all the more ready to respond to those high in power and to offer themselves as food for the enemy's cannon. What is happening today? Let us follow out the line of work engaged in by the trades unionists, and see its wonderful effects. For the first time in history, the wage earners, the men who earn their bread, not by the sweat of the other fellow's brow, but by the sweat of their own brows, have come together in great international congresses. The Frenchman has discovered that his English fellow-worker was not so bad a fellow after all, and the Englishman has discovered that all the animosities that were aroused within him by those who had a purpose in doing so, against his German fellow-worker, were unfounded and unjust. And the German has discovered that the Italian, when you come into close contact with him, is a pretty decent sort of a chap. The Italian, too, has found out that his Belgian brother has precisely the same aims and the same hopes and the same ambitions that he has. They have all discovered that they have much, very much, in common, and that their aims are precisely the same aims. They have learned to respect, if not to love, each other, and have returned to their homes from these international congresses with a different conception and a different notion of the spirit and the character of their fellow workers living under other zones and under other governments. Today there is no other factor that is stronger and more anti-military than are the trades unionists of Europe and America. Those high in power in Europe today realize that it would be a great hazard on their part to call upon the wage earners to fight their fellow wage earners living under a different flag. It is this fear on the part of those high in European power as much as any other one thing, that has had a tremendous restraining influence on the great nations of Europe, and that has done its fullest work in maintaining the peace of the continent.

Never before in the world's history was there such a mutual dependence and inter-relation of one country with another as now. Instead of the old cry, familiar to your ears and to mine. "Our country as against every other country," sane men, patriotic men, and wise men the world over are saying, "Our country as with every other country." To the despotic Czar of the Russias is due the credit of having taken the initial step to bring into life the first international peace congress at The Hague. To the President of the United States, is due the further credit for having taken the initiative in bringing

about international arbitration on a most comprehensive scale. As the outcome of President Taft's splendid speech, delivered on December 3rd last, treaties were signed in Washington on August 3rd which makes that a red letter day in the history of international peace. It was on the 3rd of August that the representatives of the United States and England and France, three of the world's greatest and mightiest nations, joined hands in Washington in signing pledges to war against war. Those three countries, for the first time in all history, stand dedicated to the cause of international peace.

But the great work, after all, has but begun. The mission of this republic has been to establish in the world free government. How powerful has been its influence in this direction, in its brief existence of but little over a hundred years, is evidenced by the fact that supreme political despotism has become practically a thing of the past. This republic has yet another great mission. It has the mission to perform to lead in the establishing, as a permanent condition, of a great international court of justice, where international disputes will be judicially settled as your disputes and mine are settled. The logical step to follow the creation of such an international court is the bringing into life of an international guard or police force, placed at the disposal of such an international court, to be used, if need be, to enforce its international decisions. This would mean, in the first place, the release the world over of millions of men from the world's armies and the world's navies, to become valuable producers of wealth, instead of mere consumers of wealth. It would mean the release of billions of dollars annually, to be expended for education and for public improvement, that would add vastly to the sum of human effort and of human happiness.

The dream of one decade often becomes the realization of the next. What our fathers dreamed about, you and I can help bring into reality. Arbitration is a great stride, a wonderful stride in advance of trial by steel and blood. Judicial settlement of disputes, which shall be accepted as final, is an advance over arbitration. The supreme achievement, therefore, must be a supreme court of international justice. The owning of man by man has happily become a thing of the past. Let the killing of man by man happily also become a thing of the dead past.

Victor Hugo, the great French writer, prophesied as early as 1849 that the only battlefield of the future will be the market opening to commerce and the human mind opening to ideas. God speed the day when that prophecy may be fully realized. God speed the day when

the nations will turn their battleships into merchantmen, and their cannon into rails.

The world's most powerful executive is the world's opinion. It is your province and mine, to help create, by word and by pen and by deed, this overwhelming power, this world's public opinion. It is your province and mine to create a public opinion that will lead, for example, our senate at Washington, at the next session, to ratify the international peace treaty initiated by President Taft and signed on August 3rd last by the representatives of the three great powers, America, France, and England. Will you aid, as I hope to aid, in bringing this about, by sending the strongest possible letters to our own senators and to the senators of other states, calling upon them to perform that sacred duty to humanity, and to sign that treaty?

May ours be the God-given privilege to aid in this glorious work of hastening the day when, in the inspired words of the ancient prophet of Judea, swords may be beaten into ploughshares, spears into pruning hooks, and war shall be no more.

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## THE FLAG AND WHAT IT STANDS FOR

By Edward H. Hart, Palace Hotel, San Francisco, September 14, 1911.

We have all listened with rapt attention and deep appreciation to the splendid and illuminating address of Colonel Weinstock. And we all join with him in the hope that America, having fulfilled great missions in the past, may lead in the future in that great movement for the abolition of the greatest evil that afflicts humanity, the evil of war.

This meeting was designed primarily to commemorate what is known as "Peace Day," which occurs, as we are aware, on September 3rd. Falling this year upon a Sunday, a postponement was necessary, and it is perhaps a coincidence that the date chosen is the anniversary of the bombardment in 1814 by the British fleet of Fort McHenry, at which time Francis Scott Key, whose monument, recently restored, is one of the features of our beautiful Golden Gate Park, composed the poem, immediately set to music, entitled the "Star Spangled Banner." Except for that work, its author would never have been known beyond the small circle in which he lived and moved. And those soul-stirring lines, born in a moment of patriotic emotion, and which became the



heritage of unborn and unnumbered generations of Americans, owed their existence to a momentary combination of entirely accidental circumstances and conditions. Indeed, it may be said that the history of every man is a calendar of straws. Collectively like the law of average underlying the great science of life underwriting, the human race may be moving, no doubt is moving, in one general direction, along certain fairly well defined lines of development. But individually, man may be, frequently is, turned by a feather. Some great writer has said that had the nose of Cleopatra been shorter, Marc Anthony would not have lost the world. If the charms of Helen of Troy had been less alluring, ancient history would not have been made up, so largely as it is, of the description of deeds of valor performed in the Trojan War. Cromwell was on board a ship in the Thames, bound for America, when there came an order forbidding the ship to sail. And after that began his great career, which led him, step by step, to the proud position of Lord Protector of the British Commonwealth and the foremost sovereign of his time. The landing of a Dutch ship at Jamestown in 1619, with twenty Africans aboard who were sold into slavery, was the small initial step toward the greatest civil war in history. And in like manner, it was an accident that gave to the world the Star Spangled Banner. The darkest hour, as you all know, in the second war for independence, was upon the republic, and cast its somber gloom over the afflicted land. English troops, almost unopposed, had marched upon, burned, and sacked the capital of the nation. At this juncture, a prominent citizen of Maryland, a friend of Key, had been arrested by the British, taken from his home and placed a prisoner aboard one of the enemy's ships. Key, by permission of the President, had gone with one companion, under a flag of truce, to the British Admiral to ask for his friend's release. They arrived in the presence of the British upon the eve of the proposed bombardment of Fort McHenry, which alone defended, as you know, the important commercial city of Baltimore. After performing their mission, which was a seeming failure, they were not permitted to return to their friends, for fear they might, unwittingly or otherwise, communicate intelligence of the proposed attack, but were held aboard their own small craft during that lurid night, under the guns of the British, and were forced to witness the attempted demolition of the heroic defenses of the city. A vivid description is given us of the anxious vigil of Key and his companion. Alone, beneath the shining stars, they paced the deck of the ship. They watched the whirling, glowing, bursting bombs; they saw the answering volleys from the fort. The day's descending sun had seen the broad stripes and the bright

stars waving from the battlements of the fort, and, so long as shot answered shot during the night, they knew that the beloved banner of liberty still fluttered its proud defiance to the enemy. After midnight the firing ceased. Gloom and hope held alternate sway within their hearts. They prayed for day. Yet when the first faint touches of the breaking dawn disclosed the gray outlines of the fort, they almost feared to look, for fear they would behold the cherished emblem of the free displaced by the hated flag of tyranny. Glorious light! For it revealed, still proudly streaming, the beauteous stars and stripes, ensign of the Republic, emblem of the eternal union.

It was in that moment, after Francis Scott Key, during those anxious hours, had been framing in his mind the words of that undying song—it was in that moment that his poetic soul burst into a glow of patriotism and gave to us that song of triumph, the Star Spangled Banner.

Not many months since, in the Academy of Fine Arts in the City of Florence, Italy, before a moving and wonderful creation, I stood in meditation and thought that in that same city of Florence, 400 years before, there lived a man who might be regarded as among the most renowned in history, one who combined in his person a painter pre-eminent, an architect foremost of them all, and one unrivaled as a sculptor, Michael Angelo, the admitted Colossus in the realm of art. In 1501, this man, as we are informed, stood with rapt gaze and deep abstraction before a block of marble that an unskilled hand, some forty years before, had wrought upon with mallet and chisel, only to mar and cast aside. And as he thus stood, he murmured aloud, "Behold the figure in the marble." And from that shapeless mass, patiently, softly, tenderly, as one would lift a sleeping infant from its cradle, he wooed forth that figure, before which I stood, matchless in its beauty, marvelous in the lines of its virile strength the heroic figure of the youthful David, regarded as probably the most perfect specimen of sculpture's art that man, in the countless centuries of his existence upon the earth, has yet produced.

Every ideal, before it is realized, and this abolition of war is such an ideal, is as a figure in the marble. The life work of every man, ere his hand is lifted to the task and as he stands in contemplation before it, ungrasped and unseen save to the mind's eye, is but the figure in the marble. And, as the sculptor, with mallet and chisel, and with infinite devotion and fidelity, brings forth the figure of beauty, so man, with patience and perseverance, oftentimes through sacrifice and struggle, reaches the goal of his ambition and acquires his cherished aims and hopes. Columbus beheld with inward eye what was hidden from the so-called wise men, the rotundity of the earth, and saw the

lands that lay beyond the sunset sea. Twenty years of persistent purpose, followed through pinching penury and prostrate pride, permitted the realization of his ideal, and the old world in amazement looked out and saw rising from the foam of the ceaseless surf beating upon its shores the gemmed and jewelled figure of the wondrous western world.

The American Republic, for which the flag stands, the greatest event and the greatest experiment, for it is still an experiment, in history, is the figure in the marble upon which the present generation of Americans is working, and upon which all the generations which have preceded this, since the formation of our government, have toiled and striven. It was seen by the heroes of 1776, before the struggle for independence actually commenced, only as an image of their patriotic hopes. And it was the unbending purpose, shown in the silent suffering of starving soldiers, in the determined tread of tattered troops, in the blood-stained footprints in the sand, that yielding outline to that which had theretofore been intangible and vague, gave to the world its first genuine glance at the entrancing and beautiful figure of liberty, typified by that flag which we all adore and for which our fathers and our forefathers fought and bled and died, and for which, were it assailed, we ourselves to-day would do the same; a flag whose field of stars is emblematic of union as lasting, we believe, as are the shining stars themselves in the firmament above.

Shakespeare, the greatest poet and philosopher that ever lived, endowed with the most wonderful intellect ever given to a human being, and gifted with a vocabulary of boundless and amazing richness, does not once, in all his marvelous writings, use the word "patriotism." And yet this word, which the greatest master of the English language seemingly did not know, expresses the sentiment that has brought us here this evening, the sentiment that is inborn with every child of the Republic, the sentiment that has moved our countrymen upon countless battlefields to deeds of transcendent valor and heroism, and a sentiment that will rise paramount at all times of threatened peril to our country, to save untarnished the glorious emblem of the Union.

Patriotism, however, is not limited to America. Other peoples have love of country. But American patriotism is the highest form of patriotism in the world, the deepest and the most enduring, because it is enlightened, and because also it is founded upon a principle that is mankind's dearest and most treasured possession, the principle which led our ancestors to seek inhospitable shores, that nerved them to battle with the craft and cruelty of the painted savage, the principle that underlies our government and enters into every portion of the

fabric, the principle that has animated every patriot from Plymouth Rock to the present moment, the principle upon which the flag of the Republic rests, and which national expansion, no matter how broad, will never subvert or destroy, the principle which rules now and ever will rule wherever the sovereignty of the stars and stripes is recognized, and that principle is the principle of civil, religious, and political liberty. Upon this principle, American patriotism is founded, and this is what the flag eternally stands for.

A month or more ago, in the City of New York, in Trinity churchyard, I stood at the grave of Alexander Hamilton. Chiseled upon the cold white stone that marks the spot where lies the unheeding dust once animated by that mighty soul, I read the words, "To the memory of Alexander Hamilton, the corporation of Trinity Church have erected this monument, in testimony of their respect for the patriot of incorruptible integrity, the soldier of approved valor, the statesman of consummate wisdom, whose talents and virtues will be remembered by a grateful posterity long after this marble shaft shall have crumbled to the dust. He died July 12, 1804, aged 47." As I stood in contemplation there, the thought swept in upon me of the extreme brevity of human life. I thought of our country, one of the youngest nations in the world, and reflected that not one of those whose heroism and valor helped to unfurl to the boundless dome of heaven the eternal flag of the Republic, not one of those who helped to frame the government and with rare and enlightened patriotism to start it upon its career of grandeur—not one of those who lived in that second war of independence to prove to an unwilling mother country that America was indeed a nation—not one, no, not one, abides on earth today. I thought of Hamilton, so powerful in the creation of our government, passing onward at forty-seven, his luminous intellect filling the world with wonder, and in the brevity of its glow resembling a brilliant star shining for a moment through a rift in the moving clouds of a murky sky. I thought that the human race, while it flows in endless, ceaseless, surging current, between the dark gray walls of an unfathomed past and the impenetrable future, an individual man glistens for but a moment upon the breaking crest of the roaring stream, and in that moment, ere the shining drop merges again into the infinite flood, he lives and his appointed work is done. Near Hamilton's monument there is a tablet which tells us that the wife whom he honored sleeps beside him. She did not join him for more than fifty years after he had passed away. And those who performed the sacred office of preparing the voiceless clay for its awaiting niche by the side of her illustrious husband, found about her neck a locket, containing a tender

and sentimental verse, composed by Hamilton and written to her more than seventy years before in their courtship days, amid the stressful hours of the Revolution. The sentiment surrounding that verse survived to the last moment of the ninety-seven years that she lived. Of all her earthly possessions, that verse was the most loved and cherished. Indeed, my friends, of sentiment let it be said that it has ever ruled the world, and has ever been the mainspring of man's highest and loftiest efforts and aspirations. In all ages of the world, men have ventured everything for sentiment—fortune and life had been held as baubles as against that mighty force. The crown of wild olives, the chief trophy of the Olympic games, the greatest festival of the greatest people of the ancient world, was intrinsically without value. Yet to gain it, men would willingly, nay, gladly, place at hazard even life itself. To win the Victorian cross of iron, the medal of greatest honor in the world today, men will face almost certain death, and do deeds of transcendent valor and heroism.

A materialist will tell us that a country's flag consists of so many colors, thus and so arranged, and so much material. Yet this fluttering emblem means more. It means inspiration, consecration, and is followed with cheers through the din and the roar and the tragedy of battle, and to die enwrapped in its folds, becomes an elysium of glory.

America was ordained of fate to be the battle ground of human liberty. It was ordained of fate that here should center the world's struggle of the race for freedom, freedom to think and to act, freedom to govern itself. And when the battles of the Revolution were succeeded by the great battles of ideas, when, to save the liberated colonies from anarchy and chaos, became a greater task than to throw off the yoke of England, then the true genius of America shone forth. A constitution was formed, admittedly the greatest charter ever drafted by the wisdom of men, which gave to the general government rights over the individual citizen, power to touch him with its laws, power to compel his obedience; the enactments of the general government ceased, as under the old confederation, to be recommendations to the states which they could comply with or not, as they saw fit, and within its sovereign power became mandates to the individual to be disobeyed by him at his peril. The government ceased to be a league of states, and became a union. The framers of our Constitution were deep students of the governments of history. They were familiar with the reasons and the causes which had rendered every previous attempt by a people on the earth at self government a failure. They saw the necessity of combining strength of organization with safeguards

against the usurpation of power. They built, not for a day, but for all time. They found their ideal, not in a monarchy, which they abhorred, nor yet in a democracy, which is a government by men, good only while men are good, and hence never good; they found their ideal in a government of law and by law—better to obey a bad law than permit its abrogation by the will of one man, even though that man were a Washington or a Roosevelt. They found their ideal in a representative republic and made from a loosely jointed group of contending colonies a cohesive, indissoluble, indestructible whole, a union of all, superior, sovereign, and supreme; a nation imperfect, it is true, because human nature is imperfect, but a nation in which we believe, are centered the hopes of humanity throughout the world, not because wrongs and injustice do not therein exist, for they do, but because the form and structure of the government is such as to permit the expansion and the evolution of ideals, a form sufficiently flexible as to permit and not restrain the advancing to higher levels, and a government which advances as the people themselves advance and are perfected, a government which recognizes as its cornerstone the supreme and the paramount necessity of intelligence, a government which has for its foundation the idea that the goal of the human race is the development and perfection of individual character, and the supreme object not only of government, but of life itself. And the nation that propagates from such a soil a patriotism and a love of country that are daily becoming more and more irresistible and inevitable—such a nation is our own, America, the only truly great republic the world has ever seen.

Do we despair of America or of its destiny? Never. To despair of America would be to despair of humanity. Do we join with those who, in the contemplation of the economic strifes of the present day, of the great combinations of capital and privilege on the one hand, and of skill and labor upon the other, see the destruction of liberty or the downfall of the republic? Never. That there are unsolved problems, is true. That from the beginning of the history of the human race, man has ever been confronted with unsolved problems, it is also true. And that he will never cease to be thus confronted, may we not devoutly hope and pray? May we not thank God that all the problems have not yet been solved? Development and growth mean simply the surmounting of obstacles, the removing of difficulties, the solving of problems. And when these tasks cease to confront mankind, mankind will cease to grow. Heaven itself cannot be a place or a condition of happiness, save that it presents problems to solve, and permits us everlasting growth.

In the century and a third or more of the existence of America as a nation, it has met and wisely solved many grave and portentous questions. No responsibility was ever placed upon the republic for which the republic was not adequate, and no duty will ever come to America, as a nation, that will be beyond the measure of its powers and its capabilities. In our great republic are fused soundness and the courage of the West with the wisdom and the experience of the East. From the long past of Europe and the past peoples of Europe, arises a long, unmeasured, glorious future, which applies to America.

We love our country, we love our state, the brightest, fairest, dearest spot upon the footstool of the Almighty. As well presume to depict in words the effulgence of the noontday sun, as to describe the worth and the witchery of California. Let us name only its crowning glory. The crowning glory of California is found, not in the opulence of its soil and its mines, not in the wild grandeur of its majestic mountain creeks and canyons, not in the bewildering wildness of bloom and fragrance, nor yet, in her peerless women, in whose character and disposition are woven the matchless purity of the air and sky and the gracious splendor of the sunshine. But that which constitutes the crowning glory of California, as well as the crowning glory of every state in this broad land, whether it be California or Florida, Maine or Mississippi or Texas, is that it forms an integral part of an indissoluble union, a part of the greatest nation that the sun has ever shone upon, a nation of aggressive, progressive, thinking people, where freedom of thought, of speech, of press, is guaranteed, and where, under those circumstances right, though oftentimes struggling through error, must in all cases in the end prevail; a nation whose flag, wherever it floats, whether upon the hills or in the valleys of our own land, or upon the distant shores of the frozen ocean, or in the islands of the tropical seas, typifies and stands for, now and always, peace and progress, liberty and freedom.

## PRESENT STATUS OF THE REFORM IN CRIMINAL PROCEDURE

By Beverly L. Hodghead, LL. B.,

Ex-Mayor of Berkeley, at Bellevue Hotel, San Francisco, Sept. 4,  
1912.

It is indeed a pleasant privilege to meet and dine with your society, an organization of such ancient and honorable origin and laudable purpose. Many of the distinguished patriots of the period we now commemorate, who had the honor of being your ancestors divided their spare time between fighting for independence and reforming the procedure of the courts, the main difference being that the one task was accomplished and the other we are working at yet.

I was requested by your committee to review the subject of Judicial Procedure with particular reference to criminal actions. The subject is most comprehensive and within the limits of a brief discussion I can only hope to give but a synopsis of what has been accomplished and what remains to be done. In other words, to describe the present status of the case.

The subject of criminal procedure, it would seem, could best be dealt with by someone who had had experience in criminal practice. My own acquaintance with the question has been derived from a somewhat limited study of the subject in connection with the committees of the Bar Association and the Commonwealth Club, both of which organizations have been quite active in the past few years in attempting to secure improvements in our system of jurisprudence. Since the American Revolution, the memories and achievements of which this organization was designed to perpetuate, there have been efforts from time to time, more or less spasmodic, directed toward the improvement and reform of court procedure, but with varying success. There have been enough bills introduced into our Legislature on this subject to make a respectable code of itself, but they did not pass. The reform of procedure is a subject which is much influenced by and is dependent upon public opinion, or the lack of it. It takes lawyers to reform judicial procedure, but it takes public sentiment to force them to do it. This subject has received its share of attention, induced by a somewhat intensified public sentiment concerning governmental conditions which has prevailed for the past few years, as, for instance, in the



matter of City Charters and Municipal Government generally. In fact, there has been a sort of a renaissance in this field of activity as in many others within the last decade, since the people have decided to do things which formerly had been considered monstrous or impossible.

For many years the Commonwealth Club has been making a study of the subject of reform of procedure, more especially in criminal cases. This study began prior to the recent so-called graft prosecution, which aroused so much public interest. The task, therefore, was not induced by that prosecution, but experiences of those trials demonstrated the truth of the club's contentions and the necessity for some reform. The activity in this direction, however, is not confined to California, but pervades most of the States of the Union. We find that committees of bar associations of many of the States and the American Bar Association are discussing the same questions we are considering here, and along the same general lines.

In 1909 the American Institute of Criminal Law and Criminology was organized, and has been doing effective work in this direction.

The objection to our procedure is mainly on account of the delay in the administration of justice. It is cumbersome, involved and technical. And it is said it gives the accused person an advantage against the State.

Singularly enough, the most advanced procedure which we are seeking to adopt is the procedure in England, from which country we originally derived the cumbersome, involved and technical system we are endeavoring to get rid of. The early English system was designed to meet conditions which existed at that time, when capital punishment was inflicted for petty offenses. It was in the *procedure* that the rights of accused persons found some protection against the rigor and tyranny of the early English law, when there was religious intolerance and when royalty was aggressive. We have emerged from those conditions; we have changed the substantive law, but retain the procedure in many particulars. We don't hang people now for stealing a loaf of bread or speaking ill of the king or the president or even of a candidate for president. If we did, there would be room for mercy upon the mortality of distinguished politicians whom I could mention. But we have retained much of the procedure used when they did such things, with the result that we don't hang people sometimes when they should be hanged.

Besides, prisoners formerly were not allowed to testify in their own defense, and until the law was modified to guarantee a speedy

trial a prisoner often served his sentence before he was tried. When these conditions prevailed, it was proper to give defendant some protection through the law of procedure. But there is now little danger of prisoners, prominent or obscure, languishing in loathsome prisons, when they are really desirous of being tried. They are permitted to testify in their own behalf, but are not always willing to do so, presumably because the presumption of their innocence is stronger than their evidence. We have long since passed the period when there is any real danger in this country of convicting innocent persons. The serious problem with which we are now confronted is the possibility of convicting persons who are guilty. It is entirely consistent with the protection of the legal rights of an accused person to adopt some form of procedure which enables the State to ascertain in the most direct and simple manner the single question, whether or not the defendant committed the act of which he is charged. Our procedure has become so involved, and the ingenuity of counsel so far-reaching and obstructive, that in important cases the question of the guilt or innocence of the accused seems to sink into insignificance compared with the question whether a member of the Grand Jury was in the proper frame of mind when the indictment was found, or a trial juror had read some account of the case in the morning papers.

We don't have one law for the rich and another for the poor, as is often claimed. We have the same law, but the rich are able to assert their rights thereunder, or rather their wrongs, with greater vigor.

The growing dissatisfaction with the courts and procedure, which has been so widespread in recent years, has been quite fully justified in many instances by the conditions as they exist, and it is quite time that a studied and intelligent effort be made to ameliorate conditions and correct and reform the procedure, which in part is responsible for the interminable delays and consequent denial of justice. It is said by some authorities, but those statistics are not at all complete, that from 40 to 50 per cent of the cases that come before the appellate courts are reversed, and half of the reversals are based upon errors not connected with the merits of the cause or the guilt or innocence of the accused, but upon the question of procedure. I think this estimate is overstated, and particularly in California, as will subsequently be shown. But the fact is that crime has been on the increase in this country and the decrease in others, due largely, no doubt, to social conditions, but in part to our procedure, which does not have the deterrent effect it would have were the administration of the law more speedy and certain.

There is no more ideal system of administration of the law than the English system is *thought* to be. It does not work quite so well on the ground, if we are to listen to some of the adverse criticism which even the English system has to endure. England improved its own system in the enactment of the Judicature Act of 1873, by adopting much of the reform American procedure, and *we* in turn could no doubt profit by following in a measure the present English procedure.

The American Institute of Criminal Law and Criminology a year or two ago appointed two commissioners to visit England and make a study of the criminal procedure in that country. Their commissions were endorsed by the President, Attorney General and Department of State, thus giving their appointment some official semblance and affording them full opportunity to make an exhaustive study of the subject. After spending some months in attendance upon the sessions of the English courts, they made their report respecting the particulars wherein the criminal procedure differs from our own. I can well imagine it was an interesting study, because I had the pleasure last summer of spending a brief time in the English courts and witnessing the trial of a few cases. Before referring to the conclusions of the commissioners, I might digress a moment, with your indulgence, to speak of the impressions I gained in the short time I was there.

The royal courts of justice are situated in Fleet street, opposite Temple Bar, where the English courts are held. This is the court house, not of London only, but of England. The original jurisdiction in all matters of importance is vested in the High Court of Justice, of which there are three divisions, the Kings Bench, the Chancery and Probate, Divorce and Admiralty. Their names signify in a general way the jurisdiction of the court, the Kings Bench being the forum for trial of actions at law. There are only twenty-two judges of the High Court in all England; they all hold court in London. The president of the High Court is the Lord Chancellor, who presides over the Chancery division. The vice-president is the Lord Chief Justice, who is in the Kings Bench division. Appeals from these courts are taken to the Court of Appeal, consisting of five Lord Justices and the Master of the Rolls. The bench of England is made up of picked men of legal profession; they hold office for life, receive large salaries and when a vacancy occurs one of the most distinguished members of the bar—in fact, usually the leader of the bar—is selected for the place. He is appointed, not elected. The appointment is made nominally by the King but in fact by the Lord Chancellor. This system of selecting judges by appointment is less democratic than by popular elections,

but it would probably be the most effective reform in our procedure which could be introduced.

The salaries of the English judges are about five times the salaries of American judges occupying relative judicial positions. The Lord Chancellor receives £10,000 a year, the Lord Chief Justice £8,000 a year, the Master of Rolls £6,000 a year. The other Justices of the High Court, corresponding to our Superior Judges in jurisdiction, £5,000. In England they still maintain the distinction between the barrister and the solicitor. The solicitor is a lawyer, but he can try no cases and does not address the court. He has the clients, makes all the threats preceding litigation and little things like that, prepares a statement of the facts and briefs the case, and then employs a barrister to represent him and his client before the court. The barristers have no clients, except solicitors, and are not permitted to deal directly with the parties concerned. When I was there one barrister was disbarred—not by the court, but by the General Council of the Bar—for assuming to advise a client for a fee without the interposition of a solicitor.

Of the 8,000 barristers in all England but 800 are in active practice. You see many are called, but few practice. All of them are found in the Inns of Court in London. The leading barristers are called the K. C.'s. They have the privilege of wearing silk gowns and an extra curl in their wigs. In important cases junior barristers are also employed at about two-thirds the compensation of a K. C. They aid in the trial of the cause and assume charge of it in case the latter is absent. Cases are never continued because of the conflicting engagements of the counsel. In fact, a K. C. may have several cases on trial at the same time, and while absent from one it is in the charge of the junior barrister—sometimes much to the dissatisfaction of the solicitor and client. Each junior barrister with an income justifying it employs a younger barrister who is known as a devil, and who studies the cases and serves without compensation, often for several years. Sometimes it may happen that both the leading and junior barristers are absent from the trial, notwithstanding their fees have been paid, and the devil assumes charge of the case. It is unprofessional for barristers to be in their chambers during the vacation season, but “devilging” in vacation is not prohibited.

The English court rooms are rather dingy looking places. They are smaller than the average American court room, with very high walls, and lighted from above. The judge's desk is about twelve feet from the floor. The witness stand is on the same level, reached by a small

stairway. Below the judge, about half way down, sits the clerk, called his "associate," also in wig and gown. Below the associate is the solicitors' well, where sit the solicitors in ordinary dress. The body of the room is occupied by the barristers, who sit upon raised tiers of seats. The leader sits on the front bench, where he can confer with the solicitor, and behind him, in the next tier, the junior counsel, and behind him the devil.

One reason English cases are disposed of with such dispatch is that the cases are prepared and briefed by the solicitors and are tried by trained lawyers who do nothing else and who are paid for their services regardless of the result of the litigation and who reduce the issues to very few questions of law and fact. By reason of the interchange of documents and other evidence, both sides are well acquainted with the facts to be brought out and there are few surprises in the course of trial. Leading questions are permitted, and the privilege is not often abused. Objections are seldom heard, wrangling never, and the court itself frequently takes charge of the case and brings out the evidence.

The newspapers are held to a strict account for accuracy in reporting proceedings of the courts and are subject to *finis for misstatements of the evidence*. The result is that the law reports of the leading newspapers, instead of being sensational, erroneous, disjointed and fragmentary accounts, are usually accurate and complete. The reports of the *London Times* are often used in court for a citation of recent decisions. I spent one day in the Court of Criminal Appeals. Ten appeals were argued and submitted, and the opinions given during the day. Eight were affirmed, one reversed and one prisoner paroled. The proceedings consisted in the most instances of a statement to the court by counsel of the facts of the case and the issue of law to be decided. There are usually but one or two questions for the court's consideration. There are no written briefs and the oral arguments are concise. Upon the submission of a case the judges confer with each other a few moments and one of them, most frequently the Lord Chief Justice, delivers the opinion of the court and calls the next case. I was in a number of the trial courts, both the Chancery and the Kings Bench division. In one case I arrived as the judge was beginning his charge to the jury. It was such a complete and lucid analysis of the facts and the statement of rules of law to be applied, that it was hardly necessary for a person to have been present at the trial in order to decide it. A photographer was suing a fire insurance company for a loss, and the defense was that plaintiff had himself set fire to the premises. The judge reviewed the evidence of each witness and explained to the jury its application to the case,

leaving them to determine its weight and effect. The defense relied largely upon a telegram the plaintiff had sent his brother in Poland a day or two after the fire, which read: "Business well disposed of." Notwithstanding the elaborate charge of the court, which would have violated all of our constitutional provisions as to instructions on matters of fact, the jury disagreed.

In the report of the commissioners of whom I have spoken, the principal features of the English procedure with which they were chiefly impressed were as stated in the *Journal of Criminology*, in substance:

The remarkable facility with which juries are selected, the dispatch with which trials are conducted, the insignificance attached to formal defects in indictments and to technical errors generally, the non-partisan character of the prosecution, the small number of appeals taken and the low percentage of reversals, and the important part played by the judge in the conduct of the trial. The authors of the report found that in England it usually requires no longer to select a jury than is necessary to call their names; that challenges are almost unknown; that opinions of jurors based on newspaper reports or hearsay evidence do not constitute a disqualification, and that jurors are rarely examined on their *voir dire*, as is the common practice in America. The old and rigorous rule with regard to particularity in the framing of indictments has disappeared and little importance is now attached to formal defects. Comparatively few objections are raised by opposing counsel to the admission of evidence, and wrangling over questions of this kind, such as forms a common feature of important trials in this country, is almost unknown. The division of the bar into two classes has the advantage of securing trained and experienced counsel, so that trials are rapidly expedited, though it has the disadvantage of separating the prisoner from his counsel and makes necessary the payment of a double fee—one to his counsel and one to his solicitor. Both fees combined, however, are usually smaller than the single fee paid in America.

The English judge takes a very active part in the proceedings and directs the trial at every stage. If he is satisfied at any stage of the proceedings that the evidence presented is not sufficient to warrant a conviction, he may stop the trial and direct a verdict of acquittal. He may call and examine witnesses with a view to bringing out more clearly the facts of the case. He requires counsel to confine themselves strictly to relevant questions and does not permit wrangling over immaterial matters merely for the purpose of getting error into the record or delaying the trial. In an *address* to the jury he reviews the evidence in detail and expresses his opinion on the weight of the

testimony introduced and admitted. He may comment on the failure of the accused to testify, as well as upon the character and demeanor of witnesses. In his summing up he endeavors to sift out the material evidence from the immaterial, to clear the issue of confusions into which the jury may have been misled by opposing counsel and place the material evidence before it in such a way that it is readily intelligible to untrained minds. This done, the jury is left to decide the case as the evidence appears to justify. Under such circumstances verdicts are quickly reached by the jury, usually without the necessity of leaving the box. Cases are expedited with remarkable dispatch and the dockets of the courts are rarely congested. Of sixteen cases which the committee saw tried in the Central Criminal Court of London, ten of which were for murder, arson or rape, only three consumed more than two hours and a half, and several were disposed of in an hour and a half. Appeals are comparatively few, though every convicted person now has the right of appeal. They are quickly dispatched, fifteen cases being disposed of by the Court of Criminal Appeal in one day during the attendance of the committee. This court, we are told, considers that its principal function is to administer "substantial justice" and it has not therefore laid stress on technicalities either *for* or *against* the *defendant*. While the committee found that the number of judges empowered to try indictable offenses in England is larger than is popularly supposed in America, the judicial force is nevertheless small as compared with that here.

Among the recommendations of the committee which merit consideration are that objections to indictments should be made before evidence is heard, with permission to amend formal errors at once; that examinations of jurors on their *voir dire* should be limited; that the prosecuting attorney should be required to make an impartial presentation of the facts to the jury; that the practice of counsel in seeking to get error into the record should be discontinued; that new trials should never be granted for technical errors, and that the judge should be given a larger share on the conduct of the trial, such as the right to overrule technical objections, to prevent counsel from asking irrelevant questions, and to sum up the evidence and direct the jury as to the law applicable thereto.

## CONDITIONS IN CALIFORNIA.

Two years ago the Attorney General of this State tabulated the appeals in criminal cases in California for the preceding four years. He found there were 211 appeals disposed of during that period, of which 172 were affirmed and 39 were reversed, being 81½ per cent affirmed and 18½ per cent reversed.

Professor McMurray of the University tabulated the decisions in criminal cases from 1903 to 1907, contained in Volumes 140 to 151 of the California Reports, and 163 criminal appeals, 117 affirmed and 46 reversed, being a little larger percentage of reversals. Of those reversed, 3 were because the indictment did not state a crime, 11 because the evidence was insufficient to show guilt, 8 because important evidence was improperly admitted or excluded, 10 because of errors in procedure, 14 for erroneous instructions to the jury. He says that in nearly all of the cases reversed it seems that the error may very well have been extremely prejudicial to the defendant. From 25 to 40 per cent of the appeals were in homicide cases. It is the extreme case that provokes comment and arouses the dissatisfaction with courts and their procedure. The ordinary cases, which form the average length of time, are little heard of.

There are not many cases these days like the case of State against Campbell (Mo.), where the judgment of conviction upon a clear record of guilt was set aside because the indictment recited that the crime was committed against the peace and dignity of State, whereas it should have read against the peace and dignity of *the* State.

But the principal complaint lies in the *delay* in the final disposition of criminal causes. If the punishment is not swift and sure, it lacks the retributive element necessary to inspire confidence in the courts and respect for the law. The relative value in this regard of the American and English systems of procedure is illustrated perhaps by a comparison of the Crippen case with any of the important homicide cases in this country in the past few years, as the case of Thaw or Tucker, or in California the case of Suesser, which was dragged along for months and years through the courts before finally disposed of. We might bear in mind the recent experience in the graft prosecution, and months of effort expended in the McNamara case in merely endeavoring to get a jury composed of men who had never heard of the case.



Some years ago the Commonwealth Club, which has for its object the investigation and discussion of problems affecting the welfare of the State, resolved to urge upon the Legislature the necessity of some reform in the method of dealing with persons accused of crime. Committees of the club had the question under investigation for a number of months, and after conferences with Judges of the Supreme Court and Judges of the Appellate Courts and the Trial Courts, and with lawyers of experience in criminal practice, made certain recommendations and proposed certain specific amendments to the laws of the State and urged their adoption before the Legislature. The bills proposed were designed to accomplish in the main three results:

- (1) A prompt trial of an accused person on the merits of the case.
- (2) A prompt judgment in case of a verdict of guilty.
- (3) A prompt hearing of the case in the Appellate Court.

To secure these results amendments were proposed to the proper codes. It was proposed:

- (1) To make the Grand Jury purely an accusatory body. The defendant who is indicted for high crime should seek his vindication before a trial jury, and should not be permitted to try the Grand Jury for having found the indictment. At the time the Grand Jury is drawn, however, of which notice should be given, there should be an opportunity given to hear and determine objections to the proceedings for impanelment, or the qualifications of the jurors, but the order of the court impaneling the Grand Jury made after the hearing and determination of the objections to the qualifications of jurors should be final and not subject to review.
- (2) To enlarge the number of persons who are eligible to jury duty. We sought to exclude the professional juror who wants to serve and to draft the capable citizen who does not want to serve.
- (3) To get intelligent men on the trial jury by changing the rule which excludes those who have read published accounts of the case.
- (4) To repeal the provisions allowing a challenge to the panel of a trial jury. It is sufficient to allow the defendant an opportunity to challenge an individual juror, but he should not be permitted to try the manner in which the juror has been summoned.

- (5) To shorten the time for securing the jury for the trial of the case by requiring the court to conduct the examinations of jurors as to their qualifications, with such assistance from counsel in the trial of challenges as the court may permit.
- (6) To correct the abuse growing out of the right to demand instructions to the jury which tend to confuse rather than to assist them in their deliberation, by providing that the instructions shall be prepared by the court after counsel has specified the points of law they wish to have covered.
- (7) To bring a speedy judgment after the verdict for the excellent moral effect which would be produced.
- (8) To hasten the hearing on appeal.
- (9) To prevent the prosecution of appeals on points not presented to the trial court.
- (10) To discourage appeals upon grounds which do not affect the substantial merits of the case, by providing that the judgment shall not be reversed unless it appears to the court that an affirmation would result in a miscarriage of justice.
- (11) To avoid the greatest cause of delay on appeals by abolishing bills of exceptions and filing a typewritten transcript of the testimony and proceedings.
- (12) To equalize in a measure the rights of the people with those of the defendant by giving the State the right of appeal in certain cases, and allowing the same number of peremptory challenges to trial jurors as given the defendant.

These recommendations it was hoped would shorten the trial of cases and avoid the delay in the preparation of the record and the hearing of cases on appeal, and at the same time deprive the accused person of no substantial right.

The various bills designed to affect the proposed changes in the law were introduced into the Legislature of 1909. The result of our efforts before that Legislature is represented by that oval-shaped figure which marks the dividing line between positive and negative characters. In fact, it was a little below zero, for one Assemblyman from San Francisco was so offended at the proposals made that he got a few amendments adopted by the Legislature which, in a sporting sense, coppered some of our bills.

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Before the Legislature of 1911 convened, and, in fact, before its members were elected or even nominated, the proposals of the club were exploited at some length in the press of the State. Both political parties, in their platforms of that year, at the instance of the Commonwealth Club, pledged themselves, if successful, to enact legislation to make the administration of justice more speedy and certain. Many of the amendments proposed were adopted by the Legislature of 1911 and now form a part of the laws of the State.

I take the following from the May number of the *Journal of the American Institute of Criminal Law*, published in Chicago, concerning the legislation proposed by the Commonwealth Club and the Bar Association of San Francisco.

“The legislature of California at its recent session devoted much of its time to a consideration of this question and enacted as many as eleven different statutes changing the penal code, each of which is designed to improve in some particular the existing procedure. A constitutional amendment was also submitted to the voters providing that no judgment shall be set aside, or new trial granted, in any criminal case on the ground of misdirection of the jury or the improper admission or rejection of evidence, or for error as to any matter of pleading or procedure, unless, after an examination of the entire cause, including the evidence, the court shall be of the opinion that the error complained of has resulted in a miscarriage of justice. This amendment follows closely the provision of the recent act of Congress forbidding reversals by the federal courts in such cases, and is substantially the same as an amendment adopted by the voters of Oregon last November.

Two other amendments to the constitution were proposed: one to permit verdicts in all except capital cases to be returned by ten jurors, and one permitting the court to comment on the failure of the accused to testify in his own behalf. Both, however, failed to receive the constitutional majority required.

Among the statutory changes made in the penal code may be mentioned the following: An act permitting the amendment of indictments by the district attorney when it can be done without prejudice to the substantial rights of the defendant and provided the amendment does not change the offense charged; an act to facilitate the selection of grand jurors and to do away with the evil of quashing indictments because of the possible lack of qualifications by grand jurors; an act compelling accomplices to be witnesses or to produce

papers, provided that the testimony or papers shall not be used in any criminal prosecution against the person so testifying; an act changing the method of taking down testimony given before the grand jury; an act relating to the arraignment of the accused; and an act providing for substitute judges in case of the death or disability of the judge before the termination of a trial over which he is presiding.

The editor says: "The desirability of a number of the changes made by this legislation was pointed out by Justice Sloss and Judge Lawlor in their articles recently published in this Journal. Verily the movement for a better criminal procedure is making encouraging progress. California is to be congratulated on this auspicious beginning."

There is still a number of desirable changes to be made which would not abridge the substantial rights of the accused persons. The law should be amended so as not to disqualify persons as jurors because they have read accounts of the alleged crime in newspapers, provided the court is satisfied that they can give an impartial hearing and the State should have same number of peremptory challenges as the accused. The English system of accepting jurors who have been properly summoned and have no direct interest in the case seems to work as well as ours and does not result in delay in the impanelment of juries. I observe, however, that this system has been severely criticised in an article published in a recent issue of the Journal of American Institute of Criminal Law. Jury duty should be exacted of the best citizens, but to encourage their service they should be treated with greater consideration. Where jurors are kept away from their business for months at a time it is no wonder the best man tries to shirk jury duty.

Committees of the Bar Association and the Commonwealth Club, now working in conjunction with each other, will prepare a report in the next few months proposing certain amendments to the law concerning the impanelment of juries which will no doubt be another step in advance in this effort for a reform of procedure.

This is a brief resume of the status of the question at the present time, indicating what progress has been made and to some extent what remains to be accomplished.

## ANGLO SAXONS IN CALIFORNIA

By JOSEPH D. REDDING, at Southern Club, San Francisco, March 21, 1913.

I have not the honor of being a member of this society, although, if modesty would permit me, I might claim to have a hereditary right to join; I trust that I may do so. I say a hereditary right, because I find, on looking through the archives of families from which I have sprung, that there are ancestors of ours who can lay claim to have taken part in building up this country. I was saying to my friend, Judge Melvin, that I have ascertained that a great-great-uncle of mine crawled into a hole during the revolution. And then I am very glad to say he crawled out again. His name was Israel Putnam.

I was very glad to find that he had crawled out again.

When I look around this room, gentlemen, I feel a sense of pleasure, distinct from that in looking around the rooms that we gather in in this country as a rule. And that is because I see typical Americans around us here tonight. Not but what we welcome an incursion of foreign element, whether of today or yesterday, but more and more as we go through this country, we find the strain of the American interlarded, disintegrated, changed, diversified by foreign types. I have had more pleasure during recent years, at banquets, at dinner parties, in clubs, in getting close, with some one to whom, when I turned and asked him where he comes from, says, "I am from Virginia." "I am from Massachusetts." "My father was from Virginia." "My father was from Massachusetts." And I look at his face and I see an unmistakable type. It is a great pleasure to gather together and find that we can look back some generations in a country from which we and our immediate ancestors have sprung, all from similar soil.

I have often been amused when traveling abroad, to see how, in other localities, when we meet on the other side, so many claim America as their home. I remember landing in Carlsbad some fifteen or sixteen years ago. I had been bicycling from Vienna to Prague, and finally arrived in Carlsbad; it proved to be the first of July. I saw in a shop window a great sign "Fourth of July," and then below "All good Americans will join in the Town Hall on the

first of July, and arrange for a celebration of the Fourth." I said to myself, "Here's an opportunity. I'll meet some of my fellow citizens." So, I went to the hotel, changed my togs, and went down into the Town Hall, a dimly lighted room, and there were seventy-five or a hundred people seated on the edges of chairs. Finally a man got up at the other end of the room, knocked on the table, and said, "Vellow Zitizens: It ees mit bleasure that we Americans have gathered here today for the burbose of zelebrating that day off ours in the great United States known as that—un—Fourth of July. Und I have great bleasure in galling on Mr. Guggenheim, from Montreal."

Well, Mr. Guggenheim got up, and went off into a description of his own, much in the same lingo. And then somebody else. Finally, I could sit still no longer. I hadn't heard the English language really spoken at all, so I said, "Mr. Speaker." "Sure," was the response. I said, "Can I say a word?" "Sure. Where you come from?" That gave me my chance. "Why" I said, "I come from the uttermost periphery of the national wheel whose"—and he said "Hold on there. We will make you chairman." And they made me chairman because I could speak English.

Then we got busy on the Fourth of July celebration. Two gentlemen came to me and said, "Mr. Redding, Colonel Carter is here"—that might not have been his name, but a good, fine name like that—"and we must have him at the banquet." I said, "I am delighted to hear that he is here. We have Mr. Guggenstein and Mr. Eisengills and Mr. Ingoldsky, and I would like to have Mr. Carter." So I went down, and I saw a typical, fine, distinguished Virginian sitting under a bough of a tree on a bench. I said, "Colonel Carter?" and he said, "Yes, sir." I said, "I am Mr. Redding. I happen to be the chairman of the dinner tomorrow, and I trust that you will favor us with your presence." He said, "Mr. Redding, I shall be delighted to come, dee-lighted, and I am here with my wife and mother-in-law and my two daughters. We shall come with great pleasure, sir." I said, "Thank you, Colonel. Thank you." And I bowed out. The next day at about eleven o'clock, up came the man who had been chairman and said to me, "Mr. Redding, Colonel Carter isn't coming." I said, "My God, not coming? Why, he was to come with his wife and his mother-in-law and his two daughters. Heavens and earth, if Colonel Carter doesn't come tonight, we won't have any Fourth of July. What's the matter?" So I went down and I found Colonel Carter sitting under the same tree. I said, "Colonel Carter, I have heard, and I know it must be an ill-founded rumor, that you are not coming tonight." He said, "I had the intention of coming tonight.

sir, but I have declined the honor, if I may so term it." I said, "What has happened? What is it?" He said, "Mr. Redding, I observed the list of music that is to be played tonight, sir, at this banquet. I saw it published in the Carlsbad Bazaar, and I don't find thereon, sir, the melody of Dixie." "Why," I said, "Colonel, I have arranged this music program myself, and Dixie occurs in the center of a magnificent medley of American melodies." He said, "Mr. Redding, Dixie is no medley. Dixie stands alone, and should be played, alone, sir." I said, "It is easily arranged. Will you come if I can have the program so arranged?" And the reply was the affirmative. I rushed up to the printer, I had the whole blooming list recast, and had Dixie in big type; I packed it down and laid it on the bench. "No. 3. Dixie." I said, "Colonel Carter, are we to have the pleasure of your company tonight?" He replied, "Mr. Redding, sir, I desire to inform you, sir, that Colonel Carter will be there tonight, his wife will be there tonight, and his mother-in-law and his two daughters, with very great pleasure." He was a fine type and it was most refreshing to see him among those other Americans.

So many things happen to us in our wanderings, that I might recall with which to take your time. I simply want to say this, gentlemen. I have often wondered what would have happened had the Pilgrim Fathers and the pioneers of Virginia and the Carolinas come into the Golden Gate instead of coming upon the rock-ribbed shores of Massachusetts, and into the Potomac, and along the Atlantic Coast. When we think of the extraordinary types of people and the extraordinary circumstances that brought those types over to these shores three hundred years ago, and how they wrested from sterile nature first shelter, then a frugal living, then abundance, and then luxury, I wonder what would have happened to them had they found this haven, California, instead of the Atlantic Coast. The only way we can ask that question and answer it is to see the effect it has had upon those who have come here. We all know that California first was peopled by a very noble, spiritual, temperamental class of Caucasians, namely, the Spaniards. They were very fine types. They had the gallantry, they had the adventure, they had the bravery, that goes with the Latin race. They came, they enjoyed the vast possessions of this wonderful State of ours, and then in came another strain, and gradually their hold was weakened and loosened. Sometimes it occurs to me it was loosened from an indifference to contest or to compete against the material, accumulative sense of the Anglo Saxon. Anyway, the first that came here, gallant as they were, splendid as they were, romantic as they were, could not withstand the onslaught of another

strain of people—namely, the strain that we represent, the Anglo Saxon.

Now, the curious thing about the incursion of the Anglo Saxon on the Atlantic Coast, is that they came to this country imbued with a zealous fanaticism. They came to get away from beauty.

They took the stops out of the organ. They took the color out of the stained glass windows. They changed the color of their clothes to white and black. And you will find perecolating all through this country, even reaching out here into free-and-easy San Francisco, a remnant of the impulse that brought them from the old country to the Atlantic Coast. There is hardly a man in this room, when he is about to do something real naughty and let himself swing free with his physieal emotions, who is not held back by a kind of an ancestral string in the shape of one of those old forefathers of ours, who says, "Oh, my God, you can't do that—that's wrong." And they still, along the Atlantic Coast, have holding them back what I may call the smug morality. It is not honest, it is not the impetus, the spontaneous feeling of what they want to do, but it is a kind of a fear, a sub-conseious fear, that it is fore-ordained that they will sizzle in hell if they do any partieular thing they would like to do. And I think that one of the finest signs of the future is, that you get this bunch of Anglo Saxons out in California, and they fly free from that enthrallment.

Therefore, if our Pilgrim Fathers and our Virginia aneestors and all these splendid types who came over here at the time England was having so much internecine and religious strife, had come to California, I think we would have saved about two hundred and fifty years of the most uncomfortable time that any people ever had in the history of civilization.

So I think we ought to be congratulated that there is in California a Society of the Sons of the American Revolution. I think that we can do more out here than in any other locality. We can live more comfortably, we can worship God in a more beautiful way. We can retain our faith, adoration, and all the tenets of our ancestors, and we can just let God Almighty, in His graee, leaven our lives with a spiritual uplift in the beauty of our home, than which no other on God's footstool so beautiful was ever given unto mankind.



## BIOGRAPHICAL SKETCHES

By Thomas A. Perkins, Historian.

### BABCOCK.

John Breckinridge Babcock was born in New Orleans, La., Feb. 7, 1843. The son of Ann E. (Benison) and Giles Babcock, and great-great-grandson of Joshua Babcock, a graduate of Yale College in 1724, and Major General of the "Colony Brigade," R. I., in May, 1776.

He enlisted as a private in Company "G," 37th N. Y. Militia, May 29, 1862, and was honorably discharged as Sergeant. He again enlisted and served in the 174th N. Y. Infantry as 1st Lieutenant, was transferred to 162nd N. Y. Infantry, promoted to Major, and resigned his commission July 23, 1865.

He was appointed 2nd Lieutenant in the 5th U. S. Cavalry Jan. 22, 1867, and promoted to Lieut. Colonel. He was appointed Brig. General of Volunteers Jan. 3, 1898, and honorably discharged Nov. 30, 1898. He was retired from active service Aug. 8, 1903, as Brigadier General, U. S. A.

During 1864 he took part in the Shenandoah Valley campaigns under Gen. Sheridan and was engaged in many battles. After his appointment to the regular army he served in several campaigns against the Indians.

In 1898 he won an excellent record in the Philippines as Assistant Adjutant General on the staff of Gen. Merritt.

He filled every position to which he was assigned, from private to Brigadier General, with credit to himself and the service.

He was a member of the Military Order of Loyal Legion, Commandery of California.

On his return from a trip to Europe he died crossing the Atlantic Ocean, April 26, 1909. A widow and children survive him. His last residence was Ballston Spa, N. Y.

### BAILEY.

James Dyas Bailey was born in Boston, Mass., the 16th day of July, 1839. He was the son of Margaret M. (Dyas) and Edwin Bailey, grandson of Paul Bailey, and great-grandson of Paul Bailey,

a captain of the Coast Guard from Marshfield to "the Glades," Massachusetts, in July, 1775.

He came to San Francisco in a sailing vessel via Cape Horn in 1862, and was engaged in the insurance business in San Francisco from 1865 until his death. He was secretary of the Union Insurance Co. for 18 years and manager of the Insurance Company of North America for 18 years.

He was treasurer of the Unitarian Church for thirty years. In business circles his standing was of the highest.

He married Maria E. Sweetzer, daughter of Samuel D. Sweetzer, in San Francisco, Oct. 3rd, 1871.

He died in San Francisco February 6, 1910. A widow, Maria E., two sons and a daughter—Albert E. of Portland, Ore., Milton D. of San Francisco, Florence M. Mohr of New York City; two brothers and a sister—George W. of San Francisco, Frank of Vancouver, B. C., and Harriet Newell Clark of Boston, survive him.

#### BAILEY.

William Hervey Bailey was born in Wailuku, County of Maui, Hawaiian Islands, Jan. 24, 1843. He was the son of Caroline (Hubbard) and Edward Bailey, and great-grandson of James Bailey of Cold Spring, N. Y., a sergeant in Mass. Militia during the Revolutionary War. He was in the oil business in Oakland and Los Angeles, Cal.

He died Jan. 1, 1910.

#### BARKER.

Timothy Leonard Barker, son of Martha Leonard (Griswold) and Timothy Barker, and grandson of Irene Barker and Timothy Barker, a private in Col. David Wooster's Regiment, Connecticut Militia, was born in Bradford, Conn. March 13, 1828, where he was reared on his father's farm and attended the public schools till he was 14 years old, when he entered the academy at Auburn, N. Y., where he graduated. Soon after graduation, as one of the Cayuga Joint Stock Company he embarked on the "Belvidera" for California, via Cape Horn. After 226 days he arrived in California, Oct. 12, 1849, and immediately went to the mines in Mariposa County, where he remained several years.

He farmed a ranch near Hayward, Alameda County, for 2 years.

From 1856 to 1863 he was a member of Booth & Co., Grocers, in Sacramento, and a member of the firm of Wellman, Peck & Co.,

wholesale grocers, San Francisco, from 1868 to 1887, when he retired. He resided in San Francisco from 1856 to 1874 and in Oakland from 1874 till his death. He was councilman from 1885 to 1889, and trustee of the Deaf, Dumb and Blind Asylum.

He was a member of the Society of California Pioneers and San Francisco Lodge of Odd Fellows.

Mr. Barker was characterized by a sweetness of disposition, a fine courtesy, a geniality and a kindly spirit, which made him beloved by all who came in contact with him. He grew old gracefully and wore his silver crown with dignity and radiated sunshine to the last.

His business life is expressed fully in an editorial of an Oakland paper: "He was a real pioneer, an argonaut who cast his lot with California three score and one years ago, when this was a virgin land. By his energy and enterprise his fortunes rose with the progress of the state, and all that he gathered and gained was not at the expense of another. All his long business record is as stainless as a star. His personal characteristics were especially charming."

He married Mary R. Simpson in Oakland. She was a native of New York City. He died in Oakland Jan. 31, 1911.

His widow and a daughter, Mrs. Wallace M. Alexander of Oakland, survive him.

#### BOARDMAN.

George C. Boardman was born in Hartford, Conn., May 20, 1828. During the earlier years of his life he resided in his native city. He lived for a short time in New York, and also near Lecompton, Kansas, where he took some part in the Territorial political excitement of those days. He returned to Hartford, and in 1855 became associated with the Merchants Insurance Co. of that city. During the same year he was appointed a special agent for the Company and traveled in the southern and border states prior to the Civil War.

In 1860 the Company sent him to California. The following year the San Francisco Insurance Co. was organized—the first incorporated fire insurance company of California. Mr. Boardman was elected its first secretary, and in 1863 he became its president. In 1868 he resigned the presidency of the Company to accept the general agency for the Pacific Coast of the Aetna Insurance Co. of Hartford. This position he held until his death—nearly forty-one years.

In 1865 he married Annie Julia Hort, daughter of Samuel Hort, a merchant of San Francisco. He was an active member of the First Congregational Church. His character is shown in the following quotation from an insurance journal of San Francisco: "The late George C. Boardman was a modest and unpretending man, but his gentle manners and cordial greetings were wholly misleading if they suggested anything but ruggedness of character and firmness of nature. The dean of the profession was a strong man, who had no enemies. He was always rock-firm for the right and could not be shaken by motives which appeal too strongly to weaker men. He reflected the character and followed the sound traditions and practices of his Company, and was at all times dignified and conservative, just and fair."

He was the son of Elizabeth Bidwell (Lewis) and Thomas Danforth Boardman, and grandson of Sarah (Danforth) and Oliver Boardman, a soldier in the Revolutionary Army from Connecticut, in the expedition against Burgoyne in 1777.

He died in San Francisco April 24th, 1909. He is survived by his widow and three sons, Samuel H., George C. Jr. and Thomas D., of San Francisco.

#### BONNELL.

Edwin Bonnell, son of Catherine Hugh (Looker) and Allison Clarke Bonnell, and grandson of Aaron Bonnell, private in Baldwin's New Jersey Regiment, Continental Army, was born in Cincinnati, Ohio, Sept. 23, 1836, and died in San Francisco, Nov. 28, 1912.

Allison C. Bonnell came to California in 1849. Soon after he located in Portland, Oregon, where he owned and operated a lumber mill. His son Edwin went there in 1852 and worked in his father's mill, and later was a clerk in the firm of Tilden and Ladd, in Portland. His father's mill was burned and in 1856 they both located in San Francisco, where Edwin spent the remainder of his life. When a boy in Ohio he worked in a drug store. After coming to San Francisco he was an accountant.

In 1873 he accepted a position in the Savings and Loan Society, San Francisco—the first savings bank in the State—where he remained nearly forty years and became cashier and secretary. He was secretary of the California School of Mechanical Arts and the Unitarian Club, and held many positions of Trust. He was an active member of the Society of California Pioneers. He was one of the

earliest members of the First Unitarian Church. He was a charter member of the Olympic Club, in 1860, and its first secretary. He was very much interested in art and painted in oil, many of his canvases showing marked ability. He studied under the late William Keith; they were devoted friends for more than fifty years.

He was a companionable man, with a keen sense of humor, and was known for his strict integrity. He had a host of friends, both old and young, and was respected and trusted by all. He always had a pleasant word for every one he met. In San Francisco, Dec. 22, 1861, he married Mary A., daughter of James Haley of New York. Thomas Starr King officiated at the wedding. He is survived by a widow, a son, Allison C., and a daughter, Mrs. Edith B. Dunne, all residing in San Francisco.

### BROMLEY.

John Lewis Bromley was born in Baltimore, Maryland, December 24, 1820. He was the son of Ann Catherine (Innis) and Lewis Bromley, grandson of Eliza (Palmer) and John Bromley, and great-grandson of William Bromley, Sr., a member of the Committee of Safety of Danby, Vt., 1777-78. His ancestors came to America in 1634.

He was educated at Harford College, Md. He also studied military science at a military school. He began the study of medicine, but abandoned it for mercantile pursuits.

At the outbreak of the Mexican war he enlisted as orderly sergeant, served through the war under Gen. Winfield Scott, and was promoted to captain. At the close of the war he returned to Baltimore and entered business again.

He married Miss Anna Levering in 1851, and in 1852 sailed for California via Cape Horn, arriving in San Francisco in May, 1853.

He again followed the wholesale merchandise business in the firm of Bromley, Booth & Co. A few years after he settled in Contra Costa County and engaged in farming and cattle raising. He was justice of the peace, tax collector and county assessor. He moved to Oakland in September, 1873.

He was brave in battle, in civil life he dared to do right, and always practiced the golden rule.

His wife died Sept. 18th, 1909. He is survived by his children, Thomas L., Martha, Marion, Virginia and Roscoe, of Oakland; Annie Murry of Hayward, and R. I. of Sonora, Cal.

## BUCKINGHAM.

George H. Buckingham was born in San Francisco, Cal., Sept. 16th, 1857, the son of Ellen Proctor (Smith) and Aurelius A. Buckingham, and great-great-grandson of Daniel Smith, who marched on the Lexington alarm of April 19, 1775. He was a member of the Stock and Bond Exchange. He married Mary G. Eldridge of San Francisco. He died in Sonoma County, Cal., August 8th, 1910. His widow and one son, Eldridge B., survive him.

## BUSH.

Walter Nelson Bush was born in Fall River, Mass., Nov. 11, 1856. He was the son of Abbie Maria (Nelson) and William Read Bush, and great-great-grandson of Aaron Childs, who marched on the Lexington alarm, April 19, 1775, and served as a private in the Mass. Militia, 1777-78.

He prepared for college in Fall River High School and graduated from Harvard University in 1882. For five years before preparing for college he was a clerk in one of the mills in Fall River.

After graduation he was a teacher in the High School in Peoria, Ill., for a year, and in a business house in Chicago for a year. In 1884 he came to California and taught mathematics in Oakland High School three years, and took a course in the University of California. He taught mathematics in the Boys' High School, San Francisco, and was Principal of the Polytechnic High School, San Francisco, from 1889 till a few months before his death.

In 1887 he married Grace L. Moulton of Oakland. She and their only child died in 1894.

In 1907 he married Georgia A., daughter of Frederick Harris, of San Francisco. Their only child, Walter Nelson, was born Sept. 3, 1911. In collaboration with J. B. Clarke, of the University of California, he wrote a geometry published by Silver, Burdett & Co.

He was a member of Occidental Lodge No. 22, Free and Accepted Masons, of San Francisco. He died in San Francisco May 21, 1911, and is survived by his widow and son, of San Francisco; father, of Baltimore, Md.; a sister, Elizabeth L., of Boston; two brothers, George B. of San Francisco, and Arthur R. of Schenectady, N. Y.; one sister, Annie R., died recently.

## CARPENTER.

Samuel Walker Carpenter, son of Betsy Hull and Joshua Carpenter, and great-grandson of Caleb Carpenter, a private in Mass. Militia, was born in New Britain, Conn., Sept. 3, 1830, where he was educated, and later entered the employ of Russell Erwin Manufacturing Co. On the 29th day of March, 1849, he left New York City and arrived in San Francisco in Sept., 1849, having made the trip by water to Vera Cruz, thence overland across Mexico, and by water the rest of the way. He worked in the mines a few years and returned to New Britain in 1855, where, on the 10th day of May, he married Emma, daughter of Ambrose Sloper.

They had one child, Emma Grace, who married William E. Hassett, Dec. 17th, 1883.

At the beginning of the civil war he enlisted as 2nd Lieutenant in the First Connecticut Infantry, April 18th, 1861.

He served until late in July, 1861, when he was mustered out with the regiment at New Haven, Conn. He again volunteered in the 14th Regiment, Connecticut Volunteers, and was mustered in as Captain of Company "C" at Hartford, Conn., August 20th, 1862. He served with that regiment until the Battle of Fredericksburg, December 13th, 1862, when he was wounded in the foot in the charge made on Marye's Heights. He was in command of his regiment, his superior officers all having been killed or wounded. His wound having disabled him for active service, he was transferred as Captain to the United States Veteran Reserve Corps, in which he served until December 31st, 1865, when he was assigned to duty in the Freedman's Bureau, where he remained until December 31st, 1867, when he was mustered out.

He then went to Chicago, where he engaged in the hardware business until he returned to San Francisco, Cal., in 1890, where he was engaged with the Pacific Mailing Company and the Buswell Company, Book Binders, until the fire of April, 1906, after which he retired from active work.

He was a member of the Masonic Order, Loyal Legion, and Past Commander of Lincoln Post of the Grand Army of the Republic. He died in San Francisco June 12, 1910, leaving one granddaughter, Jessie Hassett, wife of Thomas A. Mahoney of San Francisco.

## CHILDS.

George Childs was born in Lancaster, Mass., Oct. 13, 1829, the son of Polly (Kimball) and Isaac Childs, and grandson of Moses Childs, commissioner to Nova Scotia in 1775.

He was educated in his native town. He married Louisa S., daughter of Ann Harmon and George Edwards, in San Francisco, Cal., Sept. 4th, 1858. By this marriage he had two children, Annie M. and Rufus H.

His second wife was Mrs. Annie M. Ladd, daughter of Mary Morris (Hancock) and James Cannon Zabriskie. They were married in San Francisco April 25th, 1891. There are no children by the second marriage.

He was a member of California Lodge No. 1, Free and Accepted Masons, and was elected Master of the Lodge in 1884, and was a member of Golden Gate Commandery, Knights Templar. He was a member of the Vigilance Committee and the old National Guard of San Francisco, and at one time was a clerk in the Sheriff's office. The greater part of his life was spent in the insurance business, with the old Pacific Insurance Co., and the Liverpool & London & Globe Insurance Co., in San Francisco.

He died at his old home, 260 Fair Oaks Street, San Francisco, May 1st, 1910. His second wife and children survive him.

## COGSWELL.

Thomas Cogswell, son of Judith (Peaslee) and Joseph Badger Cogswell, and grandson of Dr. William Cogswell, hospital surgeon's mate in the Continental Army, was born in Atkinson, N. H., May 12, 1835. He crossed the plains and was one of the early pioneers to Pike's Peak. He went to Boston, Mass., studied dentistry, received the degree of D. D. S., and practiced his profession in Boston for more than twenty years, and in San Diego, Cal., twelve years. During the latter years of his life he was President of the Humane Society in San Diego. In 1862-3 he served on the medical staff of the 50th Massachusetts Volunteers, of which his brother, William, was surgeon.

He married Hannah Elizabeth, daughter of Abigail G. (Fuller) and Benjamin Judkins of Boston, Nov. 24th, 1870. She died in San Diego Feb. 9, 1901. He died in Los Angeles April 7, 1912.

Their only child, Mary Goddard Cogswell, resides in Los Angeles.



## DAGGETT.

Henry Daggett was born in New Haven, Conn., July 12, 1841, the son of Laura (Gilbert) and Alfred Daggett, and great-grandson of Naphthali Daggett, President of Yale College, who was mortally wounded in battle July, 1779, when the British took New Haven.

He received his early education in New Haven, followed the sea for a short time, became a druggist and owned a drug store in San Diego, Cal., at the time of his death. He was a Free Mason and Knight Templar.

He married Rebecca Cary, by whom he had two daughters and a son, Harry M., of Oakland, Cal.

His second wife was Frances E. Smith, now residing in San Diego.

He died in San Diego June 23rd, 1911.

## DAY.

Franklin H. Day was born in Gowanda, N. Y., Jan. 5th, 1827, the son of Phebe (Root) and John F. Day, and great grandson of Eli Root, a captain in Col. Eastman's Regiment of Mass.

He came to California Aug. 16th, 1853. He was secretary, book-keeper and accountant in banks and business houses until 1891, when he was elected secretary of California Lodge No. 1, F. & A. M., California Chapter No. 5, Royal Arch Masons, and recorder of California Council No. 2, Royal & Select Masters. He held all of the offices until his death.

He was twice married and had two sons, all of whom died many years ago.

He always had a smile and kind word for all and was one of the best known men in Masonic circles in California. He was past master of California Lodge No. 1, F. & A. M.; high priest of California Chapter No. 5, R. A. M.; grand master and grand treasurer of the Grand Council; commander of California Commandery No. 1. grand high priest and grand treasurer of the Grand Chapter, R. A. M.; 32d degree A. & A. Scottish Rite Mason, and a member of the Mystic Shrine.

He died in San Francisco March 6, 1910.

## DUNN.

Robert Kneeland Dunn was born in Thomaston, Maine, Oct. 8, 1857. He was the son of Eliza (Giles) and Thomas Watson Dunn, and great-great-great-great-grandson of Dr. Moses Robinson, a sergeant in the Mass. Militia.

He went to sea at an early age and became captain of the steamer St. Paul, on the Atlantic Coast. His father was a sea captain also. In 1897 he came to San Francisco and was appointed superintendent of the U. S. Army Transport Dock when it opened at Folsom Street Wharf, and held the position until he retired, a short time before his death.

He was a thirty-third degree Mason and an officer in the Scottish Rite Bodies. He died in Oakland Jan. 28th, 1912. He is survived by a widow, Priscilla M., of Oakland; three sisters, Mrs. Alfred Strout, Mrs. Walter B. Willey and Miss Hallie M. Dunn, and two brothers, Lawrence H. and Richard E., of Thomaston, Me.

## EELLS.

Alexander Grimes Eells was born in Dayton, Ohio, March 18, 1862, the son of Susan E. (Grimes) and Marcus Eells, a great-grandson of Jonathan Hall, a private in Wadsworth's Brigade, Connecticut troops, 1776, and also a great-grandson of Charles Greene, a private in Col. John Tapham's Regiment, R. I. troops.

He went to Santa Barbara, Cal., in 1875, where he taught school for a time before he entered the University of California, where he graduated in 1886. He graduated from Hastings College of the law in 1888, and practiced law in San Francisco until his death. He was one of the prominent lawyers of the city and a recognized authority on the Law of Mechanics' Liens.

He was a member of the Commonwealth, Sierra and Chit-Chat Clubs, past president of the Unitarian Club and the Alumni Association of the University of California, a trustee of the First Unitarian Church of San Francisco for 12 years, and an active member of the San Francisco Bar Association. He was always willing to bear his full share of work and responsibility. He was a regular attendant at the meetings of all these organizations, and gave his earnest support to the good causes which they furthered. His college classmates were very dear to him, and he never missed an opportunity to

meet with them. It was peculiarly fitting that all honorary pallbearers at his funeral services were his classmates.

He was fond of the country and of out-door life and took the keenest pleasure in developing his home place near Mill Valley. He usually took his annual outing with the Sierra Club.

He was modest in his bearing and simple in all his tastes. He was direct and straightforward and his integrity was beyond the possibility of a suspicion. He was devoted to his family and was always eager to do whatever might increase their wellbeing and happiness. In his closing days he faced the inevitable with the same quiet fortitude which he had always displayed in health—in the serene consciousness that he had at all times tried to do his duty, as it had been manifested to him.

On October 4th, 1894, at Austin, Minn., he married Caroline Merrifield, daughter of Mary Ann (Rankin) and Joshua Sheldon Judson.

He died in San Francisco Oct. 12, 1911.

He is survived by a widow and three daughters, Margaret, Helen Judson and Harriet Louise, all residing in Mill Valley.

#### ELLIS.

Henry Hiram Ellis was born in Waterville, Me., June 15, 1829, the son of Cynthia Irish (Cromwell) and Charles Henry Ellis, and grandson of Jerusha (Clark) and Thomas Ellis, a private in the Mass. Militia.

In his youth he was a sailor for three and a half years, and in 1847 was employed in a brass works in Boston, where he learned the business. On Jan. 16th, 1849, he sailed from Boston in the brig "North Bend," and went ashore in the Straits of Magellan; later he took another ship, "Wm. G. Hackstaff," and arrived in San Francisco June 25th, 1849, and immediately started for Lacy's Bar, on the north fork of the American River, where he engaged in mining.

He located in Sacramento and engaged in shipping on the Sacramento River, and later he owned the brig "John Dunlap" and made voyages from San Francisco to the South Sea Islands and Mexico, and later established a trading post on Humboldt Bay and built a pack trail to Trinity mines.

In 1855 he joined the police department of San Francisco, where he remained until 1870, when he was elected chief of police—the

last chief elected by the people. He held the office until he retired in 1877. During the next two years he made a tour of the world. On his return he retired to his country home at "Elliston," in Sunol Glen, Alameda County, where he spent the rest of his life.

In July, 1853, he returned east and married Elizabeth Capen, daughter of General Capen of Dorchester, Mass.

He was United States Consul to the West Indies.

He was a man of strict integrity and always had a pleasant word for every one.

He was a prominent member of the State of Maine Association of California for many years.

He died in San Francisco Dec. 15th, 1909, leaving a widow and six children, Henry C. of Oakland, Philip A. of Niles, Robert of Pleasanton, F. C. of Los Angeles, Mrs. W. E. Ledyard of Sunol Glen, and Mrs. Chas. Riddell of Oak Park, Ill.

He was buried under the auspices of Oriental Lodge No. 144, F. & A. M., of San Francisco.

#### FIFE.

William Johnson Fife was born in Meaford, Ontario, Canada, Oct. 25th, 1857, the son of Harriet Anna (Johnson) and William Hutchinson Fife, and great-great-grandson of Jonathan Allen of Vermont, a soldier in the Revolutionary War.

When a child, his parents moved to Vassar, Michigan, and later to Cherokee, Iowa. In 1874 he went to the Territory of Washington. In 1875 he helped organize the first militia company in the Territory, which was known as the "Tacoma Rifles," of which he was 1st Lieutenant. In 1876 he entered the California Military Academy of Oakland, Cal., graduated in 1878, and accepted a position in the academy as post-adjutant and military instructor. He studied law at Columbia Law University, Washington, D. C., and in the Territory of Washington, where he was admitted to the bar in 1884. He was captain of the Tacoma Guard, which became Company C, 1st Washington Volunteer Regiment.

He was appointed chief of ordnance with rank of Colonel, on Governor McGrath's staff, and was Colonel on Governor Roger's staff, he was detailed as chief instructor of rifle practice on account of his long experience in the National Guard. He went to the Spanish-American War as Lieutenant-Colonel of the 1st Washington Regiment, U. S. V., and was mustered out at San Francisco.

Gen. Chas. King said: "One of the best men in the Washington Regiment is Lieutenant-Colonel Fife. He is one of the best soldiers and one of the most gifted men we have in the Philippines. I look upon Lieutenant-Colonel Fife as one of the finest officers that I have ever known in volunteer service."

He was prominent in social organizations as well as in military life, being a member of the Elks, Knights of Pythias and Red Men.

He died at his home in Hollywood, Cal., June 18th, 1911. His widow, Mary C. of Hollywood, Cal., a daughter, Mrs. Anna F. Chidester of Tacoma, Wash., two sons, Norman T. and Chalmers R., his mother, a brother and a sister survive him.

#### GAGE.

David Gage, the son of Mary A. (Hamblet) and Joseph Gage, and great-grandson of David Gage, private in N. H. Militia, was born in Pelham, N. H., Nov. 30, 1830.

He was educated in the public schools of his native town. He came to California by way of the Isthmus in 1855, and was engaged in mining at Cherokee, Butte County, from 1856 to 1886, a part of the time in the Cherokee hydraulic mine. He sold his mining interests in 1886, retired and lived in Oakland the rest of his life. In January, 1868, at Pelham, N. H., he married Sybil A., daughter of Emily (Hall) and Simeon Currier of that town.

They had two sons, Henry David and Edward Currier, a graduate of the University of California.

He died at Banff, Canada, Aug. 9, 1909.

He is survived by his widow, who resides at their old home in Oakland, Cal., and two sons, stockgrowers in Butte County, Cal.

#### GRAY.

Giles Hubbard Gray was born in New York, N. Y., May 16th, 1834.

He was the son of Emmeline Hubbard and Nathaniel Gray. His great-grandfather, Nathaniel Gray, was a private in Col. Ruggles Woodbridge's Regiment of Mass., in 1777.

He was educated in the public schools of New York City and the College of the City of New York, where he graduated in 1853—the first class—and afterward received the degree of A. M. He arrived in San Francisco, Cal., Oct. 31st, 1853, where he began the study of medicine, but soon took up the study of law and was admitted

to the bar in 1856. He practiced law in San Francisco until 1890, when he retired from active practice. He was a partner of E. B. Mastick prior to 1870, when he became a partner of the late James M. Haven. He was a member of the Vigilance Committee in 1856; President of the Board of Trustees of Laurel Hill Cemetery from 1889 to 1912; a member of the Board of Supervisors in 1863. In 1864 he was elected a member of the Board of Education, where he served six years.

He was one of the organizers of the San Francisco Savings Union Bank in 1862.

In 1871 he moved to Oakland and was elected a member of the State Legislature the same year.

He was Surveyor of Port of San Francisco from 1873 to 1877, a member of the Board of Education in Oakland from 1895 to 1901, trustee of Mills College, president of the Associated Charities and the Society for Prevention of Cruelty to Animals.

His father came to San Francisco in 1850, and established the firm of N. Gray & Co., which is still in business; later, his mother, brothers, Henry M., a graduate of Dartmouth College, Edward P., and George D., both graduates of Amherst College, and his sister, Emma, who married Cyrus S. Wright, a graduate of Dartmouth College, all came to San Francisco.

In 1857 he married Kate Church of Rochester, N. Y., by whom he had two sons and one daughter. His wife died in 1879, and in 1884 he married Mrs. Marianna W. Drinkwater Myrick.

He died in Oakland, Cal., Sept. 25, 1912. His widow and daughter of Oakland, his brother, George D., and sister, of San Francisco, survive him.

#### HARRIS.

Edwin Frisby Harris, the son of Eleanor Wells (Buck) and John Edwin Smith Harris, and great-grandson of Daniel Buck, second Major 17th Regiment, State Militia, King's District, N. Y., was born in New Lisbon, Wisconsin, the 2nd day of Feb., 1864.

He was engaged in mining in California and Mexico, and for a time was superintendent of the Corrigan-McKinney mines in Chihuahua, Mexico. He had acquired and was operating the Colorado Mining Co., Sonora, Mexico, at the time of his death.

He married Louise, daughter of Fannie and August Radell, in Manston, Wisconsin, June 16th, 1897.

He died in Sonora, Mexico, Sept. 13, 1912.

His widow and three children, John R., Elizabeth L. and Lucile W. of Tucson, Arizona, survive him.

## HUBBARD.

Adolphus Skinner Hubbard was born in DuPage County, Ill., July 7, 1838. He was the son of Anne Ward (Ballou) and Theodore Hubbard, Jr., and great-grandson of Peter Hubbard, Jr., an ensign in N. H. line of the Continental Army.

He was a civilian clerk in the quartermaster's department, U. S. A., for a short time before coming to San Francisco, in 1866.

In San Francisco, Feb. 29th, 1872, he married Mrs. Sarah Isabelle Sanborn, a native of Charlestown, Mass., the daughter of Hannah Goodrich (Holt) and John Sylvester, Jr.

In the early seventies he was employed in the county clerk's office in San Francisco for two years, and was a clerk in the Dental College in San Francisco about fifteen years ago.

He was a member of Oriental Lodge No. 144, F. & A. M., Washington Chapter No. 43, R. A. M., Chicago; Oakland Commandery No. 11, Knights Templar, and Golden Gate Chapter No. 1, O. E. S. He was secretary of his Masonic Lodge for 20 years, and treasurer of his Chapter of Eastern Star for many years; also a member of the Society of Colonial Wars in New Hampshire.

He was made an Honorary Past President General of the National Society, S. A. R., by resolution, and was one of the enthusiastic workers in the State Society.

He died in San Francisco Jan. 29, 1913. A widow and one son, Theodore W., of San Francisco, survive him.

## HULL.

Clinton Telemachus Hull, born in Ellison, Warren County, Ill., Dec. 12, 1842, was the son of Emily Bishop (Woodworth) and Telemachus Hull, and great-grandson of Daniel Hull, Lieutenant in 6th Albany Regiment, N. Y. Militia, during the Revolutionary War.

He died in San Francisco May 16, 1910.

He was educated in the public schools of Illinois and Iowa, taught school in California and was a clerk in the postoffice, San Francisco, for 26 years.

He served in the Civil war from 1861 to 1865 in Company G, 11th Iowa Volunteers, was held a prisoner of war in Andersonville. He was seriously wounded in the battle of Shiloh.

He was a member of Lincoln Post, G. A. R., and California Genealogical Society.

He married Eliza A., daughter of William Allen Reed, in Wayne, Iowa, Jan. 9, 1868.

He is survived by a widow, residing in San Francisco, and three children, Frank R. of Grass Valley, Cal., Mrs. Mary Lynip of Alturas, Cal., and George W. of San Francisco.

#### KIMBALL.

Charles Loyd Kimball was born in Brookfield, Vt., Jan. 8, 1840, and died in Oakland, Cal., March 12, 1910. He was the son of Charlotte (Hudson) and Charles Wright Kimball, and great-grandson of Jedediah Kimball, a Connecticut soldier in the Revolutionary War. On attaining manhood he went to Fond du Lac, Wis., and engaged in the lumber business. At the beginning of the Civil War he enlisted in the First Regiment of Wisconsin Volunteers, and afterward joined Company A of the Fourteenth Regiment, of Wisconsin Volunteers, and was promoted to 1st Lieutenant, and after the battle of Shiloh was commissioned Captain in recognition of his gallant service. He served three years and made a brilliant record, both as soldier and officer. At the close of the war he moved to Alpena, Mich., where he was engaged in manufacturing lumber and building mills for twenty-two years. In 1889 he removed to Healdsburg, Cal., where he was engaged in the lumber business until his death.

In Alpena he served as an alderman and member of the school board, and was commander of his Post of the Grand Army. In Healdsburg he was a member of Sotoyome Lodge No. 123, F. & A. M. He was prominent in church work and his hand and purse were ever ready to assist any movement that had for its object the uplift of humanity and the betterment of the community.

He was twice married, by his first wife he had Fred A. of Alpena, Mich., and Mrs. Georgie A. Oliver of Seattle, Wash.

At Coopersville, Mich., Dec. 20, 1880, he married Mrs. Margaret V. Doane, by whom he had Edna Genevieve Bingaman of Oakland, Cal. He is survived by his widow and three children.

#### KING.

Charles James King was born in Georgetown, D. C., March 8th, 1844, the oldest son of Charlotte M. (Libbey) and James King, of William, a California pioneer of 1848, the founder and first editor



of the San Francisco Bulletin, who was shot and killed in San Francisco by James P. Casey, May 14, 1856. His murder caused the second Vigilance Committee to be formed in San Francisco.

His great-grandfather was John Libbey of Durham, N. H., who served in Col. Joshua Wingate's New Hampshire Regiment to Ticonderoga, in 1776.

King came to San Francisco in May, 1851, where he was educated in public and private schools. He was engaged in business, being a member of the firm of King, Morse Canning Factory, now Pacific Vinegar Works; later business manager of Potrero Commercial and Manufacturers' Association. At the time of his death he was in the assessor's office.

He was a member of Society of California Pioneers, S. F. Tent No. 18, Knights of the Maccabees of T. W.; past master of Pacific Lodge No. 136, F. & A. M., and past high priest, San Francisco Chapter No. 1, R. A. M.

In 1868 he married Ellen A. Crossett of San Francisco, by whom he had Charlotte Elizabeth, wife of Clancey R. McKee of Berkeley, Cal.; Charles B., deceased; Howard L., of San Francisco, and George S. of Los Angeles.

His second wife was Margaretta I. Sage of San Francisco. She died in February, 1912. He died in San Francisco May 4, 1912.

He was a brother of George W. R., of Honolulu; Joseph L., Mrs. Russell J. Wilson and Mrs. S. E. Dutton of San Francisco.

## LEWIS.

Azro Nathaniel Lewis was born in Granger, Alleghany Co., N. Y., Jan. 31, 1842. He was the son of Hephsebeth Chamberlain and Nathaniel Lewis, and great-grandson of Eunice Smith and Enoch Lewis, a private in the Rhode Island troops in the Revolution, and a descendant of John Lewis, who settled in Westerly, R. I., in 1660.

He was educated in the common schools of his native town, studied dentistry from 1857 to 1861, when he located in Westerly, R. I., where he practiced for thirty years.

In June, 1870, he married Marie Antoinette, daughter of Welcome and Harriet Stillman of Westerly, R. I. They had two sons, George Welcome, of Alameda, Cal., and Ralph, of San Jose, Cal.

In 1882 he married Miranda Wilmarth, daughter of Nicholas and Martha Sheldon of San Francisco. By the second marriage he had

three sons, Azro Nathaniel, Jr., Charles Lux and Wilmarth Sheldon, all residing in Alameda, Cal.

In 1893 he came to California and located in Alameda, where he had large business interests and was a director of the Citizens' Bank. He was a member of all Masonic Bodies and was Past Commander of Narragansett Commandery No. 27, K. T., of Westerly, R. I.

He died at his home, 1625 Central Avenue, Alameda, Jan. 4, 1913. His second wife and five sons survive him.

### MOORE.

John W. Moore was born in Plattsburg, N. Y., May 24, 1832, the son of Charlotte Elizabeth (Moore) and Amasa Corbin Moore, and grandson of Benjamin Moores, Lieut. and Adjutant in Hazen's "Congress Own" Regiment.

He received his early education in the Plattsburg Academy and Williston Seminary, and through private tutorship. He was appointed third assistant engineer U. S. Navy, May 21, 1853, being number one in a competitive examination of seventy applicants, and rose through the successive ranks to chief engineer, August 5, 1861. He retired with the rank of Commodore May 24, 1894, and was advanced to the rank of Rear Admiral, retired, June 29, 1906.

The promotion was for his valuable services rendered during the Civil War. Previous to the Rebellion he took part in a number of expeditions, among them the laying of the first Atlantic cable. He served on the Mediterranean station from 1853 to 1856, and following the outbreak of the Civil War served with the Gulf Blockading Squadron. He was the originator of the plan adopted by the vessels composing Admiral Farragut's fleet for protecting the sides of the ships with their chain cable, and covering the ships with a paint composed of the mud of the Mississippi River, to screen them from view, both of which devices were afterward used, the cable by the Kearsarge in her memorable fight with the Alabama, and the painting of the ships that color by general order of the Navy Department; this was the color of the "war paint" used on all our ships during the late Spanish-American war. He introduced "fighting-tops" to our Navy by protecting the maintop of the Richmond with boiler iron, and fitting it for the reception of riflemen and a howitzer to engage and scatter sharpshooters who hid behind the levees and fired upon our ships while passing up and down the Mississippi River

After making for himself an enviable reputation in the Civil War, he again served on European stations as fleet engineer, and later was attached to the navy yards at Brooklyn, N. Y., Kittery, Me., Washington, D. C., and Mare Island, Cal.

He also served on a number of boards of inspection, and was inspector of machinery for the Government in 1893 and 1894, and had charge of the Brooklyn Navy Yard during the Spanish War.

He was a member of Massachusetts Society of the Cincinnati, George Washington Post No. 103, G. A. R., N. Y., ex-Com. California Commandery Loyal Legion, Veteran Corps of Artillery, Military Society War of 1812 and New York Historical Association.

He married Emily, daughter of the late Capt. Horace B. Sawyer, U. S. N., Nov. 19, 1863. They had five children: Louisa, married John N. Moore, New York; Clarence Sawyer; Minnie, married the late Lieut. William E. Sewell, U. S. N.; Elsie Sawyer, married Robert Mazet, Bolton Landing, N. Y., and Emily S., married Lieut. Claude Bailey, U. S. N. His summer residence, "The Moorings," was at Bolton Landing, on Lake George, N. Y.

He died at his winter home, Park Slope, Ridgewood, N. J., March 30, 1913. A widow and two daughters, Mrs. Moore and Mrs. Bailey, survive him.

### MOSES.

William Schuyler Moses was born in Rochester, N. Y., August 8, 1827. Son of Elsie Margarita (Carpenter) and Schuyler Moses, and grandson of Benjamin Carpenter, who served under General Stark at the Battle of Bennington, Vt.

He was educated in the public schools at Rochester, learned the trade of carpenter and millwright, which he followed at Niagara Falls, N. Y., and Wheeling, W. Va.

On the 21st day of May, 1849, he sailed from New York on the bark "Alice Tarlton," came around Cape Horn and arrived in San Francisco Jan. 1, 1850.

He was made a Mason in Valley Lodge No. 109 at Rochester, N. Y., March 12, 1849, and was a charter member and the first Master of Golden Gate Lodge No. 30, F. & A. M., San Francisco, in 1852. He was a member of all Masonic bodies, a Knight Templar in California Commandery No. 1, a member of Islam Temple, A. A. O. N. Mystic Shrine, one of the organizers of the Grand Lodge of Masons of California, October 19, 1850, in Sacramento. He organized the Order of the Eastern Star on the Pacific Coast May 18, 1869, when he or-

ganized Golden Gate Chapter No. 1, San Francisco, the first in the State, and was "Venerable" Past Grand Patron of the Order. He was Past Grand Master of the Grand Consistory of California Scottish Rite Masons and had been installed in offices connected with Masonry 135 times.

He built quartz mills at the mines in the early days in California, and was town trustee of Yreka, Cal., for five years.

He was superintendent of Masonic Cemetery in San Francisco for many years.

He was married Nov. 12, 1855, at Fredonia, N. Y., to Addie, daughter of Levi R. Warren.

In San Francisco, September 2, 1911, he married Marguerite E. Robertson of New York, a daughter of the late Charles Robertson of San Francisco, where she was born.

He was one of the best known men in Masonic circles in California.

He is survived by his widow, Marguerite E., a sister, Mrs. Elsie A. Hobe of San Francisco, and a brother, Fred A., of Los Angeles.

#### PLATT.

Horace Garvin Platt was born in Selma, Alabama, Aug. 26, 1852, son of Cornelia Margaret (Cuthbert) and Rev. William Henry Platt, great-great-grandson of Joseph Clay, Deputy Paymaster General in Georgia and member of the Continental Congress.

He was a graduate of the University of Virginia and came to San Francisco in 1875, when his father was rector of Grace Church. He practiced law in San Francisco for thirty years, and was one of the foremost lawyers in the State. Before coming to California he was instructor in the High School at Louisville, Ky. In 1881 he was an assemblyman in the California Legislature. He was Judge Advocate in the National Guard.

For many years he was prominent socially, and as an orator and after-dinner speaker he was one of the best on the Coast.

In 1908 he published a book of his addresses under the title of "John Marshall and Other Addresses," which covers a wide field of subjects. He was president of the Geary Street Railroad for many years.

He was a member of the Delta Kappa Epsilon college fraternity, Bohemian Club, Pacific Union Club, Union League Club, Burlingame Country Club, Potter Country Club, Santa Barbara Club,

California Lodge No. 1 F. & A. M. and Mark Hopkins Institute of Art.

He was president of the Bohemian Club and Mark Hopkins Institute of Art, and a member of the Board of Managers of S. A. R.

He died in San Francisco August 29, 1910.

He was never married. He leaves three brothers and two sisters—Edward C. of Brooklyn, N. Y.; Charles W., John M., Mrs. Nina Kent of San Francisco, and Mrs. Mary M. Owens of Augusta, Ga.

#### RAND.

Hall Burgin Rand, son of Mary and Tobias J. Rand, was born in Allentown, N. H., March 1, 1826. His grandfather, William Rand, was a sergeant in the N. H. Militia during the American Revolution.

He married Sarah Champlin in South Sutton, N. H., in May, 1850. She died Aug. 26, 1910.

He was a member of Oakland Lodge No. 188, F. & A. M., and had taken the higher degrees in Masonry in New Hampshire. He was a contractor and builder.

He died in San Francisco Nov. 21, 1911.

Two children survive him—David H. of Portland, Oregon, and Mrs. Marshall Damon of San Francisco.

#### REED.

William I. Reed was born in Amesbury, Mass., March 7th, 1830, and died in San Francisco Feb. 13th, 1911. He was the son of Eunice (Tibbetts) and Isaac Reed and grandson of Jacob Reed of Sudbury, Mass, a corporal in Col. Thomas Marshall's Mass. Regiment in the Revolutionary War.

He came to California July 23d, 1849, via Cape Horn, and was engaged in trade in the mining settlements for a short time.

In 1852 he settled in Humboldt County and engaged in stock-raising. He was the second sheriff of the county.

On March 14th, 1863, he was commissioned First Lieut. and Regimental Quartermaster of the 6th Cal. Volunteer Infantry, and was mustered out in December, 1866. During the time he was stationed at Benicia Barracks, Cal., he served in the field against the hostile Indians in Humboldt County. He entered the U. S. Regular Army as a commissioned officer in 1866, became Captain and was retired in 1889. He served on the frontier most of the time.

He married Julia, daughter of Honora and Cornelius Connolly in Eureka, Cal., Jan. 8th, 1857.

He is survived by his widow, residing in Oxnard, Cal., and three children—Mrs. Alphonse M. Dufern of Oxnard, Mrs. Guy S. Leavitt of Rockport, Mass., and George C. Reed.

### RICE.

Frank Sabinas Rice was born in McConnellsville, Ohio, July 21, 1850, and died in Bakersfield, Cal., May 17, 1910. He was the son of Mary (Bennett) and Sabinus Jason Rice, grandson of Mary A. (Barker) and John Bennett, great-grandson of Elizabeth (Dana) and Joseph Barker, and great-great-grandson of William Dana, captain-lieutenant in a regiment of Massachusetts artillery, 1775. He learned the printer's trade in Springfield, O., graduated from West Point in 1874, entered the U. S. Army, was stationed at Fort Warren, Mass., Key West, Fla., and Fort Mason, Cal. In 1891 he retired as first lieutenant of the artillery, on account of failing eyesight. He went to Bakersfield in 1892 and entered the employ of Kern County Land Company, and became its office superintendent and assistant manager. In 1902 he resigned and became vice president and manager of Producers Savings Bank and First National Bank of Bakersfield, positions he held at the time of his death.

During the Spanish-American War he was major of the California Volunteer Heavy Artillery at Cavite, Philippine Islands.

He was a member of the Scottish Rite Masons and Shrine of Al Malaikah Temple of Los Angeles, and the Elks of Bakersfield. His character is shown in the quotation from F. E. Borton's Masonic eulogy at Bakersfield. "As a banker and business man he was known to us as the soul of honor and integrity; as a citizen, he was a man of high ideals and had the spirit and courage to go forth and hold a lance in defense of them; as a brother man among men, he was characterized by faith, hope and by charity—a faith and hope grounded deep in his love for his fellowmen, his true, sure knowledge of the right, and a glowing optimism which taught him that all men at heart desire the right, and that in the end the right will triumph."

He was married June, 1877, to Alice, daughter of Christopher Thompson, of Springfield, Ohio. To them were born two daughters, Frances Alice, who died in 1894, and Ruth. A wife and daughter survive him.

## ROBINSON.

William Augustus Robinson was born in Cambridgeport, Mass., Aug. 16th, 1837, the son of Almira (Coolidge) and John Calvin Robinson, and grandson of Gideon Robinson, a private in Col. Stickney's Regiment of N. H. Militia in 1776.

In 1862 he enlisted in the famous "California Hundred," which was merged into the 2nd Mass. Cavalry after arriving in Washington, D. C. He was mustered out in the fall of 1865, having been promoted to the rank of sergeant major, second lieutenant, first lieutenant and adjutant successively. On his return to San Francisco he entered the postal service of the Government and was inspector for many years.

He died in Bonny Doon, Santa Cruz Co., Cal., May 21, 1912.

A widow and son, Calvin L., survive him.

## SMITH.

Chester Stockton Smith was born in Philadelphia, Pa., Jan. 29, 1871. He was the son of Jennie (Wilson) and Chester L. Smith, and a great-great-grandson of Nathaniel Manning, a private in the Revolutionary War in Latimer's Regiment of Connecticut Militia, and a lineal descendant of Governor Bradford of Massachusetts. He was educated at Rugby Academy, Philadelphia.

He was bookkeeper and salesman in Morristown, Pa., until he came to San Francisco in 1894, where he was engaged in insurance and other lines of business.

On the 10th of July, 1901, he married Alice Helen, daughter of Mary Holmes and Norton P. Chipman, Judge of the Appellate Court of California, by whom he had a daughter, Alice Chipman, and two sons, Chester Chipman and Norton Parker.

He died at Livermore, Cal., Nov. 21, 1912. A widow and three children survive him.

## SOMMER.

Roy Oscar Sommer was born in Bedford, Pa., June 22, 1880, the son of Barbara Ellen (Hughes) and Christian F. Sommer, and great-great-great-grandson of Arthur St. Clair, an officer in the Revolutionary War and General of the U. S. Army, 1792-3.

His father, a native of Denmark, is in the quartermaster's department of the U. S. Army.

He attended St. Mary's Academy, Oakland, Cal., 1898-9. In 1900 he enlisted in Troop "G," 6th U. S. Cavalry, and was sent to the Philippine Islands, where he served until he was discharged, Jan. 3, 1903, with rank of sergeant. He entered the Constabulary Service of the U. S. Government in the Philippines, where he was killed in a typhoon. The following order was issued by the Bureau of Constabulary:

"General Orders)  
No. 83 )

Manila, Oct. 4, 1905.

Inspector, Roy O. Sommer, Constabulary of Samar, perished in the wreck of the coast guard cutter "Leyte" on the north coast of Samar, Sept. 26, 1905. He was returning to his station from the Province of Albay at the time of this unfortunate occurrence. Inspector Sommer entered the constabulary as a 3rd Lieutenant Jan. 22, 1903, and was promoted to 2nd Lieutenant April 1st, 1904. During his career in the Bureau he served in the Provinces of Ambos, Camarines, Albay, Mindoro and Samar. His untimely death at the early age of 25 years is deeply regretted.

By direction of the Acting Chief,

Art. S. Guthrie,  
Executive Inspector."

He was unmarried and is survived by his father and mother, who reside in Chicago, Ill.

### SUMNER.

Samuel B. Sumner was born in Fort Churchill, Nev., Nov. 26, 1863, the son of Katherine (Haley) of Dublin, Ireland, and Charles Allen Sumner, a native of Great Barrington, Mass. His great-grandfather, Hezekiah Sumner, was a soldier in Col. Nigglesworth's Regiment of Mass. during the Revolutionary War. His father was a member of Congress, official reporter for the Supreme Court of California, and a lawyer. Samuel B. attended St. Ignatius College, St. Augustine's College and the University of California, was admitted to the bar, but never practiced. He was official court reporter in the Superior Court in San Francisco for about 30 years.

He died May 17, 1911, in San Francisco. He was unmarried. His sisters, Mary P. Sumner, Mrs. Alaric C. Morgan, Mrs. Joseph Hawkey and Julia K. Sumner survive him. At the time of his death he was writing a history of the Sumner Family in America.



## VANDERCOOK.

Roberts Vandercook was born in Pittstown, Rensselaer Co., N. Y., Sept. 5, 1826. He was the son of Betsy Roberts (Pickett) and Michael S. Vandercook. His grandfather, Simon Vandercook, was an ensign in Col. Peter Yates' Regiment, N. Y. Militia, 1778.

He came to California over the Santa Fe route in 1849. For a few years he was a miner, and afterwards as a contractor and builder, he acquired what property he thought he needed, retired from active business and made his headquarters at Pioneer Hall, San Francisco, and passed the remainder of his life in ease and comfort.

He was a member of the board of managers of this Society for many years, a member of Mission Lodge No. 169, F. & A. M., Ivy Chapter No. 27, O. E. S., and Veteran Volunteer Firemen.

He was one of the best known and most popular of the California pioneers, and was respected and beloved by all who knew him, both old and young.

He died in Oakland May 2nd, 1910. Two nephews survive him, R. O. and E. P. Vandercook. He was unmarried. His funeral was conducted by the Society of California Pioneers, and in accordance with his wishes he was buried in Bennington, Vt., the home of his boyhood.

## WASHBURN.

Clarence Elroy Washburn was born June 4, 1866, on his grandfather's farm in East Otisfield, Cumberland County, Maine. He was the son of Elizabeth Jane (Edwards) and Adoniram Judson Washburn, and great-grandson of Stephen Washburn, a soldier of the Massachusetts Militia in the Revolutionary War.

He was educated in the public and private schools in Boston, Mass., and Lewiston, Maine. His father, a pioneer of Colorado, in 1858 platted a town named Spring City, Kansas—Colorado then being a part of Kansas—at the site of what is now Manitou Springs, but returned East and enlisted in a Rhode Island regiment during the Civil War.

After his father moved to California in 1885, he worked in a printing office, and was with the Associated Press in San Francisco six years.

He reported six sessions of the Legislature at Sacramento, and was war correspondent for the Associated Press during the revolu-

tion in Honolulu in 1893. Returning to California the same year, he became telegraph editor of one of the Los Angeles papers, a position he held for fourteen years.

In addition to his telegraph editorship, Washburn wrote occasional editorials, special articles and some verse. March 1st, 1894, he became Los Angeles correspondent of the San Francisco Chronicle.

He was a member of the Los Angeles Chamber of Commerce, Los Angeles Press Club, the Massachusetts Society of the Sons of the Revolution, the Pine Tree State Association in Los Angeles, the Southern California Academy of Sciences, and was a member of the Board of Managers of this Society in 1906.

At the outbreak of the Spanish-American War, as First Lieutenant he drilled the men of Troop K, Third Squadron, Gen. Johnston's First Southern California Volunteer Cavalry Regiment. In 1899 he was elected Captain of W. S. Rosecrans Camp No. 2, Sons of Veterans, U. S. A., and was Division Commander in 1901.

June 2nd, 1899, he married Anna L., daughter of Theodore D. Cranz of San Francisco, a Mexican War Veteran and one of the San Francisco Vigilantes Committee.

He was a brilliant writer of prose and poetry, and wrote and published music. An editor of a Western publication said of him: "He wrote poetry that breathes of passion and is tinged with the finest of sentiment; verse that savagely, though with masterly precision, rips up the foibles of his fellowmen, these are some of the doings of 'Cynicus'."

He died in Los Angeles the 25th of March, 1909.

He left a widow, mother and sister, Effie A. Washburn, of Los Angeles.

## WESTON.

Jubal Weston, born in East Adams, Conn., Nov. 13, 1824, was the son of Clara (Mellen) and Jubal Weston, and grandson of Levi Weston, a corporal in a Massachusetts Regiment in the Revolutionary War.

He was engaged in the jewelry business in Boston in 1843. He came to San Francisco April 30th, 1849, via Cape Horn, and was engaged in mining for a year on the American River, and later in shipping. In 1854 he married Sarah Frances, daughter of Capt. William B. Richardson, U. S. N., and located in Monroeville, in Colusa County, Cal., conducted the hotel and ferry until 1868, when

he bought a large ranch nearby, where he lived until his death, April 9, 1910.

He was a Mason, Knight Templar and member of the Mayflower Society. Four children survive him—Joshua F. of St. John, Cal., Hugh E. of San Francisco, Mrs. Althea Bowman of New York, and Mrs. Elsie M. Downen of Orland, Cal.

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## SONS OF REVOLUTIONARY SIRES

By Thomas A. Perkins.

All of the Secretary's records of the Sons of Revolutionary Sires and of the California Society of the Sons of the American Revolution were destroyed by the great fire in San Francisco, April 18th, 1906.

Some of our members preserved copies of what had been printed by the Societies from time to time and the California Society now owns practically a complete record by gifts from its members.

The Society has an original copy of the Constitution and By-Laws of the Sons of Revolutionary Sires, printed in 1876, containing 46 pages. This gives the origin of the Society and is the earliest printed data relating to our Society, unless there is a copy of the daily "Alta California" of June 26, 1876, in which was published a letter to the editor, from a lady whose name is unknown, suggesting that "The Revolutionary Grandchildren" be represented in the City Centennial Celebration, and copies of the same paper containing the calls of the meetings, at which the Society of Sons of Revolutionary Sires was organized.

Dr. James L. Cogswell, a pioneer of 1849, now residing in Berkeley, read the letter in the *Alta*, and the next day had a notice published in the *Alta*, requesting all descendants of Revolutionary heroes to meet in his office at 230 Kearny Street, San Francisco, for the purpose of forming an organization. Several men met at his office, and held a preliminary meeting, the first held, except the meeting of 1875, mentioned in the Register of California Society Sons of the American Revolution, published in 1901.

In the evening of October 22, 1875, Dr. Cogswell invited a number of men to meet in his office on Kearny Street, San Francisco, "to discuss the proposition of organizing a society of the descendants of the soldiers of the American Revolution."

Major Edwin A. Sherman, one of those present—a pioneer, now residing in Oakland—suggested that when the proposed society was organized it should be national in character. They all agreed to the suggestion.

No written record of this first meeting exists.

Besides the Constitution and By-Laws and origin of the Society it contains historic council by-laws, rules of order, order of business, articles of incorporation, names of members, names of officers of the Society and of the Auxiliaries of the Society.

It is interesting to note that they provided for a Ladies' Auxiliary, which, without doubt, is the first time the Daughters of the American Revolution were mentioned as an organization.

The Constitution and By-Laws and Historic Council were printed in the Register of the Society printed in 1901.

In the Register of 1901 we find it stated that at the second meeting "on July 1, 1876, the organization met at the Palace Hotel: the selection of permanent officers was deferred until after the celebration of July 4. James P. Dameron was elected treasurer, and W. S. Moses, marshal pro tem. Thirty members signed the roll and paid their initiation fee. It was resolved that signing the roll should constitute membership and was also to be taken as a pledge of honor that the signer was a regular descendant of an American Revolutionary patriot." For misrepresentation the person was to be disgraced by expulsion.

Up to the time the book was published 99 had joined the Society in the order given in the list. A complete copy of the origin and the list of members follows:

## "SONS OF REVOLUTIONARY SIREs.

### ORIGIN OF THE SOCIETY.

Among the local items in the *Alta California* of June 29th, 1876, there appeared a call for the descendants of revolutionary fathers, to meet at 212 Kearny street. That evening they assembled at 8 o'clock; when on motion of James P. Dameron, Esq., General A. M. Winn was called to the chair, and Dr. E. L. Willard chosen secretary. The chairman said he did not know who called the meeting, but supposed it was intended to celebrate the 4th of July. Mr. Dameron replied that he was one of those who called it, and their object was to join in celebrating the centennial anniversary.

At the suggestion of the chairman those present were enrolled and recognized as members of an association for the purpose of celebrating the hundredth anniversary of American Independence.

The chairman and secretary were directed to make the necessary arrangements. Joseph Sharon suggested that we might meet at the Palace Hotel on Saturday evening next, which was agreed to.

#### MEETING JULY 1ST.

The society met at the Palace Hotel; the same officers were in their places. Quite a number of new members were added to the list, and the society adjourned to meet at the call of the chairman.

#### MEETING JULY 4TH.

The society met at the Palace Hotel; several members were added to the list. The line was formed by Wm. S. Moses, Marshal. Thirteen of them carried a shield, each representing one of the original thirteen states, and marched in line until dismissed by order of the grand marshal.

On returning to the Palace Hotel, Marshal Moses called the meeting to order, when James P. Dameron, Esq., delivered an address which was published in the *Alta California* of July 7th.

The society dates its organization from the 4th of July, 1876.

#### MEETING JULY 11TH.

The Chairman gave notice in the daily papers, and the society assembled at Dashaway Hall. The meeting was well attended, about fifty being present. The chairman called the meeting to order and delivered an address, giving his views at length.

On motion of Colonel Caleb T. Fay, the Chairman was chosen President, by acclamation, and the other officers were elected. They will appear in their proper place. The remarks of the Chairman and Secretary were published in the *Alta* of Sunday, July 16th, 1876. The Constitution and By-Laws were referred to the officers, and the society adjourned to meet at the call of the President.

#### MEETING AUGUST 2D.

The society met at the Palace Hotel. President A. M. Winn, in the chair, and Wm. B. Eastin, Secretary. The President read the following report, which, with the Constitution, By-Laws and Articles of Incorporation, was unanimously adopted.

## REPORT.

GENTLEMEN: In the Revolutionary war, as in all others, when a battle is fought or some great deed of patriotism is accomplished, the commander or leader, is recorded by name, while those of the rank and file are merely incidental. Perhaps their names are found on the Sergeant's roll, for the convenience of knowing whether they were present or absent; the roll wears out, the Sergeant is killed, or something else prevents the handing down of even the names of those who bared their breasts to storms of shot and shell, and lost their lives for their country's good.

A hundred years have passed since our grandfathers left their offices, fields and shops to win for posterity this glorious country; they are called patriotic revolutionary fathers, without a seeming thought that they had some other name like Washington, of which their descendants are just as proud as if they were titled heroes embalmed in the hearts of their countrymen.

In the very nature of things it could not be otherwise, the newspapers could not herald all the men by name, and if they did so the generals and leading officers were all the great mass of the people wanted to know about. But the mother knew her son fought and was killed; the wife knew that her husband had gone to the bloody field and did not return; she told it to her children, they told the same story to theirs, and so the deeds of private soldiers and officers of inferior rank have been handed down from mouth to ear for one hundred years.

It is natural that we should be proud of such ancestry; it is right that we should collect tradition and make history speak of the glorious deeds, sealed with the seal of patriotic blood. It is for this purpose we have organized the "Sons of Revolutionary Sires."

Each of the members will tell us what they can about their ancestral line, and we will write it down, perhaps to bring forth the oft-repeated traditional stories of individual patriotism. We will find the parent stock of revolutionary fame, and trace it down to the youngest of the line, making a record from which our descendants may start and follow up to the end of time.

Of our number, we now have enrolled some noble, well-preserved, venerable men; from whom we expect to get much valuable information.

J. P. H. Davison has passed his 87th year, General John Wilson his 87th, Samuel Graves his 82d, Samuel Stevens his 82d, Col. Jona-

than D. Stevenson his 77th, Andrew Dunlap his 73d, Joseph Sumner his 71st, and Dr. P. W. Randall his 70th year. There are about thirty young men, like your President, between the ages of 50 and 70 years, who have seen much of the hardships of Western life, and heard from the lips of their fathers and grandfathers many revolutionary incidents worthy of a page in the history of that age that tried men's bodies as well as their souls.

Gentlemen, you have commenced a glorious work, you have formed an association that will spread throughout the land like the Good Templars and Grangers—organizations that owe their success, in a great measure, to their lady membership, where whole families unite and help each other in every good work. Your committee of officers have considered well the help needed in the progress of our labors; they have provided for a "Historic Council," to make history of tradition; a ladies' auxiliary from which we expect valuable assistance, and a young men's auxiliary, that we may have them trained for the work we propose to commence, and will soon leave them for management and control. We have thought well of the subject-matter, and are directed to report a Constitution, By-Laws and Articles of Incorporation, which we now present for your consideration. Respectfully submitted.

A. M. WINN, President.

CALEB T. FAY, 1st Vice-President.

SAMUEL GRAVES, 2d Vice President.

IRA C. ROOT, 3d Vice President.

WM. B. EASTIN, Recording Secretary.

WM. H. MEAD, Financial Secretary.

J. P. DAMERON, Treasurer.

WM. S. MOSES, Marshal.

AUGUSTUS C. TAYLOR, }

JAMES N. MAKINS, }

J. S. IREDALE. }

Ex. Com.

## LIST OF NAMES WITH AGES AND ANCESTOR.

MEMBERS.	AGE.	DEGREE.	ANCESTORS.
1	A. M. Winn, 66;	G. S. of Wm. Winn of Maryland.	
2	Emory L. Willard, 56;	G. S. of Abraham Willard, Massachusetts.	
3	Caleb T. Fay, 55;	G. S. of Francis Fay, Mass.	
4	Charles Siskron.		
5	J. Doolittle, 20;	G. G. S. of Col. Doolittle, Mass.	
6	John P. J. Davison, 87;	son of George W. Davison, Connecticut.	
7	Joseph Sharon, 54;	G. S. of Joseph Eaton, Pennsylvania.	
8	Samuel Graves, 82;	son of Recompense Graves, New Hampshire.	
9	Dallas A. Kneass, 60;	G. S. of John Hart, N. J.	
10	R. R. Strain.		
11	J. B. Worden, 41;	G. S. of Isaac Graham, Surgeon, New York.	
12	W. H. Mead, 42;	G. G. S. of John Paulding.	
13	W. B. Eastin, 37;	G. S. of Capt. Wm. Eastin, Va.	
14	Z. K. Hersum, 46;	G. S. of ——— Danvers.	
15	Thomas H. Greenough, 14;	G. S. of Jonathan Greenough, Maine.	
16	James P. Dameron, 42;	G. G. S. of Joseph Dameron, North Carolina.	
17	John Turner, 66;	G. S. of John Turner, Mass.	
18	J. E. Clark, 51;	G. S. of Ichabod Clark, N. J.	
19	John Newman Finch, 43;	G. S. of John Finch, New York.	
20	Laurence V. Hogeboom.		
21	Charles A. Seley, 26;	G. G. S. of Abel Seley, Vermont.	
22	James L. Cogswell, 47;	G. S. of Amos Cogswell, Connecticut.	
23	Charles McQuesten, 34;	G. S. of Daniel McQuesten, N. H.	
24	L. B. Lyman, 47;	G. S. of Ezekiel Lyman of Connecticut.	
25	Alfred S. Iredale, 52;	G. S. of Alexander Spotswood of Virginia.	
26	P. W. Randle, M. D., 70;	son of Josias Randle (aid to Washington), Virginia.	
27	Thomas M. Converse, 58;	G. S. of William Porter, Connecticut.	
28	H. H. Riker, 46;	G. S. of Reuben Riker, N. H.	
29	Wm. S. Moses, 49;	G. S. of Benjamin Carpenter, Massachusetts.	
30	Charles M. Blake, 57;	G. S. of Lieut. John Blake, Massachusetts.	
31	Bradford B. Stevens, 61;	G. S. of Hubbell Stevens, Massachusetts.	
32	Uriah Wallace, 50;	G. S. of Major Uriah Wallace, N. Y.	
33	Charles D. Wallace, 49;	G. S. of Major Uriah Wallace, N. Y.	
34	James Hamilton, 54;	G. S. of Dominicus Rumery, Massachusetts.	
35	Joseph M. Paulding, 33;	G. S. of John Paulding, N. Y.	



MEMBERS.	AGE.	DEGREE.	ANCESTORS.
36	David W. Nixon, 63;	G. S. of Col. John Nixon and Robert Morris.	
37	Eben R. York, 57;	son of W. R. York, Me.	
38	John M. Robinson, 62;	son of Capt. Noah Robinson, N. H.	
39	J. M. Chichester, 67;	G. S. of John Bowles, Maryland.	
40	E. H. Peck, 25;	G. G. S. of Joel Hunt, Conn.	
41	Ira C. Root, 65;	G. S. of Lieut. David Root, Connecticut.	
42	George W. Stevens, 57;	G. S. of Col. Jas. Stevens, New Hampshire.	
43	Wm. F. Stevens, 46;	G. S. of Col. James Stevens, New Hampshire.	
44	Wm. F. Burbank, 16;	G. G. S. of Capt. Silas Burbank, Maine.	
45	Eugene K. Sykes, 14;	G. G. S. of Jas. Knight, New York.	
46	John F. York, 50;	son of William R. York, Maine.	
47	S. B. Leavitt, —;	G. S. of Captain Nathaniel Leavitt, Maine.	
48	Warren Holt, 63;	G. S. of Samuel Holt, Mass.	
49	A. M. Seabury, 48;	G. G. S. of David Seabury, Connecticut.	
50	H. T. Graves, 52;	G. S. of Recompense Graves, New York.	
51	A. B. Graves, 44;	G. S. of Recompense Graves, New York.	
52	Daniel E. Hayes, 38;	G. G. S. of Gen. John Blake, Massachusetts.	
53	Samuel M. Hunt, 41;	G. S. of John Hunt, Massachusetts.	
54	Asa R. Wells, —;	G. S. of Joshua Wells.	
55	Andrew Dunlap, 73;	G. S. of A. Dunlap, N. J.	
56	Charles Stevens, 82;	G. S. of Tristram Stevens.	
57	Phineas U. Blunt, 67;	G. S. of Joel Estabrooks, Massachusetts.	
58	George E. Schenck, 52;	son of Captain Jacob Schenck, N. J.	
59	Augustus C. Taylor, 67;	son of Captain James Taylor, Vermont.	
60	Josiah A. Baldwin, 48;	G. G. S. of Captain Isaac Baldwin, Massachusetts.	
61	Joseph Sumner, 71;	son of William Sumner, Connecticut.	
62	Alfred W. Elwes, 46;	G. G. S. of Col. Thomas, New Jersey.	
63	J. M. Adams, 62;	G. S. of Samuel Adams, Massachusetts.	
64	J. McHenry, 17;	G. S. of Jesse McHenry, N. C.	
65	Charles E. Blake, Sr., 52;	G. S. of Ebenezer Blake, Massachusetts.	
66	J. A. J. Davis, 45;	G. S. Lieut. McCord, Md.	
67	J. B. F. Davis, 50;	G. G. S. of Captain Isaac Davis, Massachusetts.	
68	James N. Makins, 48;	G. S. of Samuel Makins, Massachusetts.	
69	Col. J. D. Stevenson, 77;	G. S. of Jonathan Drake, N. J.	
70	L. H. Langdon, 59;	G. S. of M. Langdon, N. Y.	
71	Charles H. Pray, 55;	G. S. of John Pray, Mass.	

MEMBERS.	AGE.	DEGREE.	ANCESTORS.
72	George B. Tolman, M. D., 50;	G. S. of Benjamin Tolman,	Massachusetts.
73	John W. Johnson, 56;	G. S. of Loyd Johnson,	Maryland.
74	Amos Adams, 57;	G. S. of Amos Adams,	Mass.
75	Ezra S. Carr, 62;	G. S. of Edward Carr,	N. Y.
76	David Bush, 49;	G. S. of David Bush,	N. J.
77	Gen. John Wilson, 87;	son of Wm. Wilson.	
78	C. C. Williams, 34;	G. G. S. of U. Rochambeau	Williams.
79	Charles G. Noyes, 43;	G. G. S. of Capt. John	Sedgewick.
80	Maj. David Wilder, 39;	G. G. S. of Maj. David	Wilder, Massachusetts.
81	W. F. Norcross, 43;	G. S. of Jacob Norcross.	
82	Wm. H. Hale, 35;	G. G. S. of Gideon Deming,	Massachusetts.
83	L. H. Van Schaick, 40;	G. G. S. of Col. C. Van	Schaick.
84	F. K. Miller, 45;	G. G. S. of R. Miller.	
85	Charles H. Denison, 55;	G. S. of Gilbert Denison,	Connecticut.
86	Josiah Earl, 54;	G. S. of General Earl.	
87	Hon. W. H. Barton, 50;	G. S. of Elisha Barton,	Mass.
88	W. W. Bidlack, 43;	G. S. of Benjamin Bidlack,	Penn.
89	Wm. Shepard Dewey, 25;	G. G. S. of Maj.-Gen. Wm.	Shepard.
90	Capt. J. S. Marston, 72;	son of Samuel Marston,	N. H.
91	Frank B. Austin, 54;	G. S. of Russel Austin,	Mass.
92	B. A. Bidlack, 38;	G. S. of Benjamin Bidlack.	
93	Guy C. Earl, —;	G. G. S. of General Earl.	
94	Benj. F. Penniman, 70;	S. of Amos Penniman,	Mass.
95	Col. Daniel Norcross, 53;	G. S. of Jacob Norcross.	
96	Col. A. S. Hubbard, —;	G. G. S. of Elijah Ward	of Connecticut.
97	C. H. Graves, 20;	G. G. S. of Recompense	Graves, N. Y.
98	L. S. Graves, 15;	G. G. S. of Recompense	Graves, N. Y.
99	H. A. Graves, 14;	G. G. S. of Recompense	Graves, N. Y.

Others have been elected, but signing the roll constitutes membership, which they have not done.

## SONS OF REVOLUTIONARY SIRES.

## OFFICERS.

A. M. Winn, President.  
 Caleb T. Fay, First Vice President.  
 Samuel Graves, Second Vice President.  
 Ira C. Root, Third Vice President.  
 Wm. B. Eastin, Recording Secretary.  
 Wm. H. Mead, Financial Secretary.  
 James P. Dameron, Treasurer.  
 W. S. Moses, Marshal.  
 Augustus C. Taylor, Alfred S. Iredale, and James N. Makin, Executive Committee.

## HISTORIC COUNCIL.

Amos Adams, President.  
 Joseph Sharon, 1st Vice President.  
 P. W. Randle, 2d Vice President.  
 Charles M. Blake, Recording Secretary.  
 Frank G. Randle, Financial Secretary.

## AUXILIARIES OF THE SOCIETY.

## LADIES' AUXILIARY.

Mrs. Maria D. Ayers, President.  
 Mrs. Sarah R. Long, First Vice President.  
 Mrs. Mary E. Woods, Second Vice President.  
 Miss Belle Johnson, Third Vice President.  
 Mrs. Ina. E. Small, Recording Secretary.  
 Miss Gertrude Seabury, Financial Secretary.  
 Miss A. Dunlap, Treasurer,  
 Miss Mary Johnson, Marshal.  
 Mrs. E. O. H. Boulet, }  
 Mrs. A. Dunlap, } Executive Committee.  
 Miss Julia Ayers. }

## YOUNG MEN'S AUXILIARY.

Will S. Dewey, President,  
B. A. Bidlack, First Vice-President,  
Col. A. S. Hubbard, Second Vice-President,  
Charles A. Seley, Recording Secretary,  
W. H. Hale, Corresponding Secretary,  
Geo. T. Wright, Treasurer }  
Thos. H. Greenough,        } Executive Committee.''  
Eugene K. Sykes,            }







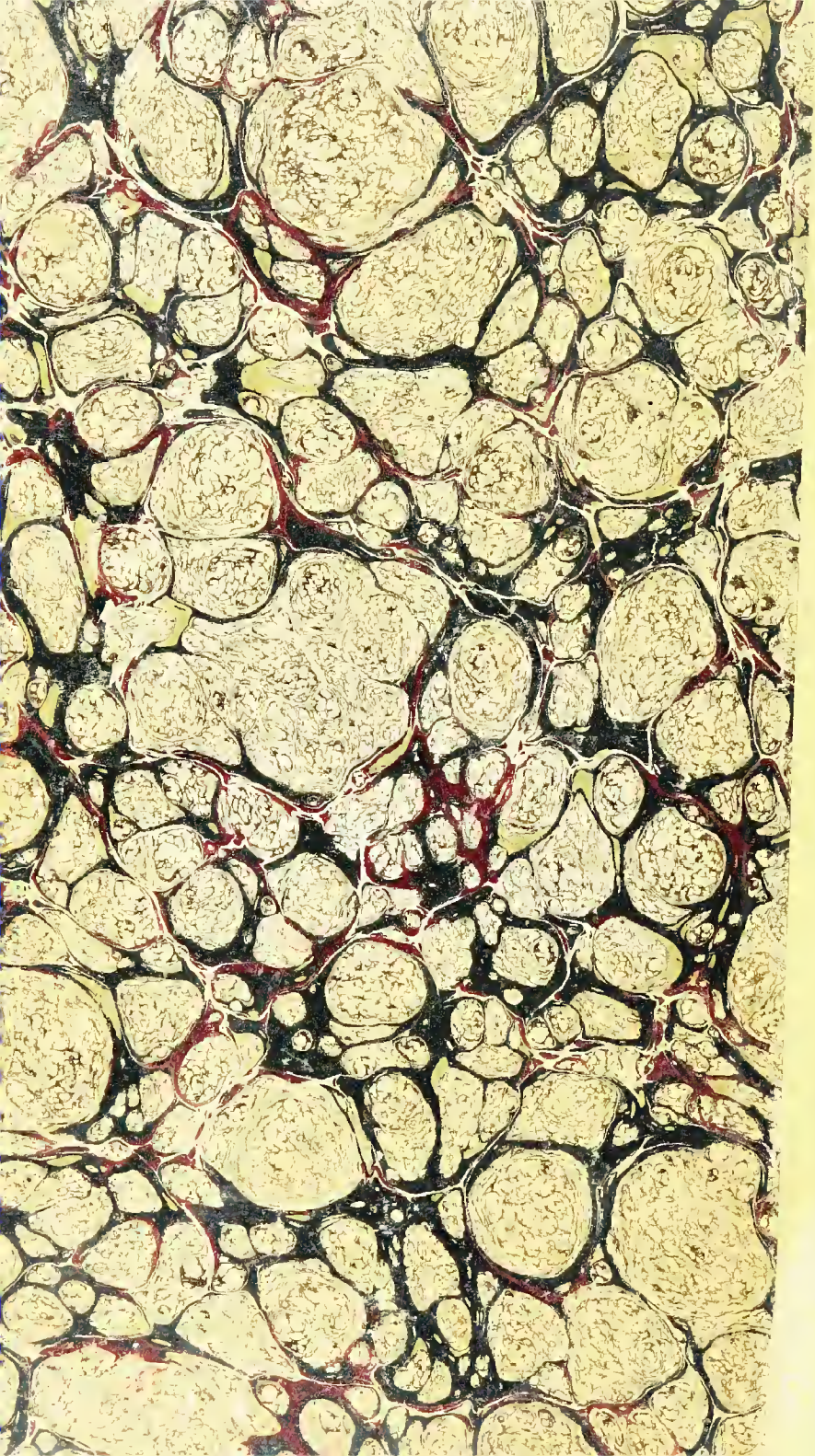












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