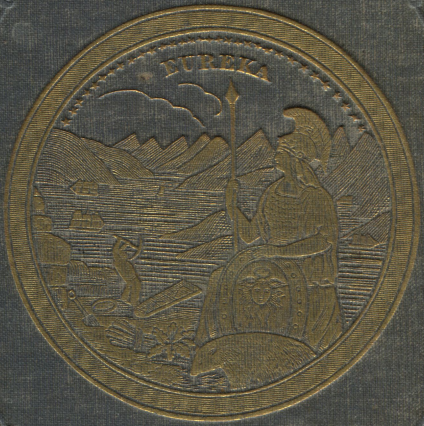
THE
ANNALS
OF
SAN
FRANCISCO.





THE

ANNALS OF SAN FRANCISCO;

CONTAINING

A SUMMARY OF THE HISTORY OF THE FIRST DISCOVERY, SETTLEMENT, PROGRESS, AND PRESENT CONDITION OF

CALIFORNIA,

AND A COMPLETE HISTORY OF ALL THE IMPORTANT EVENTS CONNECTED WITH

ITS GREAT CITY:

TO WHICH ARE ADDED,

BIOGRAPHICAL MEMOIRS OF SOME PROMINENT CITIZENS.

BY

FRANK SOULÉ, JOHN H. GIHON, M. D.,

AND

JAMES NISBET.

ILLUSTRATED WITH ONE HUNDRED AND FIFTY FINE ENGRAVINGS.

"Go to, let us build us a city, and a tower,
Whose top may reach unto heaven;
And let us make us a name."

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Thomas G. Mitchell

May 14th 1860



Engraved by Jas. Duthie, from a daguerreotype. By J.M. Ford.

Montgomery Street, northward from California Street, June 1854.

TO THE

"SOCIETY OF CALIFORNIA PIONEERS,"

THIS WORK

IS

RESPECTFULLY DEDICATED

BY

THE AUTHORS.

PREFACE.

WERE not the plan, scope and purpose of the present volume sufficiently explained in the text of the work itself, we should despair of adequately initiating the reader in these subjects in the limited space necessarily assigned to a Preface. It is not necessary to offer a reason for the appearance of these "Annals." To read and to know something of the history of this new Tadmor which has grown up so suddenly in the midst of what was but recently merely a desert, the centre of that vast trade which the golden smile of California opened at once to the world, is so natural and inevitable a desire, that it may be taken for granted, and dismissed as a foregone conclusion. The plan of the work is such as its nature seemed to require, and the style and manner of treatment must rest for approval and criticism with the Public, for whom it was written and to whom it is now submitted.

To avoid the necessity of frequent references in the body of the work to authorities, and to those who have generously extended to the authors facilities for its production, the Preface has been selected as the most fitting place for expressing our obligations. For unrestricted access to the "Californian," the "California Star," and the "Alta California" newspaper files, we are indebted to the courtesy of Mr. Edward Conner, one of the proprietors of the last named journal. Much valuable statistical and other information has been derived from the "San Francisco Herald," full files of which were kindly placed at our disposal by its editor and proprietor, Mr. John Nugent. The "California Chronicle," from its commencement to the date of publication of this volume, was also placed by the proprietors at our service. We are likewise indebted

to Messrs. T. J. Nevins and Wm. H. O'Grady for information respecting the public schools; to Mr. J. L. Van Bokkelin, for important facts concerning the fire department; to Mr. A. G. Randall, for particulars in regard to military organizations; to Rev's T. Dwight Hunt, Albert Williams, J. L. Ver Mehr, S. H. Willey and O. C. Wheeler, for matter relating to the early state of religion and churches in San Francisco; to Messrs. Thomas O. Larkin, William A. Richardson, Jacob P. Leese, Jacob R. Snyder, James Caldwell Low, Hiram Pierson, J. D. Stevenson, Samuel Brannan, R. H. Perry, David Jobson, Samuel J. Bayard, Nathaniel Gray and James King of William, for much useful and interesting information regarding the early and present history of the city; to Mr. J. M. Ford, daguerreian artist, for gratuitous services in taking portraits of many of the gentlemen whose memoirs are given; and to our citizens generally who have freely responded to our call for information, whenever they have been appealed to for that purpose. Many biographical sketches designed for this work have been omitted for want of room, the volume having extended to nearly double the size originally intended and promised. These, however, with other interesting matters connected with the progress of San Francisco, and a history of all the important cities and towns of California, will be published at an early day, in another volume, a great portion of the material for which is already prepared.

The necessity of condensing within the reasonable space of a single volume, the history of a city which has occupied for the five or six years of its existence so much of the attention of the world, and the unavoidable collateral history of California, has prevented, to some extent, a natural impulse and inclination to indulge more at length in many interesting details. But it is believed that the gist of the whole matter is embraced in the history as written, and that no important event has been omitted, which would have been of interest to the general reader.

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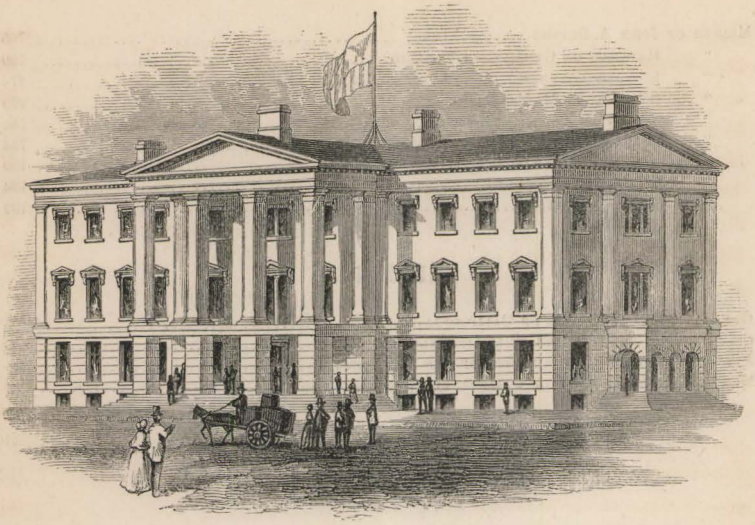

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MAP
OF
SAN FRANCISCO
LAGOON
ADDITION OF MISSION
MISSION CREEK
VERA BUENA
CEMETERY
BELLEVUE
RUSSIAN HILL
PUBLIC SQUARE
PUBLIC SQUARE
NORTH POINT
CHANNEL
MISSION BAY
ST.
PLEASANT VALLEY
CLARKS POINT
RINCON POINT
BAY OF SAN FRANCISCO
SCALE.
0 1 2 3 4 5 6 7 8 9 10

ANNALS OF SAN FRANCISCO.

PART FIRST.

CHAPTER I.

Proposed Treatment of the Work—Etymology of the name California—Lower or Old California—Grixalva and Mendoza—First Discovery—Expeditions of Cortez—Cabrillo—Ferrelo—Drake—Drake's Description of the Natives—Bodega and San Francisco Bays—Sir Francis Drake's Bay—Cavendish—Captain Woodes Rogers—His Description of the Natives—The English Buccaneering Expeditions along the West Coasts of the Americas—Political Reasons why the Spanish Government strenuously prosecuted the Discovery and Settlement of the Californias.

It appears expedient, before entering upon the annals of *San Francisco* proper, to give a short review of the first discovery, settlement, and progress of California itself, including an account of the aboriginal inhabitants, and of the first establishment, rise, and decline of the priest class, their sovereigns, whose domination forms a most peculiar and interesting phase in the general history of the country. The subject indeed comprehends, or naturally demands, some notice of these points; for, up to a recent period, San Francisco, from its being the "golden gate" to the wealth of the State, and from its many physical advantages, its population, the rapidity and grandeur of its wondrous rise and progress, the energy of its citizens, the extent of its home and foreign commerce, its universal fame, arising chiefly from its being associated in the minds of men,

Americans as well as foreigners, with the first discovery and subsequent astonishing produce of gold—San Francisco, from these and other causes, has been in a great measure identified with California itself. No history, therefore, of the city, could be complete, unless it included some account of the circumstances which preceded and immediately accompanied its rise, and which have made it what it almost already is, but which it will more plainly soon become, the greatest and most magnificent, wealthy and powerful maritime city in the Pacific—a city which is destined, one day, to be, in riches, grandeur and influence, like Tyre or Carthage of the olden time, or like Liverpool or New York of modern days.

We propose to embody in a succinct and continuous narrative, the subjects already particularly noticed—a general account of the causes, progress, and consequences of the war of 1846, between the Mexican and American States—the cession of California to the latter—the first discovery of gold, and the immediate results of that discovery upon the prosperity and population of the country—its admission as a *State* into the American Union—and a description of its physical geography, and of its commercial, agricultural, pastoral, and mineral wealth, and capabilities to receive and satisfy millions of additional inhabitants. These matters will form PART FIRST of the work.

We shall afterwards, at somewhat greater length, describe, in a similar continuous narrative, the progress and the various incidents which happened, year by year, and month by month, in San Francisco itself, from the period when California was ceded by the Mexicans, and State and town became American, up to the present time, and which, properly speaking, alone constitute the "ANNALS" of the city. This subject will constitute PART SECOND.

In the subsequent portion of the volume, we shall devote special chapters, in no particular order, to the more minute details of whatever things were most peculiar and interesting—physical and intellectual, social and moral, and their causes and consequences—which marked the progress of the city, and gave it a world-wide reputation for good or for evil. In this division of the work will be included biographical and personal sketches,

and anecdotes of the more prominent and distinguished actors in the bustling scenes of the time, and whose names are closely associated either with the general history of California, or with the particular rise and progress of San Francisco itself. These topics will be comprehended in and constitute PART THIRD.

The remembrance of these matters is still fresh in the minds of our people; but, in the silent lapse of years, many of them must gradually fade away. It would then be well, that after the present generation disappears, our posterity should know something of the early history and triumphant progress of their glorious city, and of its worthiest or most noted sons, and the exciting, troublous scenes of the last seven or eight years, all drawn from the fullest and most accurate sources that are still to be had. We propose then to make this book an original record of the subjects alluded to.

The etymology of the name CALIFORNIA is uncertain. Some writers have pretended that it is derived from the two Latin words *calida fornax*, or, in the Spanish language, *caliente fornalla* —a hot furnace. This, however, is doubted by Michael Venegas, a Mexican Jesuit, in his "Natural and Civil History of California" (2 vols. Madrid, 1758), a work of much research and high authority. In his opinion, the early Spanish discoverers did not name their new-found lands in this pedantic fashion. "I am therefore inclined to think," he says, "that this name owed its origin to some accident; possibly to some words spoken by the Indians, and misunderstood by the Spaniards," as happened in several other cases.

The name *California* is first found in Bernal Diaz del Castillo, an officer who served under Hernando Cortez, in the conquest of Mexico, and who published a history of that extraordinary expedition; and is by him limited to a single bay on the coast. On the other hand, Jean Bleau, the celebrated geographer (Amsterdam, 1662), includes under the term all those immense tracks of country lying west of New Spain and New Galicia, comprehending the whole coast line from the northern parts of South America to the Straits of Anian (Behring's Straits). In this larger sense of the word, Jean Bleau is followed by several other geographers.

However, whatever be the limits of the country, the name has occasionally changed. In some English maps it is called NEW ALBION, because Sir Francis Drake, the well known English admiral, who touched on the coast in 1579, so styled it. About a century later, it is denominated ISLAS CAROLINAS (the peninsula of California being then supposed to be an island), in honor of Charles II. of Spain; and this designation was adopted by several writers and geographers of repute. After a time, the original name of California was revived, and soon silently and universally adopted.

California—meaning the existing Lower, or Old California, was known to be a peninsula so early as 1541, when a map drawn up at Madrid, by Castillo, already mentioned, represents the direction of the coasts nearly as they are known at present. Yet this fact was unaccountably forgotten for one hundred and sixty years, when Father Kühn (Kino, of the Spaniards) seemed, for the first time, to prove that California was not an island, but a peninsula. In the early part of the sixteenth century, dreams of a direct western opening to the Indias filled men's minds, as later did those of a north-west passage. This was the first idea of Columbus, which led to his great discoveries, and which he held till death. In 1523, Charles V., in a letter, dated from Valladolid, recommended to Cortez to seek on the eastern and western coasts of New Spain, for such a passage. Cortez, in his answer to the emperor, speaks with the greatest enthusiasm of the probability of such a discovery, "which," he adds, "will render your majesty master of so many kingdoms that you will be considered as the monarch of the world;" and seems to have undertaken several voyages for the purpose of ascertaining the fact.

In 1534, Cortez fitted out two ships under the command of Hernando Grixalva and Diego Becerra de Mendoza, a relation of his own, partly to learn the fate of a missing vessel of a previous expedition, but chiefly to continue the coast discoveries. These two ships happened to separate the first night following their departure from Tehuantepec, and did not meet again. Grixalva, after sailing three hundred leagues, came to a desert island, which he called *Santa Thome*, believed to lie near the point of Califor-

nia. This is supposed to be one of the group of islands now called the *Revillagigedo Islands*. He proceeded no farther north, and made no fresh discoveries; but shortly afterwards returned to New Spain. Becerra, the commander of the other ship of this expedition, was of a choleric, haughty disposition; and, having shown that offensively to his people, was murdered by a malcontent crew, led on by his pilot Ortun, or Fortuño Zimenes, a native of Biscay.

Zimenes afterwards continued the voyage of discovery, and appears to have sailed westward across the gulf, and to have touched the peninsula of California. This was in the year 1534. He therefore was the first discoverer of the country. "But," says Venegas, "he could not fly from the hand of Omnipotence; for coming to that part which has since been called *Santa Cruz Bay*, and seems to be part of the inward coast of California, he went ashore, and was there killed by the Indians, with twenty other Spaniards." Upon this disaster, the remaining crew got frightened, and returned to New Spain. This Bay of Santa Cruz, so named by Cortez the following year, seems to be the same as that now called *La Paz*, lying on the western side of the Gulf of California, about a hundred miles north of Cape St. Lucas. Some writers, however, suppose it to have been situated much nearer the southern extremity of the peninsula.

Humboldt, in his "Political Essay on the Kingdom of New Spain," in stating these circumstances, mentions in a note, that he found in a manuscript preserved in the archives of the viceroyalty of Mexico, that California was discovered in 1526, though he knew not, he says, on what authority this assertion was founded. From an examination which he seems to have made of other manuscripts of the period, preserved in the Academy of History at Madrid, Humboldt seems satisfied that this alleged discovery of California in 1526 was unfounded, and that the country had not even been seen in the expedition of Diego Hurtado de Mendoza, who was a near relation of Cortez, so late as 1532.

In 1535, Cortez himself coasted both sides of the Gulf of California, which was first called the *Sea of Cortez*, but was more generally known as the *Mar Roxo, ó Vermejo*, (the Red, or Vermillion Sea), probably from its resembling the Red Sea

between Arabia and Egypt in shape, or from the discoloration of its waters at the northern extremity by the *Rio Colorado*, or Red River. Gomara, the Spanish historian, in 1557, likened it more judiciously to the Adriatic. In the English maps, it is generally marked as the *Gulf of California.* Francisco de Ulloa, at command and likewise at the personal expense of Cortez, prosecuted farther discoveries along the coast, and during the subsequent two years, succeeded in exploring the gulf nearly to the mouth of the Colorado. Neither Cortez, however, nor Ulloa seems to have discovered the coast of New or Upper California.

That honor was reserved to Juan Rodriguez Cabrillo, one of the pilots of Cortez. Cabrillo was a Portuguese by birth, and a man of great courage and honor. On the 27th June, 1542, under instructions from the then viceroy of Spain, Antonio de Mendoza, he sailed from the port of Navidad in Mexico, on an expedition of discovery of the coast towards the north. He touched at various places on the voyage. The large cape between the fortieth and forty-first degrees of latitude he named *Cape Mendoza*, or *Mendocino*, in honor of the viceroy. Cabrillo reached 44° lat. N., where he found the cold (10th March) intense. This, the want of provisions, and the bad condition of his ships, compelled him to return to Navidad, the harbor of which place he re-entered on 14th April, 1543. This is according to the authority of Venegas. Other accounts say that Cabrillo, who had been long sick, and was overcome at last by the fatigues of the voyage, died at Port Possession, in the Island of San Bernardo, one of the Santa Barbara group, about the thirty-fourth parallel, upon the 3d January, 1543, leaving the subsequent guidance of the expedition farther northwards to Bartolomé Ferrelo, his pilot. Ferrelo is said to have named a promontory about the forty-first degree of latitude, *Cabo de Fortunas* (Cape of Perils, or Stormy Cape), from the rough weather and dangers encountered in its vicinity. This promontory is supposed to be the same, already noticed, which was called Cape Mendocino. There is therefore some discrepancy between the accounts of the voyage under the command of Cabrillo, or successively of him and his pilot Ferrelo. Neither of these navigators,

however, while they noticed and named various prominent points of the coast, seem to have discovered the entrance to the great Bay of San Francisco.



Sir Francis Drake.—From an old English Painting.

In 1577, Sir Francis, then only Captain Drake, already distinguished as an experienced navigator, fitted out, with the pecuniary aid of some friends, a buccaneering expedition against the

Spaniards, which ultimately led him round the globe. In those days, and for a long time afterwards, the rich Spanish ships, which bore over so many seas the wealth of their new-found world, were the natural prey of the English buccaneers—or, to give them a more honorable title, since they generally sailed under formal license from the government, of the English *privateers*. Drake, Cavendish, Dampier, and many other famous early navigators, were all of that class. The wealth of the Philippines was generally conveyed by a single annual galleon from Manilla to Acapulco, on its way to Europe. To intercept this particular ship was one great aim of these privateers. Drake, in his expedition of 1577, after safely threading the Straits of Magellan, reached, at length, the Pacific, north of the equator, and appears, in 1579, to have sailed along the shores of California. All along the west coast of the Americas he had been capturing and plundering the newly settled Spanish towns, and such ships as came in his way. Wishing at length to return home, and afraid lest the Spaniards might be waiting to catch him off the Straits of Magellan, he tried to sail westward, and so reach England by the Cape of Good Hope. This was in the autumn of 1579. Contrary winds preventing that course, "he was obliged," to use the language of an old chronicler of the voyage, "to sail towards the north; in which course, having continued at least six hundred leagues, and being got into forty-three degrees north latitude, they found it intolerably cold; upon which they steered southwards, till they got into thirty-eight degrees north latitude, *where they discovered a country, which, from its white cliffs they called* NOVA ALBION, *though it is now known by the name of California.*

"They here discovered a *bay*, which entering with a favorable gale, they found several huts by the water side, well defended from the severity of the weather. Going on shore, they found a fire in the middle of each house, and the people lying round it upon rushes. The men go quite naked, but the women have a deer skin over their shoulders, and round their waist a covering of bulrushes after the manner of hemp.

"These people bringing the admiral (Drake) a present of feathers and cauls of network, he entertained them so kindly

and generously, that they were extremely pleased, and soon afterwards they sent him a present of feathers and bags of tobacco. A number of them coming to deliver it, gathered themselves together at the top of a small hill, from the highest point of which one of them harangued the admiral, whose tent was placed at the bottom. When the speech was ended, they laid down their arms and came down, offering their presents; at the same time returning what the admiral had given them. The women remaining on the hill, tearing their hair and making dreadful howlings, the admiral supposed them engaged in making sacrifices, and thereupon ordered divine service to be performed at his tent, at which these people attended with astonishment.



Sir Francis Drake and the California Indians.

"The arrival of the English in California being soon known through the country, two persons in the character of ambassadors came to the admiral, and informed him, in the best manner they

were able, that the king would visit him, if he might be assured of coming in safety. Being satisfied on this point, a numerous company soon appeared, in front of which was a very comely person, bearing a kind of sceptre, on which hung two crowns, and three chains of great length. The chains were of bones, and the crowns of net work, curiously wrought with feathers of many colors.

"Next to the sceptre-bearer came the king, a handsome majestic person, surrounded by a number of tall men, dressed in skins, who were followed by the common people, who, to make the grander appearance, had painted their faces of various colors, and all of them, even the children, being loaded with presents.

"The men being drawn up in line of battle, the admiral stood ready to receive the king within the fences of his tent. The company having halted at a distance, the sceptre-bearer made a speech, half an hour long, at the end of which he began singing and dancing, in which he was followed by the king and all the people; who, continuing to sing and dance, came quite up to the tent; when sitting down, the king took off his crown of feathers, placed it on the admiral's head, and put on him the other ensigns of royalty; and it is said that *he made him a solemn tender of his whole kingdom; all which the admiral accepted in the name of the queen his sovereign*, in hopes that these proceedings might, one time or other, contribute to the advantage of England.

"The common people, dispersing themselves among the admiral's tents, professed the utmost admiration and esteem for the English, whom they considered as more than mortal; and accordingly prepared to offer sacrifices to them, which the English rejected with abhorrence, directing them, by signs, that their religious worship was alone due to the Supreme Maker and Preserver of all things.

"The admiral and some of his people, *travelling to a distance in the country*, saw such a quantity of rabbits, that it appeared an entire warren; they also saw deer in such plenty as to run a thousand in a herd. THE EARTH OF THE COUNTRY SEEMED TO PROMISE RICH VEINS OF GOLD AND SILVER, SOME OF THE ORE BEING CONSTANTLY FOUND ON DIGGING.

"The admiral, at his departure, set up a pillar with a large plate on it, on which was engraved her majesty's name, picture, arms, and title to the country; together with the admiral's name, and the time of his arrival there."

This is a curious and interesting picture of the aborigines of California. From the description of their naked bodies and painted faces, their howlings, singing and dancing, the girdles of bulrushes of the women, and the "kind of sceptre, on which hung" the chains of bone and the crowns of network "curiously wrought with feathers of many colors," of the king, it may be presumed that the people were in the rudest state of barbarism. Though the earth seemed streaked with gold, or, as Pinkerton says in his description of Drake's voyage, "the land is so rich in gold and silver, that upon the slightest turning it up with a spade or pick-axe, these rich metals plainly appear mixed with the mould," yet the natives do not appear to have worn any ornaments made of these metals, which has usually been the case with other savages when they had access to them. The beauty and purity of the metals named, especially of gold, and the ease of working in them, naturally render them precious in the eyes of the most barbarous tribes. Unless, therefore, we suppose the Indians to have been the most stupid and helpless people existing, it may be reasonably doubted whether so extensive indications of gold and silver were found as the broad statements of the chroniclers seem to imply. Certainly, however, the traces of the precious metals discovered by Drake were the first authentic intimation of the mineral wealth of the country.

There is no reason to suppose that Drake knew of the previous discovery of the country by the Spaniards; and accordingly long afterwards, and even with people to this day, it has been believed that he was the first discoverer of California. Queen Elizabeth afterwards knighted him for his services in this and previous expeditions, "telling him, at the same time," in the words of the writer of his voyages already quoted, "that his actions did him more honor than his title." The queen, however, took no steps to secure the country which her admiral had discovered: and the "pillar, with a large plate on it," and all its rusted

engravings, may peradventure be yet some day discovered by the antiquary.

In popular estimation the *bay* which Drake entered is believed to be that of San Francisco ; while many who might have had opportunities to examine into the subject have hastily concluded



Sir Francis Drake's Bay, or Jack's Harbor

that it must have been Bodega Bay. There is, however, another bay not far from these, and lying between them, known formerly under the very name of *Sir Francis Drake's Bay*, though better now as *Jack's Harbor*. This, on a careful examination of the subject, seems to have been the true and only bay which Drake ever visited on the coast. There is a sad confusion, even among recent writers and geographers, as to the names and relative positions of these bays. Most of them seem to think that Bodega and Drake's Bays are the same. Thus Humboldt says, "This port (San Francisco) is frequently confounded by geogra-

phers with the *Port of Drake* farther north, under the 38° 10′ of latitude, *called by the Spaniards the Puerto de Bodega.*" The latitude of Jack's Harbor, or Drake's Bay, is 37° 59′ 5″ (longitude 122° 57½′), thus corresponding exactly with the statement of the chronicler; while San Francisco and Bodega Bays are a good many miles to the south and north respectively of the parallel named by him. If Drake had really entered San Francisco Bay, it is more than likely that he, or his chronicler, would have said something more of its peculiarities—its unusual excellence, and the great arms which it stretches both to south and north. In the English maps, constructed after Drake's voyage, there is a bay laid down bearing his name; although, owing to the general ignorance of the coast and the confusion in regard to particular bays alluded to, this bay has been often held to be the same as that of Bodega. There is, therefore, every probability that the Bay of San Francisco had never been seen at all by either the Spanish or the English navigators (for there were others of the latter nation after Drake along the California coast), but that, in reality, it was discovered by travellers on land, and most probably first by the missionaries in 1769. It may also be remarked in corroboration of these opinions, that the white cliffs and the abundance of rabbits seen by Drake, closely correspond to the present description of *Punta de los Reyes* (Cape of Kings), and the country around Jack's Harbor. The cliffs about this part of the coast, for a space of nearly forty miles, resemble in height and color, those of Great Britain in the English Channel, at Brighton and Dover. Hence the propriety of the old designation of the country, *New Albion.* We give an illustration of these cliffs and of Drake's Bay. This bay has somehow grown out of most people's remembrance, or at least their appreciation, since it is a very safe and most important port of refuge along a foggy and dangerous coast. A number of fishing vessels have made use of it during the last few years, and it was their crews who dubbed it Jack's Harbor, in ignorance of its previous name. It is likely that public attention will be called to its peculiar advantages before long. We think, however, that no new name should be allowed to supersede the historical one of "Sir Francis Drake's

Bay." It would be a pity not to preserve some such remembrance of one of the greatest and earliest navigators along our coasts.

On the 14th of October, 1587, Captain Thomas Cavendish, afterwards knighted by Queen Elizabeth, when in a privateering expedition against the Spaniards, fell in with Cape St. Lucas, at the extremity of California. A fine bay, named by the Spaniards *Aguada Segura*, is within this cape, and there Cavendish lay in wait for the Acapulco galleon, laden with the wealth of the Philippines. At length she appeared, and after a severe fight, was taken possession of by the English admiral. "This prize," says the relator of the voyage, "contained one hundred and twenty-two thousand pezoes of gold, besides great quantities of rich silks, satins, damask and musk, and a good stock of provisions." Pretty fair all that for an English adventurer! In those days, piracy was honorable, and legalized by formal license, though the spoil was only gold and silver and light moveable goods—booty of the common robber. After all, the old buccaneers were poor grovelling souls. In our own times, pirates—called "filibusters," whose business is notoriously unlawful, have much grander views of glory and profit. Cuba and Sonora, which are countries equal to Italy of the old world in beauty, fertility and real wealth, are certainly prizes worth stealing and fighting for—the rewards of Alexanders, Cæsars and Bonapartes. But then, principles of action being nearly the same, "Young America" is very much *smarter* than "Old England."

The next Englishman who is specially recorded to have touched the California coast is Captain Woodes Rogers, who was in command of the usual filibustering or privateering expeditions. This was in November, 1709. He describes the aborigines of the peninsula as being "quite naked, and strangers to the European manner of trafficking. They lived in huts made of boughs and leaves, erected in the form of bowers, with a fire before the door, round which they lay and slept. The men were quite naked, and the women had only a short petticoat reaching scarcely to the knee, made of silk grass, or the skins of pelicans or deers. Some of them wore *pearls* about their necks, which they fastened with a string of silk grass, having first notched them round: and Captain Rogers imagined that they did not know how to bore

them. These pearls were mixed with sticks, bits of shells and little red berries, which they thought so great an ornament that they would not accept of glass beads of various colors, which the English would have given them. The men are straight and well built, having long black hair, and are of a dark brown complexion. They live by hunting and fishing. They use bows and arrows,



Landing of Captain Woodes Rogers,—from an old English engraving.

and are excellent marksmen. The women, whose features are rather disagreeable, are employed in making fishing lines, or in gathering grain (doubtless what grew spontaneously), which they grind upon a stone. The people were willing to assist the English in filling water, and would supply them with whatever they could get; they were a very honest people, and would not take the least thing without permission." This description, and that already given from Drake's voyage, make up a pretty complete picture of the aborigines of the Californias. They appear to have been a simple, honest, good-natured, stupid race of people, and,

in most respects, resemble the savages which we find in other newly discovered countries.

Captain Rogers was, of course, lying in ambush for the "great Manilla ship;" and, in due course of time, she appeared and was captured. "The prize was called *Nuestra Señora de la Incarnacion*, commanded by Sir John Pichberty, a gallant Frenchman; and the prisoners said that the cargo in India amounted to two millions of dollars. She carried one hundred and ninety-three men, and mounted twenty guns."

As illustrating the career of these English buccaneers, and the state of terror in which the Spaniards were constantly kept by their depredations, and which was one of the chief causes that induced the Spanish Government, as we shall afterwards see, strenuously to prosecute farther discoveries and settlements along the coast of California, we shall give a copy of a deed, or instrument, executed between the said Captain Rogers and the town of Guiaquil. The exploits of Rogers and his men are indeed much later in date than some of the expeditions yet to be noticed, of the Spanish navigators along the California coast; still, as they forcibly explain one reason, at least, *why* such expeditions were undertaken on the part of the Spaniards, it appears better to notice them here than in mere chronological order. The notices of the voyages of Drake, Cavendish and Rogers, are taken from accounts contained in an old folio volume of voyages and travels kindly placed at our disposal by the "Society of California Pioneers."

The "high contracting parties" entered into the following agreement:

"CONTRACT FOR THE RANSOM OF THE TOWN OF GUIAQUIL:

"*Whereas* the City of Guiaquil, lately in subjection to Philip V., King of Spain, is now taken by storm, and in possession of the Captains Thomas Dover, Woodes Rogers, and Stephen Courtney,"—[the expedition, fitted out at the cost of some "British gentlemen," consisted of the *Duke*, a ship of three hundred tons burthen, thirty guns and one hundred and seventy men, commanded by Rogers, and the *Duchess*, of two hundred and seventy tons, twenty-six guns, and one hundred and fifty-one men, under the command of Courtney]— "commanding a body of her Majesty of Great Britain's subjects; we, the underwritten, are content to become hostages for the said city, and to continue in the custody of the said Captains Thomas Dover, Woodes Rogers and Stephen Courtney, till thirty thousand pieces of gold should be paid to them

for the ransom of the said city, two new ships, and six barks; during which time no hostility is to be committed on either side, between this and Puna: the said sum to be paid at Puna, within six days from the date hereof; and then the hostages to be discharged, and all the prisoners to be delivered immediately; otherwise the said hostages do agree to remain prisoners till the said sum is discharged in any other part of the world.

In Witness Whereof, We have voluntarily set our hands, this twenty-seventh day of April, old stile, in the year of our Lord, 1709."

This ransom seems to have been punctually paid, and the hostages faithfully liberated. However, Captains Thomas Dover, Woodes Rogers and Stephen Courtney appear, in addition, to have plundered the town pretty thoroughly.

CHAPTER II.

Expeditions of Viscaino.—Admiral Otondo and Father Kino.—First settlement, and introduction of the priest rule in the Californias.—Failure and withdrawal of the first missions.—Renewed attempts to make settlements.—Father Salva-Tierra and his coadjutors.—Final establishment of the Jesuits in the country.—Geographical discoveries of Father Kino.—Jesuits expelled and superseded by Franciscan Friars; these, in turn, by the Dominican Monks.—Population and physical character of Old or Lower California.

We shall now return to the progress of the Spaniards in discovering and settling the coast of California :—In 1596 Gaspar de Zuniga, Count de Monte-rey, then viceroy of Mexico, received an order from Philip II. to make farther discoveries and settlements on the coast of California. The visit of Drake, and his naming and claiming the country as first discoverer, for Queen Elizabeth, had struck the inhabitants of the coast lower down with consternation ; and already Englishmen, particularly the famous Thomas Cavendish, and others, had fortified themselves on the coast, and molested the rich Spanish ships which yearly sailed between the Philippine Islands and New Spain, and which generally made the coast of California about Cape Mendocino. At that period, there was much talk of a north-east passage from the Pacific to the old world by the Straits of Anian (Behring's Straits), and the Spanish Government in Europe was considerably alarmed lest the English should, by that probable route, strike a deadly blow at their unprotected colonies on the west coast of the Americas. An expedition to make fresh discoveries was accordingly undertaken, and put under the command of General Sebastian Viscaino, a man of great and tried abilities.

Viscaino accordingly sailed from Acapulco, but does not appear to have proceeded far northwards ; for, in the same year (1596), we find him returned to New Spain. Want of provisions and unfortunate disputes with the Indians, produced this speedy

result. The Spanish Government, however, was keeping the matter in view. In 1599 another order was dispatched from Europe to Count Monte-rey to fit out a new expedition for the purposes already mentioned. This again was placed under the command of General Viscaino. In May, 1602, Viscaino, in pursuance of his instructions, sailed from Acapulco, and proceeded



View in the Interior of California.

northwards till he reached the forty-second degree of latitude. Up to the twenty-sixth parallel, he appears to have surveyed the coast minutely ; but between that degree and the most northern limits of his voyage, he seems to have been satisfied with merely keeping the land in sight. He discovered the ports of San Diego and Monterey, which latter was so named in honor of the viceroy. Still not a word of San Francisco Bay. Indeed it is quite evident that up to this period that great harbor had escaped the observation of all the navigators who had attempted to explore the coast. Viscaino, excited by his imperfect discoveries, and full of hope of making more important ones on a fresh expedition, solicited the viceroy for permission to pursue it at his own expense ; but the viceroy referred him to the

Court at Madrid, who seemed to have taken the business into their own hands. Viscaino therefore visited Spain, and pressed his suit, but in vain. At last, in 1606, after Viscaino, wearied and sick at heart with "hope deferred," had retired, moody and discontented, to Mexico, another ordinance was issued by Philip, commanding a fresh expedition of discovery and settlement to be undertaken. The conduct of this was bestowed upon Viscaino, who accepted the charge with alacrity; but before any progress was made in the matter, he was seized with a fatal distemper. After his death nothing was done or said about the expedition.

Various attempts on a moderate scale, partly by adventurers at their own cost, and partly under royal ordinances, were subsequently made to prosecute the survey and settlement of the coast. In 1615, in 1633 and 1634, in 1640, 1642, 1648, 1665, and 1668, several fruitless efforts were made for these purposes. In the interval, the public mind was filled with magnificent views of the wealth of the scarcely discovered country. It was known that pearls, of great beauty and value, were found at various places in the gulf and along the coast. Perhaps also the glowing statements made by Sir Francis Drake of the golden sands and other mineral riches which he saw there, helped to fire the imaginations of the Spaniards. *Omne ignotum pro magnifico.* California was long viewed as the *Dorado* of New Spain; and was believed not merely to be abounding in pearls and gold and silver, but also in diamonds, and all manner of other precious metals and gems. Our own days have justified these sparkling fancies, though scarcely perhaps in the exact manner and localities of which the old Spaniards dreamed.

In 1677, instructions were, after long and mature deliberation, sent by the Court at Madrid to Don Francis Payo Enriquez de Rivera, archbishop of Mexico, and viceroy of New Spain, to undertake afresh the survey, conquest and settlement of California; and that Admiral Pinadero, who had previously carried on some private expeditions for the same end, at his own cost, should be employed in the affair;—that, if he declined, the business should be offered to, and managed by others, also at their expense, under certain specified conditions;—but that, if no volunteer came forward, the undertaking should be conducted at

the cost of the Crown. The enterprise fell to Admiral Don Isidro Otondo and Antillion, who signed an instrument for that purpose, in December, 1678, which was approved of at Madrid on 29th December, 1679. By this deed, the spiritual government was conferred on the Jesuits and Father Eusebio Francisco Kühn, —a German by birth, called by the Spaniards Kino, and who was a distinguished member of the Society of Jesus. This seems the origin of the connection of the Jesuits and priest class with California. Otondo and his Jesuits put to sea from Chacala, in May, 1683, and sailed up the gulf. During two years the admiral and his missionary priests, who had meanwhile learned the native languages, met with various success among the Indians of the peninsula, many of whom they succeeded in converting to Christianity. However, they occasionally found rebellious tribes ; and on the whole, were unable to make any serious impression on their minds, or to establish any permanent settlement of importance. This was caused indeed more by the natural barrenness of the country, and the difficulty and expense of supporting existence there, than by the vicious habits of the natives, who are described as a simple, inoffensive and feeble race, more prone to consider their white visitors as absolute deities on earth than as invaders of their territorial rights.

The Spanish Court, which appears to have been drawn into a large expenditure by this expedition, and by another, which immediately followed, conducted by the same parties, soon got tired of the subject, and judged the conquest and settlement of the country to be impracticable. They declined, therefore, to prosecute the undertaking farther ; but knowing the political importance of having it somehow accomplished, they recommended the Society of Jesus to finish it, and offered that body large annual subsidies from the royal treasury in aid. The Society, after discussing the "estimates" of Admiral Otondo and Father Kino, and their own "ways and means," respectfully rejected the royal proposal ; and thus a measure which had been agitated for nearly two hundred years, and of which all admitted the political importance, while the personal and pecuniary reward of success was believed to be immense, was abruptly brought to a close. So doubtful, expensive and dangerous did the undertaking appear,

that the Crown refused the petition of Captain Francisco Luzenilla to attempt it at his own expense. In the year 1694, indeed, a royal license was granted to Captain Francisco Itamarra for making a descent at his own risk and charges ; but he had no better success than his predecessors.



Spanish ship of the seventeenth century, and coast of California.

The missionaries, who had accompanied the expeditions of Admiral Otondo, were now drafted to different places elsewhere, although many of them deeply regretted that the rich harvest of heathenism should be so suddenly and unexpectedly abandoned, just when the sickle was sharpened and the laborers were in the field. They had labored with great industry to accomplish an object toward which they looked forward with anxious hopes, which they now saw would never be realized. They thought that their Indian conversions would, sooner or later, have extended over the whole tribes in California, had they been enabled to retain settlements there ; while it was more than probable that their new converts would relapse into their old idolatry on the departure of their spiritual teachers. Without detailing, therefore, the various steps taken by the

Fathers to preserve and advance their spiritual ascendency in California, it may be sufficient to say, that Father Kino, who had these conversions much at heart, met with Father Salva-Tierra, a man, like himself, of great enthusiasm for the Catholic faith, and of untiring courage, and much benevolence and sweetness of disposition. These two men,—particularly the latter, who had chosen St. Francis Xavier as his model,—were the true apostles of California. Somewhat later, Fathers Francisco Maria Piccolo and Juan Ugarte associated themselves with these pioneers of Christianity and civilization. Their biographies would make an indispensable and most interesting chapter in the early history of Lower California, but are out of place in this short summary of the progress of discovery and gradual settlement of the general country. It is sufficient to observe that their pious zeal urged them on against every obstacle—the unwillingness of their own Society of Jesus—the indifference of the Court, when it had to advance the whole funds—the delays of officials—the poverty of their own means, and the fewness of their coadjutors. At last, the eloquence and pertinacity of Father Salva-Tierra kindled some life among the superiors of their order and in a few wealthy laymen. The last assisted the Society by large donations; and soon subscriptions began to pour in from the general public, to promote the pious work of conquering California to Christianity. A crusade—peaceful, if the devil got frightened and retired from the contest; but warlike, if need were—was proclaimed; and all were invited to support the scheme by pecuniary means, while the Spanish Government supplied the necessary soldiers to protect the Fathers, and execute their decrees and those of heaven. It was all, in terms of the motto and ruling spirit of the Society, *ad majorem Dei gloriam;* and great indeed would be the reward in heaven of the patrons of the business. After many hardships, and a slow, painful progress, the Jesuit missionaries succeeded in planting various missions over the whole peninsula. Aided by subscriptions from the pious, and donations from the Crown, they were enabled to give the simple Indians daily food and a scanty raiment, and soon, with unwearied patience, converted them into excellent and faithful servants and devout Christians. They had no more sense than mere children,

and they were accordingly treated as such. Like children, they were always believing and obedient. Ignorant and helpless, they were slaves both in body and mind, and knew no will but that of their spiritual and temporal lords.

Father Salva-Tierra, in 1705, was chosen provincial of his Order in Mexico, and thus absolutely governed the country both in spiritual and temporal things. It was in 1700 and 1701, by some accounts, and in 1709 by others, that, in the course of several journeys undertaken for the purpose, Father Kino discovered that California was united with the main land. We have seen that this fact was known as early as 1541, where it appears a peninsula in the map of Castillo ; but somehow the circumstance had been unaccountably forgotten, and the contrary was almost universally believed.

In 1767, the Fathers lost the missions, in consequence of an ordinance issued by Charles III. for the instant and general expulsion of the Jesuits from all the Spanish dominions. This stringent decree was immediately obeyed in the Mexican provinces, where the Jesuits were arrested without delay, and hundreds of them shipped off to Europe. They were succeeded in California by a body of Franciscan Friars from Mexico ; but these in turn were soon superseded by the Dominican Monks, who still retain possession of the country.

The population of Lower California was never great, and towards the end of last century was rapidly diminishing. Humboldt, in his " Political Essay on New Spain," estimates that the population, in 1803, did not exceed nine thousand of all races,—somewhat more than the half of which number consisting of the domesticated converts of the Fathers. The missions had then been reduced to sixteen. Mr. Alexander Forbes, in his " History of Upper and Lower California" (London, 1839), estimates the total population, in 1835, not to exceed fourteen or fifteen thousand. Compared with New California, the old country of that name is a dry and barren land—with a serene and beautiful sky, indeed, but with a rocky, or sandy and arid soil, where rains seldom fall, and vegetation is consequently of little account. Such a country could never become very populous, either in a savage or a civilized state.

CHAPTER III.

First settlement of New or Upper California by Franciscan Monks.—Supposed earliest discovery of San Francisco Bay.—Origin of the name.—Establishment of a Mission and Presidio there, and ceremonies on the occasion.—Gradual establishment of Missions and Presidios over the country.—List of these, and population of same at various dates.—The *gente de razon* and the *bestias*, or the rational creatures and beasts of the country.—Causes why free white settlers few in number.—Character of the natives as given by Venegas, and other writers.—Progress and apparent destiny of the Anglo-Saxons in the Pacific.

STILL later than Old California, and upwards of two hundred years after its first discovery, New or Upper California, was first settled. The Spanish Court, afraid, as of old, lest some of the other maritime nations of Europe should settle on the north-west coasts of America, and induced by other political reasons, alluded to in the previous chapters, sent instructions to the Marquis de Croix, then viceroy of New Spain, to found missions, and *presidios* for their military protection, in the ports of San Diego and Monterey, and at various other parts of the country. This was accordingly done, with the aid of the church, in 1769, and following years ; and immediately, in gratitude or in terms of special agreement, both the spiritual and temporal government of the country were put under the control of certain monks of the Order of St. Francis, two being placed at the head of each mission established. Presidios, in addition to those at San Diego and Monterey, were subsequently formed at Santa Barbara and San Francisco. Father Junipero Serra,—a man of the Salva-Tierra and Kino stamp,—was the first presiding missionary ; and under his immediate auspices the mission of San Diego was founded in 1769, being the earliest.

Without dwelling on the successive establishment of the other missions, let us say a few words upon that of San Francisco. The missionaries, in proceeding northwards, with the intention

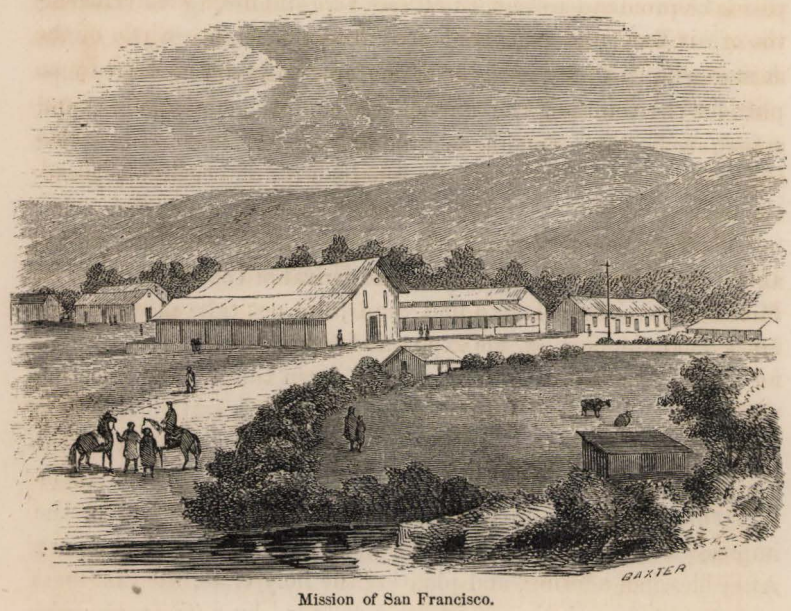
of reaching Monterey, happened to take the eastern side of the range of mountains which borders the coast north of San Diego, which place they had just left, after establishing its mission. They undesignedly passed by Monterey, and journeyed on till they reached the magnificent bay and harbor which are now called San Francisco; and which are said to be so named from the following circumstance:—Father Junipero, on leaving Lower California, had received instructions from the *visitador*, or inspector-general of the Spanish Government, respecting the names of the proposed missions, and the saints carefully selected from the calendar, to whose special patronage they should be entrusted; but among them the name of St. Francis did not happen to occur. "What!" exclaimed the good missionary, surprised and shocked at such an insulting neglect, "is not our own dear Father, St. Francis, to have a mission assigned to him?" To this remonstrance, the visitador calmly replied, "If Saint Francis wish a mission, let him show you a good port, and then it will bear his name." When accordingly the missionaries, in their progress northwards, discovered the spacious bay mentioned, they cried out, "This then is the port to which the visitador referred, and to which the saint has led us—blessed be his name!" And forthwith they named it San Francisco Bay, in compliment to their patron and guide. They next set up the usual cross, took formal possession, and returned to San Diego, where they arrived on the 24th January, 1770. From any thing that can be certainly learned of the proceedings of previous travellers and voyagers, this seems the true and first discovery of that great bay—nearly two hundred years after Sir Francis Drake was *reputed* to have visited it.

The mission itself of San Francisco was only founded in 1776, though it had been projected ever since the discovery of the bay, about the end of October, 1769. On the 27th June of the first mentioned year, an expedition which had started by land from Monterey, arrived on the borders of a small lake,—the same which is now called "*Washerwoman's Lagoon*,"—near the sea-shore, from which it is separated by a low sand-hill. This is situated towards the northern extremity of the Peninsula of San Francisco, and the surplus waters of which discharge themselves

into the strait that connects the bay with the ocean, and which was afterwards called the "*Golden Gate.*" The neighborhood of this lake promised to be the best spot for establishing the mission; though it was subsequently planted about two miles to the south. A store-ship had previously left Monterey with the necessary supplies for the wants of the missionary band. Some soldiers, and a few families from Sonora, as intending settlers, had accompanied the expedition. They carried with them a number of black cattle and sheep, horses, mules, field and garden seeds, and other necessary means of stocking and making the settlements a profitable investment. While waiting the arrival of the store-ship from Monterey, which, owing to foul winds, did not take place till the 18th August following, the expedition began to make preparations for their permanent abode by cutting down timber, and selecting what appeared to be the most eligible site for a settlement. On the 17th day of September, solemn possession was taken of the presidio—"the day," according to Father Palou, the historian of the achievements of Father Junipero, "being the festival of the impression of the sores of Saint Francis, the patron of the port. After blessing, adoring, and planting the holy cross, the first mass was chaunted, and the ceremony concluded by a *Te Deum;* the act of possession in the name of our sovereign being accompanied with many discharges of artillery and musketry by sea and land."

After these ceremonies, the harbor was surveyed, both from the shore and by means of a launch, from the water; when it was ascertained that there was only one outlet to the sea, that by which the store-ship had entered. On the 9th day of November —being the day of Saint Francis—a similar ceremony was performed on taking possession of the mission; when, as Father Palou remarks of the establishment and consecration of the mission and church of San Fernando, "the want of an organ and other musical instruments was supplied by the continual discharge of the fire-arms during the ceremony, and the want of incense, of which they had none, by the smoke of the muskets." No doubt the pious priests thought this was a pretty way of pleasing the Omnipotent. Certainly it was one admirably suited to enchain the minds of the scared natives. The white "sorcerers" were clearly more clever than the brown ones. This mission sub-

sequently bore the name *Dolores*, in commemoration of the sufferings of the Virgin.



Mission of San Francisco.

The Fathers showed much good taste in selecting the site of the mission buildings, which was a small fertile plain, embosomed among gentle, green-clad hills, little more than a mile from the shore and about two miles from the centre of the present city of San Francisco. Several tiny rivulets of clear, sweet water, met about the spot, whose united streams were conducted to the bay by one larger creek, known by the name of Mission Creek. Farther north the land was one continued succession of bleak sand-hills, among which the present city is situated. An exception, however, must be made of the spot where the presidio was established, which indeed was very prettily and agreeably situated A small cove lay to the eastward of the presidio, within the narrow entrance to the bay, where good anchorage ground and shelter could be had. This was the original port of the mission, though latterly the cove of Yerba Buena, a few miles distant, and within the bay itself, was more frequently adopted as a harbor.

On the arrival of this expedition at the bay, many of the natives had affectionately approached the missionaries with de-

monstrations of peace, and all the signs of extreme pleasure at their appearance; but before the ceremonies alluded to—the imposing chanted masses and *Te Deums*, and still more wonderful salvos of artillery and musketry—had been played, the whole of the natives who had inhabited the place, having been surprised by an unfriendly tribe, suddenly disappeared. This untoward circumstance somewhat delayed the conversions, the first baptism having taken place only on Saint John's Day, December 27th, of the same year.

The names and foundations of the various missions, up to 1803, according to the authority of Humboldt, taking them in their order from south to north, with their respective Indian populations at the close of 1802, are as follows :—

Foundations.	Missions.	Males.	Females.	Total.
1769	San Diego,.....	737	822	1559
1798	San Luis Rey de Francia,.....	256	276	532
1776	San Juan Capistrano,.....	502	511	1013
1771	San Gabriel,.....	532	515	1047
1797	San Fernando,.....	317	297	614
1782	San Buenaventura,.....	436	502	938
1786	Santa Barbara,.....	521	572	1093
1787	La Purissima Concepcion,.....	457	571	1028
1772	San Luis Obispo,.....	374	325	699
1797	San Miguel,.....	309	305	614
1791	Soledad,.....	296	267	563
1771	San Antonio de Padua,.....	568	484	1052
1770	San Carlos de Monterey,.....	376	312	688
1797	San Juan Bautista,.....	530	428	958
1794	Santa Cruz,.....	238	199	437
1777	Santa Clara,.....	736	555	1291
1797	San José,.....	327	295	622
1776	San Francisco,.....	433	381	814
	Total, ...	7945	7617	15562

NOTE.—Forbes gives this table as taken from *Humboldt;* but there is a slight discrepancy in the two sets of figures. It is possible that the English translation is incorrect. Forbes' table distinguishes the males and females which Humboldt's does not. Forbes' table is therefore adopted with some verbal corrections from Humboldt direct. This translation, or the original work itself, has various discrepancies in its figures. For instance, it talks of the population being 15,562, at one place, while in its table, for the same year, the figures summed up, make 15,630.

These populations include only the converted Indians, who were attached to the missions. There are no statistics which can

be relied upon as to the numbers of wild Indians,—or *gentiles*, as they were called by the Spaniards. Indeed as these gentiles were naturally of an emigratory habit, roaming from place to place in search of game, or in pursuit of hostile tribes, they could scarcely be classed as among the permanent inhabitants of any particular district of country. It was estimated by Humboldt that, in 1802, the number of whites, mestizoes and mulattoes, and who lived either in the presidios or in the service of the monks, was only about thirteen hundred. These were the *gente de razon*, or rational creatures of the country, in contradistinction to the natives, who were considered only as *bestias*, or beasts.

In 1802, the total Indian population connected with the missions, when they were eighteen in number, as shown by the above table, amounted to 15,562. In 1801, Humboldt says, that the Indian population was 13,668, and in 1790, when the missions were eleven in number, it was 7748. La Pérouse, in 1786, when there were only ten missions, estimates the converted or domesticated Indians at 5143. These figures show a very rapid increase of population, or rather of conversions, in so few years. The real increase of population, however, would have been considerable among the *gente de razon* had not the traditionary customs or laws, which regulated the Spanish presidios for ages, stood in the way of the settling of the white population. The governing priests were jealous of their white subjects (*the people of reason*), and wished only a tame Indian population, who were supposed unable to reason. Therefore the soldiers of the presidios were not allowed to establish themselves as colonists, nor was any building permitted to be erected in the neighborhood of these fortresses. Indeed no marriages were tolerated among the soldiers, without the consent of the Spanish Crown, and such consent the Fathers hindered as much as lay in their power. Notwithstanding these impolitic restrictions, the fertility and pleasantness of the land were so great as gradually to draw a small number of white settlers from other provinces of New Spain; and although grants of land could only flow from the Fathers themselves, yet, either through favor or direct interest, such grants were occasionally obtained, though generally the land thus given lay at a considerable distance from the missions and presidios.

The Indian population attached to the missions were meanwhile becoming an industrious, contented and numerous class, though indeed, in intelligence and manly spirit, they were little better than *bestias*—beasts, after all. Generally speaking, the Indians along the whole north-west coast of America were a very inferior order of beings to the great tribes who inhabited the Atlantic border; and, in particular, the different races who dwelt in California were but poor wandering clans who subsisted on what they could procure by hunting and fishing, and on the fruits and grains which grew spontaneously; but they knew nothing of the arts of agriculture, or even of a pastoral life. They might properly enough be compared to the aborigines of Australia or to the Hottentots, or, perhaps, even the Bosjesmans of Southern Africa, who have been considered the most barbarous and brute-like people on the earth. On this subject, Humboldt remarks that "the Indians of the Bay of San Francisco were equally wretched at that time (the establishment of the missions), with the inhabitants of Van Diemen's Land." Venegas has said of the aborigines of the peninsula, who closely resembled their brethren in Upper California, that "it is not easy for Europeans who were never out of their own country to conceive an adequate idea of these people. For even in the least frequented corners of the globe there is not a nation so stupid, of such contracted ideas, and weak both in body and mind, as the unhappy Californians. Their characteristics are stupidity and insensibility, want of knowledge and reflection, inconstancy, impetuosity and blindness of appetite, an excessive sloth, and abhorrence of all fatigues of every kind, however trifling or brutal; in fine, a most wretched want of every thing which constitutes the real man and renders him rational, inventive, tractable, and useful to himself and society."

The worthy Father Michael certainly paints, in dull enough colors, his *protégés* and converts. It may be farther remarked, that the Indians appear to have had little or no notion of religion, although they seem to have had a kind of *sorcerers* among them, who amused or terrified themselves and their patients with sundry superstitious observances. Some writers, such as La Pérouse, say, that they had no knowledge of a God or a future state;

others simply call them idolaters. The natives around San Francisco Bay appear to have burned the corpses of their people, while other tribes, more to the south, always buried theirs. Occasionally, they appear to have eaten pieces of the bodies of their more distinguished adversaries killed in battle, although this was pro-



1. *Wahla*, chief of the Yuba tribe,—civilized and employed by Mr. S. Brannan. 2. A partly civilized Indian. 3. A wild Indian.—From daguerreotypes by Mr. W. Shew.

bably only to insure, as they imagined, that a portion of the brave spirit and good qualities of the slain should enter into and be incorporated with their own systems along with the literal flesh of their antagonists.

These notices and the extracts previously given from the voyages of Drake and Cavendish, abundantly establish the fact of the wretched state of humanity in California. And so it might have been till doomsday, had not a new people appeared on the scene. The Spanish population, and the Fathers, could not, or would not, as truly they did not, as we may afterwards see, do any thing to promote the happiness of the human race in the

country. Men feed the ox and the sheep for their milk and fleece, the hog for his flesh, the ass for the strength of his back, and all for their increase; so did the Fathers feed their Indian converts, and find abundant profit in their labor and personal services, whom they left, as they perhaps found, if they did not transform them into moral beasts, just as tame, dull and silly, dirty, diseased and stupidly obstinate as the other brutes named. Meanwhile, the little independence, natural intelligence and superiority of mind and character which even the rudest savages possess over the lower creatures were gradually sapped and brushed away, and the Christian converts left ignorant, superstitious and besotted, having neither thoughts nor passions, strength nor will, but at the command and beck of their spiritual and temporal teachers and masters. Better, a thousand times, that the missions and all their two-legged and four-legged *beasts* should be ruthlessly swept away, than that so fine a country, one so favored and framed by bountiful nature for the support, comfort and elevation of her worthier children, should longer lie a physical and moral waste—a blotch on the fair face of creation.

But another race was destined soon to blow aside the old mists of ignorance and stupidity, and to develope the exceeding riches of the land, which had lain, undisturbed and concealed, during so many ages. The Spaniards had scarcely proceeded any way in the great work,—if they had not rather retarded it,—when the Anglo-Saxons, the true and perhaps only type of modern *progress*, hastily stepped in, and unscrupulously swept away both their immediate forerunners as effete workers, and the aborigines of the land, all as lumberers and nuisances in the great western highway of civilization. This highway is fated to girdle the globe, and probably, in the course of a few centuries, will join the original starting-point in the natal home of the "Pilgrim Fathers" in old England. The "*pioneers*" of California are *our* "Pilgrim Fathers," and there need be not the slightest doubt but that the empire, or rather the great *union* of peoples and nations in the Pacific will soon—perhaps in fifty years, perhaps in a century—rival, if not surpass the magnificent States of the Atlantic. Indians, Spaniards of many provinces, Hawaiians, Japanese, Chinese, Malays, Tartars and Russians, must all give

place to the resistless flood of Anglo-Saxon or American progress. These peoples need not, and most of them probably cannot be swept from the face of the earth ; but undoubtedly their national characteristics and opposing qualities and customs must be materially modified, and closely assimilated to those of the civilizing and dominant race. The English in India have already shown how a *beginning* may be made ; the Americans, on the California coasts, and *farther west*, will still more develope the modern system of progress. People may differ in opinion as to the equity of the particular steps attending the process, and many honest folk may even doubt its ultimate benefit to mankind ; yet that some such grand result will hereafter be evolved from the energy and ebullition of the American character, and from the peculiar circumstances of American position in the world, must be evident to all who take a dispassionate and unprejudiced view of the matter.

Not only are Japan and China much nearer to the Californian coast than India is to England ; but with the aid of steam the time for accomplishing the distance is immensely reduced. In the palmy days of the English conquests in India, her ships took several years to make the voyage out and home. Now, the ocean steamship may traverse the whole northern Pacific from California to China, and back again, within two months ! Indian sepoys fought the battles of England against their own countrymen. Chinese sepoys may do the same for Americans. China, like India, has been long used to, and its national spirit broken by the usurping governments of foreign races. And even while we write, its extensive dominions are being separated by a wide-spread and hitherto successful rebellion, into detached kingdoms under the sway of military chiefs. These, standing alone, and mutually jealous of their conquering neighbors, may be easily played off, one against another, by a white people skilled enough to take advantage of circumstances and direct the moves of the political chess-board. So it was with the English in India ; and so it may be with the Americans in China. Only give us *time*. England has not been very scrupulous in her stealthy progress over Hindostan, Ceylon and Birmah. Then neither need America fear her reproaches, if she, in like manner,

acquire, conquer, or *annex* the Sandwich Islands, the Islands of Japan, those of the great Malayan Archipelago, or the mighty "Flowery Empire" itself. A few more years, and a few millions of Americans on the Pacific may realize the gigantic scheme, which even our fathers, on the Atlantic border, would have laughed at as impossible and ridiculous. The railway across, or *through* the Snowy and Rocky Mountains, which will bind all North America with its iron arm into one mighty empire, will facilitate the operation. And then SAN FRANCISCO—in the execution and triumph of that scheme, will assuredly become what Liverpool, or even London is to England, and what New York is to the Middle and Eastern States of America—a grand depot for numberless manufactures and produce, and a harbor for the fleets of every nation. Long before that time, the English and American peoples will have finished the last great struggle which must some day take place between them for the commercial and political supremacy of the world. It is more than probable that the hosts of English from India, and Americans from California, will meet on the rich and densely peopled plains of China, and *there* decide their rival pretensions to universal dominion. Whatever may, in 1854, be thought of the relative strength of the two nations, it appears very evident to the people of America, that the natural increase of their population must necessarily make them victors in the end.

CHAPTER IV.

Conduct of the Fathers towards the natives.—Their mode of instructing, employing and subsisting the converts.—The Fathers do not appear to have promoted the true welfare of the aborigines, or done any good to humanity.—Pictures, if gaudily colored and horrible in subject, great aids to conversion.—Missions and population of the country at recent dates.—Table on this subject.—Tables of the farm produce and domestic cattle of the country.—Table of prices.

It may now be necessary to explain shortly in what manner the Fathers conducted their missions, and the state of their property and finances down to the decline of their prosperity and ultimate fall. Their mode of conversion, if not very ingenious, was easy enough. It was like the teaching of a monkey, or a dog, by means of food and caresses, or sometimes by kicks, to perform a few simple tricks. The Indian—like the hare in Meg Dodds', or it may be Mrs. Glass's Cookery Book, being first *caught*, was dressed in the following fashion, as described by Captain Beechy, in his second voyage :—"I happened to visit the mission about this time and saw these unfortunate beings under tuition. They were clothed in blankets, and arrayed in a row before a blind Indian who understood their dialect, and was assisted by an *alcalde* to keep order. Their tutor began by desiring them to kneel, informing them that he was going to teach them the names of the persons composing the Trinity, and that they were to repeat in Spanish what he dictated. The neophytes being thus arranged, the speaker began :—*Santissima Trinidad, Dios, Jesu Christo, Espiritu Santo*—pausing between each name to listen if the simple Indians, who had never spoken a Spanish word before, pronounced it correctly, or any thing near the mark. After they had repeated these names satisfactorily, their blind tutor, after a pause, added, *Santos*—and recapitulated the names of a great many saints, which finished the morning's tuition."

The pay and inducement to the Indians to submit to what

would doubtless appear even to them a farrago of nonsense, were a daily allowance of *Atole* and *Pozzoli*, which were two kinds of pottages, the first composed of barley flour and the second of the same, varied by the addition of peas, beans and maize. The for-



Indians under instruction

mer was the usual breakfast and supper dish, the latter was chiefly taken for dinner. Then huts, of which the Fathers kept the keys, were provided for the nightly lodgings of the faithful; while a simple kind of clothing was furnished to them at intervals. Soldiers took care meanwhile that order, decency and obedience were strictly observed at work and play, at devotion and rest. In return for these benefits, the Indians rose early, and attended mass every morning, for an hour; and during the day, in the intervals between a second mass and meals and pretty constant prayers, cultivated the gardens and fields of the missions, gathered, preserved and arranged for sale the farm produce, herded and attended to the wants of their cattle, built their houses, spun,

wove and cooked, and in all respects drudged patiently, though they do not appear to have taken the work very laboriously, as the born slaves of the Fathers, whose absolute will was all that they could comprehend or obey. With the instinct of a dog, they fawned on and loved their owners, and perhaps would have readily died to do them service. How different all this from the free, intelligent and bold spirit of the present community! To sharpen the intellects of the converts, sticks, whips, long goads and the like were unhesitatingly employed by the beadles of the churches, during mass and prayers, to silence the unruly and make the refractory attentive and dutiful. Starvation and stripes indeed attended the perverse Indian wherever he went; and it was his interest,—he could be made to understand that at all events,—to comply with the wishes of his kind priestly persecutors, as far as his animal nature would permit.

The conversion produced by such means could scarcely be intellectual or very sincere. It seemed sufficient, however, that the Indian duly attended mass (which he was obliged to do under penalty of a sound, edifying whipping), knelt and muttered his incomprehensible Spanish words, made the sign of the cross often and properly enough, and could correctly repeat to his spiritual tutors, when called upon, the few cabalistic phrases which they had taught him. Whether he understood the meaning of these things was quite another question, as to which it was not necessary for the Fathers to be impertinently curious. What were these brown things, after all, but *beasts*—irrational beings, who might have a soul truly to be saved, but whom it was absurd to consider as having a mind! Individually, the Fathers seem to have been pious and philanthropic men; but certainly humanity and California owe them nothing. Every thing, even happiness, is comparative; and to the mind, undarkened by the gloomy theology which considers the formal act of baptism without the understanding soul to be sufficient for salvation, it must surely be evident that the aboriginal savage, "lord of all he surveyed," was a more dignified and happy creature than the sleek, lazy, stall-fed beast of burden into which the Fathers had entrapped, or converted him.

In the churches, which were, of course, the leading and most

substantial buildings of the country, the walls were hung with glaringly painted pictures—the more gaudy, the more valuable and effectual—of the saints, and especially of heaven and hell, to astonish and fix the faith of the converts. La Pérouse observes that a horrible representation of hell in the church of San Carlos has thus had a wonderful effect in promoting conversion ; while



Father Garzes and the Indians.

he considers that the picture of paradise in the same church, by reason of its subdued coloring and treatment, had comparatively little effect. In 1775, when Father Garzes was travelling, on a crusading or proselyting expedition, from Sonora to California, he carried with him a painted banner, on one side of which was represented the Blessed Virgin Mary, and on the other the devil in the flames of hell. On arriving at an Indian settlement, the missionary took his first step of conversion. Just as the travelling mountebank blows his horn and flutters his flag on approaching a village of likely gulls, so did our good Father

hoist his standard, and cry aloud ; when, as he naively observes, the fascinated Indians, on seeing the Virgin, usually exclaimed, *good !*—but when they observed the devil, they as often said, *bad !* Probably this was faith enough to entitle them to immediate baptism, absolution and salvation. Food, lodging and raiment, and freedom from the cares of family and the future, naturally followed.

By such means the Fathers speedily converted the whole Indian tribes within their reach ; while, year by year, as the missions, and their servants and cattle increased in number, they took possession of the most fertile and desirable lands in the country. Much judgment and discretion were exhibited, as well in selecting the localities of the missions, as in subsequently managing them for a time to the best possible advantage. The means adopted for converting, training, and employing the natives, were admirably devised, and were more successful and satisfactory than could have been anticipated. The Fathers eagerly desired to make Indian converts ; for every convert, besides becoming a partaker of immortal glory, was a valuable slave ; but they dreaded, and never invited the approach of free white settlers.

The first mission, San Diego, was founded in 1769 ; in 1776, others had been established to the number of eight ; there were eleven in 1790 ; and, in 1802, they had increased to eighteen. In subsequent years, three more were added, viz., those of San Francisco Solano, San Rafael and Santa Ines. In 1831, according to the authority of Mr. Forbes in his excellent work, already mentioned, on the "History of Lower and Upper California," the population of all classes for the whole latter country was 23,025—the Indians constituting 18,683 of this number, and the garrisons, missions and free settlements comprehending 4342. That author supposes that as the population, for some years afterwards, was nearly stationary, the same enumeration would nearly hold good for 1835, when he wrote, although his statements were not published till 1839. We extract a valuable table from Mr. Forbes' volume, showing the localities peopled, with the amounts of their population respectively :—

NAMES OF THE JURISDICTIONS, MISSIONS AND TOWNS.	PEOPLE OF ALL CLASSES AND AGES.				
	Men.	Women.	Boys.	Girls.	Total.
Jurisdiction of San Francisco.					
Presidio of San Francisco	124	85	89	73	371
Town of San José de Guadalupe	166	145	103	110	524
Mission of San Francisco Solano	285	242	88	90	705
" of San Rafael	406	410	105	106	1027
" of San Francisco	146	65	13	13	237
" of Santa Clara	752	491	68	60	1371
" of San José	823	659	100	145	1727
" of Santa Cruz	222	94	30	20	366
Jurisdiction of Monterey.					
Presidio of Monterey	311	190	110	97	708
Village of Branciforte	52	34	27	17	130
Mission of San Juan Bautista	480	351	85	71	987
" of San Carlos	102	79	34	21	236
" of Na. Sa. de la Soledad	210	81	23	20	334
" of San Antonio	394	209	51	17	671
" of San Miguel	349	292	46	61	748
" of San Luis Obispo	211	103	8	7	329
Jurisdiction of Santa Barbara.					
Presidio of Santa Barbara	167	120	162	164	613
Mission of La Purissima	151	218	47	34	450
" of Santa Ines	142	136	82	96	456
" of Santa Barbara	374	267	51	70	762
" of Buenaventura	383	283	66	59	791
" of San Fernando	249	226	177	181	833
Town of La Reyna de los Angeles	552	421	213	202	1388
Jurisdiction of San Diego.					
Presidio of San Diego	295				
Mission of San Gabriel	574	1911	683	621	* 5686
" of San Juan Capistrano	464				
" of San Luis Rey	1138				
" of San Diego	750	520	162	143	1575
Totals	10272	7632	2623	2498	23025

From the pages also of Mr. Forbes, who seems to have made minute researches on the subject, we extract the two following tables,—the first of which shows the whole produce, in grain, of the country, in 1831, calculated according to localities, and in *fanegas*. The second table, calculated also by localities, gives the total number of cattle, of all descriptions, in the same year. It may be mentioned, however, that in addition to the number of domestic cattle in the table, there were great numbers, particularly mares, running wild ; and which were occasionally hunted

* "We are unable," says Mr. Forbes, "to give these latter details accurately, the copy having accidentally caught fire when in the hands of the printer."

and killed to prevent them eating the pasture of the tamer species.

GRAIN.

NAMES OF THE JURISDICTIONS, MISSIONS AND TOWNS.	Wheat.	Maize or Indian Corn.	Frijoles or Small Beans.	Barley.	Beans, Garvanzos and Peas.	Total Fanegas.
Jurisdiction of San Francisco.						
Presidio of San Francisco	233	70	40			343
Town of San José de Guadalupe	1657	1560	191			3408
Mission of San Francisco Solano	1171	200	24	241	24	1660
" of San Rafael	774	130	15	388	20	1327
" of San Francisco	670	15	9	340	58	1092
" of Santa Clara	2400	60	25		200	2685
" of San José	4000	1000	123	1100	418	6641
" of Santa Cruz	160	300	10	386	20	876
Jurisdiction of Monterey.						
Presidio of Monterey	490	332	131			953
Village of Branciforte	103	160	80			343
Mission of San Juan Bautista	840	170	40	256	6	1311
" of San Carlos	200			215	62	477
" of Na. Sa. de la Soledad	538	50		243	62	893
" of San Antonio	955	115	40	568	23	1701
" of San Miguel	599	36	9	57	33	734
" of San Luis Obispo	350	60	20	20		450
Jurisdiction of Santa Barbara.						
Presidio of Santa Barbara		300	90			390
Mission of La Purissima	700	100	20	56	17	893
" of Santa Ines	800	400	20			1220
" of Santa Barbara	730	90	50	336	30	1236
" of Buenaventura	700	200	160	800		1860
" of San Fernando	200	250	40		65	555
Town of La Reyna de los Angeles	138	1758	179			2075
Jurisdiction of San Diego.						
Presidio of San Diego	140	125	5			270
Mission of San Gabriel	1400	400	13		25	1838
" of San Juan Capistrano	450	625	30		5	1110
" of San Luis Rey	1800	2000	200	1200	15	5215
" of San Diego	2946	420	80	1200		4646
Total fanegas	25144	10926	1644	7405	1083	46202

Taking the fanega at two and a half English bushels, the harvest in 1831 would be as follows:—Wheat, 7857½ quarters; maize, 3414½ quarters; frijoles, 514 quarters; barley, 2314 quarters; beans, garvanzos and peas, 338 quarters; total, 14,438 quarters. Reckoning the average price of grain in California at the same period to be, wheat and barley two dollars the fanega, or one pound five shillings the English quarter, and maize at one and a half dollars, or one pound per quarter, the following will be the value of the produce, viz.: wheat, $49,114 25, or £9,822 17s. sterling; maize, $21,340, or £4,268; barley, $11,570, or £2,314;

peas and beans, reckoned as barley, $4,260, or £852; total, $86,284 25, or £17,256 17s. The quantity of wheat produced it will be perceived, is much greater than any of the other sorts of grain, which is the reverse of what takes place in the Mexican States, where the produce of wheat is small in proportion to that of maize, the latter being the staple bread corn.

DOMESTIC CATTLE.

NAMES OF THE JURISDICTIONS, MISSIONS AND TOWNS.	Black Cattle.	Horses.	Mules.	Asses.	Sheep.	Goats.	Swine.
Jurisdiction of San Francisco.							
Presidio of San Francisco ...	5610	470	40				
Town of San José de Guadalupe..	4443	2386	134				
Mission of San Francisco Solano.	2500	725	4		5000		50
" of San Rafael.....	1200	450	1		2000		17
" of San Francisco.....	4200	1239	18		3000		
" of Santa Clara.....	9000	780	38		7000		
" of San José.....	12000	1300	40		13000		40
" of Santa Cruz.....	3500	940	82		5403		
Jurisdiction of Monterey.							
Presidio of Monterey.....	5641	3310	70				
Village of Branciforte.....	1000	1000	3				
Mission of San Juan Bautista....	7070	401	6	1	7017		17
" of San Carlos.....	2050	470	8		4400	55	
" of Na. Sa. de la Soledad..	6599	1070	50	1	6358		
" of San Antonio.....	5000	1060	80	2	10000	55	60
" of San Miguel.....	3762	950	106	28	8999	15	60
" of San Luis Obispo.....	2000	800	200	50	1200		24
Jurisdiction of Santa Barbara.							
Presidio of Santa Barbara.....	7900	1300	220				
Mission of La Purissima.....	10500	1000	160	4	7000	30	62
" of Santa Ines.....	7300	320	112		2200		50
" of Santa Barbara.....	2600	511	150	2	3300	37	63
" of Buenaventura.....	4000	300	60		3100	30	8
" of San Fernando.....	6000	300	60	3	3000		
Town of La Reyna de los Angeles	38624	5208	520				
Jurisdiction of San Diego.							
Presidio of San Diego.....	608	625	150	58			
Mission of San Gabriel.....	20500	1700	120	4	13554	76	98
" of San Juan Capistrano..	10900	290	30	5	4800	50	40
" of San Luis Rey.....	26000	2100	250	5	25500	1200	250
" of San Diego.....	6220	1196	132	14	17624	325	
Total.....	216727	32201	2844	177	153455	1873	839

The average prices of cattle, about the same period, were, for a mule or saddle horse, ten dollars, or two pounds sterling; a mare, cow or fat ox, five dollars, or one pound; a sheep, two dollars, or eight shillings.

In regard to the preceding tables, it may be remarked that, in 1831, the missions had already lost much of their former splendor and greatness. Ever since 1824, their progress had

been of a downward character. Most of them had so wilfully mismanaged their estates, or so dissipated their means, or been plundered of them by the Mexican authorities, that their wealth in cattle, farm produce, &c., had dwindled down to less than one-fourth, while the pecuniary affairs of many of their number showed a still more ruinous appearance. We have given at length the tables of Mr. Forbes, because he appears to have paid much careful attention to the subject; and we would now add some statistics as to the riches of the missions, during the period of their reputed greatest prosperity, extracted from the Rev. Walter Colton's "Three Years in California" (New York, 1850), whose statements, however, are somewhat more sweeping and less detailed than those of Mr. Forbes.

The Mission of *San Francisco Dolores*, in 1825, is said to have possessed 76,000 head of cattle, 950 tame horses, 2,000 breeding mares, 84 stud of choice breed, 820 mules, 79,000 sheep, 2,000 hogs, 456 yoke of working oxen, 18,000 bushels of wheat and barley, $35,000 in merchandise, and $25,000 in specie:—*Santa Clara*, in 1823, branded, as the increase of one year, 22,400 calves. It owned 74,280 head of full-grown cattle, 407 yoke of working oxen, 82,540 sheep, 1,890 trained horses, 4,235 mares, 725 mules, 1,000 hogs, and $120,000 in goods:—*San José*, in 1825, had 3,000 Indians, 62,000 head of cattle, 840 tame horses, 1,500 mares, 420 mules, 310 yoke of oxen, and 62,000 sheep:—*San Juan Bautista*, in 1820, owned 43,870 head of cattle, 1,360 tame horses, 4,870 mares, colts, and fillies. It had also seven sheep farms, containing 69,530 sheep; while the Indians attached to the mission drove 321 yoke of working oxen. Its storehouse contained $75,000 in goods, and $20,000 in specie:—*San Carlos*, in 1825, branded 2,300 calves, and had 87,600 head of cattle, 1,800 horses and mares, 365 yoke of oxen, nine sheep farms, with an average of about 600 sheep on each, a large assortment of merchandise, and $40,000 in specie:—*Santa Cruz*, so lately as 1830, had 42,800 head of cattle, 3,200 horses and mares, 72,500 sheep, 200 mules, large herds of swine, and $25,000 worth of silver plate:—*Soledad*, in 1826, owned about 36,000 head of cattle, and a greater number of horses and mares than any other mission in the country. The increase of these

animals was said to be so great, that they were given away to preserve the pasturage for cattle and sheep. This mission had about 70,000 sheep and 300 yoke of tame oxen :—*San Antonio*, in 1822, owned 52,800 head of cattle, 1,800 tame horses, 3,000 mares, 500 yoke of working oxen, 600 mules, 48,000 sheep, and 1,000 swine :—*San Miguel*, in 1821, owned 91,000 head of cattle, 1,100 tame horses, 3,000 mares, 2,000 mules, 170 yoke of



Mission of Santa Barbara.

working oxen, and 47,000 sheep :—*San Luis Obispo* was reputed to have been one of the richest of the missions. At one time, it owned 87,000 head of grown cattle, 2,000 tame horses, 3,500 mares, 3,700 mules, and eight sheep farms, averaging 9,000 sheep to each farm. When its presiding priest, Luis Martinez, returned to Spain, he took with him $100,000 of mission property :—*La Purissima*, so lately as 1830, had over 40,000 head of cattle, 300 yoke of working oxen, 2,600 tame horses, 4,000 mares, 30,000 sheep, and 5,000 swine :—*Santa Inez*, in 1820, possessed property valued at $800,000 :—*Santa Barbara*, in 1828, had 40,000 head of cattle, 1,000 horses, 2,000 mares, 80 yoke of oxen, 600 mules, and 20,000 sheep :—*San Buenaventura*, in 1825, owned 37,000 head of cattle, 600 riding horses, 1,300

mares, 200 yoke of working oxen, 500 mules, 30,000 sheep, 200 goats, 2,000 swine, a thrifty orchard, two rich vineyards, $35,000 in foreign goods, $27,000 in specie, with church ornaments and clothing valued at $61,000 :—*San Fernando*, in 1826, owned 56,000 head of cattle, 1,500 horses and mares, 200 mules, 400 yoke of working oxen, 64,000 sheep, and 2,000 swine. It had also in its stores about $50,000 in merchandise, and $90,000 in specie. Its vineyards yielded annually about 2,000 gallons of brandy, and as many of wine :—*San Gabriel*, in 1829, had 70,000 head of cattle, 1,200 horses, 3,000 mares, 400 mules, 120 yoke of working oxen, and 54,000 sheep. It made annually from four to six hundred barrels of wine, the sale of which produced an income of upwards of $12,000 :—*San Luis Rey*, in 1826, had 70,000 head of cattle, 2,000 horses, 140 yoke of tame oxen, 300 mules, and 68,000 sheep :—*San Juan Capistrano* and *San Diego* were reputed to be among the most opulent of the missions, and their possessions were not inferior to those of the others named.

Let the reader contrast these statements with those of Mr. Forbes, and consider what havoc must have been produced among the missions in the short space of six or seven years. It was the impending secularization, or, in other words, the confiscation of their property, which seems to have produced this lamentable state of affairs, and made the Fathers quite careless in the management of their property. The large occasional grants, also, out of which the laity either wheedled or bullied the Fathers, mightily helped the disastrous result. The ravens had been long gathering round the carcass of the still breathing creature. In its last spasms, it recklessly threw aside all decorum, and thinking nothing of the future only endeavored to share in and for the moment enjoy its own spoils, along with the grasping and sacrilegious Mexican officials and their Californian favorites. Soon lands and stocks were all swept from the reach of the Fathers, the very Indian converts disappeared, and nothing was left but their huge empty churches, stripped of most of their valuable and gaudy ornaments, and fast crumbling into ruins. With the general disappearance of the stock of domestic cattle, those laymen who had acquired grants to the different parts of the mission possessions now turned their attention more to tillage.

CHAPTER V.

Pious Fund of California—General description of the Missions—Patriarchal kind of life of the Fathers—Reflections on the subject—General description of the Presidios, Castillos, and their garrisons, and of the free Pueblos and Ranchos.

THE missions of Upper California were indebted for their beginning and chief success to the subscriptions which, as in the case of the missionary settlements of the lower province, were largely bestowed by the pious to promote so grand a work as turning a great country to the worship of the true God. Such subscriptions continued for a long period, both in Old and New Spain, and were regularly remitted to the City of Mexico, where they were formed into what was called "*The Pious Fund of California.*" This fund was managed by the convent of San Fernando and other trustees in Mexico, and the proceeds, together with the annual salaries allowed by the Crown to the missionaries were transmitted to California. Meanwhile, the Spanish Court scarcely interfered with the temporal government of the country. It was true that some of the ordinary civil offices and establishments were kept up; but this was only in name, and on too small a scale to be of any practical importance. A commandante-general was appointed by the Crown to command the garrisons of the presidios, but as these were originally established solely to protect the missions from the dreaded violence of hostile Indians, and to lend them, when necessary, the carnal arm of offence, he was not allowed to interfere in the temporal rule of the Fathers. He resided at Monterey, and his annual salary was four thousand dollars.

In every sense of the word, then, these monks were practically the sovereign rulers of California—passing laws affecting not only property, but even life and death—declaring peace and war

against their Indian neighbors—regulating, receiving, and spending the finances at discretion—and, in addition, drawing large annual subsidies not only from the pious among the faithful over all Christendom, but even from the Spanish monarchy itself, almost as a tribute to their being a superior state. This surely was the golden age of the missions—a contented, peaceful, believing people, abundant wealth for all their wants, despotic will, and no responsibility but to their own consciences and heaven! Their horn was filled to overflowing; but soon an invisible and merciless hand seized it, and slowly and lingeringly, as if in malicious sport, turned it over, and spilled the nectar of their life upon the wastes of mankind, from whence it can never again be collected. The golden age of another race has now dawned, and with it the real prosperity of the country.

The missions were originally formed on the same general plan, and they were planted at such distances from each other as to allow abundant room for subsequent development. They were either established on the sea-coast, or a few miles inland. Twenty or thirty miles indeed seems all the distance the missionaries had proceeded into the interior; beyond which narrow belt the country was unexplored and unknown. Each mission had a considerable piece of the best land in the neighborhood set aside for its agricultural and pastoral purposes, which was commonly about fifteen miles square. But besides this selected territory, there was generally much more vacant land lying between the boundaries of the missions, and which, as the increase of their stocks required more space for grazing, was gradually occupied by the flocks and herds of the Fathers, nearest to whose mission lay the previously unoccupied district. Over these bounds the Fathers conducted all the operations of a gigantic farm. Their cattle generally numbered from ten thousand to twenty thousand, and their sheep were nearly as numerous—though some missions had upwards of thrice these numbers—which fed over perhaps a hundred thousand acres of fertile land.

Near the centre of such farms were placed the mission buildings. These consisted of the church—which was either built of stone, if that material could be procured in the vicinity, or of *adobes*, which are bricks dried in the sun, and was as substantial,

large, and richly decorated an erection as the means of the mission would permit, or the skill and strength of their servants could construct. In the interior, pictures and hangings decorated the



Mission of San Carlos.

walls; while the altars were ornamented with marble pillars of various colors, and upon and near them stood various articles of massy gold and silver plate. A profusion of gilding and tawdry sparkling objects caught and pleased the eye of the simple congregations. Around, or beside the church, and often in the form of a square, were grouped the habitations of the Fathers and their household servants, and the various granaries and workshops of the people; while, at the distance of one or two hundred yards, stood the huts of the Indians. The former buildings were constructed of *adobes*, and covered with brick tiles, frail and miserable materials at the best. The huts of the Indians were occasionally made of the same materials, but more commonly were formed only of a few rough poles, stuck in the ground with the points bending towards the centre like a cone, and were covered with reeds and grass. An *adobe* wall of considerable height sometimes inclosed the whole village. The direction of the affairs of the settlement was in the hands of one of the Fathers,

originally called a president, but afterwards a *prefect;* and each prefect was independent in his own mission, and practically supreme in all its temporal, and nearly in all its spiritual matters, to any human authority.

Thus the Fathers might be considered to have lived something in the style of the patriarchs of the days of Job and Abraham. They indeed were generally ignorant and unlettered men, knowing little more than the mechanical rites of their church, and what else their manuals of devotion and the treasuries of the lives of the saints taught them; but they seem to have been personally devout, self-denying, and beneficent in their own simple way. They thought they did God service, and perhaps much more the Indians themselves, in catching, taming, and converting them to Christianity. That was their vocation in the world, and they faithfully obeyed its calls of duty. If ever stern necessity, or sometimes a forgetfulness of the value of life to the wild Indians prompted them, or their military guards and executioners, to the slaughter of a tribe, now and then, of the more fierce, thievish, and untractable natives, they were scrupulously careful first of all to baptize the doomed; and, therefore, though the hapless aborigines lost earthly life and the freedom of a savage state, their souls were saved, and they entered into and enjoyed paradise for ever. Towards the converts and actually domesticated servants, they always showed such an affectionate kindness as a father pays to the youngest and most helpless of his family. The herds and flocks of the Fathers roamed undisturbed over numberless hills and valleys. Their servants or slaves were true born children of the house, who labored lightly and pleasantly, and had no sense of freedom nor desire for change. A rude but bounteous hospitality marked the master's reception of the solitary wayfarer, as he travelled from mission to mission, perhaps bearing some scanty news from the outer world, all the more welcome that the Fathers knew little of the subject and could not be affected by the events and dangers of distant societies. All these things have now passed away. The churches have fallen into decay, deserted by the old worshippers, and poverty-stricken—the *adobe* houses of the Fathers are in ruins—and there is scarcely any trace left of the slightly erected huts of the Indians, who

themselves have deserted their old hearths and altars, and are silently though rapidly disappearing from the land. But the memory of the patriarchal times, for they were only as of yesterday, still remains fresh in the minds of the early white settlers.

The quiet beauty and peacefulness of such a life make a delightful subject of contemplation to the wearied spirits who labor through the turmoils, anxieties, and vexations of the great world. But the Indian neophytes had no such contrasts to show them the inherent charm of their contented life. They grew and flourished as the cabbage on the rich soil of their own land ; but they also were as dull and earthly as the same cabbage. It may be very true, the more knowledge, the more sorrow ; yet we cannot avoid thinking that the more sources of intellectual enjoyment a man has, the keener and more numerous also his moments of pleasure. Even in many of the natural anxieties of civilized society, there is a sense of power and heroic endurance which softens the blow. The mere memory of past pains has almost always something cheerful in it ; while the remembrance of intellectual and refined enjoyments gilds the last and setting hour of our existence. On the other hand, the hopes of the intelligent being are infinitely more agreeable and ennobling than those of the untutored, brutal savage. Therefore it may be concluded that, apart from sickly sentimentalism and Rousseau-like theories, the sooner the aborigines of California are altogether quietly weeded away, the better for humanity. Yet the Fathers would retain them : then sweep away the Fathers too.

Like the missions, the presidios were established on one general plan. They were originally formed, as we have seen, to give military protection and the aid of the carnal arm to the Fathers in their conquest and civilization of the country, and in capturing and taming the wild Indians. These presidios were four in number, viz. : those of San Diego, Santa Barbara, Monterey, and San Francisco. They were built in the form of a square of about three hundred feet on each side, surrounded by a wall twelve feet high, made of *adobes*, and most of them are now little better than a confused heap of dried mud, rapidly crumbling into dust. Within these bounds were included the commandante's house, barracks for the troops, a church, store-houses, and various

other buildings. At some distance from the presidio was the *castillo*, or fort, which might be sufficient to overawe the simple Indians, but was too defenceless a structure to prevent a superior force of white men taking easy possession of it. A few guns of small calibre were mounted on the ramparts, which, however, seemed more for show than use, since they were never attended to. Soon, therefore, from the ravages of time and the weather, their carriages fell to pieces, and the guns themselves became honey-combed by rust and rot.

The soldiers assigned to each presidio were cavalry, and seem always to have been of the worst kind of troops. As soldiers, they were of little account; as men and settlers, absolutely worthless. There were supposed to be two hundred and fifty attached to each presidio, but their complement was never complete, and generally they were ridiculously short of that number. Undisciplined, wretchedly clothed, and irregularly paid, they were indolent, riotous, and good for nothing but to hunt, and shoot, or capture for new converts and servants, the wild Indians, and to act as policemen over the converts already made. Yet even in these capacities, they generally gave more trouble to the meek Fathers to manage and keep in decent order, than the wild or disobedient natives themselves. These were the soldiers of California in the days of the Spanish monarchy, and they were no better under the Mexican republic. They are represented to have been commonly the refuse of the Mexican army, and were generally either deserters, mutineers, or men guilty of military offences, who were sent to California as to a place of penal banishment. To these presidios also the convicted felons of Mexico were often transported. Such was a considerable portion of the white population of California. We have already seen of what nature the Indian inhabitants were.

Occasionally, the old soldiers of the presidios, upon their retirement, after a certain number of years, from active service, received grants of land from the Fathers, upon which they settled, married, and left descendants. These formed the *nuclei* of a few free towns (*pueblos*), which were not under the control of the missions, but under the immediate government, first of the Spanish and afterwards of the Mexican authorities. As they

were established in the most fertile places of the country, they began gradually to attract other white settlers to their neighborhood, and soon exceeded in population and importance most of the original mission villages themselves. These pueblos, however, were only three in number, viz. : that of *Nuestra Señora de los Angeles* (the principal one, and indeed the chief town in California), and those of *San José*, near the mission of Santa Clara, and *Branciforte*, close to the mission of Santa Cruz.



Mission Rancho.

Besides the missions, presidios, castillos, and pueblos, it may be remarked that there were certain public farms, called *ranchos*, set apart for the use of the soldiers. They were generally four or five leagues distant from the presidios, and were under the control of the different commandantes Little use, however, seems to have been made of these farms, and they commonly were left in a state of nature, or afforded only grazing to the few cattle and horses belonging to the presidios.

CHAPTER VI.

Independence of Mexico in 1822, and gradual changes in the character and constitution of the Missions. —Manumission of the Indians in 1826; but plan found unworkable, and return to the old state of things.—Gradual disappearance of the Pious Fund.—Increasing riches of the Fathers.—Changes of 1833 and 1834 in the Missions, and attempts by the Mexican Congress to secularize their property.—Santa Anna.—Attempted Centralization of the Mexican Government.—Overthrow of the old Federal Constitution in 1836.—Revolt and Declaration of Independence of the Californians. —Continual sinking of the Fathers, and final fall of the missions in 1845.—Indian converts sent adrift, and Mission property sold or rented.—Cost of the support of the Missions to the Spanish and Mexican Governments.

THE state of things described under the missions continued without alteration until the overthrow of the Spanish power in Mexico in 1822, and the establishment of a republican constitution in 1824. At that time, as population formed the basis of the Federal States, New California was only admitted into the Union as a *territory*, it not having the necessary population to constitute a State. Under this character, it had a representative in the Mexican Congress, who sat in the assembly and shared in debates, but who was not entitled to vote on any question. The republic was represented in the territory, as the Spanish monarchy had previously been, by a commandante-general, who was nominal governor of the country. However, the practical legislative powers and virtual government remained in the hands of the missons as before. The commandante-general indeed had a kind of advising or privy council given him by law, called a *deputation*, and which was chosen by the people ; but their functions, although appearing to take the form of a local and free government, were very limited, and their meetings accordingly seldom took place.

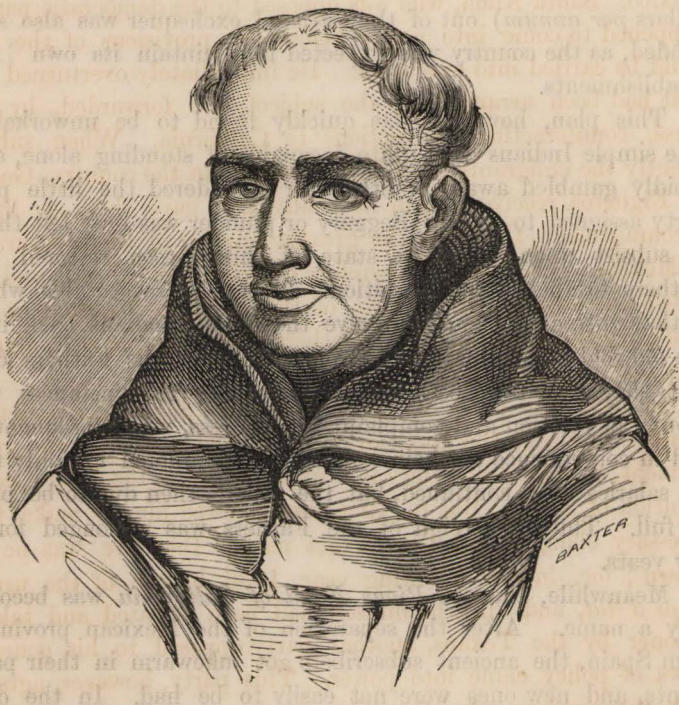
In 1826, the federal government first began to tamper with the ancient state of affairs. In that year, the Mexican authorities proclaimed the manumission of the Indians, and sent in-

structions to California that all those should be liberated "who had good characters, and were supposed able to maintain themselves from having been taught the art of agriculture or some trade." Certain portions of land were allotted to them, and the whole country was divided into parishes, under the superintendence of curates. The old salary of the missionaries (four hundred dollars *per annum*) out of the national exchequer was also suspended, as the country was expected to maintain its own local establishments.

This plan, however, was quickly found to be unworkable. The simple Indians were quite incapable of standing alone, and rapidly gambled away, or otherwise squandered the little property assigned to them. Beggary or plunder was only left them to subsist upon. Such a state of things soon restored the Fathers to their former position. The most respectable white settlers entreated them to receive the *beastly* Indians back into the old fold; and this, in the following year, the Fathers did. But they first took occasion to make the circumstances the ground of petition and complaint to Congress, who subsequently, and in consequence of their remonstrances, ordered not only the old salaries to be continued, but the arrears then due to be paid in full. Thus the reign of the Fathers was prolonged for a few years.

Meanwhile, the old *Pious Fund of California* was become only a name. After the separation of the Mexican provinces from Spain, the ancient subscribers got lukewarm in their payments, and new ones were not easily to be had. In the disturbed state of the country, and in the change of ideas arising from political circumstances, there were more tempting channels for the application of loose money than in riveting the chains of Christianity on poor heathens, or securing the Fathers in their comfortable domicils. But, to compensate for the loss of these subscriptions, the real and personal estate of the missions was rapidly rising in value. Traders had come on the coast, who purchased the hides and tallow of their cattle, and the produce of their fields. The Fathers were becoming excellent men of business, and began to drive a thriving trade. They were now *independent*, in the fullest sense of the word; so much so, that,

whereas formerly they were indebted to foreign contributions and royal or republican assistance to support their missions, they now not only could manage to subsist without these aids, but were enabled, and in truth obliged, to support the Mexican forces and civil establishments in their territory at a vast annual expense.



Portrait of one of the Fathers—Antonio Peyri (aged 67 years), Missionary at San Luis Rey, from 1799 to 1832.

Up to this time, and so late as 1833, the Mexican government had not sought, or rather was unable, to interfere materially with the management of the Fathers. In that year indeed a body of eleven Franciscan friars was ordered by Congress to be sent to the missions to strengthen their establishments. At this time, General Don José Figueroa was appointed military governor, or commandante-general. Some time later, in the same year, the democratic party being then in power, the Mexican Congress passed a law for entirely removing the missionaries, and dividing the lands among the Indians and settlers, and appropriating the

funds of the Fathers in Mexico to state purposes. Commissioners were appointed to see this act carried into effect, and free emigrants were engaged to proceed from Mexico to settle in the country. This was the most serious blow the missions had ever received, and would have been a deadly one, but for one of those revolutions or party triumphs which so frequently occur in Mexico. Santa Anna, who was opposed to the democratic party, happened to come into power before the provisions of the act could be carried into execution. He immediately overturned all that had been arranged on the subject, and forwarded, by express, counteracting instructions to California. When subsequently the emigrants from Mexico arrived in the country, General Figueroa received them so coldly, and gave them so little encouragement, that soon the greater number of them returned to Mexico. The missions therefore continued as before ; and so ended this attempt on the part of the Mexican Government to secularize the property of the Fathers, and augment the population and resources of the country.

In 1835, the party at whose head was Santa Anna determined to remodel the Mexican republic, and *centralize* the government, thereby destroying, in a great measure, the federal constitution of 1824. But no time was allowed him to make the necessary changes and their exact nature therefore was never known ; for, in the following year, 1836, by one of the usual *coups d'état*, and while he himself had been defeated and taken prisoner by the Texans, another party opposed to his general views of policy came into power. This party, however, agreed with the previous administration on the necessity or propriety of remodelling the federal system. The old constitution was therefore abolished, and a new one adopted. By this change, the separate states were deprived of many of their former prerogatives, and nearly the whole rights and duties of government were confined to the general Congress and executive. This sweeping alteration of the federal constitution was opposed in many parts of the republic, and in no quarter more vigorously than in California. The people of Monterey rose *en masse*, and at once declared themselves independent until the federal constitution was re-adopted, and passed formal resolutions to that

effect. Their example was quickly followed by the inhabitants of the other towns and villages. But while the people of the southern parts of the country were inclined to adhere to Mexico, upon certain conditions, those of the nothern districts were determined henceforward, and for ever, to sever the connection with the other States, and to stand alone, free and independent of Mexican domination.

Mexico, meanwhile, was not exactly idle, for it answered the Californian proclamations, addresses, and long inflammatory speeches, by epistles and speeches of a similar nature on the opposite side. California and Mexico—the local and general governments—each party appealed to the *patriotism* of the people in support of their cause. Señor Don Mariano Guadalupe Vallejo, whose name will again occur in our pages, was appointed commandante-general on the part of the Californians, and forthwith the whole train of congressional officials was forcibly expelled from office and the government troops disbanded, and before long transported to the Mexican territories. The Mexicans threatened an expedition to chastise the rebels, and recall them to repentance and duty ; while the Californians defied their menaces, and resolved to abide the consequences of their first steps to freedom. However, General Urrea, who had been charged by the Mexican Government with the conduct of this expedition, soon afterwards joined the federalist party, and wilfully delayed the execution of his orders. At the same time, as the rebels were so far away, and the opposite factions in Mexico had so many more pressing matters to settle among themselves at home, somehow all about California appeared to be forgotten, and it was left, for a time, to any constitution, or none at all, and anarchy, just as its people pleased. About the end of July, 1837, the excitement among the Californians had subsided so far, that they then quietly accepted the new Mexican constitution without a murmur, and voluntarily swore allegiance to it.

It is probably unnecessary to dwell upon the successive and rapid changes of administration in Mexico, each of them differing widely from each other in their general views of home and foreign policy. In one thing indeed they pretty cordially agreed, and that was the destruction of the missions as a ruling body in

California, and the secularization of their property for state and other purposes. Accordingly, administration after administration adopted the extreme democratic views on this matter, and soon the Fathers were legally, if not equitably, stripped of their possessions, and of all their former dignity and influence.

Foreseeing and dreading the results of the long threatened proceedings, the Fathers lost courage, and neglected the missions. If they themselves were not to enjoy their great estates nobody else should. Their cattle, therefore, were recklessly slaughtered, their fields and crops were neglected, and their property was granted away or sold for trifling sums. Long before their final fall, most of the missions had become but a wreck of what they had been but a few years before. Perhaps the period of their greatest prosperity was immediately previous to 1824, when the Mexican constitution was declared. After that time they all gradually fell into decay. In successive years from the date mentioned, and particularly from 1834 downwards, specially marking the disastrous years 1840 and 1845, various acts were passed in the Mexican Congress, which completely denuded the Fathers of both power and property.

This, however, was a work of considerable time, and occasionally, as rival administrations, differing in this matter a slight shade from each other, came into office, a gleam of their setting and cloud-shrouded sun would appear to cheer the hearts of the Fathers. But that sun finally sunk in 1845, never again to rise in California. In the year named, a considerable number of the missions were sold by public auction. The Indian converts attached to certain others, and who now were wandering idle and wretched over the country, were ordered to return to and cultivate the portions of land, which had been assigned them by government. If that return and cultivation were delayed more than a month, then these portions of land and the missions to which they were attached would also be sold ; and this was subsequently done. The remaining missions were to be rented. The price and rents of all these missions were then divided into three parts : one was bestowed upon the missionaries themselves, and another upon the converted Indians, for their respective maintenance, while the last was converted into a new *Pious*

Fund of California, for the support and extension of education and general charitable purposes.

Before closing this account of the former state of the missions, we may mention what was the cost of the country to the Mexican Government, independent of the salaries allowed to the Fathers, which, however, seldom seem to have been paid. Take the year 1831 :—In that year, the expense of the presidial companies, according to the estimates, was $91,000. To this must be added the pay of the commandante-general and sub-inspector, the expense of maintaining auxiliary troops and convicts, and various other charges, $40,000. Together, these sums make $131,000. But, as the net amount of the public revenue, which was principally derived from exorbitant and often prohibitory tariff duties, which necessarily encouraged smuggling, was only $32,000, a short-coming of $109,000 was left to be provided by the general government. Other years showed an equally unprofitable state of public affairs. However, as the general government wanted the means, and perhaps the credit, elsewhere, they *borrowed* the deficiency from their nominal subjects, the wealthy Fathers ; and, accordingly, we find that the Mexican Congress, in 1831, owed the missions the large sum of $450,000. This circumstance, it might be thought, should have held back the destroying hand ; but perhaps it only nerved it to greater and more speedy destruction. The ungrateful are always the most cruel.

CHAPTER VII.

California distinct in physical character and national feeling from the other Mexican provinces.—Beginning and progress of immigration into the country.—The Russians at Bodega Bay.—Later great increase of foreign white settlers; Americans largely preponderating.—Outrage committed upon the settlers by Mexican authorities.—Commodore Jones takes possession of Monterey.—Foreign settlers scatter themselves over the whole country, and silently, but rapidly, revolutionize or Americanize it.—Origin of the war of 1846 between the Mexican and American States.

NEW CALIFORNIA has always been a distinct country from the rest of the Mexican provinces, having nothing in common but that its few early white settlers were descended from the same race. Locally it was separated by vast deserts from the peopled parts of the same empire—in its constitution and government it was *sui generis*—in its productions, climate and general character of country there was no resemblance to any other portion of Mexico. In the very feelings of the inhabitants there was little sympathy with those of the Mexicans. Mexico never could become a naval power: its mineral, pastoral and agricultural wealth were very great, but it wanted the ports and the facilities for procuring ship-building timber and other marine stores which California has within a comparatively small space of territory. California possesses an equable, mild and healthy climate—excellent harbors—(one of which is equal, in capacity, safety, and ease of entrance and departure to any other on the globe)—a soil extremely fertile, capable of producing every kind of grain and vegetables, except a few tropical varieties—and extensive forests and other tracks of land which yield most kinds of marine stores, such as timber, resin, &c. These things—if it only had population, would necessarily, at all times, have rendered it independent of Mexico, which is deficient in many of them. Accordingly, the free white settlers early began to show that they cared little about the Mexican Government, and that,

sooner or later, they were determined to be independent. This consideration was always present in the minds of the Mexican people, and a secret jealousy of the consequences generally prevented them from heartily encouraging the immigration into California of new white settlers.

We have seen that so early as 1836, and when the *gente de razon* did not exceed, if they amounted to five thousand, the people of Monterey declared themselves independent of Mexico, and that their example was followed by the other inhabitants of the country. This desire for independence was soon much increased by the continual inroad of immigrants which now began to come from the United States of America, and from many of the islands and ports of the Pacific.

In 1812, the Russians, without asking leave of the Spanish authorities, had formed a small settlement at Bodega Bay, between fifty and sixty miles to the north of San Francisco. Some years afterwards, they established another small station, called Ross, about thirty miles farther north than Bodega. These settlements were founded chiefly in order to supply the Russian-American Fur Company with agricultural supplies, but also as fishing stations for procuring the skins of seals and otters, which animals abounded on the coast and on the adjacent rocky islands. The Russians, however, were very jealously eyed by the Spanish and Mexican authorities, and were compelled to maintain strong forts and a large number of military to protect their settlers. In 1841, therefore, they judged it expedient to relinquish their possessions. They accordingly disposed of their stations and property to Captain John A. Sutter, an adventurous Swiss gentleman, whose name is closely connected with the later history of California, and will again occur in our pages. The Russians then altogether retired from the country.

But previous to 1826 there were comparatively few other foreign settlers in California than the Russians. When, however, in that year, the Columbia and North American Fur Companies had united their interests, several hundred trappers and fur traders were always wandering about the borders of the country, and occasionally even penetrated as far as San Francisco Bay and Monterey. Their visits were in general coldly received by

the Californians ; and much suspicion of their ulterior views being raised in the Mexican Government, laws were occasionally passed by Congress for the removal of all foreigners from California. Notwithstanding, the flow of immigration gradually increased, and trappers, fur traders, whalers, and adventurers of all nations, but particularly from the American States, began to throng the harbors, and to settle down in the more fertile parts of the country. Soon the majority of merchants in the ports were of American, or else of English or French extraction ; while many of the land squatters, and the shop and tavern-keepers and artisans in towns were adventurous immigrants from every country on earth. They had perhaps roamed over the wide Pacific for years, and now, tired of their vagabond career, had chosen California as a pleasant resting place, and a home for the remainder of life. Runaway seamen and stragglers from Columbia and Missouri swelled the number of white settlers. The indolent Spaniards stupidly looked on, while the prestige of their name, their wealth and influence were quietly passing into other and stronger hands.

Occasionally indeed they seemed to make a desperate struggle against their fate ; but it was like the useless splash of the unwieldy whale when the harpoon has struck his vital parts. In 1840, a violent outrage was committed, under the instructions of Don Juan B. Alvarado, then governor of the Californias, upon many of the most respectable settlers of foreign extraction. In April of that year, nearly one hundred individuals, American and British subjects, of every rank and profession in life, were seized, and carried to Monterey, where they were imprisoned, some of them in irons, for a short time. No charge was made against these people, yet they were treated as vilely as if they had been condemned felons. A few were released, without explanation, at Monterey, and the remainder carried as prisoners to Santa Barbara. There a few more were released, again without explanation, while the rest proceeded, still prisoners, to San Blas. There several others were discharged, and left to find their way back to Monterey, without money, passports or any assistance whatever. Those who were still left were imprisoned for an indefinite time at San Blas, or sent to other Mexican towns.

A considerable number died from the severe treatment they experienced; while it was fifteen months before the last of them was set at liberty. And still no reason was alleged for this worse than Turkish or Russian despotism. Nor has it ever been fairly known why such outrageous proceedings had been adopted by the Mexican authorities, although it was suspected that they considered the foreign settlers in California were engaged in some revolutionary movement. This, however, was a most unlikely thing. The prisoners in conversation all denied, while the Mexicans ridiculously failed, or perhaps never seriously attempted to establish it. Probably a better reason might be found in the fact that the Mexicans had got so fretfully jealous and alarmed at the progress of foreign immigration, that they were determined to disgust the present settlers with the country, and to frighten all others from entering into it. Besides the people mentioned, there were many other foreign settlers of large property who were arrested, though Governor Alvarado thought it prudent not to imprison them. No redress seems ever to have been obtained from the Mexican Government for this daring attack on the liberty of American subjects, and for all the losses, pecuniary and otherwise, sustained by the victims of these violent, arbitrary and unlawful proceedings. At that period, there was no regular United States ship-of-war stationed on the coast, nor any consul appointed, to whom the injured could appeal, and who, in his official capacity, could have enforced some compensation for such manifold wrongs. As it was, indeed, Mr. Thomas O. Larkin, afterwards our respected consul at Monterey, in his private character as a merchant of the place and an American subject, exerted himself strenuously to preserve the honor of the United States flag and the lives and properties of his fellow subjects; but without effect. Several commanding officers of United States ships in the Pacific likewise interested themselves in the matter, when they happened to approach the coast; but as they were but transient visitors, having no proper commission effectually to interfere, the few steps they took led to no settlement of the business.

In 1842, a premature attempt was made by an American officer forcibly to take possession of the country. In that year,

Commodore Jones, then in the Pacific, having fancied that the Mexican and American States were at war on the Atlantic side of the continent, sailed with his frigate, the United States, and the sloop-of-war Cyane, to Monterey, where he arrived on the 19th of October. He immediately took possession of the town and hoisted the American flag, publishing proclamations over



Sutter's Fort, — New Helvetia.

the whole country, declaring it a portion of the United States. After only twenty-four hours possession, the commodore received intelligence which altered his views of matters. He therefore revoked all his recent orders, hauled down the "stripes and stars," and restored the place to its former owners, with as handsome an apology as he could make for his extraordinary proceedings.

So early as 1837, several societies were formed in the American States to promote emigration to Oregon and California. In the following years, and particularly in 1843, 1844, 1845 and 1846, many thousand emigrants journeyed across the Rocky and

Snowy Mountains, enduring much suffering by the way, to settle in California and the adjacent territory of Oregon. Other large numbers proceeded thither through Mexico, across the Isthmus, or by way of Cape Horn. The Valley of the Sacramento, where Captain Sutter, already mentioned, possessed, under a grant from the Mexican government, an extensive tract of country, called by him New Helvetia, was the general resort of the larger number of those immigrants whose wishes were directed towards an agricultural life. Many, however, distributed themselves over other parts of the country, and those whose views were turned more to trade and commerce flocked to the towns on the coast, where they soon became the most influential part of the community, and in some instances formed even the numerical strength of the white population.

Meanwhile the Mexican Congress, alarmed at an immigration so steadily increasing and so powerful, fulminated proclamation after proclamation against the intruders, and instructed the governor of the province to take steps for their immediate expulsion. Such a measure, however, was now too bold an undertaking for the whole Mexican power to execute. There the stubborn settlers were, and would remain ; the squatter on his land, the merchant in his office, the artisan, shopkeeper and trader at the posts they had severally selected. Accordingly, the commandante-general of California contented himself merely with publishing, in their order, the impotent ordinances of Congress as they reached himself, without daring or taking the least trouble to enforce them. It was felt by all parties that a silent revolution was rapidly going on, the effect of which was thoroughly to Americanize the whole province. It was barely possible that England might have delayed this movement somewhat, if she had received, as was at one time seriously proposed by many influential personages, the territory of California from the Mexican Congress, in lieu of the large public debt which her subjects held against the insolvent republic. But even such a political cession of the country to England would scarcely have stopped the onward progress of American settlements, or removed the profound feeling that California was destined, one day very soon now, to pass under the protection of the " star-spangled banner."

The pear was ripening, and, if not plucked a little earlier by impatient hands, would certainly soon fall at the feet of the watcher. Matters were in this condition, when the war of 1846 broke out between the United States of America and the Mexican States, which brought matters to a crisis, and finally settled the destiny of California. The origin of the war was shortly this :—

In 1835, Texas, like California and many other provinces of the Mexican republic, dissatisfied with the overthrow of the federal constitution, revolted and declared itself independent. War was accordingly proclaimed by the general government, and an army, under the command of Santa Anna, was forthwith sent to the rebellious province to compel obedience. But the Texans, who were now chiefly of American descent, and who had no sympathies with the Mexicans, having flown to arms, defeated and captured Santa Anna himself, on the 21st April, 1836. In the power of the enemy, and fearing the machinations of political foes in the capital, Santa Anna was glad to sign a treaty with the Texans, in which he acknowledged the independence of the province. Meanwhile, another party had come into power in Mexico who refused to confirm the proceedings of Santa Anna, and still claimed Texas as an integral part of the republic. The disordered state, however, of the general country prevented active measures being taken to establish this claim ; and Texas governed itself, and was acknowledged as an independent power, by several European and other nations.

In the interval, the Texans applied to the American Congress for permission to be received into the Union. This, for various reasons, was refused on the part of Congress ; and similar applications made during the next eight or nine years were likewise declined. At last, in 1845, the American Congress saw reason to change its opinion, and on the 1st of March of that year, passed resolutions sanctioning the annexation of Texas, upon certain preliminary conditions, with which, as it happened, Texas was ultimately found ready to comply. Five days after the passing of these resolutions, the Mexican ambassador, at Washington, protested against them, and demanded his passports. Generally such a course is only adopted where there is good reason to sup-

pose that war is shortly about to follow. In the present instance, war was not immediately declared, nor did any hostilities take place. However, the Mexican people were much embittered against the American States when they reflected on the course of these events, and every where a popular feeling was produced inimical to America, and which insisted on immediate war.

To complicate matters, the Mexican Government had acknowledged itself indebted to American subjects in a large sum, (some millions of dollars), which it never could or would pay; and the mere consideration and fixing the amount of which had occupied some tedious years. This sum was the amount of damage (assessed under the formal arbitration of mutual commissioners), done to Americans, by reason of various seizures of and outrages upon their ships and goods, which the Mexicans had made during many previous years, partly, perhaps, through malicious wantonness, and partly to replenish their impoverished exchequer. Successive weak and poor governments among the Mexicans pretended to acknowledge the justice of this debt, and faithfully promised payment, though always at some future day; until the injured Americans got tired of remonstrating on the subject, and indignantly clamored for warlike measures being adopted against Mexico, to compel redress of their own and the national grievances. Thus the popular mind in both countries was ripe for war; while both governments secretly began preparations to carry it to extremities. The Mexicans made great levies and collected numerous forces around their capital and on the Texan border. On the other hand, the American Congress dispatched a considerable fleet to the gulf of Mexico to be at hand when wanted, and likewise ordered large forces to be assembled and to quarter themselves on the Rio Nueces in Texas. That river was held by the Mexicans to be the south-western boundary of the province, while the Texans themselves, and the United States taking up their cause, claimed the Rio Grande, some one hundred and thirty miles farther to the south-west, as the true and proper limits of their territory. Thus the murderous train was laid which a spark was to fire.

It is not our province further to develope the causes of the war which ultimately broke out between the contending powers.

Suffice it to say, that, in April, 1846, war was formally declared between the two countries; and that, after a brilliant series of battles and victories upon the Rio Grande, under General Zachary Taylor, and a still more triumphant progress, bloody but decisive, from Vera Cruz to Mexico, under General Winfield Scott, the modern Cortez, the Americans were enabled, in the capital itself, to dictate their own terms of peace to the Mexicans—one of which was the cession of Upper California by the latter. Previous to this time, however, American subjects had conquered and held in possession the last named country itself; and to a short summary of their proceedings in that quarter we will now direct the reader.

CHAPTER VIII.

Col. John C. Fremont.—General José Castro.—Fremont declares war against California.—Capture of Sonoma.—Proclamation of William B. Ide.—Letter of Pio Pico, Governor of the Californias, to Thomas O. Larkin, Consul of the United States.—Thomas O. Larkin's reply to Pio Pico.—California declared independent.—California desired by the American Government.—Col. Stevenson's regiment.—Movements of General Kearney.—Seizure of Monterey.—Proclamation of Com. Sloat.—Commander Montgomery takes possession of Yerba Buena and Fremont of San Juan.

Colonel John C. Fremont is generally considered the conqueror of California; where his exploits, undertaken with so small a force and against such superior numbers, place him on a par with the famous heroes of the days of chivalry. Yet to the bold, daring and energetic measures adopted and prosecuted by Commodore Robert F. Stockton, as we shall hereafter see, may justly be ascribed the final reduction of the country. Holding a commission in the topographical corps of engineers, a great part of Fremont's duties had hitherto consisted in exploring the districts of country around the base of the Rocky Mountains, and the best lines of communication from the Missouri to Oregon and California. In 1845, Fremont was instructed by the War Department to ascertain a shorter and more southerly and convenient route to the Columbia River. In the execution of this duty, he reached Monterey in California, in the month of January, 1846. Allusion has already been made to the jealousy with which the successive immigration of American settlers was viewed by the Californians, or rather the Mexican authorities. Accordingly, when Fremont appeared with his small force near Monterey, General José Castro, the commandant at that town, had his suspicions aroused as to their ulterior intentions, and prepared to dispute their farther progress. To allay these suspicions, Fremont, leaving his little army, hastened to Monterey and made such personal explanations to Castro as seemed to satisfy the latter that he had no reason to be alarmed at the appearance of the Americans. Castro having



Colonel J. C. Fremont.

confessed himself satisfied on the subject, Fremont returned to his people ; but, shortly afterwards being informed by the American consul at Monterey that the Mexican general secretly intended to attack him, he at once occupied a strong position in the neighborhood, and displayed the American flag. Castro meanwhile having thought better on the subject, especially after reconnoitering the American position, determined to leave those foolish, obstinate people alone.

Fremont, thus freed from molestation, proceeded on his proposed route to Oregon. He had gone but a little way when he found that hostile Indians (supposed to have been urged on by

the Mexican authorities), barred his farther progress ; and learned with extreme surprise and indignation, that Castro intended to attack the American settlers, and expel them from the country. Upon ascertaining this fact, Fremont took the bold resolution of declaring war against California, and of carrying it too into the very camp of the enemy. His force, at this time consisted of only sixty-two men. On the 15th of June, in pursuance of this determination, he, or others acting under his advice, surprised and took possession of the military post of Sonoma, part of the spoils of which place were nine cannon and two hundred and fifty stand of arms. Four days previously they had also cut off an important convoy from Castro's camp. It is true that various contradictory accounts have been given of Fremont's personal connection with these events ; and it is difficult to ascertain the real state of the facts. If he had no active share in them, which is probably the true state of the case, it is certain that he formed the resolution mentioned above, just when the noted " bear-flag" party had actually surprised Sonoma, and that he immediately cordially joined them.

After the capture of Sonoma, Mr. William B. Ide, a native of one of the New England States, who had immigrated to California the previous year, and a man of courage and intelligence, was intrusted with the command of the small garrison. At the same time he issued a proclamation explaining the views of the American party, the reasons for their present act, and the principle on which they proposed to conduct their future proceedings. This proclamation is as follows :—

" *A proclamation to all persons and citizens of the District of Sonoma, requesting them to remain at peace, and follow their rightful occupations without fear of molestation.*

" The Commander-in-chief of the troops assembled at the fortress of Sonoma, gives his inviolable pledge to all persons in California, not found under arms, that they shall not be disturbed in their persons, their property, or social relations, one with another, by men under his command.

" He also solemnly declares his object to be: first, to defend himself and companions in arms, who were invited to this country by a promise of lands on which to settle themselves and families ; who were also promised a Republican Government ; when having arrived in California they were denied the privilege of buying or renting lands of their friends ; who, instead of being

allowed to participate in or being protected by a Republican Government, were oppressed by a military despotism; who were even threatened by proclamation, by the chief officers of the aforesaid despotism, with extermination, if they should not depart out of the country, leaving all their property, arms, and beasts of burden; and thus deprived of their means of flight or defence, were to be driven through deserts inhabited by hostile Indians to certain destruction.

"To overthrow a government which has seized upon the property of the missions for its individual aggrandizement; which has ruined and shamefully oppressed the laboring people of California, by enormous exactions on goods imported into the country, is the determined purpose of the brave men who are associated under my command.

"I also solemnly declare my object, in the second place, to be to invite all peaceable and good citizens of California, who are friendly to the maintenance of good order and equal rights, and I do hereby invite them to repair to my camp at Sonoma, without delay, to assist us in establishing and perpetuating a Republican Government, which shall secure to all civil and religious liberty; which shall encourage virtue and literature; which shall leave unshackled by fetters, agriculture, commerce, and manufactures.

"I further declare, that I rely upon the rectitude of our intentions, the favor of heaven, and the bravery of those who are bound and associated with me, by the principles of self-preservation, by the love of truth, and the hatred of tyranny, for my hopes of success.

"I furthermore declare, that I believe that a government to be prosperous and happy, must originate with the people, who are friendly to its existence; that the citizens are its guardians, the officers its servants, its glory its reward.

"WILLIAM B. IDE.

"*Head Quarters, Sonoma, June 18th*, 1846."

These sudden, bold, and unexpected proceedings produced much alarm and excitement among the Mexican authorities, as we may learn from the following copy of the translation of a long epistle—too interesting to be omitted, and now published for the first time—addressed by his Excellency, Don Pio Pico, the governor of California, to Thomas O. Larkin, Esq., the United States consul at Monterey :—

"The undersigned, Constitutional Governor of the Department of the Californias, has the deep mortification to make known to Mr. Thomas O. Larkin, Consul of the United States of North America, that he has been greatly surprised in being notified by official communications of the General Commandancia of this Department and the Prefecture of the Second District, that a multitude of foreigners of the United States of America have invaded that frontier, taken possession of the fortified town of Sonoma, treacherously making prisoners of the military Commandante, Don Mariano G. Vallejo,

Lieut. Colonel Victor Pruden, Captain Salvador Vallejo, and Mr. Jacob P. Leese, and likewise have stolen the property of these individuals.

"The undersigned can do no less than make known to the Consul of the United States, that acts so extraordinary and alarming have caused very great grief.

"Until the present the Departmental Governor is wanting the least positive information that would give him to understand of a declaration of war between Mexico and the United States, and without such information he judges the course pursued at Sonoma the most atrocious and infamous that can be imagined, so much so that the like is not seen among barbarians.

"They have attacked the rights of the people, breaking the established social compacts; profaning the sacred soil of another nation; indeed scandalously usurping an integral part of the Mexican Republic, and what is more provoking still, as an ignominious libel, is the folly of the principal of this multitude of foreigners, William B. Ide, the separation of the Mexican Union. This act tends to excite the mind of the undersigned, and causes him to suspect that the Government of the United States are concerned in this matter, which certainly should increase his regrets.

Mr. Thomas O. Larkin will permit the undersigned to say to him frankly, that he has witnessed with extraordinary coolness the invasion of the Department, and that he has failed to note the general movement of all the inhabitants, in defence of their country and liberty; he has not been known to make any arrangement that might make the invaders recede from their abominable designs, and prevent the misfortunes which they can cause by means of hostile provocation: misfortunes that the Departmental Government will place to the responsibility of the chief authors before God and the entire world. So base management as observed on this occasion highly compromises the honor of the United States, and if it shall have such a stain upon itself, there is no doubt that it will be graven eternally in the remembrance of all nations, and will cause it to be despised.

"The undersigned believes that the Consul of the United States will agree with him, that the acts committed by the party of foreigners, Americans, have the appearance of actual and downright robbery; also that the Consul will agree with him, that his indifference to prevent such fatal results, seeing that they were subjects of his own nation who were violating this part of the Mexican Republic, compromises more and more both nations.

"The undersigned in fulfilment of his duties sees himself obliged to recommend to the Consul, Thomas O. Larkin, that he make declarations of the occurrence which has happened at Sonoma, to exact full satisfaction from him, hoping that he will use all the means in his power to escape in time such terrible consequences, and finally to protest solemnly, in the name of the Departmental and Supreme Government of the Nation, that it is decidedly opposed to all aggressions, defending to extremity its independence, liberty, inalienable rights; repeating that the principal authors are responsible to the Representative of the United States near this Department for those abuses and results of corrupt designs from which they are not deterred.

"The undersigned hopes, from the prudence and judgment of the Consul of the United States at Monterey, that, admitting the justice that assists him, the answer to this letter (and imploring that it may soon come), may be in accordance with (*veneboles*) desire.

"God and Liberty!

"PIO PICO.

Santa Barbara, 29*th June*, 1846."



Thomas O. Larkin, Esq.

To this indignant and piteous missive, Mr. Larkin returned the following answer:—

"*Consulate of the United States of America,*
Monterey, Cal. July, 5th, 1846.

"TO HIS EXCELLENCY, DON PIO PICO,
Governor of California.

"SIR:—The undersigned, Consul of the United States of America for California, has the honor to acknowledge the reception of His Excellency's letter of the 29th of last month, which was received yesterday afternoon.

His Excellency may be well assured that the undersigned is duly sensible of the great importance of the subject brought before him, and is compelled to say that he cannot alone enter into any mode for the expulsion of the foreigners who have taken possession of Sonoma. He is bound not only to protect his countrymen in California from any unjust oppression, and settle in an amicable manner any disputes in which they may be concerned; but firmly to refuse them support when they have been wilfully guilty of any infractions of the laws of this Department, giving aid to the Authorities in such cases, which aid has been refused by the Governor and Prefect.

The undersigned must assure His Excellency was wrongly informed when told he made no exertions to aid the proper Authorities, and His Excellency can learn that the undersigned has used the only means in his power as a Consul, and that the Consular service had not been accepted.

His Excellency is pleased to say that the Americans engaged in this affair are responsible to this Consulate. The undersigned must observe that he knows not where this responsibility exists, and will not underrate the good sense of his being in the idea that he believes Consular letters would have effect on the persons in question, or that the Authorities would have given him soldiers to bring into Monterey an equal number of Americans, when General Castro, with three times their force, did not see proper to expel those who took Sonoma.

The reasons brought forward by His Excellency as proofs that the Government of the United States is concerned in this matter, not being sustained, will, being by the undersigned proved to be erroneous, require no farther assertion on his part to convince His Excellency on the subject.

The undersigned has the honor to renew to His Excellency the Governor of California, assurance of his deepest respect and consideration.

THOMAS O. LARKIN."

While these epistles were being interchanged, Fremont was proceeding to the valley of the Sacramento, where the chief settlements of the American population were, with the intention of enlisting recruits for the farther prosecution of the war. A garrison of only fourteen men had been left at Sonoma, which was shortly afterwards increased to about forty. Scarcely had Fremont departed, when General Castro prepared to attack the feebly manned post. News of that general's movements speedily followed Fremont, who instantly, with only a troop of ninety riflemen, hurried, night and day, to the relief of the garrison. He arrived just in time to frustrate the designs of Castro. To follow up his original scheme, Fremont next called a meeting of the Americans at Sonoma, on July 4th,1846 ; when, acting on his advice, the assembly proclaimed the independence of the country, appointed Fremont governor, and declared war against Mexico.

Meantime, nothing was known of the condition of affairs in the United States, nor that actual hostilities had taken place between them and Mexico. While this ignorance existed in California, there was equal want of knowledge in the United States respecting the proceedings on the opposite side of the continent. Very comprehensive measures to conduct the war on all sides had been formed by the American government. Not only were American generals advancing on the Rio Grande and on Mexico itself, by way of Vera Cruz and Jalapa, but an expedition under General Stephen W. Kearny, was formed to proceed across the whole continent, from the Missouri, first to Santa Fé, and after the expected reduction of New Mexico, farther west to California. This latter province had long been desired by the Americans, and the government was now determined, since circumstances rightfully permitted the attempt, to secure the country. To further this undertaking, Congress ordered a corps of mounted riflemen to be raised, the command of which was given to Captain, then first created Lieutenant-Colonel, Fremont, and who, from his knowledge of the country, and his being there at the very time, seemed the most proper person on whom the honor of the command could be bestowed.

A regiment of volunteers, a thousand strong, to serve during the war in California, was likewise raised in New York, and placed under the command of Colonel Jonathan D. Stevenson, to whose energy and ability the formation and organization of the corps was chiefly owing. This regiment, though it arrived in California too late to take any part in the actual hostilities of the war, was subsequently of great service in preserving the peace of the subjugated country. Col. Stevenson reached San Francisco March 7th, 1847, and immediately afterwards his regiment was divided into companies, which were severally stationed at Sonoma, San Francisco, Santa Barbara, and Monterey, which last place, first was head-quarters, afterwards removed to Los Angeles. So desirous was the United States Government to preserve California at all hazards, that particular care had been taken, in the raising of this regiment, that the men composing it should be of good habits, and as far as practicable, of various

pursuits, and such as would be likely to desire to remain in the country at the end of the war.

While these measures were being carried out by Congress, General Kearny, having left Fort Leavenworth, on the Missouri, in June, 1846, was marching, at the head of sixteen hundred men, across the deserts which lie between that place and Santa Fé. After the capture of Santa Fé, and the proclamation of New Mexico being now a portion of the American republic, and after making the necessary arrangements for strengthening his power there, Kearny, at the close of September, 1846, proceeded farther west to California, to carry out the instructions given him by Congress. He had gone but eleven days' march from Santa Fé, when he met an express from Commodore Stockton and Colonel Fremont, bearing despatches to Congress announcing the conquest of California. Kearny, then dismissing two hundred of his dragoons, to assist in the reduction of New Mexico, continued his progress westward, accompanied by a troop of only one hundred men, and two howitzers. His course lay across the wild and untrodden country east of the Gila, down which river he next proceeded, until he approached the frontier of California. Meanwhile, Americans there were completing what we have seen they had begun, the reduction of that country.

At the time when Fremont was forcing the Mexicans out of California north of the Bay of San Francisco, Commodore Sloat, who was then in command of the American squadron in the Pacific, being apprised of the actual commencement of hostilities between the American and Mexican states, had seized upon Monterey. This was done on the 7th of July, when the American flag was hoisted, and the following proclamation read. It is not our intention to give a detailed history of the war in California; but since this proclamation was the first formal announcement of the intentions of the American Government, while the documents previously quoted were very important in themselves, we have been induced to give them all at length, though they perhaps swell this branch of our subject more than was at first contemplated.

"TO THE INHABITANTS OF CALIFORNIA.

"The central government of Mexico having commenced hostilities against the United States of America, by invading its territory, and attacking the

troops of the United States stationed on the north side of the Rio Grande, and with a force of seven thousand men under the command of General Arista, which army was totally destroyed, and all their artillery, baggage, &c., captured on the 8th and 9th of May last, by a force of two thousand and three hundred men, under the command of General Taylor, and the City of Matamoras taken and occupied by the forces of the United States, and the two nations being actually at war by this transaction, I shall hoist the standard of the United States at Monterey immediately, and shall carry it throughout California.

"I declare to the inhabitants of California, that, although I come in arms with a powerful force, I do not come among them as an enemy to California: on the contrary, I come as their best friend, as henceforth California will be a portion of the United States, and its peaceable inhabitants will enjoy the same rights and principles they now enjoy, together with the privilege of choosing their own magistrates, and other officers for the administration of justice among themselves, and the same protection will be extended to them as to any other State in the Union. They will also enjoy a permanent government, under which life, property and the constitutional right and lawful security to worship the Creator in the way the most congenial to each other's sense of duty, will be secured, which, unfortunately, the central government of Mexico cannot afford them, destroyed as her resources are by internal factions and corrupt officers, who create constant revolutions to promote their own interests and oppress the people. Under the flag of the United States, California will be free from all such troubles and expenses; consequently, the country will rapidly advance and improve both in agriculture and commerce, as, of course, the revenue laws will be the same in California as in all parts of the United States, affording them all manufactures and produce of the United States, free of any duty, and all foreign goods at one quarter of the duty they now pay. A great increase in the value of real estate and the products of California may also be anticipated.

"With the great interest and kind feeling I know the government and people of the United States possess towards the citizens of California, the country cannot but improve more rapidly than any other on the continent of America.

"Such of the inhabitants of California, whether native or foreigners, as may not be disposed to accept the high privileges of citizenship, and to live peaceably under the Government of the United States, will be allowed time to dispose of their property and to remove out of the country, if they choose, without any restriction; or remain in it, observing strict neutrality.

"With full confidence in the honor and integrity of the inhabitants of the country, I invite the judges, alcaldes, and other civil officers to execute their functions as heretofore, that the public tranquillity may not be disturbed; at least until the government of the territory can be more definitely arranged.

"All persons holding titles to real estate, or in quiet possession of land under color of right, shall have those titles guaranteed to them.

"All churches and the property they contain in possession of the clergy

of California, shall continue in the same rights and possessions they now enjoy.

"All provisions and supplies of every kind furnished by the inhabitants for the use of the United States ships and soldiers, will be paid for at fair rates; and no private property will be taken for public use without just compensation at the moment.

"JOHN D. SLOAT,
"*Commander-in-chief of the U. S. force in the Pacific Ocean.*"

A despatch was immediately forwarded by land to Commander Montgomery, who landed at Yerba Buena without opposition, took possession of the place, hoisted the American standard on the public square, and posted the proclamation of his commanding officer. Fremont, hearing of these proceedings, took possession of the mission of San Juan.

CHAPTER IX.

Commodore Stockton takes charge of the American forces in California.—Hostility of the Californians.—Proclamation of Com. Stockton.—Landing at San Pedro, and manœuvres of the sailor army.—Castro's commissioners.—March on Los Angeles, and flight of General Castro.—Triumphant entry into Los Angeles.—Provisional government formed.—The difficulties of Stockton's march, and the complete success of his plans.—Reported hostility of the Walla-Walla Indians.—Enthusiastic reception of Stockton at San Francisco and other places.—Satisfaction of the people of California with the new government.—Stockton designs to cross Mexico and unite with the forces of General Taylor.

COMMODORE ROBERT F. STOCKTON arrived at Monterey in the Frigate Congress, on the 15th of July, 1846, and on the 23d of that month assumed command of the squadron, Com. Sloat having left on that day to return to the United States. The bold and comprehensive mind of Stockton perceived at once the circumstances by which he was surrounded. He was deeply impressed with the grave and important trust that devolved upon him. But he was neither dismayed nor perplexed with the importance of his position nor the difficulties he was compelled to confront. With a decision of character, promptitude and sagacity worthy of commendation, he adopted the plan of a campaign, which the most complete success vindicated, and which, if judged by its results, is unsurpassed in the most brilliant records of military achievement.

For a correct appreciation of the motives which governed Com. Stockton, as well as of the ability with which his plans were conceived and executed, we must briefly advert to the condition of California at that time, and the circumstances that influenced his course. The country was sparsely inhabited; its population chiefly clustering around isolated settlements at great distances apart, or in the neighborhood of *ranches*, scattered with wide intervals, over its vast surface. Large bodies of Indians occupied much of the territory. To defend themselves from these

and the predatory incursions of more warlike tribes in the interior of the continent, the Californians were necessarily familiar with arms. They were hardy and expert horsemen, and excelled in all equestrian performances. Possessed of a fleet and admirable race of horses, they had all the elements of the best cavalry force, in which indeed consisted their chief military strength. At this period the Californians were greatly incensed against the United States. They were ignorant of the declaration of war with Mexico, and considered the demonstration of Fremont and the immigrating parties reported to be approaching, as unprovoked aggressions. They were disposed to treat all Americans as lawless adventurers or freebooters, whose designs were hostile to the peace and authority of Mexico. The colonization of California by citizens of the United States for the purpose of ultimate annexation (as in the case of Texas), they determined to defeat by the most decisive measures. Accordingly, Andreas Pico issued a proclamation intended to stimulate the most sanguinary treatment of all Americans. The occupation of Monterey and some other ports on the coast by Com. Sloat, was viewed by the Californians as parts of the same aggressive scheme, indicated by the elevation of the "Bear Flag" by Fremont, and the approaching immigration. Com. Stockton, aware of these hostile feelings, was painfully solicitous for the safety of the enterprising companies of immigrants which he knew were crossing the Rocky and Snowy Mountains. He concluded that unless a diversion was produced of the Californian forces—unless they were kept fully employed in their own defence, or absolutely dispersed, that the fate of the immigrants would be inevitable. They would be slaughtered in detail as they arrived, jaded, exhausted and enfeebled by their long and arduous journey. Besides, it was quite evident, that if left at liberty to concentrate their troops, the Californians would overwhelm and repossess themselves of Monterey and other ports, at which the flag of the United States had already been elevated by Com. Sloat on the eve of his departure.

The Provincial Congress of California were in session at this time, and under the influence of British agents, the most lavish grants to them of vast tracts of territory were in progress of consummation. There was reason to believe, that in contempla-

tion of the ultimate cession of California to the United States, the Provincial Congress intended to render the acquisition of the territory as valueless as possible. Com. Stockton, aware of these proceedings and designs, was determined to frustrate them. He was well informed of the strength of the enemy, while, he was aware, they were totally unacquainted with his available force. He had really but three hundred and fifty men who could be spared for active service on land, with which to oppose the Californians, about fifteen hundred strong, and composed, for the most part, of the finest cavalry in the world. But the commodore knew that these people were not familiar with the enemy they were to meet, and that to magnify the efficiency of his own strength, it was only necessary to excite the fears of his adversary. The boldest, most decided and adventurous measures, only, could therefore be relied on for success. To disperse the military organization of the enemy, crush all resistance, occupy the prominent positions in the interior around which the population was collected, and thus to acquire and hold possession of the country, he foresaw would afford security to the approaching immigration, and baffle the cupidity of British agents and the crafty malevolence of Mexican animosity ; while it would effectually facilitate, at the close of the war, any negotiations for the cession of California which our Government might institute. The quiet possession of the country, after its subjugation, would be likely to render Mexico better disposed to relinquish the sovereignty which her people were so incapable of defending. Thus informed, and with these views, Com. Stockton, on the 28th July, issued the following proclamation :—

"On assuming the command of the forces of the United States, on the coast of California, both by sea and land, I find myself in possession of the ports of Monterey and San Francisco, with daily reports from the interior of scenes of rapine, blood and murder. Three inoffensive American residents of the country, have within a few days been murdered in the most brutal manner; and there are no Californian officers who will arrest and bring the murderers to justice, although it is well known who they are and where they are. I must therefore, and will, as soon as I can, adopt such measures as may seem best calculated to bring these criminals to justice, and to bestow peace and good order on the country.

In the first place, however, I am constrained by every principle of national

honor, as well as a due regard for the safety and best interests of the people of California, to put an end, at once and by force, to the lawless depredations daily committed by General Castro's men upon the persons and property of peaceful and unoffending inhabitants.

"I cannot, therefore, confine my operations to the quiet and undisturbed possession of the defenceless ports of Monterey and San Francisco, whilst the people elsewhere are suffering from lawless violence; but will immediately march against these boasting and abusive chiefs, who have not only violated every principle of national hospitality and good faith towards Captain Fremont and his surveying party, (but who, unless driven out, will, with the aid of the hostile Indians, keep this beautiful country in a constant state of revolution and bloodshed,) as well as against all others who may be found in arms aiding and abetting General Castro.

"The present general of the forces of California is an ursurper—has been guilty of great offences—has impoverished and drained the country of almost its last dollar, and has deserted his post now when most needed. He has deluded and deceived the inhabitants of California, and they wish his expulsion from the country. He came into power by rebellion and force, and by force he must be expelled. Mexico appears to have been compelled, from time to time, to abandon California to the mercies of any wicked man who could muster one hundred men in arms. The distances from the Capital are so great, that she cannot, even in times of great distress, send timely aid to the inhabitants: and the lawless depredations upon their persons and property go invariably unpunished. She cannot or will not punish or control the chieftains who, one after the other, have defied her power and kept California in a constant state of revolt and misery.

"The inhabitants are tired and disgusted with this constant succession of military usurpers and this insecurity of life and property. They invoke my protection. Therefore upon them I will not make war. I require, however, all officers, civil and military, and all other persons to remain quiet at their respective homes and stations, and to obey the orders they may receive from me or by my authority, and if they do no injury or violence to my authority, none will be done to them."

In twenty-four hours after assuming the command, Commodore Stockton organized a battalion of mounted riflemen, which had previously been raised by Capt. Fremont, and Lieut. Gillespie of the marine corps, and which consisted of about one hundred and sixty men. These officers and their men volunteered to serve under Stockton so long as he should require their services in California. Fremont was appointed major, and Gillespie captain of the battalion. On the evening of the 23d, it was embarked on the sloop-of-war Cyane and despatched to San Diego, with orders to co-operate with the commodore in his proposed movement on

Ciudad de los Angeles. On the 1st of August, Stockton sailed in the Congress, and on the way to San Pedro, landed at Santa Barbara, of which he took possession, and leaving a small detachment for its defence, proceeded to his destination, where he arrived on the 6th of August. Here he immediately learned, that the enemy, headed by Generals Castro and Andreas Pico were strongly posted near *Los Angeles* with a force estimated at fifteen hundred strong. He was also informed that Major Fremont had safely landed at San Diego, but found great difficulty in obtaining the needful supply of horses. In the absence of Fremont's battalion, Stockton was destitute of cavalry. Yet impressed with the importance of celerity of movement, he determined not to delay on that account striking a decisive blow as soon as possible. His whole disposable force of sailors and marines was immediately disembarked, a camp formed, and efforts made to discipline for shore service his aquatic troops, to which novel duty they submitted with cheerfulness and alacrity. The anchorage at San Pedro is insecure and unprotected, and it was apparent to all that when they left the coast there was no certainty of finding their ships on their return. Rough weather would compel them to put to sea, or seek a better harbor. Victory or death must, therefore, be the result of their enterprise. But confident in the resources and gallantry of their leader, the hopelessness of retreat only inspired the men with the prophetic certainty of success. Six small guns, obtained from merchant vessels, constituted their artillery. These were rudely mounted and dragged by hand. The sailors were, of course, ignorant of the drill of soldiers, and it was impracticable to subject them to the army discipline. Each man was simply instructed to observe the movements of his right hand comrade, and always to keep to his left. With this single order they soon became expert in forming in line, square or column as required. Though in forming they would appear in inextricable confusion, yet in a few moments all was in order, and every man in his proper place.

A few days after landing, a flag of truce was discovered approaching at a distance over the hills, borne by commissioners from Castro. Acting upon his preconceived views of the enemy's ignorance of his strength, Stockton at once determined to impress

Castro's messengers with most exaggerated ideas of the number of his forces and their formidable equipment. His little army was accordingly ordered to march directly on the line of vision of the approaching commissioners, at intervals of twenty or thirty paces apart, to a position where they were sheltered from observation. Thus seen at a distance, their numbers, judging from the time occupied in defiling, would appear very considerable. The commissioners, coming more as spies than negotiators, as was subsequently ascertained, were completely deceived. On their arrival, they were led up by order of the commodore, to the mouth of a tremendous mortar, which, excepting its huge aperture, was entirely enveloped in skins. Such an engine of war Stockton knew had never before met their gaze, and could not fail to inspire apprehensions of its unknown and terrific qualities. Thus posted he received the emissaries in a stern and repulsive manner, and in an imperious tone demanded the object of their visit. This they delivered with so much confusion as to disclose the serious impressions they felt. They were bearers of a letter from Castro, proposing a truce, upon condition that all active operations should cease, and each party hold its own possessions until a general pacification. The commodore had fully considered the whole matter, and believed that action, not negotiation, was his true policy—that no terms would be kept by the enemy longer than fear dictated—and that if time were allowed him to ascertain the comparative strength of the opposing forces, the worst consequences might be anticipated. He therefore contemptuously rejected the proposition of Castro as insolent and insulting ; and dismissed the commissioners with instructions to assure their master, that, unless he immediately broke up his command and disbanded his troops, he would be most severely punished, and that no other terms than an unconditional submission, should shield him from the just vengeance of an incensed foe. The messengers hastened to place the mountains between them and the commodore, and no doubt returned to Castro with an appalling account of the numbers, strength and sanguinary spirit of the great invading army, preparing for his utter destruction. The subsequent conduct of Castro and his superior forces, shows well

the sagacity and wisdom with which Stockton had operated on his imagination and fears.

Two days afterwards other messengers arrived from Castro, bringing a bombastic letter, rejecting the terms of Stockton, and concluding with the declaration,—"I will not withhold any sacrifice to oppose your intentions: and if through misfortune the flag of the United States waves in California, it will not be by my acquiescence, nor by that of the last of my compatriots!" These commissioners were treated much the same as were their predecessors—impressed with the formidable character of the American force, and intimidated with the ferocity and implacable purpose of conquest which seemed to animate the invaders.

Having now completed his arrangements, Stockton resolved on pushing forward with expedition before the paucity of his troops could be ascertained, and striking a blow while the apprehensions he had excited were still fresh and undiminished. He dispatched a courier to Fremont with orders to join him on the Plains of the Mesa, and on the 11th of August commenced his march to meet Castro. The most constant vigilance was now necessary to prevent surprise. The enemy's skirmishers were almost daily in sight, and it was impossible to estimate their numbers. The only provisions with which the commodore was supplied were those afforded by the cattle, which were driven along in hollow squares. The artillery was dragged over hill and plain, and through rugged valleys, slowly and painfully, yet with the utmost alacrity. A cheerful and courageous spirit animated the little host, inspired by a leader in whom they felt the most unbounded confidence. The distance between San Pedro and Los Angeles was thirty miles, and was traversed in a single day by Stockton and his little army. But before they could come up, Castro, advised by his spies of their march, despite his previous gasconade and boastful threats, and no doubt mindful of the terrible engine of destruction seen by his commissioners, broke up his camp, disbanded his forces, and fled with all possible expedition to Sonora. Between seven hundred and a thousand mounted troops strongly posted, with seven pieces of artillery, dissolved and disappeared before the daring demonstration of the American commander, at the head of only about three

hundred seamen and marines, as poorly equipped, and as motley and as curious a specimen of military organization as ever before took the field, to meet in an unknown country any civilized foe. Colton, in his "*Three years in California*," says: "Gen. Castro had taken up his position just outside the pueblo, on an elevation which commands the town and adjacent country. He was well supplied with field pieces, and had a force of seven hundred men. Com. Stockton landed at San Pedro with three hundred seamen and marines from the Congress, and marched against him. His route, which extended some thirty miles, lay through several narrow passes, which Gen. Castro might easily have defended against a much superior force. But the general kept in his entrenched camp; and informed the commodore by a courier, 'that if he marched upon the town he would find it the grave of his men.' 'Then,' said the commodore, 'tell the general to have the bells ready to toll in the morning at eight o'clock, as I shall be there at that time.' He was there; but Castro in the mean time had broken up his camp, mounted with an armed band and fled."

Stockton, who was subsequently joined by Fremont, took possession of Los Angeles on the 13th of August. A number of Mexicans of high rank surrendered themselves prisoners of war, among whom were Don José Maria Flores and Don Andreas Pico, who were permitted to go at large on their *parole* of honor not to bear arms against the United States; a clemency which they abused afterwards by violating their parole. Commodore Stockton now by proclamation declared California a Territory of the United States; and as all resistance had ceased, proceeded to organize a civil and military government, appointing various civil functionaries and establishing provisional rules of administration, himself retaining for the present the positions of commander-in-chief and governor. The people were invited to assemble on the 15th September to choose officers under the existing form of government. A tariff of duties on imports was prescribed, and the inhabitants were encouraged to resume their usual occupations. Thus, in less than one month from the time when Stockton commenced his operations, California was conquered, in the face of a superior hostile army; that army van-

quished and dispersed, and the government of the conquerors quietly imposed on the country. In establishing a local government for California, Com. Stockton displayed the discretion, abilities, discrimination, and judgment of the skilful statesman, as conspicuously as he had exhibited on the field the prudence, enterprise, and valor of the soldier.

This march of Stockton upon the capital of California, though it was accomplished without a battle, or the loss of a single man, was nevertheless performed under circumstances of great difficulty as well as danger. A less enterprising officer would have contented himself with protecting those places on the coast already occupied; and a less penetrating and comprehensive mind would not have appreciated the importance of suppressing all demonstrations of hostility in every part of this extensive territory. The moral effect of Stockton's march on *Ciudad de los Angeles* upon the minds of the Californians was equivalent to a triumphant victory, and the effusion of streams of blood. It broke down the spirit of resistance, destroyed all confidence in the courage or capacity of the Californian generals, and inspired the inhabitants with terror of an enemy who moved with such celerity and boldness, while his humane conduct reconciled the people to the change of government. The conception of such an expedition, into the heart of an enemy's unknown country, with a force composed principally of sailors, unaccustomed to the fatigues and obstacles of a long march; to encounter an opposing army of vastly superior numbers, upon their own soil, in defence of their own country, well armed, the best horsemen, and mounted on the finest horses in the world, required the most intrepid courage, indomitable energy, fertility of resource, and self-reliance, such as we find only combined in minds of the highest order, and characters cast in a heroic mould. Yet despite all the difficulties with which he had to contend, in the modest language of his despatch to the government, in less than one month from the time he assumed command, he had "chased the Mexican army more than three hundred miles along the coast, pursued them into the interior of their own country,—routed and dispersed them, and secured the territory to the United States,—ended the war, restored peace and

harmony among the people, and put a civil government into successful operation."

While these events were occurring, official intelligence was received by Stockton of war between Mexico and the United States. On hearing which, he left fifty men to garrison Los Angeles, and a still smaller force at Santa Barbara and San Diego, and proceeded north to look after the condition of affairs in that quarter. At Monterey he was informed that Sutter's settlement was threatened by one thousand Walla-Walla Indians. He at once sailed for San Francisco with the intention of making a demonstration against this new enemy. But on his arrival there, he found that the reports of Indian aggressions were unfounded ; and after an interview with some of the Indian chiefs he ascertained their friendly disposition, and confirmed their amicable opinions by such assurance as secured their subsequent neutrality.

Everywhere on his progress through the country, the commodore was greeted with an enthusiastic welcome, and hailed as the conqueror and deliverer of the territory. At San Francisco, the entire population of that place and the adjacent country gave him a formal reception—men, women and children marching in procession to low-water mark to meet him—and addressing him in terms of the most exalted praise and ardent devotion. His triumphant advent was celebrated with a banquet and ball, and the wildest demonstrations of joy and satisfaction. The industrious, sober, and peacefully disposed part of the inhabitants were glad to be relieved from the domination of the cruel and plundering chiefs and governors, who alternately ravaged the country, contended with each other, and oppressed the people. They soon perceived the advantages of security to life and property, which they never had enjoyed until the flag of the United States was floating on their soil.

The disposition of the inhabitants of the northern part of California in favor of the new government was particularly manifested at this time, on the occasion of a rumor that a large force was being collected in Sonora for the purpose of re-conquering the country. They exhibited the utmost repugnance to any such event, offering the commodore all needed assistance in

their power to contribute, and displaying their fears with the earnestness of perfect sincerity. Having called on Stockton to express their apprehensions, he assured them, in a characteristic harangue, of his protection, and confirmed their confidence in his determination to preserve his conquest : "You tell me," he said, " that a thousand Sonorians are on their way to encounter my men. Be not alarmed. Ten thousand Sonorians could not excite our fears or arrest our progress. The sons of liberty are on their way, and God alone can stay their march." They returned with this assurance, satisfied that under such a leader no reverse could happen which would endanger their present security. In this state of flattering tranquillity and general acquiescence with the new order of things, prevailing over the greater part of California, but more particularly at the north, Stockton was justified in believing, so far as appearances went, that the conquest of California was complete. The civil government was in successful operation, and seemed fully adequate to the exigencies of the country.

Such being the condition and aspect of affairs, the active mind and patriotic impulses of Stockton induced him to seek another field of useful service. He conceived the vast, magnificent and bold design of recruiting a force of volunteers in California from among the American population then about settling in the territory, sailing with them to Acapulco, and then striking across the continent to unite with the forces of General Taylor, then, as he supposed, approaching the City of Mexico.

The following is a copy of one of his confidential despatches revealing his purpose :—

[" CONFIDENTIAL.]

" *U. S. Frigate Congress, Bay of Monterey, September 19th*, 1846.

" DEAR SIR :—I have sent Major Fremont to the North to see how many men he could recruit with a view to embark them for Mazatlan or Acapulco, where, if possible, I intend to land and fight our way as far on to the City of Mexico as I can.

" With this object in view, your orders of this date in relation to having the squadron in such places as may enable me to get them together as soon as possible, are given.

"You will on your arrival on the coast get all the information you can in reference to this matter.

"I would that we might shake hands with General Taylor at the gates of Mexico.

"Faithfully,

"Your obedient servant,

"R. F. STOCKTON, *Commodore, &c.*

"*To* CAPT. WM. MERVINE, *U. S. Frigate Savannah.*"

Certainly a more daring, brilliant, and master-stroke of military sagacity, has seldom ever been conceived. It reminds us of the famous exploits of the most renowned heroes of ancient and modern times. Instructions were given Col. Fremont, who had previously been appointed military commandant of California, to raise the necessary force to execute this bold design. But while he was engaged in the performance of these orders, intelligence from the south arrived which compelled the abandonment of the proposed expedition, and concentrated all the attention of Stockton upon the theatre of his recent success.



Engraved by H.B.Hall from a Painting on Ivory by Newton London 1840.

Yours Truly

R. K. Houston

New York, D.Appleton & Co. 346 & 348, Broadway.

CHAPTER X.

Insurrection of the Californians.—Proclamation of General Flores.—Defeat and surrender of Talbot and Gillespie.—Captain Mervine defeated, with the crew of the Savannah.—Com. Stockton defeats the Californians at San Diego.—Defeat of General Kearny at San Pasqual.—The official relations of Com. Stockton and Gen. Kearny.—Movement against Los Angeles.—Battles of the Rio San Gabriel, and the Plains of the Mesa.—Fremont negotiates with General Flores and Andreas Pico. —Fremont appointed Governor, and subsequently tried by Court Martial.—Arrival of Commodore Shubrick, and the confirmation of General Kearny as Governor.—Mexican Governors of California.—Foreign Consuls in the Territory.

No sooner had Stockton left Los Angeles for the north, than the Mexican chiefs, indignant and chafed with the knowledge of the smallness of the force before which they had fled so ingloriously, sought to retrieve their tarnished honor. Gen. Flores secretly rallied the fragments of his scattered troops, and suddenly, on the 23d of September, invested Los Angeles with a force overwhelmingly superior to that of the garrison. Capt. Gillespie, who was in command, was obliged to capitulate on the 30th, and was allowed to retire to Monterey. Lieut. Talbot, who had charge of Santa Barbara, was also compelled to evacuate that place, but without surrendering his arms. Intelligence of these successes, greatly exaggerated, was soon spread over the whole country, and almost the entire Mexican population of the southern portion of California rose in arms, to drive the invaders from their soil. Flores, who was chiefly instrumental in fomenting the insurrection, issued the following proclamation :—

"*Mexican Army, Section of Operations, Angeles, October 1st*, 1846.

"FELLOW-CITIZENS :—It is a month and a half that, by lamentable fatality, fruit of the cowardice and inability of the first authorities of the department, we behold ourselves subjugated and oppressed by an insignificant force of adventurers of the United States of America, and placing us in a worse condition than that of slaves.

"They are dictating to us despotic and arbitrary laws, and loading us with

contributions and onerous burdens, which have for an object the ruin of our industry and agriculture, and to force us to abandon our property, to be possessed and divided among themselves.

"And shall we be capable to allow ourselves to be subjugated, and to accept, by our silence, the weighty chains of slavery? Shall we permit to be lost the soil inherited from our fathers, which cost them so much blood and so many sacrifices? Shall we make our families victims of the most barbarous slavery? Shall we wait to see our wives violated—our innocent children punished by the American whips—our property sacked—our temples profaned—and, lastly, to drag through an existence full of insult and shame? No! a thousand times no! Countrymen, first death!

"Who of you does not feel his heart beat with violence; who does not feel his blood boil, to contemplate our situation; and who will be the Mexican who will not feel indignant, and who will not rise to take up arms to destroy our oppressors? We believe there is not one so vile and cowardly. With such a motive the majority of the inhabitants of the districts, justly indignant against our tyrants, raise the cry of war, with arms in their hands, and of one accord swear to sustain the following articles:—

"1st. We, the inhabitants of the department of California, as members of the great Mexican nation, declare that it is, and has been, our wish to belong to her alone, free and independent.

"2d. Consequently the authorities intended and named by the invading forces of the United States are held null and void.

"3d. All the North Americans, being enemies of Mexico, we swear not to lay down our arms till they are expelled from the Mexican territory.

"4th. All Mexican citizens, from the age of fifteen to sixty, who do not take up arms to forward the present plan, are declared traitors, and under pain of death.

"5th. Every Mexican or foreigner who may directly or indirectly aid the enemies of Mexico will be punished in the same manner.

"6th. The property of the North Americans in the department, who may directly or indirectly have taken part with, or aided the enemies, shall be confiscated and used for the expenses of the war; and their persons shall be taken to the interior of the republic.

"7th. All those who may oppose the present plan will be punished with arms.

"8th. All the inhabitants of Santa Barbara, and the district of the north, will be invited immediately to adhere to the present plan.

"José Ma. Flores.

"*Camp in Angeles, September 24th*, 1846."

[Signed by more than 300 persons.]

This proclamation, thus numerously signed, indicated a spirit of the most decisive hostility, and a consciousness of strength, which, considering the small force of the American commander-

in-chief, was calculated to alarm him, with the insufficiency of his means to cope with an enemy so superior in numbers. It was now apparent that the work of conquest would have to be repeated, and the most prompt and energetic measures were adopted for that purpose. Stockton proceeded at once to San Francisco, and despatched the frigate Savannah for San Pedro, to reinforce the American garrison at that place. Fremont, then at Sacramento, was ordered to San Francisco, with what force could be collected, and about the 12th of October sailed, with one hundred and sixty volunteers, for Santa Barbara, where he was directed to procure horses, and subsequently to move simultaneously with Stockton upon the enemy at Los Angeles. The Savannah did not arrive at San Pedro till after the defeat and surrender of Talbot and Gillespie. Her crew, however, about three hundred and twenty, though poorly armed, were landed, and under Captain Mervine, attacked a large body of mounted Californians about twelve miles from San Pedro. After a severe engagement, they were repulsed, and retreated with the loss of five killed and six wounded. Several subsequent skirmishes took place, but with no material results.

As soon as Com. Stockton had completed his arrangements for the security of the north, he proceeded in the frigate Congress to the seat of war. Upon his arrival at San Pedro, about the 23d of October, he landed his crew in the face of the enemy, who were in force to the number of eight hundred men. They seemed, however, indisposed for an encounter, and retired into the interior. And in order to give time to Fremont to mount his men and co-operate in the contemplated campaign, as well as on account of the greater security of the anchorage and protection from the storms which prevailed at this season on the coast, and from the impossibility of procuring animals either for food or transportation, (the enemy having driven them all into the interior,) Stockton re-embarked his men and sailed for San Diego. In attempting to enter that harbor, the Congress grounded after crossing the bar, and in such a way that it was necessary to support her with spars. While thus engaged, the Californians attacked the town; but in despite of the necessity of employing a part of his force about the frigate, the commodore landed with

the remainder, and after a short encounter, defeated the enemy. The condition of San Diego was miserable in the extreme, and neither horses nor cattle could be obtained in the neighborhood. The enemy were in great force at San Bernardo, thirty miles distant, from whence detachments repeatedly visited San Diego, keeping up for many days their desultory attacks. A party of Americans were despatched down the coast in pursuit of cattle, a supply of which they fortunately met and drove into camp.

Immediately after landing at San Diego, Stockton commenced energetic preparations for a march on Los Angeles. His men were daily disciplined according to the tactics adopted, and whatever time could be spared was employed in building a fort, and making saddles, shoes, and other equipments. Information was received from Fremont that he could not procure horses at Santa Barbara, and that he had gone to Monterey for that purpose. Capt. Gibson had obtained a few horses, but they were poor and worn down with severe marches, requiring rest before they could be fit for service. Capt. Hensley, however, who had been sent on an expedition to the south, after much arduous service, returned with five hundred head of cattle and one hundred and forty horses. While preparations were progressing for the march on Los Angeles, a messenger arrived about the 3d of December, with a letter from General Kearny, apprising Com. Stockton of his approach, and expressing a desire to open a communication, but without disclosing his actual situation. On the same evening, Captain Gillespie was despatched with a force of thirty-five men to meet Kearny. On the 6th of December, another messenger arrived, bringing information of the defeat and perilous situation of General Kearny at San Pasqual. On his way from New Mexico, with a considerable force, while a few days from Santa Fé, Kearny met Carson, the courier sent by Com. Stockton, with despatches to the Government, giving information of the conquest of California, and the establishment there of a civil government. Considering, therefore, the work of subjugation of that territory completed, Kearny turned back the greater part of his troops, and proceeded on his way toward California, taking Carson as his guide. At, or near San Pasqual, he was intercepted by the Californians, and defeated, with the loss of eighteen

men killed and as many wounded, and one of his two howitzers. He took refuge on a rocky eminence, closely invested by the enemy. All his ammunition and nearly all his provisions were exhausted. Under cover of night he despatched couriers, who with much difficulty eluded the vigilance of the foe and reached San Diego. On learning these facts, Stockton was about to proceed in person with all his force to the relief of Kearny; but subsequent messengers brought intelligence that the strength of the enemy was much less than had been represented. He therefore despatched Lieut. Gray, with two hundred and fifty men, upon whose approach toward San Pasqual, the besiegers abandoned the field, and left the relief party to return unmolested with Kearny and his dragoons.

As the official relations of Com. Stockton and Gen. Kearny have been the subject of much discussion, it is proper we should say in what light we consider them. Gen. Kearny was directed by instructions from the Secretary of War to invade California with a prescribed force, and "should he conquer it," to establish a civil government there. On his way, learning that the objects of the expedition had been accomplished by Com. Stockton, as above related, he turned back his troops, proceeded with a small party, was attacked and defeated by the enemy, and relieved from imminent danger by the detachment sent by Stockton. Arrived at San Diego, he consented, according to the testimony of all then present, to act under Stockton, then on the eve of a movement against Los Angeles. The following lucid statement of the reception of Kearny by Stockton, and of their relative positions in that movement, we extract from the official letter of the commodore to the Secretary of the Navy, made subsequent to the court martial which tried Col. Fremont, and dated February 18th, 1848:—

"On their arrival, General Kearny, his officers, and men, were received by all the garrison in the kindest and most respectful manner. So far as my observation extended, no civility or attention was omitted. Having sent with Captain Gillespie every horse that was fit for use to General Kearny, I was without one for my own accommodation. I was therefore compelled on foot to advance and receive the general, whom I conducted to my own quarters, until others more agreeable to him could be prepared. The arrival of General Kearny was to me a source of gratification: although it was my decided opinion, which as yet I have seen no reason to change, that under the circum-

stances that existed I was entitled to retain the position in which I was placed, of commander-in-chief: yet in consideration of his high standing in the army, his long experience as a soldier, the importance of military science and skill in the movements that were to be made in the interior of the country, I immediately determined to yield all personal feelings of ambition, and to place in his hands the supreme authority. In accordance with this determination I tendered to General Kearny the position of commander-in-chief, and offered to accompany him as his aid.

"This proposition was on more than one occasion renewed, and with all sincerity and singleness of purpose. The responsibility of moving from San Diego, and leaving the safety of the ships deprived of so large and efficient a portion of their crews, was of itself a momentous one. This, however, in the discharge of duty I felt no inclination to shrink from. But the fate of the territory itself might depend upon the issue of a battle to be fought on shore against an army organized to encounter us. The nature of the service, and the importance of the stake, it seemed to me appertained rather to a general in the army than a captain in the navy. Whatever ambition I might feel for distinction, either on my own account, or on that of the gallant officers and men under my command, was voluntarily and deliberately offered as a sacrifice to a paramount sense of duty. The offers thus made were, however, on every occasion positively and distinctly declined by General Kearny, who on his side offered to accompany me in the capacity of my aid, and tendered to afford me the aid of his head and hand. A few days before I expected to take up the line of march, I addressed a note to the general, expressing a wish that he would accompany me. In his reply, he repeated the language which he had before employed—that he would so accompany me, and afford me the aid of his head and hand. Accordingly, on the morning of our departure he appeared upon the ground. *After the troops had been paraded, and were nearly ready to commence the march*, as I was about to mount my horse, General Kearny approached me, and inquired, who was to command the troops. I replied, Lieutenant Rowan was to have command. On his expressing a wish that he should himself command them, I replied that he should have the command. The different officers were at once convened, and informed that General Kearny had volunteered to command the troops, and that I had given him the appointment, reserving my own position as commander-in-chief. This arrangement having been made, we proceeded on the march."

Gen. Kearny himself, on examination before the court martial, testified on the fourteenth day of the trial, in relation to the expedition to Los Angeles,—"Under Commodore Stockton's directions every arrangement for the expedition was made. I had nothing whatever to do with it." Col. Fremont, in his defence, says,—"Both Gen. Kearny and the officers under him received and obeyed the orders of Com. Stockton, in some instances in opposition to those first given by Gen. Kearny, both on the

march and in the battles." Lieutenants Gray, Minor and Emory testified to the same effect. From this, and much other corroborating evidence, it is historically true that whatever of responsibility or credit belongs to the movement upon Los Angeles, at this time, must be attributed to Com. Stockton. He originated the expedition, provided the means for its prosecution, conducted it as commander-in-chief, and is fairly entitled to the praise due for its success.

On the 23d of December, general orders were issued, as follows:—

"GENERAL ORDERS.—The forces composed of Capt. Tilghman's Company of Artillery, a detachment of the 1st Regiment of Dragoons, Companies A and B of California Battalion of Mounted Riflemen, and a detachment of sailors and marines from the frigates Congress and Savannah, and the ship Portsmouth, will take up the line of march for the *Ciudad de los Angeles* on Monday morning, the 28th inst., at 10 A. M.

"By order of the Commander-in-Chief,

"J. ZEILAN,

"*Brevet Captain and Adjutant.*

"*San Diego*, 23*d December*, 1846."

On the 29th the march commenced. The distance to be travelled between San Diego and Los Angeles was one hundred and forty-five miles, the track lying through deep sands and over steep and rugged ascents. The entire force consisted of five hundred and forty sailors and marines, and sixty of Kearny's dragoons, and six pieces of artillery. The men, for the most part, were poorly clothed, their shoes generally being made by themselves of canvas. Stockton, in his despatch of February 5th, 1847, to the Secretary of the Navy, says,—"We came to San Diego with the Congress alone—her resources being almost exhausted in a previous campaign. The town was besieged by the insurgents, and there were no stores or provisions of any kind in it, and we were reduced to one fourth allowance of bread. We had to build a fort—to mount our artillery,—to make saddles, bridles, and harness: we had, in truth, to make an army, with all its necessary appendages, out of the mechanics and sailors of this ship, and to take our horses and beef cattle from the enemy." Captain Turner, of the dragoons, declined using the horses, in

their feeble condition, preferring to proceed without them, and those taken along for purposes of draught were so miserable that they daily became disabled, which devolved much hard work on the men, in dragging the guns and the carts heavily laden with provisions and ammunition. "Their route," says a writer already quoted, "lay through a rugged country, drenched with the winter rains, and bristling with the lances of the enemy. Through this the commodore led his seamen and marines, sharing himself, with the general at his side, all the hardships of the common sailors. The stern engagements with the enemy derive their heroic features from the contrast existing in the condition of the two. The Californians were well mounted, and whirled their flying artillery to the most convenient positions. Our troops were on foot, mired to the ankle, and with no resources except in their own indomitable resolution and courage. Their exploits may be cast in the shadow by the clouds which roll up from the plains of Mexico, but they are realities *here*, which impress themselves with a force which reaches the very foundations of social order."

The enemy were frequently seen during the march, and the utmost vigilance was constantly necessary, to prevent a surprise. The celebrated Kit Carson had been selected to command a small corps of scouts, and to act as spies and skirmishers, which duty was performed in a most efficient manner. On the 3d of January, at San Luís del Rey, Stockton despatched a messenger to apprise Fremont of his advance, and to caution him against the hazard of an action until a junction of their forces had taken place. This messenger, however, did not reach Fremont until the 9th January. Lieut. Selden, of the navy, was also sent with a small vessel to the maritime defile of Rincon, to protect that pass through which Fremont was expected to march. While advancing, propositions were received from Flores to negotiate, which were rejected in the most peremptory terms. The bearers were informed that no communication would be held with Flores, he having forfeited his honor as a soldier, by breaking his parole. They were likewise assured that Flores and every Mexican who had broken his parole, if caught, would immediately be shot.

On the evening of January 7th, the whole force of the enemy

being not far distant, the commodore despatched a confidential emissary to ascertain, under cover of night, their exact position and strength. They were formed between the invading army and the *Rio San Gabriel*, apparently waiting to give battle, and were estimated at from one thousand to twelve hundred men, composed almost wholly of cavalry. On the morning of the 8th, Stockton ordered all the guns of his men to be fired and re-loaded, and passing through their ranks, reminded them that it was the anniversary of the battle of New Orleans. They were then formed in a square, with the baggage and cattle in the centre. On approaching the river, the enemy were observed prepared for their reception, and strongly posted on the opposite heights. The banks commanding the ford (which was occupied by the artillery of the Californians), were about fifty yards from the river, quite steep, and about fifty feet high. When within a quarter of a mile of the ford, the men were formed in line, and orders given that not a gun should be fired until the crossing was effected. The enemy, however, kept up a perpetual and brisk fire, though with little effect. In the act of crossing, the water being about four feet deep, word was sent by Kearny to the commander-in-chief that the bed of the river consisted of quicksand and could not be passed with the guns. Stockton instantly repaired to the head of the column, seized the ropes, and with his own hands assisted to drag over the artillery. The passage effected, the troops were again formed for battle. The commodore took charge of the artillery, and pointed his guns with such precision that the enemy were soon compelled to abandon theirs ; when he sent Lieut. Gray with orders to Kearny to charge up the bank and seize them, while he prepared to receive a charge which was about being made on his flank. Before Kearny could reach the summit of the ascent, the Californians returning, withdrew their guns, making but a feeble stand against the general. The greater part of their force, after making a circuit of some hundred yards, descending to the level of the river, attacked Stockton on his left flank ; but they were so warmly received that they retreated upon the hill, the commodore following, charging up the declivity with his artillery, in the very face of the enemy. On his reaching the heights, the latter were seen at a short distance,

drawn up in battle array, with their artillery in front. The Americans were now ordered to lie down, while their leader ran out his guns, and poured upon the adversary a well-directed fire, he himself aiming each piece as fast as it was loaded, with such fatal effect, that the enemy were repeatedly driven from their guns. Several ineffectual attempts were made by them to charge; but the steady front, cool courage, and well aimed rifles of the assailants repelled their attacks. Dispersed in every direction on the heights, a portion of their right wing wheeled upon the rear of the American forces, and attacked Capt. Gillespie, encumbered with his baggage and cattle, who received them so warmly that they fled across the river. Their main body retreated before the assailants, until reaching a ravine, they renewed a brisk fire, when Stockton again took charge of the guns, and by his well-directed shots, drove them from their position. They then rapidly fled, carrying off their killed and wounded, the numbers of which could not be ascertained. The Americans lost two killed and nine wounded.

On the 9th, Stockton pursued the retiring foe in the direction of Los Angeles, and after a march of six miles came up with them on the *Plains of the Mesa.* They were well posted, with a ravine to the left of their line, which masked their artillery. When about six hundred yards distant they opened a fire on the advancing column. Preparations for a charge were visible in their ranks, and they were observed to be joined by a strong reinforcement. Stockton formed his whole force in square, with the baggage, horses and oxen in the centre, and gave imperative commands to his men not to fire a shot until he gave the signal, which he said would not be until he could see the eyes of the enemy. The Californians made a gallant charge. It is said by those who witnessed it, to have been a brilliant spectacle. Gayly caparisoned, with banners flying, mounted on fleet and splendid horses, they bounded on, spurring to the top of their speed, on the small but compact square into which the American force was compressed. The very earth appeared to tremble beneath their thundering hoofs—and nothing seemed capable of resisting such cavalry. But inspired with the cool courage and dauntless heroism of their leader, his men patiently awaited the result. The

signal was at length given, and a deadly fire, directed according to orders at the horses, was poured into the ranks of the advancing foe, which emptied many saddles and threw them into complete confusion. Retreating a few hundred yards, they again formed, and despatching a part of their force to the rear, they attacked simultaneously three sides of the square. Orders were renewed to reserve fire until the enemy's near approach, and with the same decisive results,—their ranks breaking up and retreating in disorder. A third time, having rallied, they returned to the charge, but once more their ranks were thinned by the deadly aim of the assailed; and despairing of their ability to cope with men so cool, unflinching and resolute, confused and discomfited, they scattered and fled in every direction.

On the 10th of January, at the head of his advanced guard, on the broadest and principal road leading into Los Angeles, the Commodore, with banners waving, marched into the city. He directed Captain Gillespie to raise the same flag which he was compelled to strike on the previous September.

A few days after these events, Fremont, without knowledge of Stockton's movements and success, encountered Gen. Flores and Andreas Pico and their disheartened remnant of followers, who in humble terms sued for peace. Not knowing that the commander-in-chief had refused to treat with them, Fremont entered into negotiations, and finally agreed upon articles by which they stipulated to surrender their arms, including the gun captured at San Pasqual from Gen. Kearny, and cease from all further resistance. These articles it was thought desirable to approve, as they were considered a final pacification in the territory between the contending parties, and as clemency on the part of the conqueror was more likely to insure that result than the sanguinary exercise of inexorable justice.

The following *general order* must close our narrative of the military operations of Com. Stockton in California. We have extended it far beyond the limits originally contemplated; but as the history of these events is closely connected with the subsequent prosperity of the country, and the present condition of San Francisco, we have thought best to give it in all its interesting details.

"*Head-quarters, Ciudad de los Angeles, January 11th*, 1847.

"The COMMANDER-IN-CHIEF congratulates the officers and men of the southern division of the United States forces in California on the brilliant victories obtained by them over the enemy on the 8th and 9th instants, and on once more taking possession of *Ciudad de los Angeles.*

"He takes the earliest moment to commend their gallantry and good conduct, both in the battle fought on the 8th, on the banks of the *Rio San Gabriel*, and on the 9th inst., on the *Plains of the Mesa.*

"The steady courage of the troops in forcing their passage across the *Rio San Gabriel*, where officers and men were alike employed in dragging the guns through the water, against the galling fire of the enemy, without exchanging a shot, and their gallant charge up the banks against the enemy's cavalry, has perhaps never been surpassed; and the cool determination with which in the battle of the 9th they repulsed the charge of cavalry made by the enemy at the same time on their front and rear, has extorted the admiration of the enemy, and deserves the best thanks of their countrymen.

"R. F. STOCKTON,
"*Governor and Commander-in-Chief of the Territory of California.*"

Commodore Stockton, in pursuance of instructions which he had communicated to the Government in September, now appointed Col. Fremont governor of the territory, and Wm. H. Russell, secretary. It is painful to relate that unfortunate disputes arose as to the right of Fremont to the high dignity of governor. General Kearny produced a commission appointing himself to the office. His pretensions, however, were opposed both by Stockton and Fremont, who contended that a new train of circumstances had arisen since the produced commission had been granted. The instructions to General Kearny from the war department, ("should he conquer the country,") Com. Stockton considered as anticipated by himself; and of course the resulting action prescribed by those instructions contingently, ("to form a civil government,") as devolving on himself, the real conqueror of the territory. In these views of Stockton, the Government entirely acquiesced,—so far as respected the approval in mass of his whole conduct,—the secretary of the navy specially thanking him for anticipating the wishes of the Government. It is not a little singular, that although the validity of Stockton's acts was thus sanctioned, yet Col. Fremont, for obedience to his orders, was tried by court martial, and convicted of disobedience to the orders of Gen. Kearny. His sentence

was suspension from the service; but the President, in consideration of his many services and mitigating circumstances, was pleased to remit the punishment, and ordered him to be restored to his former rank. But Fremont, being of opinion that he had done no wrong, refused to accept this clemency, and accordingly resigned his commission, and retired from the American military service. Whatever may have been the merits of this case, it is certain that Fremont showed himself a true hero, in his efforts to overthrow the Mexican power in California, and is deserving of the gratitude of American settlers in that territory. As an adventurous, persevering and talented explorer, who has laid open practicable and easy paths to a great country that had long been closed against the boldest pioneers, he deserves the approbation of the civilized world.

In the mean time, General Kearny applied to Commodore Shubrick (who arrived in California on the 22d of January, 1847, and as senior in commission, superseded Commodore Stockton in command of the squadron,) to place him in the chief command. But under the instructions to Com. Sloat of 12th July, 1846, which devolved on the naval commander the conquest and civil government of California, Shubrick did not consider himself authorized to accede to his wishes. Soon after, however, other instructions, dated 9th November, 1846, having been received by Com. Shubrick, Kearny was recognized as governor, and acted as such until he relinquished the command to Colonel Mason, upon his departure for Washington. These instructions Kearny did not communicate to Fremont. Thus there were two acting governors at the same time in California, and Fremont, without any knowledge of his authority being annulled by the instructions of the 9th November, subjected himself, in the performance of what he considered his duties, to charges of disobedience to his superior officer. He was ordered to surrender the howitzer lost by Kearny at San Pasqual, at this time in possession of the California battalion, to the Mormon regiment under Col. Cooke. This could not have been done without the hazard of a revolt, and therefore was declined by Fremont.

Before narrating the further steps adopted by the Americans, when they had thus taken military possession of the country, we

may give a brief notice of the various governors and other public officers who were connected with California, subsequently to the Mexican declaration of independence. The list is somewhat a long one for so short a period; and illustrates the feeble hold which Mexico had upon the political affections of so remote and neglected a province:—

Sola was the last Californian governor under the Spanish flag and the first under the Mexican. In 1823 he was ordered to Mexico, and *Don Luis Antonio Argüello* was named governor, with all the powers of his predecessor, and remained so until the arrival of *Echeandia*, in the beginning of 1825. Echeandia had command until the arrival of *Victoria*, in 1830. Victoria continued in power until the winter of 1832, when the Californians revolted, and sent him away. At that time *Pio Pico* was the senior member of the territorial department, and by law became governor *pro tempore*. Echeandia, meanwhile, had remained among his friends at San Diego, probably expecting some speedy change in political affairs; and, when Victoria was about to leave, he took the military command. Both he and Pico continued in office till the arrival of *Figueroa* in 1833. Figueroa died in 1835; and, during his last illness, delivered over the civil command to *Don José Castro*, and the military to *Don Nicolas Gutierrez*, Castro being at that time senior member of the department. These remained in office until the arrival of *Chico*, in 1836. The same year Chico was sent away by the Junta department. Previous to his departure he left the military and civil command with Gutierrez, he having been formerly his second.

On the 6th of November, 1836, the Californians, assisted by foreigners under Captain Graham, an American, and Captain Coppinger, an Englishman, revolted against Gutierrez; and the latter was forced to leave the country, with all his officers, except those who took part in favor of the natives, and wished to remain. *Don Mariano Guadalupe Vallejo* played an important *rôle* in this revolution, and became commander of the forces; while his nephew, *Don Juan Bautista Alvarado*, was made civil governor. These positions they held until the arrival of *Micheltorena*, in 1842. Early in 1845, Micheltorena was sent away by the Californians, after forming a sort of treaty with them (he being desirous to pro-

ceed to Mexico), leaving José Castro with the military command. Pio Pico, who was again the senior member of the Junta department, then became governor. These two continued in power, as military and civil heads respectively, until the Americans took possession of the country. Sola, Argüello, Echeandria, Victoria, Figueroa, Chico and Micheltorena, all had the united civil and military authority.

In 1843, *Mr. Thomas O. Larkin* was appointed the first, as he happened to be the last *American* consul in California. That gentleman also held various other official and important appointments from the United States Government up to the year 1848, when peace was declared, and the country became American. In 1845, Mr. Larkin, who resided at Monterey, the nominal Mexican capital of the province, named *Mr. William A. Leidesdorff* the United States vice-consul, at the port of San Francisco. *Mr. James A. Forbes* received the appointment of the first *British* consul in 1844, or 1845. The first *French* consul, *Don Luis Gasquet*, arrived in California, *via* Mexico, about the 10th of May, 1845, and left some time in 1847. He remained a considerable time in the country after he delivered the consulate over to *M. Movenhaut.*

CHAPTER XI.

Peace concluded between the Mexican and American States.—Terms of the Treaty.—California ceded to the United States.—The country ruled provisionally by American Governors.—Rapid increase of population by immigration.—Discovery of gold on the American River by Mr. James W. Marshall.—Great excitement in consequence of the discovery, and rush of people to the gold placers.—Mixed character of the population.—Necessity for the establishment of a proper form of Government.—Independent sectional legislation inadequate and unsatisfactory.—Meetings held to effect a general civil organization.—General Riley issues a proclamation for a meeting to be held at Monterey to adopt a State Constitution.—Names of delegates appointed.—Meeting at Monterey.—Constitution of California adopted, and rejoicings on the occasion.

THE general war continued for about a year after the reduction of California. At last, in the month of February, 1848, an armistice was entered into between the hostile parties, which endured till a formal treaty of peace was concluded. This was ratified by the Senate of the United States in March, and by the Mexican Congress in May following of the year just named. By this treaty a considerable territory was ceded by Mexico. The boundary line between it and the United States was declared to be the Rio Grande, up mid-channel of which it ran till about the thirty-second parallel; from whence, turning westward, along the southern limit of New Mexico till it cut the Gila, down the middle of which river it proceeded till its junction with the Rio Colorado; from whence it ran westward till it reached the Pacific, at a point about one league south of San Diego, nearly on latitude thirty-two and a half. Thus Texas, to its full extent, New Mexico and Upper California were altogether contained within the boundary line on the American side. The free navigation of the Rio Colorado, from the mouth of the Gila to the Gulf of California, as well as of the gulf itself, were likewise secured to the United States. To compensate, in some measure, for the cession of such a vast territory, the American Government agreed to pay to Mexico the sum of $15,000,000; and, moreover, took upon itself all liability for the damages due by Mexico to American subjects,

which, as before stated, was one of the original causes of the war. Each nation was to defray its own expenses in conducting hostilities. There were several minor stipulations in the treaty; but with these we have nothing here to do. It is sufficient merely to say, that California was now, wholly and legally, a portion of the American Union; and her people of Spanish or of other origin, were henceforward American citizens.

Meanwhile the country was ruled, provisionally, by successive American governors, until a constitution could be granted by Congress, when it would be formally assumed as a *Territory* of the Union. Events, however, were about to happen which superseded the necessity of such a constitution, and hastened the development of California into a *State*, without passing through the intermediate stage of a territory. Like the Minerva on its public seal, it started into life a full grown being, ripe in all its faculties and powers, and at once fitted to contend with whoever and whatever should oppose its wonderful progress. This was owing to the discovery of gold in the country and consequent rush of immigration thither, with all its attendant effects.

But before this discovery took place, a vast immigration from all sides had begun to flow towards California. The previous advantages which the country had offered to the intending immigrant, were on a sudden immensely increased by the circumstance of its being now a portion of the American Union. Accordingly, large bodies of people were beginning to flock to the land; and agriculture, trade and commerce were greatly benefited by the accession of such numbers of active, intelligent and industrious settlers. In 1845, it was estimated that the white population had increased to about 8,000; while the domesticated Indians, who but a dozen years before had numbered nearly 30,000, now scarcely amounted to one-third of that number. As for the wild or "gentile" Indians, it was impossible to form any reasonable conjecture as to their numbers. They were, however, generally supposed, by different parties, to number from one to three hundred thousand. As they inhabited districts hitherto scarcely visited by the white man, their presence and numbers were considered as of no account in the progress of the country. The years 1846 and 1847 brought a very

large accession to the white population. Colonel Stevenson's regiment of New York volunteers alone gave a body of a thousand hardy settlers, as nearly the whole number, officers as well as men, remained in the country upon being disbanded, which indeed had been anticipated. But beside these, great numbers of Americans had journeyed from the Atlantic States across the Rocky and Snowy Mountains, and settled in California. Numerous companies of Mormons likewise either came direct from the Eastern States, or from their settlements beside the Great Salt Lake. A portion of these had formed the noted "Mormon Battalion" of the war. At the same time, far more than the usual proportion of stragglers, runaway seamen, and adventurers from all nations continued to pour into the country, so soon as the war and its first results were known. At the close of hostilities, it was estimated that the white population, of all nations, numbered between 12,000 and 15,000, which was not merely annually but daily increasing. Such was the beneficent influence and magic power of the American flag! People knew that they were safe under its folds, and free to run the race of a prosperous career.

But immeasurably exceeding all other causes in raising the swelling tide of immigration was the discovery of gold. This happened at Coloma, a valley and town situated between fifty and sixty miles east of Sacramento City, in the month of January, 1848; curiously enough, just when the land was ceasing to be Mexican. Many strange and improbable stories have been told as to the alleged earliest discoveries; but we believe that the only reliable account is that given by Captain Sutter, upon whose ground the precious metal was first found, and which we shall therefore adopt, without noticing the various fabulous statements alluded to.

It appears that Captain Sutter, during the winter of 1847–48, was erecting a saw-mill for producing lumber, on the south fork of the American River, a feeder of the Sacramento. Mr. James W. Marshall contracted with Sutter for the building of this mill; and, in the course of his operations, had occasion to admit the river water into the tail-race, for the purpose of widening and deepening it by the strength of the current. In doing this, a

considerable quantity of mud, sand and gravel was carried along with the stream, and deposited in a heap at the foot of the tail-race. Marshall, when one day examining the state of his works, noticed a few glittering particles lying near the edge of the heap. His curiosity being aroused, he gathered some of the sparkling objects; and at once became satisfied of their nature and the



Sutter's Mill.

value of his discovery. All trembling with excitement, he hurried to his employer, and told his story. Captain Sutter at first thought it was a fiction, and the teller only a mad fool. Indeed, he confesses, that he kept a sharp eye upon his loaded rifle, when he, whom he was tempted to consider a maniac, was eagerly disclosing the miraculous tale. However, his doubts were all at once dispelled when Marshall tossed on the table before him an ounce or so of the shining dust. The two agreed to keep the matter secret, and quietly share the golden harvest between them. But, as they afterwards searched more narrowly together, and

gloated upon the rich deposits, their eager gestures and looks, and muttered, broken words, happened to be closely watched by a Mormon laborer employed about the neighborhood. He followed their movements, and speedily became as wise as themselves. As secrecy was of little importance to him, he forthwith divulged the extraordinary intelligence, and in confirmation of the story, exhibited some scales of gold which he had himself gathered. Immediately, every body in the neighborhood left his regular employment, and began to search for the precious metal. A large body of Mormon immigrants about this time was approaching California by the south pass of the Rocky Mountains; and, on hearing news of the discovery, hastened at once to the spot. Rumors of these circumstances speedily flew across the length and breadth of the land, variously modified by the warmth or coolness of fancy of the successive narrators, but all agreeing in this, that gold was to be had in large quantities, for the mere trouble of picking it up, at Sutter's Mill, on the south fork of the *Rio de los Americanos*. To that quarter, then, all the loose population around instantly directed their steps. Soon the neighborhood swarmed with diggers; and, within a few days after the first discovery, upwards of twelve hundred people were busily at work, with spades, shovels, knives, sticks, wooden bowls, cradles, and all manner of implements, many of them of the rudest and most primitive fashion, excavating, riddling and washing earth for the precious particles it contained. Over all California the excitement was prodigious. Spaniard, American and foreigner were all alike affected. The husband left his wife; the father, his family; people tore themselves from the most pressing duties at home; men deserted their masters, and these followed their servants—all hurried to Sutter's Mill. Some withstood the temptation for a short time; but, very soon, nearly the whole male population of the country, unable to resist the evidence of their senses when specimens of the newly found gold were exhibited before their dilated eyes, became suddenly infected with the maddened whirl of the "yellow fever,"—the *auri sacra fames*, and rushed off at a tangent, helter-skelter, to gather riches, as Aladdin had plucked fruits of priceless value in his fairy garden, in the bowels of the earth, among the valleys of the Snowy

Mountains. Towns were dispeopled, ships in harbor deserted, all kinds of business sent to the dogs; the whole settled parts of the country were suddenly deprived of their inhabitants, or women and children alone formed the population, though even of these many flocked to the *placers* and the *diggings*, to see and be seen, to make money somehow, and as surely to spend it.

Meanwhile, other streams and other valleys were found to contain the auriferous sands. Not only the whole strip of country west of the Sierra Nevada, which was drained by feeders of the Sacramento, but that other strip, locally in connection with the former, and lying to the south, which was watered by the streams which fell into the San Joaquin, was ascertained also to possess auriferous deposits in large quantities. In fact it was believed that the gold regions could not be exhausted of their treasures during countless generations. There was enough, therefore, and to spare, for all comers, though their name should be "legion." Individuals were daily making considerable fortunes, while all who chose to work steadily at the business, were sure to earn much larger wages than they could do at any other kind of labor in the country.

All this while, the few ships that were enabled to get away from the coast, and travellers and expresses by land, were spreading the news far and wide over remote seas and through foreign climes. The circles of excitement grew wider and wider, and scarcely lost strength as they spread farther distant. First, the Mexicans from the nearest, and then those from the remotest provinces, flocked to California. The indolent, yet adventurous, half-wild population of Sonora poured in its many thousands from the south; while Oregon from the north sent its sturdy settlers in almost equal numbers. The Sandwich Islands followed, with their strange medley of white and colored races. Peru and Chili then hurried an innumerable crowd, as fast as ships could be obtained to carry them to the fields of gold. Before long, China sent forward her thousands of thrifty wandering children, feeble, indeed, both in body and mind, but persevering, and from their union into laboring companies, capable of great feats. Australia likewise contributed her proportion of clever rascals, and perhaps as many clever adventurers who had not been convicted

felons. The United States, which at all times contain a vast roving and excitable population, next were affected to their very centres ; and armies—to use a moderate term, were on a sudden organized instantly to proceed to California and share in the golden spoil. The year 1848 was lost for the land passage ; but by the early summer of 1849, great and numerous caravans were in full march, by various routes, across the Rocky Mountains. Many hardships were endured by these immigrants, and numbers died on the road. But their unburied bodies and bleaching skeletons were unheeded by the succeeding throng, or only pointed out to the weary yet restless travellers the paths where others had gone before, and which perhaps the new-comers should only avoid. On—on ! to the land of gold ! There, fortune smiled on all, while her worshippers revelled among riches. On—on ! Round Cape Horn fleets were bearing additional thousands ; while through Mexico to all her eastern ports, and especially across the Isthmus of Panama, still other thousands were hurrying, by new ships on the Pacific, to the "Golden Gate." Later in the year, and somewhat diminished in intensity, the excitement produced in Europe similar results. Many of the young, strong and adventurous, the idle, dissipated, reckless, sanguine youths of Great Britain, France and Germany, broke through the ties of home, friends and country, and perhaps of civilization itself, and embarked for California, to seize fortune in a bound, and with one eager clutch, or to perish in the attempt.

These astonishing circumstances soon gathered into California a mixed population of nearly a quarter of a million of the wildest, bravest, most intelligent, yet most reckless and perhaps dangerous beings ever before collected into one small district of country. Gold, and the pleasures that gold could buy, had allured them to the scene. They were flushed with hope and excitement. Chiefly young men, they were naturally boisterous and riotous. When their "blood was up" they would dare all things, heedless of consequences. Rich or poor—fortunate, or the reverse in their search for gold, they were almost equally dangerous members of the community. If unsuccessful, they were moody and discontented, fit and ready for any new and desperate enterprise : if fortunate, the excesses of warm youthful constitutions, the

gaming table, women and drink, were certain to produce a prolific crop of vice, crime and all social disorders. Without family ties, without the restraining and softening charms of home and modest female society, the strange mixed population of California at this time was like the dormant volcano, which at some unexpected moment may break forth and devastate all within its influence. Or it may be compared to the swelling flood of a mighty river which threatens every instant to overleap or burst its banks, and overwhelm the great country through which it rolls, and which, when the stream is confined within proper limits, it only fertilizes and enriches. The good sense of the community, and the speedy establishment of a legal constitution could alone save California from the threatened manifold evils of its heterogeneous population, and direct its immense and wavering energies into the best and most profitable channels for their reception.

The cooler and more intelligent settlers in California early foresaw the urgent necessity of a regular constitution being adopted. The provisional government subsisting since the conquest of 1847 was but a make-shift at the best; fit perhaps to regulate the concerns of such a limited community as then inhabited California, but by no means able to satisfy the wants of the great, growing and dangerous population which now so strangely and suddenly had arisen. Probably, Congress, at a distance, was not sufficiently alive to the pressing need of adequate measures being instantly taken to remedy the alarming state of things described, by means of a formal territorial government. At any rate, the most honest, intelligent and influential inhabitants of California believed that they could wait no longer the slow movements of Congress, and conceived that their own social safety would be best consulted by at once improvising governments of their own. Accordingly, attempts were soon severally made, by the people of San Francisco, Sonoma and Sacramento, to form legislatures for themselves, which they invested with supreme authority. Other portions of the country prepared to follow the example of the places named. It was quickly found, however, that these independent legislatures threatened occasionally to come into collision with each other, while the existence in a limited country of so many different supreme courts, each governed by its own maxims

and principles of procedure, betrayed an anomalous state of things too uncertain and unsatisfactory to be longer patiently borne. A general feeling therefore became evident that the sooner such partial legislation was put a stop to the better for the country ; and that nothing less than a general constitution and complete civil government would be held satisfactory by the people.

Great meetings for these purposes were held at San José, San Francisco, Monterey, Sonoma, and other places, in the months of December and January, 1848-49. It was there resolved that such a civil organization was expedient, and that delegates should be chosen by popular election, from each district of the country, who should afterwards assemble at San José, though the place of meeting was subsequently changed to Monterey. The period of meeting was first fixed for the 8th of January, then extended to the 5th of March, next to the 1st of May, and finally, in order to give ample time to every district to make the necessary arrangements, to the first Monday in August. The delegates to meet at this convention were to frame the constitution desired. The resolutions adopted at these primary meetings were forwarded to and exchanged between the principal districts and towns of the country for their consideration and approval ; by which places they were unanimously approved of. These initiatory movements were not dictated by political faction ; but were the true and honest result of popular feeling on the subject. There were no partisans in the matter, where there was only one great party, and that included the whole thinking population.

While the people of California were thus working out for themselves the great problem of a State constitution, the military governor, General Riley, thought fit to interfere. On the 3d of June, 1849, he issued a proclamation, in which was fairly enough stated the anomalous and unsatisfactory position of the country, both in its local and general governments ; and he thereupon ordained the inhabitants in certain specified districts to return delegates to a convention, which would meet at Monterey on the 1st of September, to frame a State Constitution, and which should afterwards be submitted to the people for their approval. In the same proclamation he likewise made provision for the election of certain district officials to complete the temporary

local organization. The people in many parts of the country considered the interference of the military authority to be unnecessary as it was uncalled for. As, however, matters could not be improved, the different districts were content to adopt the provisions of General Riley's proclamation, and chose their delegates accordingly.

These delegates were forty-eight in number, and while they nominally represented only different parts of California, they might have been taken as a fair representation of every State in the Union. They likewise included natives of various European countries. They were chiefly men of comparatively youthful years, many of them not much accustomed, at least of late, to the study of those abstract questions which might have been anticipated in devising the constitution of a State. But they were all fully impressed with the importance of their trust, and determined to do their duty in the best manner possible. Among the number were individuals of high talents, whose wisdom, despatch and aptitude for legislation were eminently displayed. As these delegates cannot be too well known, we give the following list of their names, and the districts they represented :—

San Diego.

Miguel de Pedrorena,
Henry Hill.

Los Angeles.

Stephen C. Foster,
José Antonio Carillo,
Hugo Reid,
Manuel Dominguez,
Abel Stearns.

Santa Barbara.

Pablo de la Guerra,
Jacinto Rodriguez.

San Luis Obispo.

Henry A Tefft,
José M. Covarrubias.

Monterey.

Henry W. Halleck,
Thomas O. Larkin,
Charles T. Botts,
Pacificus Ord,
Lewis T. Dent.

San José.

Joseph Aram,
Kimball H. Dimmick,
J. D. Hoppe,
Antonio M. Pico,
Elam Brown,
Julian Hanks,
Pedro Sansevani.

Sonoma.

Joel P. Walker,
Robert Semple,
Mariano G. Vallejo.

San Francisco.

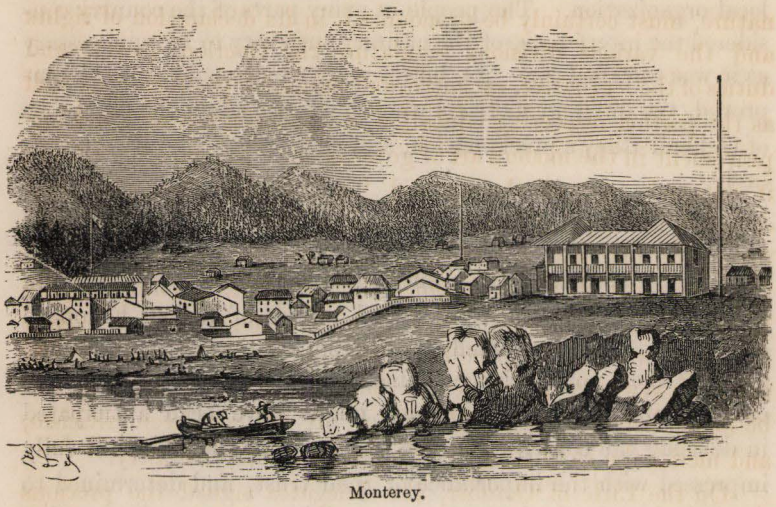
Edward Gilbert,
Myron Norton,
William M. Gwin,
Joseph Hobson,
William M. Stewart,
Francis J. Lippitt,
A. J. Ellis,
Rodman M. Price.

San Joaquin.

Thomas Lloyd Vermeule,
O. M. Wozencroft,
B. F. Moore,
J. M. H. Hollingsworth,
J. M. Jones,
Benjamin S. Lippincott.

Sacramento.

Jacob R. Snyder,
Winfield S. Sherwood,
L. W. Hastings,
John McDougal,
William E. Shannon,
John A. Sutter,
Elisha O. Crosby,
M. M. McCarver.



Monterey.

The delegates, at their first regular meeting on the 4th of September, chose, by a large majority of votes, Dr. Robert Semple as president of the convention; Captain William G. Marcy was then appointed secretary, and the other necessary offices were properly filled up. The house in which the delegates met was a large handsome two-story stone erection, called "Colton Hall," and was perhaps the best fitted for their purposes of any building in the country.

Without narrating the particular incidents and debates that occurred among the delegates, it may be sufficient to say, that, after rather more than a month's constant labor and discussion, the existing constitution of California was drafted and finally adopted by the convention. This noble document was formed after the model of the most approved State constitutions of the Union, and was framed in strict accordance with the most liberal and independent opinions of the age. Some indeed of its provisions may be open to cavil, as for instance, whether the judges —supreme ones particularly—should be chosen by direct election of the people, and for only a limited period, and whether the free descendants of the black and red races should be excluded from the rights of suffrage and election. But, taking it as a whole, the constitution, which is essentially democratic in its

nature, must certainly be pronounced, in its declaration of rights and the various divisions regulating the election, powers and duties of the legislative, executive and judicial departments, as well as the portion respecting education, a wonderful advance and improvement in the modern art of government. Among other things, it expressly rejected slavery and "involuntary servitude," and declared the right of women to hold as their own separate property after marriage, the estates, both real and personal, which they possessed before it, or which they might afterwards acquire by gift, devise or descent. But it is unnecessary in our narrow limits to dwell on the peculiar features of this celebrated constitution. We refer our readers to the document itself, which should be in the hands of every Californian. It will bear keen criticism, and merits the close study of statesmen of every country.

On the 13th of October, the delegates signed the precious instrument; and so finished the labors they were appointed to perform. While the signatures were being affixed, shot after shot slowly boomed from the guns of the fort in honor of the Union, and as the *thirty-first and last* was heard, which was a little louder, the listeners thought, than those that had gone before, the suppressed feelings of the people broke forth, and all joyously exclaimed—"*That's for California!*"—and so it was.

Thus was completed the great duty of 1849. From this time forward, the history of the State demands a separate volume. In this, we have only aimed at giving a mere sketch of its previous history, as a proper introduction to the "Annals of San Francisco." Our next chapter will contain a short account of the physical geography, and of the commercial, agricultural, pastoral and mineral capabilities of the country, which will conclude PART FIRST of the present work.

CHAPTER XII.

Geographical limits of Upper California.—General description of the country.—Two great divisions of the northern part of the State.—Fertility of the soil.—Peculiarities of the climate.—Two seasons: wet and dry.—Products of the country.—Fogs and winds on the coast.—The harbors.—Country west of the Sierra Nevada.—The Sacramento and San Joaquin rivers, and their valleys.—This region of country abounds in timber.—Excessive heat in the dry season.—Localities of the chief gold placers.—Immense size of trees.—Silver, lead, copper and coal mines.—Advantages to the immigrant.

In the "Constitution," the boundary of the State of California is declared to be as follows :—

"Commencing at the point of intersection of the 42d degree of north latitude with the 120th degree of longitude west from Greenwich, and running south on the line of said 120th degree of west longitude, until it intersects the 39th degree of north latitude; thence running in a straight line in a south-easterly direction to the River Colorado, at a point where it intersects the 35th degree of north latitude; thence down the middle of the channel of said river, to the boundary line between the United States and Mexico, as established by the treaty of May 30th, 1848; thence running west, and along said boundary line to the Pacific Ocean, and extending thereon three English miles; thence running in a north-westerly direction, and following the direction of the Pacific coast to the 42d degree of north latitude; thence on the line of said 42d degree of north latitude to the place of beginning. Also, all the islands, harbors and bays, along and adjacent to the Pacific coast."

Within the above limits, California extends, from south-east to north-west, nearly seven hundred and fifty English miles in length, and, in average breadth, from east to west, about two hundred and fifty. Its superficies, therefore, may be estimated at about 187,500 square miles, or nearly twice the size of Great Britain. The south-eastern part of the country, excepting a

narrow belt along the coast, has not yet been explored, and little is known of its character. A great chain of mountains, called by the Spaniards the *Sierra Nevada*, or Snowy Range, runs nearly through the centre of the southern district. Farther north, this mountain range, which has a probable average height of from eight to ten thousand feet above the sea level, though many of its parts rise much higher, and are covered with perpetual snow, becomes the eastern boundary of the State, and at the extreme northern limit, by various cross ranges, separates it from the territory of Oregon. Eastward of the Sierra Nevada, and between it and the territory of Utah, lies the curious and extensive district called the Great Basin, which has no outlet to the ocean for its waters. This is a wild country that has been hitherto traversed only in one or two great lines, but never thoroughly explored, and which does not seem to have been intended by nature for the abode of any large human population. To the south of the boundary line is situated the Mexican province of Old or Lower California. The Pacific Ocean forms the western limit of the State.

The northern portion of California, to the extent of three fourths of the whole country, naturally falls into two great divisions. One lies on the east, and stretches over the whole of the space mentioned from south to north, comprehending the valleys of the San Joaquin in the south and the Sacramento in the north, together with all the lateral valleys and foothills from the summit elevation of the Sierra Nevada, and extending westward to the watershed that separates the streams which flow into the San Joaquin and Sacramento from those which either flow directly into the Pacific, or into the Bay of San Francisco. The other great division includes the whole country drained by the last named streams; and may also be allowed to embrace the country farther to the south, likewise drained by streams which disembogue directly into the Pacific. As already stated, the extreme south-eastern part of the country supposed to be watered by streams which empty themselves into the *Rio Colorado*, has not been fully explored, and no proper description can therefore be given of it.

The missions, of which a particular account has been given in

preceding chapters, were located in the second mentioned division of country, and excepting only two lying on the northern side of the Bay of San Francisco, were all situated to the south of the entrance to that inlet. A multitude of pleasant, fertile valleys extend from the coast inland a length of from twenty to forty miles; and every main valley, of any extent, had its mission. The hills in this division seldom exceed two thousand feet in height. The whole country is exceedingly diversified and beautiful, and has hitherto been almost wholly devoted to the grazing of innumerable herds of cattle and horses, and also of large flocks of sheep. The tables and statements already given of the possessions of the Fathers in domestic cattle and farm produce, may serve in some measure to show the astonishing fertility of the soil, and its capabilities to support a large population, as well as the comparative value of different districts. These tables and statements, however, by no means exhibit the extent of cultivated land. Very far from that. Much of the mission property was neglected, and most of it never turned to the best use of which it was capable. The fertility of the soil indeed is so great, and the genial warmth and general climate so propitious to agriculture, that corn crops and all kinds of grasses, fruits and vegetables show such an increase as if they had been planted in a hot-bed, and manured and watered by rule to the best advantage.

The climate of this division of the country varies considerably, as it might be expected to do when it is considered that the land extends over nearly ten degrees of latitude; but still more it varies from the circumstance of the various districts being more or less subject to particular fogs and winds which prevail along the coast. Towards the extreme south, the fogs and winds alluded to are not felt; but north of Point Conception, about latitude 34° 30′, all the coast, extending from half a dozen to a dozen miles inland, is peculiarly exposed to cold, penetrating winds, blowing from the north, north-west and west, and thick wet fogs, which, especially in the summer season, are remarkably disagreeable. These fogs, however, serve one good purpose, as they supply abundant moisture to the crops and herbage, which might otherwise fail for the want of occasional rains in the sum-

mer. Properly speaking, there is neither winter nor summer; but the months comprehended under these terms are here called the rainy and the dry seasons. This is the case over the whole country. The rains usually begin about the middle of November, and continue with short occasional dry intervals, (the most charming periods indeed of the year, when the air is balmy, the surface of the earth green and fresh, and all nature, animate and inanimate, rejoices in a holiday,) till the month of May. During the remainder of the year, commonly no rain falls; but its place is supplied along the coast by copious dews and the wet fogs we have alluded to.

The heat in the division of country now before us is never excessive. Below Point Conception, it may be said that eternal summer reigns; and the same high character may be given to all north of that point, which is situated a few miles inland, and not immediately exposed to the piercing winds and fogs of the coast. The atmosphere in these regions is ever mild and agreeable. The temperature is never too high to prevent active exercise out of doors, nor too low to need fires in the houses. There is not much great timber, nor indeed wood of any kind, but the undulating fields teem with rich natural grasses and an exuberance of wild flowers and flowering shrubs. Whole districts are covered with natural oats, which supply provender to innumerable tame and wild creatures, when the herbage is dry, or has partially disappeared in the heat of summer. The climate is also remarkably salubrious; while as if to heap upon this happy land all natural blessings, the fecundity of its living creatures,—human beings as well as the lower animals,—far exceeds what generally occurs elsewhere. The grape, the fig, the orange and the olive grow luxuriantly in these regions, and so too do all other sorts of semi-tropical produce. All varieties of European fruits thrive in great plenty: plums, cherries, peaches, apricots, melons, pomegranates, pears, apples, &c. In the more southern parts, the plantain and banana likewise ripen. Wheat, barley and maize, potatoes, cabbages, turnips and every other kind of vegetable for the table, grow to the utmost perfection, and yield a return the like of which can scarcely be paralleled in any other country. It is believed also that the climate, in particular dis-

tricts, is admirably adapted for the profitable culture of tobacco, cotton and sugar. In short, there is no vegetable production of any value raised in the temperate zone, and very few peculiar to the torrid, which may not be cultivated to perfection in these finer parts of California.

We have alluded to the prevailing winds and fogs of the coast. These render navigation near the shore dangerous at times, and are themselves very unpleasant to the new comer. It must be admitted that they are some drawback to the otherwise unmingled beauty and agreeableness of the climate. However, in the summer season, when these fogs generally prevail, they usually clear off by noon, leaving the rest of the day with a bright and warm sky. The settler soon gets used to them; while, knowing the important part which the fogs play in dropping fatness on the dry earth, he readily learns even to welcome their presence.

There are several excellent harbors along the coast, the chief of which is, of course, the incomparable Bay of San Francisco. San Diego, however, at the extreme south, has likewise an admirable port; while the havens, or roadsteads of Monterey and Santa Barbara, sheltered from all but certain unusual winds, are by no means despicable, but may match with good reputed harbors of many another country. Besides these, there are several other fair anchorage grounds and partially sheltered roadsteads along the coast, of less note; while north of the Bay of San Francisco there are some bays which form excellent occasional harbors of refuge, if not first-rate ports. The Bay of San Francisco itself is so extensive, while the country surrounding it is so fertile, and will one day become so populous, that many more harbors than the one at the city of that name, will hereafter be formed in this moderate sized inland sea. There is ample depth of water around its shores, and sheltered coves enough for the formation of several other harbors, which may almost rival that of the City of San Francisco itself.

The other great division of the country, that lying east of the one just dwelt upon, and west of the *Sierra Nevada*, has been less thoroughly examined than the coast district, and not so often described; yet enough of it is known to show that it is

capable of supporting a vast immigrating population in comfort and plenty. This division comprehends the great valleys of the Sacramento and San Joaquin, with all the smaller side valleys running into them. The Sacramento takes its rise near the extreme northern limit of the State, in the neighborhood of Mount Shasta, which is 14,400 feet in height above the sea level. From thence it flows, in a southerly direction, for nearly three hundred miles, carrying off the waters of numerous streams on both sides till it receives those of the San Joaquin, which have come to meet it from the south-east, for nearly two hundred miles. The united streams then run westward a further distance of sixty or seventy miles, through various arms of the Bay of San Francisco, till they rush through the "Golden Gate," to bury themselves in the Pacific. The Sacramento has already been navigated by steamers for one hundred miles above its junction with the San Joaquin, while the latter has been navigated by the same class of vessels, above the point mentioned for seventy miles.

The great longitudinal valley of these rivers contains an exceedingly fertile soil, fitted to grow any kind of grain, fruits and edible roots. There is much timber in various parts of this great region. Many varieties of the pine tribe are common, most of which grow to an enormous size. But besides pines, the oak especially abounds, as also elm, ash, beech, birch, plane and other kinds of trees. The native fruit trees are not numerous. The number and variety of indigenous herbs are very great. As besides the pines which yield tar and resin, and every size of spar and good timber for ship-building, it is found that hemp and flax grow wild, and thrive exceedingly well in the country, it will be seen that this region contains most of the material elements to make California a great maritime nation. It was in the valley of the Sacramento that a large number of American immigrants had settled previous to the discovery of gold. Portions of the lower districts of both it and the San Joaquin valley are liable to be overflowed by floods which sometimes swell the rivers to a great depth, when storms and meltings of the snow on the Sierra Nevada suddenly gorge all the mountain torrents. At other times, after a long track of dry weather, irrigation

would almost seem to be indispensable for profitable farming in several districts; although this, as yet, is considered to be by no means certain. The cold winds and moist fogs of the coast are sometimes wanted in this division, as well to water the parched earth, as to temper the excessive heat of the solar rays, reflected from the sides of the hills in the narrower valleys, and concentrated every where to a high degree. In the great longitudinal valley, and still more in the smaller cross valleys which lie between the former and the Sierra Nevada, the heat in summer is sometimes very dreadful—rising frequently, and that too, day after day, for months together, to 100° and 110° of Fahrenheit. Still, notwithstanding these drawbacks, the soil is so rich and productive, and the climate so extremely dry and healthy, that there is every reason to believe these districts will soon be largely inhabited by an agricultural population. In some parts of the valley of the San Joaquin which are liable to be overflowed by the river floods, it is believed that rice may be profitably cultivated. Meanwhile, there is abundance of deer and smaller game in the forests and plains; the streams and lakes absolutely swarm with the most delicious fish; while geese, ducks, and other wild fowl are exceedingly plentiful.

It is in the cross valleys running up to the summit elevation of the Sierra Nevada that the chief gold *placers* are situated. The whole country in this quarter, for a length of at least five hundred miles, and an average breadth of perhaps thirty or forty, is highly auriferous. The loose bed of every stream particularly, but also the dry sandy soil of most of the intervening plains, uplands and hills, contains particles of gold; while even the deep seated rocks in many parts are impregnated with the precious metal, and are beginning to be wrought in a scientific manner for its extraction. If some small portion of the auriferous district may already seem to be almost exhausted, yet its whole extent is so great, and so many parts are yet untouched, while all, by the aid of proper scientific appliances, can be made still to render a bountiful reward to the miner, that it may be truly said, generations must pass before the Californian gold regions can be emptied of their treasures, or cease to be profitably wrought. This may be more particularly said of the gold-bear-

ing quartz rocks and veins, which in many places are exceedingly numerous and rich.

Nature, as if content to scatter her bounties in this quarter beneath the surface, has not also gifted the soil with exceeding fertility, although there are many beautiful and fertile small spots to be found in the district. In the months of April and May, these places bloom and smell like a well tended garden, from the variety, beauty and perfume of their wild flowers. The mineral riches make it less desirable that these districts should also possess a rich and prolific soil. Still it is in this quarter that those enormous trees chiefly grow which amaze and almost terrify by their prodigious height and bulk, those who have been only used to the puny forests of less favored climes. A common enough height for these trees is three hundred feet, while an equally common diameter may range from fifteen to twenty feet. Many, however, have been found of much larger dimensions. The forests on the western slopes of the Sierra Nevada will give an inexhaustible supply of timber for household and most other purposes to which wood is applied in the country.

Besides the gold mines on the west skirts of the Snowy Mountains, there are several others scattered over California ; while many other mineral treasures are to be found. There is a valuable mine of quicksilver near San José, and many silver, and silver and lead mines, as well as others of copper and lead are already known in various parts of the country. However, the population up to the time of the rush to the gold regions was too small, and the capital and energy of the owners too limited, to permit these and similar mines to be wrought to advantage. Coal has been discovered in some parts as well as iron. There is excellent stone for building purposes to be had in various places. Sulphur, asphalte and many other valuable mineral substances are also ascertained to exist in different localities. The mineral wealth of the country indeed, though not fully examined, is believed to be far more extensive than what has hitherto appeared, however great it may seem in these times.

To the immigrant from an old settled land, where competition exists in severity, and the means of a bare subsistence are not easily to be had, California offers every inducement to draw

him to her country. *Here* is political and social freedom—a beautiful, pleasant, and healthy climate—a soil rich, and fertile, producing every necessary, and most of the luxuries of life—rivers and bays, abounding with delicious fish ; forests and fields, with game of every species—mineral regions, where fortunes may be made on a sudden, and, at all events, where the industrious laborer is sure to provide a moderate competency for himself, in a wonderfully short space of time. *Here* are towns starting yearly, nay, almost weekly, into existence, whose inhabitants are full of life, energy and hope, determined and certain to prosper; great cities and ports, swelling into magnificence before one's eyes, destined ere long to bear sway over the broad Pacific, by reason of their natural position, their wealth, energy and power. *Here* labor is honorable, and meets an ample reward ; and, *here*, while the most unbounded ambition, in mining and agricultural, commercial and political pursuits, may gratify its most daring inner wishes, and the patriotic enthusiast foresee a glorious future to this, his adopted country, the peaceful, retiring and contented settler may select a quiet, sunny, cheerful spot for his abode, and beneath unclouded skies and through perpetual summer, among vines, and fig-trees, and flowers, and all bright and pleasant things, pass life happily away.

PART SECOND.

CHAPTER I.

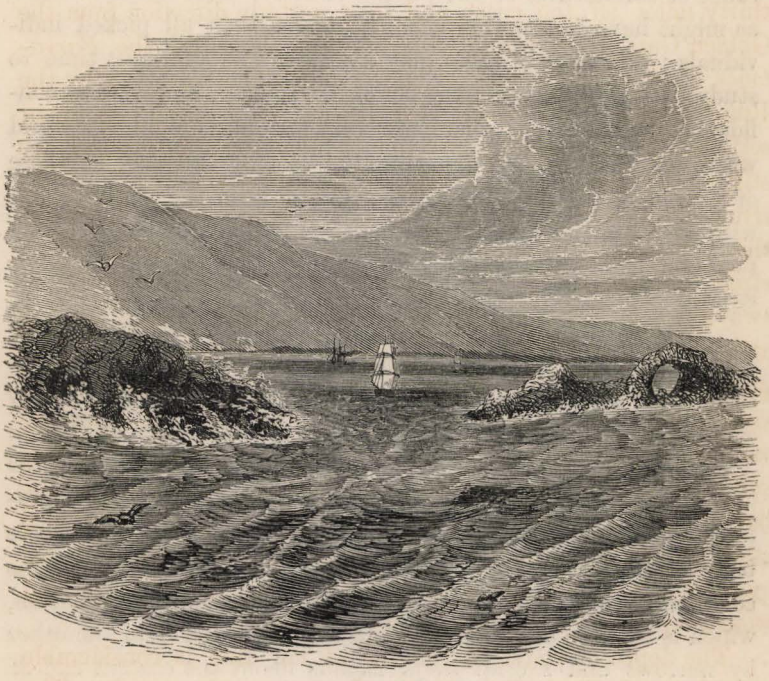
Description of the Golden Gate.—Origin of the name.—The Bays of San Francisco, San Pablo, and Suisun.—Rivers emptying into Suisun Bay.—Description of the adjacent country.—Indian tradition.—Remarkable fertility of the soil.—Farm produce and mode of farming.—Location of the City of San Francisco.—The name Yerba Buena.—The first house built.—Disadvantages of the locality.—No provision made for desirable public squares or parks.

THE mid-entrance to the Bay of San Francisco lies in latitude 37° 48′ N., and longitude 122° 30′ W., from Greenwich. This is a strait, running nearly north-east, called *Chrysopalæ*, or the GOLDEN GATE, about five miles long, and of an average breadth of one and a half or two miles. The name "Golden Gate" first appears in the "Geographical Memoir of California," and relative map, published by Col. Fremont in the spring of 1848. The term was descriptive, not of the literal golden regions within, then as yet undiscovered, but merely of the rich and fertile country which surrounded the shores of the bay, and of the wealth which the commerce of the Pacific, passing through the strait, would certainly give to the future great city of the place. The name was probably suggested by the Golden Horn of Constantinople. Since the discovery of the auriferous character of the country, the title has become of a still more happy nature; and its bestower must surely have had a prophetic soul, though he himself knew it not. At the narrowest point of the strait, where it is little more than a mile wide, the Spaniards had erected a small fort for the protection of the neighboring mission. This building is now in course of removal, to be speedily replaced

(let us hope) by a larger and stronger fortress for the adequate defence of the bay. The southern point of land, on the side of the ocean, is called in the Spanish language, *Punta de los Lobos* (Wolves' Point), and the northern, *Punta Bonita* (Pretty Point). A few small rocks, at all times quite visible, lie about the entrance, and along the coast of the strait; but the channel otherwise is very deep and free from obstruction. About twenty or thirty miles off the coast, and in a westerly direction from the Golden Gate, lie certain small rocky islands, called the *Farralones*, once favorite places for hunting seals and sea-otters by the Russians, and upon which that people had a small permanent settlement. Upon these islands the creatures mentioned are still to be found. A bar lies nearly across the mouth of the strait, upon which occasionally there is a heavy swell. Formerly this bar ran right across and within the actual limits of the strait, but during the last thirty years it has gradually shifted two miles farther to seaward, so that it now forms a kind of arch, altogether outside of the entrance, spanning from point to point of the strait. In the same period, a bank has likewise advanced from the south shore. By these natural operations the entrance channel to the bay has been much improved. On this subject it may be stated that all the shores in the mouth of the bay are liable to be washed off every year, by the combined strength of the wind, tides, local currents, and floods. In the great freshets of the spring of 1825 more than fifty yards of land were swept away to the westward of the fort.

The depth of water on the bar at low tide is considerable enough to permit the largest ship of war to safely cross it. The strait itself has a depth varying from five or six to sixteen fathoms and upwards. The shores are bold and rocky, and in some parts precipitous, swelling on the north side into mountains of upwards of two thousand feet in height. The hills on the southern side are more of a sandy nature, and may be only three hundred or four hundred feet high. On both sides they are quite bare and barren. The strong winds and heavy fogs which constantly assail them, and their own sandy or rocky nature, have effectually prevented trees or luxuriant vegetation of any kind from growing. On the very summit, however, of the moun-

tains on the northern side of the strait, there happens to be a solitary group of red-wood trees, whose tall forms make a striking landmark to the mariner at sea. As he approaches the strait from the south, the voyager has seldom perhaps seen so dismal a looking place. A multitude of low, bleak sand hills on the sea shore, often swept over by flying clouds of dense mist, first greet



Entrance to the Golden Gate.

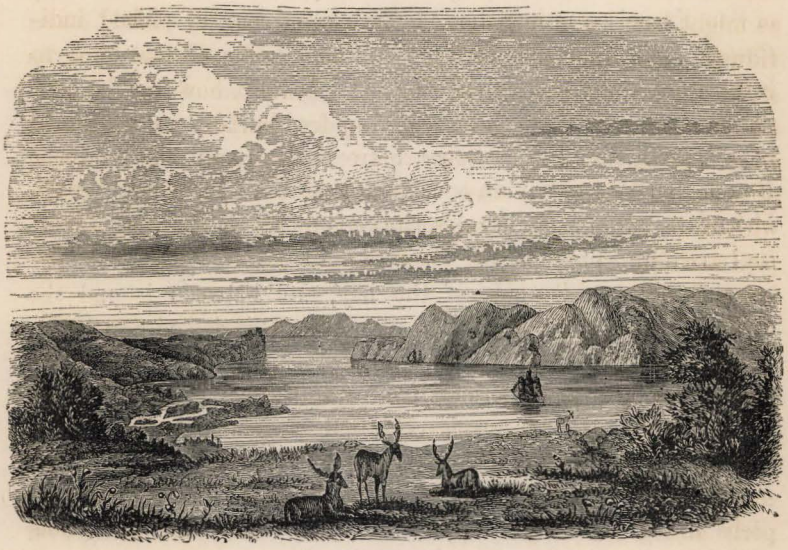
his eyes. On passing gradually through the Golden Gate, however, the interior coasts begin sensibly to improve upon him. The hills assume a more even character, which, as well as the beautiful islands that stud the bay, are at certain seasons of the year covered with vegetation, presenting a truly pleasing appearance.

The tidal stream rushes through the gate in mid-channel generally about six knots an hour. Along the projecting portions of the strait there are numerous eddies. By taking advantage of this great tidal speed, and of particular winds, which can

almost daily be depended upon, blowing either in or out of the channel at certain periods of the day, ships may always safely enter or depart from the bay at all times of the year. An occasional wreck, where ships may have been driven by the strength of the tide or local currents upon the rocky shores, has indeed taken place ; but this has generally been traceable to the ignorance or carelessness of the pilot. Hitherto that class of men, as might have been anticipated, have not been all picked individuals ; and some of them may not have had sufficient time to study the peculiarities of the channel. It may, however, be confidently asserted, that there are very few harbors in the world where the entrance and departure are so easy and safe as those of the one of San Francisco. To talk of it in the same breath with such difficult and dangerous ocean ports as those of Liverpool and New York, or the river ones of London and New Orleans, is simply ridiculous.

After passing the strait, the great Bay of San Francisco suddenly opens up. This bay lies almost at right angles to the entrance just described ; and extends from north to south nearly seventy miles, with an average breadth of about ten or twelve. The southern division, comprehending about two-thirds of the entire length, chiefly lies south of the entrance, and is more properly styled the *Bay of San Francisco ;* although the whole body of inland waters, when spoken of in a general sense, is commonly understood by that phrase. The northern division, which is in some degree topographically separated from the other by narrows and several small islands about the eastern end of the strait, is known by the name of the *Bay of San Pablo.* At the eastern extremity of the last named bay, the waters contract into the *Strait of Carquinez.* Still more to the east, they again widen into *Suisun Bay,* into which, through various channels, called the *Slough,* a sort of delta much overrun with large trees and jungle, the mingled streams of the Sacramento and San Joaquin, enter and lose themselves. From the ocean to the north-east corner of Suisun Bay, following the line of mid-channel, there may be a distance of between fifty and sixty miles. The largest ships may sail as far as the city of Benicia, originally called Francisca, situated on the north side of the Strait of Car-

quinez, where the channel is little more than a mile wide, and at which place are a government dock-yard and naval stores. Above that point, the water is at parts scarcely deep enough to allow vessels of great burden to proceed, while the channels of the Sacramento, through the delta, or slough, are intricate, and encumbered with shifting shoals and sand-banks.



The Golden Gate.

Around the northern shores of the Bays of San Pablo and Suisun lies a very fertile and beautiful country, watered by streams, severally called the Suisun River, Napa, Sonoma, and Petaluma Creeks. The valleys of these rivers will in a few years be the residence of a great number of agricultural settlers, while already numerous small towns are beginning to be established among them. But the Sacramento and its greater tributaries, the Puta Creek, and the American, Feather and Butte Rivers, and the San Joaquin, with its leading feeders, the Mokelumne, Calaveras, Stanislaus, and Tuolumne Rivers, are the great highways of communication between the interior country and the ocean ; and in the extensive, beautiful, and most fertile districts drained by them will be located hereafter the abodes of many millions of human beings. In the valley of the Sacramento and

its offshoots are situated the great city of that name, and the thriving towns of Marysville and Nevada. In the valley of the San Joaquin, or in the connecting valley, are the considerable and growing towns of Stockton and Sonora. Besides these places, there are numerous other towns beginning to be established in this great district.

South of San Pablo and Suisun Bays, and east of the Bay of San Francisco proper, lies the district of country called *Contra Costa.* This quarter is very mountainous, some of the summits being upwards of three thousand feet high. One of them, *Monte Diablo,* is three thousand seven hundred and seventy feet in height. On the west, however, between the mountains and the Bay of San Francisco, is a considerable tract of level land which, like nearly all of a similar description in the country, is exceedingly rich and productive.

On the opposite side of the bay, and between it and the ocean, lies the long peninsula called the District of San Francisco. This strip of land is upwards of thirty miles long, with an average breadth of perhaps twelve or sixteen. The side immediately next the ocean is cold and barren. In the interior, and towards the bay, it possesses a mild climate, and is of great fertility. The surface is irregular and hilly ; but the many small glens are green to the top, covered with luxuriant herbage, on which feed many thousands of sheep and cattle. The northern portion of this district is generally bare of trees and the larger shrubs ; but much heavy timber grows in the middle and southern parts. At the southern extremity of the bay lies an extensive tract of land, which may be considered the choicest portion of all the country we have been describing. Here, near the mouth of the valley, watered by the River Guadalupe, are situated the towns of San José and Santa Clara. The beauty and salubrity of this district, its mild and agreeable climate, and exceeding productiveness, make it especially the granary, orchard and garden of the City of San Francisco and surrounding parts.

We may observe here, that there is a tradition among the Indians of California, that San Francisco Bay originally formed a fresh water lake. An earthquake, however, suddenly opened the line of mountains along the coast, when the sea rushed in,

and changed the region to what it now is. The surplus fresh waters of the old lake were supposed to have been discharged into the Bay of Monterey, by a great river flowing through the valley of San José and Santa Clara. This river was believed to pass near the Mission of San Juan, and to fall into the present stream of the Pajaro.



City of Stockton.

In the fertile districts of country all around the shores of the bay the average productiveness of the soil is exceedingly great, far beyond the usual return from tillage lands in most other countries of the temperate zone, and rivalling, in fact, those of the torrid zone itself. A common yield from sown wheat is from seventy to eighty fold, though it is said to run often as high as one hundred and upwards. A moderate average may be taken at fifty fold. Maize occasionally gives a return of one hundred and fifty fold; while if it produces less than one hundred, it is scarcely considered worthy of notice. It may be remarked that the seed in general is much less thickly sown than in most other countries; and, naturally, therefore, having space to spread and fructify, there is a greater corresponding increase. Potatoes have been found of the enormous weight of seven and eight pounds, while those of two and three pounds are quite common. The usual yield of potatoes is

from two to three hundred sacks an acre. And such potatoes! In no part of the world are there larger, finer, firmer and healthier roots grown. Newly-come immigrants and casual visitors are invariably full of raptures at the sight of such magnificent earth apples. The cabbages, again, are absolute monsters in size, often from fifteen to twenty inches in diameter; and as good in quality as enormous in bulk. Carrots often grow nearly a yard in length, and are of corresponding girth. Turnips, beets, radishes, onions, and indeed every kind of edible root and table vegetable grows equally large, and of the best and most wholesome description. California is indeed celebrated for its garden and field productions. The berries and fruits of the vineyard and orchard show a corresponding increase, and are of the most excellent kind. Long ago it had been imagined by hasty travellers and writers, that California had only an arid, sterile soil, never adapted to the successful pursuit of agriculture. On the contrary, the country is exceedingly well watered, the soil is naturally rich, and the diffused warmth and geniality of the climate is such as to force to safe maturity an abundant harvest of all kinds. Of course, manure in the present stage of California, is out of the question. The teeming fields will not require it for a generation or two, if ever. The present practice is simply to break fresh ground every year; and until the agricultural settlers become much more numerous, there will be abundance of land for such a mode of farming. There is no need of farm buildings to house and stock the grain for shelter. The climate is so dry in the harvest season that the crops are never spoiled by wet; but the ears are just threshed out on the fields where they grow. Farming operations formerly were of a very rude nature, as they still generally are, though the soil shows so large a return. When an improved method of husbandry is adopted, the yield will be correspondingly great. A slight wooden shed, open upon one side to the weather, and merely covered with canvas or scantling, affords quite a sufficient shelter, summer and winter, to milch cows and the most delicate trained horses.

From the previous description of the districts surrounding the inland waters known by the general name of the Bay of San Francisco, it will be noticed that their respective productions, seen to be so great, can best be interchanged across that bay; and that

their only communication with the ocean is through the Golden Gate. Conveniently placed as nearly as possible to this gate lies the city of San Francisco, in latitude 37° 48′ N. and longitude 122° 25′ W. from Greenwich. It is situated on the north-east corner of the peninsula already mentioned, about a mile south of the eastern end of the general entrance to the bay, and is distant about six miles from the ocean. The situation happens to be about the most barren part of the district; and the immediate vicinity consists chiefly of low sand-hills, covered with coarse shrubs and scattered patches of grass. The name of the Spanish village which originally stood on a portion of the site of the present city was *Yerba Buena*—good herb. In some maps of the country it was designated as San Francisco; but locally it was only known by the name we have mentioned. Yerba Buena signifies also the herb *mint*, great quantities of which grew about the spot, and from that circumstance no doubt the name of the place is derived.

An island, lying in the bay about two miles east of the city likewise bears the name of Yerba Buena, where the herb mentioned grows abundantly. Probably this island first bore the name which later was given to the cove lying between it and the main land; and subsequently it was extended to the plain and village surrounding the beach. But the name mentioned was descriptive both of the island and the shore itself, since on both grew the *yerba buena*. This herb grows through the underwood in form of a vine, some feet long. The leaves are six inches apart, each directly opposite another. It is very fragrant, and is used to make a tea or alterative medicinal drink, though its frequent use is said to debilitate the system. The name of so insignificant an herb for the rising city being perhaps judged not sufficiently imposing, it was changed into SAN FRANCISCO in January, 1847, by an ordinance of the then alcalde of the place, and under this last designation it has been alone known to the world at large.

The village of Yerba Buena was situated in the small cove of that name, which extended little more than half a mile between *Clark's Point* (so named by Captain J. F. Hutton, in 1849), on the north-west, and the *Rincon*, or *Rincon Point*, on the south-east. The first tenement was constructed in the year 1835, by Captain W. A. Richardson, and up to the year 1846, there might

not be more than twenty or thirty houses of all descriptions in the place. The only practicable landing spot for small boats at low tide was at Clark's Point, where there were a few rocks. In the inside of the cove where the water was shallow, there was an



Island and Cove of Yerba Buena.

extensive flat of mud, laid bare at low water. The rise and fall of ordinary tides was about eight feet. About a quarter of a mile from the beach, the water deepened to five and six fathoms, and continued of the same or of little greater depth the whole distance to the Island of Yerba Buena opposite. This space now forms the present harbor and centre of the anchorage ground of San Francisco. As Yerba Buena began to increase in size and importance, the beach and water lots were seen to be of the utmost value ; and measures accordingly were taken, in 1847, and following years, to extend the village, or town as it might now be called, over a great portion of the cove. About the same time the present character of the place began to be formed, which subsequent years developed into the existing grand plan of the City of San Francisco.

Rising up from Clark's Point, and between Yerba Buena Cove and the cove farther to the north-west, now called the *North Beach*, is the high ground named the *Telegraph Hill*. West and south

of this hill, in a semicircular direction, lie other connecting high grounds, bearing the names of *Russian Hill*, *Fern Hill*, &c. These hills are about three hundred feet high. From the Rincon likewise rises a high ground of about from one hundred to one hundred and fifty feet in height, which runs a short distance in a westerly direction towards the Mission Dolores. Beyond and south of the ridge alluded to lies Mission Bay, and the low ground bordering Mission Creek. The distance between Telegraph Hill and the last mentioned ridge, may be about three quarters of a mile; while that between the semicircular line of hills on the west and the advanced line of streets built much within the limit of ebb tide in Yerba Buena Cove, may be nearly the same.

Upon this limited space stands the most valuable and business portion of San Francisco, and its most substantial and magnificent buildings. However, over all the hills, and much of the country on every side beyond them, the ground has been regularly laid out into building lots, lying upon long straight streets, crossing each other at right angles; and many excellent houses, together with a scattered multitude of an inferior description, have been erected on them. Indeed the nominal limits of the city and the building stances, as actually surveyed and mapped out, at this time, extend from the west side of North Beach to the south side of Mission Creek, a distance of nearly four miles, in a straight line; and from Rincon Point to the Mission Church, a distance, likewise, in a direct line, of upwards of three miles. Over all this space, some eight or nine square miles, on height and in hollow, and upon every degree of elevated site, are spread a variety of detached buildings, built partly of stone and brick, though principally of wood. But, as we have already stated, the heart and strength and wealth of the city is contained within the little level space lying between the hills or rising grounds particularly mentioned, and the narrow waters of Yerba Buena Cove. These waters are yearly continuing to be encroached upon as the cove gets filled up with sand and rubbish, excavated from the sand-hills and the foundations of the limits behind, and as new streets and houses, formed on piles, are pushed further out into the bay. By these operations the old character of the cove has been completely changed, and at present, instead of the former

semicircle of beach there is almost a straight line of building extending across the middle of the cove from the Rincon to Clark's Point. In many places of what is now the very centre of the business portion of the city lie large vessels, which in the disastrous years of shipping, 1848 and 1849, got stranded or were used as store-ships or lodging-houses on the beach. When the extension of the city towards the waters of the cove took place, these ships remained where they lay, fast imbedded in mud, while long streets, hollow beneath, and numerous solid houses arose on every side, effectually to hem them in for ever.

The deepening water will prevent the city from moving much farther into the bay, while the steep rising grounds in the rear will equally prevent it from climbing and spreading over the sandy, irregular country beyond them. The city will probably therefore be forced to proceed northward towards the North Beach, where there is already a long pier formed, but where there is remaining but limited building room at best. It will also spread, as it is beginning to do, over the extensive and comparatively level tract of ground lying to the south-west, on the banks of Mission Creek, and in the direction of the Mission Dolores. Perhaps not many years hence the whole shores at North Beach and South Beach (Mission Bay), and the bay itself to a considerable distance from the present high-water mark, will be covered with streets and houses, quays and long piercing piers, just as now is the cove of Yerba Buena. The existing surveys and plans of the city, anticipating futurity, already exhibit these places, both on land and sea, divided and fairly mapped out into streets and wharves.

Over all these square miles of contemplated thoroughfares, there seems no provision made by the projectors for a public park —the true "lungs" of a large city. The existing *plaza*, or Portsmouth Square, and other two or three diminutive squares, delineated on the plan, seem the only breathing-holes intended for the future population of hundreds of thousands. This is a strange mistake, and can only be attributed to the jealous avarice of the city projectors in turning every square vara of the site to an available building lot. Indeed the eye is wearied, and the imagination quite stupefied, in looking over the numberless

square—all *square*—building blocks, and mathematically straight lines of streets, miles long, and every one crossing a host of others at right angles, stretching over sandy hill, chasm and plain, without the least regard to the natural inequalities of the ground. Not only is there no public park or garden, but there is not even a circus, oval, open terrace, broad avenue, or any ornamental line of street or building, or verdant space of any kind, other than the three or four small squares alluded to; and which every resident knows are by no means verdant, except in patches where stagnant water collects and ditch weeds grow.

While the position of San Francisco on the shores of the bay was undoubtedly the best that could have been selected for maritime purposes, there certainly have been sad drawbacks to the extension of the place on the land side. The want of sufficient level space on which to found so great and growing a city, has been partially rectified, at an enormous expense, by taking building ground from the waters, and by lowering, and in many cases absolutely removing bodily the multitude of sand hills, by which the place is immediately surrounded. What with digging out and filling up, piling, capping and planking, grading and regrading the streets, and shifting, and rebuilding, and again rebuilding the houses, to suit the altered levels, millions upon millions of dollars have been spent. This has not been recklessly or foolishly done, and the present magnificence and business capabilities of the city are the consequence; while future years will still more exhibit the grand result of all the money that has been sunk in municipal improvements. It would be out of place to say more of the present appearance of the city at this portion of the work; but a more particular account of it will be given towards the conclusion of "Part Second."

CHAPTER II.

The Mission and Presidio of San Francisco.—Formation and survey of the village of Yerba Buena.—Disputes and litigation in regard to Yerba Buena being a Pueblo.—Captain Richardson the first Harbor Master.—Visits of national and other vessels to Yerba Buena Cove.—Reasons why the whale ships ceased to enter the harbor for supplies.—Traffic between Yerba Buena and foreign ports.—Hides and tallow the chief exports.—Prices obtained for these.—Heavy rains and their effects.—Earthquakes.—Unusual drought.—Mr. Jacob P. Leese establishes himself at Yerba Buena.—Celebration of the Fourth of July at Leese's house.—First child born.—Limits of the original survey.

THE Mission of San Francisco, as mentioned in the first part of this work, was founded in the year 1776. It was situated about two and a half miles to the south-west of the Cove of Yerba Buena. Besides the mission buildings, there were erected, at the same time, a presidio and fort, along the margin of the Golden Gate, the former being distant from the mission about four miles, and from the cove nearly the same space. The latter was situated about a mile nearer the ocean than the presidio, close upon the sea-beach, and on a rocky height at the narrowest point of the strait.

Before 1835, the village of Yerba Buena had neither name nor existence. The Mexican Government had some time before resolved to found a town upon the cove of that name, which was reputed the best site on the shores of the Bay of San Francisco for establishing a port. Much discussion and litigation, involving immense pecuniary interests, have occurred as to the date and precise character of the foundation of Yerba Buena. It has long been matter of keen dispute whether the place was what is called a Spanish or Mexican "*pueblo;*" and although, after previous contrary decisions, it was assumed (not being exactly decided upon evidence) by the Supreme Court to be a "pueblo," the subject seems to be still open to challenge. It is unnecessary in this work to do more than merely allude to the question. In

the year last above mentioned, General Figueroa, then governor of the Californias, passed an ordinance, forbidding the commandant of the presidio of San Francisco to make any grants of land around the Yerba Buena Cove nearer than two hundred varas (about one hundred and eighty-five yards) from the beach, without a special order from the governor, the excluded portion being intended to be reserved for government uses. Before any steps could be taken for the survey and laying out of the proposed town, General Figueroa died; and the place was neglected for some years, and left to proceed as chance and individuals would have it. There had been previous applications for grants of the whole land around the cove for professedly farming purposes, which circumstance led to the governor's passing the temporary ordinance, lest, some time or another, the portion of ground intended to be reserved should, through accident or neglect, be granted away.

Captain W. A. Richardson was appointed the first harbor-master, in the year 1835, and, the same year, he erected the *first house, or description of dwelling*, in the place. It was simply a large tent, supported on four red-wood posts, and covered with a ship's foresail. The captain's occupation in those days seems to have been the management of two schooners, one belonging to the Mission of San Francisco, and the other to the Mission of Santa Clara. These schooners were employed in bringing produce from the various missions and farms around the bay to the sea-going vessels which lay in Yerba Buena Cove. The amount of freight which the captain received was twelve cents a hide, and one dollar for each bag of tallow. The tallow was melted down and run into hide-bags, which averaged five hundred pounds each. For grain, the freight was twenty-five cents a fanega (two and a half English bushels).

Some years before this period, Yerba Buena Cove had been occasionally approached by various ships of war and other vessels. For many years, the Russians had continued to pay it annual visits for supplies of meat and small quantities of grain. One of their vessels took away annually about one hundred and eighty or two hundred tons of such provisions. In 1816, the English sloop of war "Racoon" entered the port; also, in 1827, the

"Blossom," of the same nation, on a surveying cruise. In the last named year, the French frigate "Artemesia," of sixty guns, arrived. In 1839, there appeared the English surveying ships, the "Sulphur" and the "Starling." In 1841, the first American war vessel, the "San Luis," sloop, arrived; and, later in the same year, the "Vincennes," also American, on a surveying expedition. In 1842, came the "Yorktown," the "Cyane," and the "Dale," all of the American navy; and in the same year, the "Brillante," a French sloop-of-war. From this last named year downwards both ships of war and merchantmen of all nations occasionally entered the port. Whale ships first began to make their appearance for supplies in the fall of the year 1822, increasing in number, year by year, since that period. However, some impolitic port restrictions by the authorities had the effect latterly of sending off a considerable number of this class of ships to the Sandwich Islands, a place much less convenient for obtaining supplies than San Francisco Bay. Since likewise the discovery of gold in the country, and the consequent temptation of seamen to desert, as well as the enhanced price of most supplies, whale ships have not found it their interest to visit San Francisco, but prefer victualling and refitting at the Sandwich Islands.

Previous to 1822, a small traffic was carried on between the coast of Mexico and the California ports; the latter exporting principally tallow and a little soap. Some small vessels from the Sandwich Islands also visited occasionally San Francisco and the other harbors in California. It was in the last year named that the trade began between California and the United States and England. The country then sent its tallow chiefly to Callao and Peru, and its hides to the States and to England. The price of a hide in 1822, was fifty cents, and of tallow, six dollars per hundred weight. These prices had the effect of soon decreasing the number of cattle; and, in the following year, hides rose to one and a half dollars apiece, payable in cash, or two dollars, if the amount was taken in merchandise. The trade value of hides continued at nearly this rate until the war between the United States and Mexico.

Some few natural occurrences during these early years of the

place are worth recording. In December 1824 and in the spring of the following year, very heavy rains fell over all this part of the country. The Sacramento and tributaries rose to a great height, and their valleys were flooded in many places to a depth of fourteen feet. It was partly owing to the great volumes of fresh water brought down through the bay, in 1825, that a portion of the land at the southern side of the entrance, was washed away as stated in a previous chapter. In September, 1829, several very severe shocks of an earthquake were experienced in San Francisco, which forced open lock-fast doors and windows. In 1839, an equally severe earthquake took place. In 1812, however, a much more serious convulsion had been felt over all California, which shook down houses and some churches in several parts of the country, and killed a considerable number of human beings. The Church of San Juan Capistrano was completely destroyed, and forty-one persons, chiefly Indians, were killed by its fall. We have already said that an Indian tradition attributes the formation of the present entrance to the Bay of San Francisco to an earthquake, which forced open a great passage through the coast range of hills for the interior waters. It may be mentioned, when on this subject, that since these dates, no serious occurrences of this nature have happened at San Francisco, though almost every year slight shocks, and occasionally smarter ones have been felt. God help the city if any great catastrophe of this nature should ever take place! Her huge granite and brick palaces, of four, five and six stories in height, would indeed make a prodigious crash, more ruinous both to life and property than even the dreadful fires of 1849, 1850 and 1851. This is the greatest, if not the only possible obstacle of consequence to the growing prosperity of the city, though even such a lamentable event as the total destruction of half the place, like another Quito or Caraccas, would speedily be remedied by the indomitable energy and persevering industry of the American character. Such a terrible calamity, however, as the one imagined, may never take place. So "sufficient for the day is the evil thereof." This maxim abundantly satisfies the excitement-craving, money-seeking, luxurious-living, reckless, heaven-earth-and-hell-daring citizens of San Francisco.

We have elsewhere explained the nature of the climate in respect that the winter and summer months are simply the rainy and dry seasons of the year. We have seen above, the effects of excessive rains; and we may also mark the result of unusual drought. In the personal recollections of Captain Richardson, who is our authority on this subject, there have been several such seasons in the country around the Bay of San Francisco since 1822, when that gentleman came to California. The grass on such occasions was completely dried up, and cattle perished in consequence. The missionaries were under the necessity of sending out all their Indian servants to cut down branches of oak trees for the herds to subsist upon. In these dryer seasons, too, the crops suffered greatly from grasshoppers; which insects, about the month of July, when the corn was still green, would sweep all before them. It may be remarked generally, that while the year is divided into two seasons—wet and dry—there is great irregularity, in the case of the former, as to the average quantity of rain falling annually. During some winters heavy rains pour down, without intermission, for months together; while, on other and often alternate winters, the sky is clear for weeks—then for only a few days slight showers will descend—and again there occurs a long period of the most delightful and dry weather imaginable. Slight frosts are occasionally felt during the winter months; and ice, from the thickness of a cent to that of an inch is seen for a day or two, nearly every season. Generally, however, the winter climate is mild and open, and the winter months are the most pleasant of the year.

The excessively and injuriously wet and dry seasons are exceptional cases, and do not impugn the accuracy of the statements, made elsewhere, of the general mildness of the climate, productiveness of the soil, and safety of the harvest. A fertile field or a fruitful tree will not lose its character, because occasionally there happens to be a short crop. The Pacific is still reputed a serene ocean, though sometimes a gale or tempest sweeps over it. Even in the case of possible earthquakes, nobody would hold France, or Spain, or even Italy—the *bella Italia* of the old world, as California is of the new one—to be dangerous countries to live in, although historical records show that

much damage has been done in them, at long intervals, by volcanic eruptions and subterranean movements.

In May, 1836, Mr. Jacob Primer Leese arrived in the Cove of Yerba Buena, with the intention of establishing a mercantile business at San Francisco, in partnership with Mr. Nathan Spear and Mr. W. S. Hinckley, who were to remain at Monterey, and



Jacob Primer Leese.

manage the business of the firm there. Mr. Leese brought letters from the then governor of California, Don Mariano Chico, to the alcalde and commandante of San Francisco, desiring them to render him all assistance in their power in arranging a location and otherwise. Mr. Leese at once fixed on the beach of Yerba Buena Cove for his establishment, but as the ordinance of General Figueroa, concerning the government reserve, was still in force, he could not procure an allotment nearer the beach than at the distance of two hundred varas. The alcalde and commandante were much pleased that Mr. Leese should come to settle

among their people, and at once offered him a choice of two locations, one being at the mouth of Mission Creek, and the other at the entrance to the bay near the presidio. Mr. Leese, however, had made up his mind on the subject; and, partly for his own business convenience, and probably, in part, foreseeing the increased future value of sites around Yerba Buena Cove, would accept no grant but one in that quarter. In this the local authorities could not legally aid him; so Mr. Leese returned forthwith to Monterey with his story and complaint to Governor Chico. On explanations there, the governor informed Mr. Leese that he would instruct the alcalde of San Francisco to grant an allotment within the limits of the government reserve, and in the mean time authorized Mr. Leese to select for himself the most convenient place he could find elsewhere.

Back to Yerba Buena Cove hastened Mr. Leese, and on the first of July presented to the alcalde his new letters. On the following day he landed boards and other materials for building, and immediately took possession of a one-hundred vara lot, adjoining on the south side that on which Captain Richardson's tent was already erected. Mr. Leese's lot was situated about two hundred or two hundred and fifty yards from the beach, and is the spot where the St. Francis Hotel was subsequently erected, at the corner of Clay and Dupont streets. Mr. Leese was indefatigable in hastening the erection of his dwelling, which was finished by ten o'clock on the morning of the 4th of July—the *first* glorious fourth—when the independence of America was commemorated in style in California. These two houses, belonging to Capt. Richardson and Mr. Leese, were the earliest houses erected in Yerba Buena, and formed the beginning of the City of San Francisco. It is but eighteen years since their erection, and now there is a population of over fifty thousand around the spot!

While Mr. Leese was erecting his mansion, which seems to have been rather a grand structure, being made of frame, sixty feet long and twenty-five feet broad, Captain Richardson was kindly proceeding across the bay to Sonoma, where he invited all the principal folks of the quarter to a banquet in the new building. Two events—each great in their way—were to be celebrated:

first, Independence Day, and next, the arrival of Mr. Leese in the country, his welcome and house-warming. The two worthy souls, cordially fraternizing, were determined to make a great affair of it; and so indeed it happened. As it was the first grand scene in the future San Francisco, where there have since been so many, we are tempted to dwell a little on the eventful occasion. Future generations will pleasantly reflect on this auspicious commencement to the pride of the Pacific, then like a new-born infant cradled by its tender parents, Capt. Richardson and Mr. Leese, and tricked out in all the magnificence of an heir's baby clothes.

At this time there was lying in the cove the American barque "Don Quixote," commanded by Mr. Leese's partner, Capt. Hinckley, and on board of which were their goods. There were also at anchor in the port another American ship and a Mexican brig. These vessels supplied every bit of colored bunting they could furnish, with which was decorated Mr. Leese's hall. A splendid display was the result. Outside of the building floated amicably the Mexican and American flags—the first time the latter was displayed on the shore of Yerba Buena. Captain Hinckley seems to have been somewhat extravagant in his passion for sweet sounds, since he always travelled with a band of music in his train. Through this cause the most stylish orchestra, perhaps, ever before heard in California, was provided by him. This consisted of a clarionet, flute, violin, drum, fife and bugle; besides two small six pounders to form the bass, and to add their emphatic roar to the swelling din, when a toast of more than usual importance should be given. These last, however, were borrowed from the presidio.

The feast was prepared; the minstrels were met; and the guests began to assemble about three o'clock on the afternoon of the Fourth. They were about sixty in number, and included General M. G. Vallejo and all the principal families from the neighborhood of Sonoma, such as the Castro, Martinez, &c., as well as the chief inhabitants of San Francisco. Besides the banqueting hall, Mr. Leese had erected a number of small tents, in which to receive his numerous guests and provide for them comfortably. At five o'clock dinner was served, and immediately

afterwards followed the toasts. First of all was given the union of the Mexican and American flags. (How little did the convivial parties then dream of the near advent of the sole and absolute sway of the Americans in the country !) General Vallejo next paid the honors to Washington. Then followed appropriate national and individual toasts in their order ; but which it is



Celebration of the Fourth of July at Leese's House.

needless to particularize. The guests were as happy as mortals could well be ; and, in short, "all went merry as a marriage bell." The abundance and variety of liquors at table seemed to tickle the Californians amazingly. One worthy gentleman took a prodigious fancy to lemon syrup, a tumbler full of which he would quaff to every toast. This soon made him sick, and sent him off with a colic ; which was all matter of mirth to his "jolly companions, every one." At ten o'clock our "city fathers" got the table cleared for further action, and dancing and other amusements then commenced. The ball was kept hot and

rolling incessantly, all that night, and it appears, too, the following day; for, as Mr. Leese naively observes, in his interesting and amusing diary, "*our fourth ended on the evening of the fifth.*" Many of the simple-minded Indians and such lower class white people as were not invited, had gathered around while the festivities and sports were going on among the people of quality, and could not contain themselves for joy, but continually exclaimed, "*Que buenos son los Americanos!*"—What capital fellows these Americans are! And doubtless the white gentry thought, and often said the same.

But let a Yankee alone for knowing his own interest in spending money lavishly! In a few days afterwards, Mr. Leese had concluded the landing of his twelve thousand dollars worth of goods, when he opened his store for business. The grateful guests, and all the people around, at once flocked to purchase; and trade, he says, became quite brisk, at most satisfactory prices.

Shortly after this event, Mr. Leese, upon a hasty courtship—or rather, for he seems to have had no time to wait, and California was beginning to shake off her lethargy and be a go-ahead country; in fact, none beyond "popping the question," in smart business fashion, on the 1st of April, 1837 (ominous day for such a deed!)—was married to a sister of General Vallejo. On the 7th of the same month they were tied together, for life, by the "holy bands of matrimony;" and from this union, on the 15th of April, 1838, sprung their eldest child—ROSALIE LEESE—*being the first born in Yerba Buena.*

In this year, Mr. Leese erected a large frame building on the beach, with consent of the alcalde, the latter observing that the governor had informed him he was going to lay out a few town lots. He therefore permitted Mr. Leese, in order to forward his plans, to take a one-hundred vara lot provisionally where he wished. The present banking-house of Mr. James King of William, at the corner of Commercial and Montgomery streets, and which is situated in what may be called the centre of San Francisco, occupies the site of Mr. Leese's frame building on the beach of Yerba Buena Cove. In this year also, Captain Richardson erected an adobe building on the same lot he had always occupied, and which has been already noticed. This adobe building, one and a

half stories high, was the old "*Casa Grande*" which stood on the west side of Dupont-street, between Washington and Clay streets, and was taken down in 1852. About this time, some native Californians and a few visitors of foreign extraction, chiefly American, began to settle in the rising town. The arrivals of ships likewise were gradually increasing.

In 1839, Don J. B. Alvarado, then constitutional governor of California, dispatched an order to the then alcalde of San Francisco, Francisco Haro, to get a survey taken of the plain and cove of Yerba Buena. This was accordingly made by Captain Juan Vioget in the fall of the same year, and was the first regular survey of the place. It included those portions of the present city which lie between Pacific street on the north, Sacramento street on the south, Dupont street on the west, and Montgomery street on the east. The original bounds of the new town were therefore very limited. The lot on which Mr. Leese built his second house was marked No. 1 on the plan, and its eastern front made the line of the present Montgomery street, which then formed the beach of the cove. Mr. Leese seems to have been pretty well treated by the authorities in the matter of the new town, since he appears to have received, besides the allotment already mentioned, farther grants of three one-hundred vara lots on the west side of Dupont street, and two on the south side of Sacramento street, as well as of other three lots, likewise outside of the survey. To conclude this notice of Mr. Leese's close connection with the rising fortunes of Yerba Buena, it may be mentioned, that, in the month of August, 1841, he sold his dwelling-house to the Hudson's Bay Company, and removed his property and family to Sonoma, with the intention of engaging in extensive cattle transactions in Oregon, which territory was then attracting much notice, and had begun to draw to it many agricultural settlers.

CHAPTER III.

Removal of the Hudson's Bay Company.—Rapid growth and increase of population of Yerba Buena.—First newspapers established in California.—Tables showing the number of inhabitants in 1847, with their places of birth, ages, sexes and occupations.—Ordinance of the alcalde changing the name of Yerba Buena to San Francisco.—W. A. Bartlett was the first alcalde under the American flag, who was succeeded by George Hyde, and he by Edwin Bryant.—Powers of an alcalde.—Great sale of beach and water lots, agreeably to a decree of General Kearny.—Price of grants of property, and subsequent increased value of city lots.—Width of the streets.—Municipal regulation restricting purchasers.

DURING the early years of the existence of Yerba Buena, little occurs worthy of notice. The place continued merely a village; and its history for some years subsequent to 1841, would be simply a record of the private business transactions of the Hudson's Bay Company, whose agents and people formed nearly the entire settlement. Even so lately as 1844, Yerba Buena contained only about a dozen houses, and its permanent population did not exceed fifty persons. In 1846 the Hudson's Bay Company disposed of their property, and removed from the place. After that period it began gradually to increase in importance and population. The progress of political events during which the country passed into American hands, was, as might have been anticipated, the chief cause of the rapid strides onward which the place now began to take.

By mid-summer of 1846, the population numbered upwards of two hundred, and the buildings of all kinds had increased to nearly fifty. From this date the place advanced with wonderful rapidity. On the first April of the following year, it contained seventy-nine buildings, viz.:—twenty-two shanties, thirty-one frame-houses, and twenty-six adobe buildings. In the course of the subsequent five months, seventy-eight new tenements were erected, viz.:—forty-seven of frame, eleven of adobe, and twenty shanties. About this time the permanent population had increas-

ed to nearly five hundred. By the end of April, 1848, about the time when the "*rush*" to the "*diggings*" commenced, the town contained nearly two hundred buildings, viz. :—one hundred and thirty-five finished dwelling-houses, ten unfinished houses of the same class, twelve stores and warehouses, and thirty-five shanties. At this last date the population numbered about a thousand individuals, composed almost entirely of people from the United States or from European countries. Every day was bringing new immigrants, and every week additional houses were erected.

Three kinds of buildings generally appear early in the progress of American settlements :—the church, tavern and printing-office. The last was established so early as January, 1847, when the population was little more than three hundred ; and, on the 7th of that month the first number of the "*California Star*" appeared. This paper was published by Mr. Samuel Brannan, and edited by Dr. E. P. Jones. It was a small sheet of four pages, about fifteen inches by twelve of type, and appeared every Saturday. It was a neat production—type, matter and arrangement being of excellent quality. A passage in the prospectus gave notice that "it will eschew with the greatest caution every thing that tends to the propagation of sectarian dogmas." This clause may have been inserted in consequence of the publisher having but recently been prominently connected with a certain religious sect, and with a view to assure the public that it was no part of his intention to make the "Star" the medium of promulgating its peculiar sectarian tenets.

"*The Californian,*" also a weekly newspaper, of still smaller dimensions, and of much inferior typographical pretension, had previously appeared at Monterey, where its first number was issued on the 15th August, 1846, by Messrs. Colton & Semple, by whom also it was edited. Commodore R. F. Stockton, however, was the originator of this publication. This was the first newspaper in the English, or indeed, in any language, which was published in California. For the sake of the natives, the editors gave a portion of the contents in Spanish ; but the greater part from the beginning, and soon the whole of it, was printed in English. The publishers seem to have been reduced to considerable difficulty in getting out their paper. In one of the impressions they give this

explanatory and apologetic note for its rude appearance. We copy literally :—

"OUR ALPHABET.—Our type is a spanish font picked up here in a cloister, and has no VV's [W's] in it, as there is none in the spanish alphabet. I have sent to the sandvvich Islands for this letter, in the mean time vve must use tvvo V's. Our paper at present is that used for vvrapping segars ; in due time vve vvill have something better: our object is to establise a press in California, and this vve shall in all probability be able to accomplish. The absence of my partner for the last three months and my buties as Alcaldd here have dedrived our little paper of some of those attentions vvhich I hope it vvill hereafter receive.

"VVALTER COLTON."

The printer is responsible for a few errors in the above extract ; but the editor seems also blameable for the rapid changes from singular to plural and back again. It will be noticed from the date of the first number of the "Californian," that it was issued immediately after the capture of Sonoma and the first hoisting of the American flag in the northern towns of California ; and no doubt these events hastened its appearance. In the prospectus the editor says : "We shall maintain an entire and utter severance of all political connection with Mexico. We renounce at once and forever all fealty to her laws, all obedience to her mandates. * * * We shall advocate a territorial relation of California to the United States, till the number of her inhabitants is such that she can be admitted a member of that glorious confederacy. * * * We shall support the present measures of the commander-in-chief of the American squadron on the coast, so far as they conduce to the public tranquillity, the organization of a free representative government, and our alliance with the United States. * * * We shall go for California—*for all her interests, social, civil, and religious* —encouraging every thing that promotes these ; resisting every thing that can do them harm." Thus, every thing was showing that the Americans were resolved, at whatever cost, to keep the country, and make it their own. Meanwhile, San Francisco was rising into such importance as to make it a much superior place for publication to Monterey ; and accordingly on the 22d day of May, 1847, Mr. Robert Semple, who seems now to have been the

sole publisher of the "Californian," issued the first number of the second volume of that paper at the former town, much enlarged and every way improved. This therefore was the second newspaper established in our city, at a time when the permanent population did not exceed four hundred.

From the columns of these early papers we extract much curious information regarding the number and elements of the population of San Francisco in the latter part of June, 1847. The following table shows the total number of inhabitants, the sex and age of the whites, and the sex of the Indians, Sandwich Islanders, and negroes; excluding the officers and soldiers of the detachment of New York volunteers stationed there at the time :—

Whites.	Males.	Females.	Total.
Under 5 years of age.....	28	23	51
Over 5 and under 10 years.....	18	14	32
" 10 " 15 "	10	14	24
" 15 " 20 "	11	11	22
" 20 " 25 "	29	15	44
" 25 " 30 "	54	19	73
" 30 " 40 "	61	19	80
" 40 " 50 "	20	10	30
" 50 " 60 "	12	3	15
" 60 " 70 "	2	—	2
" 70 " 80 "	2	—	2
Total whites	247	128	375
Indians (of different ages).....	26	8	34
Sandwich Islanders (of different ages)	39	1	40
Negroes (of different ages).....	9	1	10
Total	321	138	459

From this table it will be seen that upwards of four-fifths of the whole population were under forty years of age; while more than one-half were between twenty and forty—the prime of life. Under twenty, the sexes were nearly equal in number; but above that age, the vast majority were males. These circumstances must be borne in mind when the reader considers the restless enterprise, energy and capability exhibited by the comparatively small population of the town. We have already alluded to the mixture of foreigners who settled in San Fran-

cisco. We now give the birth-places of the above white population :—

Born in the United States, 228 ; in California, 38 ; other Mexican departments, 2 ; Canada, 5 ; Chili, 2 ; England, 22 ; France, 3 ; Germany, 27 ; Ireland, 14 ; Scotland, 14; Switzerland, 6 ; at sea, 4 ; Denmark, Malta, New Holland, New Zea-



San Francisco, from the Bay, in 1847.

land, Peru, Poland, Russia, Sandwich Islands, Sweden and West Indies, *one* each.

As of the number stated to have been born in California, eight were children of immigrant parents, it will be seen that the total population of Spanish or Mexican descent was only thirty-two. Three-fifths of the total inhabitants were of direct American origin ; and perhaps one-fifth more was composed of people who had previously settled or lived in the United States. The Americans, however, as may be supposed, were from every

State in the Union, and were often as different from each other in personal characteristics, as if they had been so many foreigners of separate countries.

The number who could read and write was two hundred and seventy-three ; those who could read, but not write, were thirteen ; while those who could neither read nor write, were eighty-nine.

From these statements it appears that the number who could neither read nor write bore a near relation to the number of inhabitants under ten years of age. At that period, it may be mentioned, there was only one school in the place, and no proper facilities were as yet given for bestowing a suitable education upon the young.

The occupations or professions of the white males were as follows :—1 minister ; 3 doctors ; 3 lawyers ; 2 surveyors ; 1 school-teacher ; 11 agriculturalists ; 7 bakers ; 6 blacksmiths ; 1 brewer ; 6 brick-makers ; 7 butchers ; 2 cabinet makers ; 26 carpenters ; 1 cigar-maker ; 13 clerks ; 3 coopers ; 1 gardener ; 5 grocers ; 2 gunsmiths ; 3 hotel-keepers ; 20 laborers ; 4 masons ; 11 merchants ; 1 miner ; 1 morocco-case maker ; 6 inland navigators ; 1 ocean navigator ; 1 painter ; 6 printers ; 1 saddler ; 4 shoemakers ; 1 silversmith ; 4 tailors ; 2 tanners ; 1 watchmaker ; 1 weaver.

The places in which the inhabitants conducted their business, were as follows, viz. :—shops, 1 apothecary, 2 blacksmith, 3 butcher, 1 cabinet maker, 2 carpenter, 1 cigar-maker, 2 cooper, 1 gun-smith, 1 shoemaker, 2 tailor, and 1 watchmaker ; 8 stores ; 7 groceries ; 2 hotels ; 1 wind-mill ; 1 horse-mill ; 2 printing-offices ; and 3 bakeries.

The Indians, Sandwich Islanders, and negroes, who formed nearly one-fifth of the population, were mostly employed as servants and porters. Many of the Sandwich Islanders were engaged in navigating the bay, and were very expert boatmen.

On the 30th of January, 1847, the following important "ordinance" appeared in the "California Star."

"AN ORDINANCE.

"WHEREAS, the local name of Yerba Buena, as applied to the settlement or town of San Francisco, is unknown beyond the district ; and has been ap-

plied from the local name of the cove, on which the town is built: *Therefore*, to prevent confusion and mistakes in public documents, and that the town may have the advantage of the name given on the public map,

"IT IS HEREBY ORDAINED, that the name of SAN FRANCISCO shall hereafter be used in all official communications and public documents, or records appertaining to the town.

"WASH'N A. BARTLETT,
"*Chief Magistrate.*

"Published by order,
"J. G. T. DUNLEAVY, *Municipal Clerk.*"

Mr. Bartlett was the first alcalde of San Francisco under the American flag. He was a lieutenant in the United States navy; and on being subsequently ordered to his ship, Mr. Edwin Bryant was appointed in his place, and sworn into office on the 22d day of February, 1847. This gentleman had travelled the previous year across the country from Independence, Mo., to the Pacific, and had subsequently joined Col. Fremont as a volunteer in the reduction of California. Shortly afterwards, he published in New York an interesting account of his travels under the title, "What I saw in California." Before Mr. Bryant's appointment to the chief-magistracy, Mr. George Hyde had acted for a short time as temporary alcalde.

Under the laws of Mexico, an alcalde had the entire control of municipal affairs, and administered justice pretty much according to his own ideas of the subject; without being tied down to precedents and formal principles of law. He could make grants of building-lots within the town boundaries to intending settlers; and really in general, his right of administration (except in cases of importance, either civil or criminal), seems to have been only limited by his power to carry his decrees into effect. When the Americans seized the country, and until peace should be declared or a formal constitution adopted, they were obliged to make use of the existing machinery of local government and the customary laws that regulated it. They accordingly every where appointed alcaldes, or chief-magistrates of towns and districts (it was of little consequence that they were not *lawyers*, but only ministers, doctors, adventurers, men of business, or of pleasure, and the like), and instructed them to dispense justice in the best manner they could, paying always

as much regard as possible to the national laws of Mexico and the provincial customs of California.

The laws of Mexico reserved to the governor of a province the disposal of lands in towns within a certain number of feet below high-water mark. By this time, from the number of ships arriving in the Bay of San Francisco, it was becoming absolutely necessary that proper facilities should be given for the discharge and the reception of cargoes, and that wharves and other landing-places should be built across the great mud flat close upon the beach at the town, and extended to deep water, so that vessels could lie alongside. Upon the application therefore of the alcalde, Mr. Bryant, the then governor of California, General Kearny, in anticipation that the country was ultimately to become American, formerly renounced, on the 10th of March, 1847, in favor of the municipal authorities, the beach and water property lying between the points known as the Rincon and Fort Montgomery, upon the conditions stated in his decree. An extended survey and plan of the town had been previously commenced by Mr. Jasper O'Farrell, under the instructions of the former alcalde, Mr. Bartlett, and were now continued so as to embrace the beach and water property. When this survey was completed, the shore lots, as distinguished from those on the beach, were disposed of by private sale to applicants at a fixed price put on them by the alcalde, agreeably to the Mexican customs. The plan of the city, as surveyed and mapped out by Mr. O'Farrell, fronted the cove, and included the Telegraph Hill and the Rincon. It extended about three quarters of a mile from north to south, and two miles from east to west, and embraced about one and a half square miles. As the disposal of the beach and water lots was a great event in the history of San Francisco, we give a copy of the advertisement announcing the sale, and which was published in the "California Star," of the town, and in the "Californian," of Monterey, in conformity with the governor's decree :—

"GREAT SALE OF VALUABLE REAL ESTATE IN THE TOWN OF SAN FRANCISCO, UPPER CALIFORNIA.

"By the following decree of His Excellency, General S. W. Kearny, Governor of California, all the right, title and interest, of the United States, and

of the Territory of California, to the BEACH AND WATER lots on the east front of the town of San Francisco, have been granted, conveyed, and released, to the people or corporate authorities of said town:—

'DECREE OF GENERAL KEARNY.

'I, Brigadier-General S. W. Kearny, Governor of California, by virtue of authority in me vested by the President of the United States of America, do hereby grant, convey, and release unto the town of San Francisco, the people, or corporate authorities thereof, all the right, title, and interest of the Government of the United States, and of the Territory of California, in and to the beach and water lots on the east front of said town of San Francisco, included between the points known as the Rincon and Fort Montgomery, except such lots as may be selected for the use of the United States Government by the senior officers of the army and navy now there: PROVIDED, the said ground hereby ceded shall be divided into lots, and sold by public auction to the highest bidder, after three months notice previously given; the proceeds of said sale to be for the benefit of the town of San Francisco.

'Given at Monterey, capital of California, this 10th day of March, 1847, and the 71st year of the independence of the United States.

'S. W. KEARNY.

'*Brigadier-General and Governor of California.*'

"In pursuance of and in compliance with the conditions of the foregoing decree, all the ungranted tract of ground on the east front of the town of San Francisco, lying and situated between Fort Montgomery and the Rincon, and known as the water and beach lots (the reservations by the general and town governments excepted), will be surveyed, and divided into convenient building lots for warehouses and stores, and offered at public sale to the highest bidder on Tuesday, the 29th day of June next, at ten o'clock, A. M. A plan of lots in connection with a general map of the town will be made out and exhibited on or before the day of sale.

"Terms of sale, one fourth cash,—one fourth in six months,—one fourth in twelve months,—and one fourth in eighteen months, the purchaser giving approved security bearing an interest of *ten per cent. per annum* from the day of sale.

"Other conditions will be made known on or before the day of sale.

"The site of the town of San Francisco is known to all navigators and mercantile men acquainted with the subject, to be the most commanding commercial position on the entire eastern coast of the Pacific Ocean, and the town itself is, no doubt, destined to become the commercial EMPORIUM of the western side of the American continent. The property offered for sale is the most valuable in, or belonging to the town, and the acquisition of it is an object of deep interest to all mercantile houses in California and elsewhere engaged in the commerce of the Pacific.

"EDWIN BRYANT,

"*Alcalde, or Chief Magistrate, Town and District of San Francisco.*

"*San Francisco, Upper California, March 16th*, 1847."

This great sale was subsequently postponed to Tuesday, the 20th of July following, by order of Mr. George Hyde, who was then alcalde of the town. On the day last named the sale took place, and lasted for three successive days. The lots were all contained between the limits of low and high-water mark; and four-fifths of them were entirely covered with water at flood tide. The size of the lots was sixteen and a half varas in width of front, and fifty varas deep. A *vara* is a Spanish yard, and is equal to about *thirty-three and one-third inches* of English measure. There were about four hundred and fifty of these lots in all, of which number two hundred were disposed of at the public sale above mentioned. The attendance of buyers was pretty fair; and the prices given were very considerable (ranging from fifty to one hundred dollars), considering the population and circumstances at the time. The price of some of the same lots *now* would somewhat astonish the projectors of the town extension of those days.

Curiously enough, we were in the act of finishing the last sentence, when we were informed of the prices obtained by the municipal authorities for other water lots which they were at this time (26th December, 1853) disposing of likewise at public auction. These last lots were situated much farther out in the bay, at places always covered with many feet of water, and measured less than one-half the size of the old ones, being only twenty-five feet in front by fifty-nine feet nine inches back. Yet they brought prices varying from *eight to sixteen thousand dollars!* Four small sized building blocks alone produced, in all, the enormous sum of $1,200,000; thereby restoring the injured credit of the city. Such is one contrast between 1847 and 1853 at San Francisco!

But the principal part of the town was laid out in lots of fifty varas square; six of them making a building block, bounded on the four sides by streets. In August, 1847, there had been about seven hundred of this description of lots surveyed, of which number nearly four hundred and fifty had been applied for and disposed of by the alcalde at a fixed price, which now seems to have been merely nominal. This price was *twelve dollars per lot,*

and when the office fees for deed and recording (three dollars and sixty-two and a half cents) were added, the total cost was less than *sixteen dollars.* The conditions of sale were that the buyer should fence in the ground, and build a house upon it within one year; failing which, the lot and improvements were to revert to the town.

The south-eastern portion of the town was laid out in lots of one hundred varas square, six of which also formed a building block, bounded by regular streets at the four sides. The part of the town formed by these last lots was supposed to be the least valuable, and the lots themselves were expected to be the last taken up and improved by purchasers. The price established by law for these lots, which were four times the size of the fifty vara ones, was only *twenty-five dollars* each, and when the deed and recording fees were added (three dollars and sixty-two and a half cents), the total cost was under *twenty-nine dollars.* In August, 1847, about one hundred and thirty lots of this description were surveyed and laid out, of which number about seventy had been sold. The conditions of the sale were similar to those applicable to the fifty vara lots.

The proceeds of all these sales made up a considerable sum, and saved the necessity of levying municipal taxes for a short time. Real estate has advanced so rapidly in value since those days, that it would only be ridiculous to compare the prices obtainable now with those fixed by the alcalde in 1847. In many cases, however, an immense sum has been actually expended in first bringing the ground into building condition.

In Mr. O'Farrell's plan, the streets are all regularly laid out at right angles with each other, and are seventy-five and eighty feet wide. One, however, is one hundred and ten feet in width. The streets in the oldest part of the town—that portion surveyed by Capt. Juan Vioget, as stated in the previous chapter—are only about sixty feet broad.

There was at one time a municipal regulation, by which individuals were prevented from purchasing and holding more than a single fifty or one hundred vara lot. The object of this appears to have been to exclude speculators from jobbing in the lots, and

to insure their speedy improvement by the real owner. By procuring lots, however, in the names of third parties, speculators soon contrived to evade this regulation, and thus a few individuals became possessed of a large portion of the extension of the town. The alcalde and town council therefore, shortly afterwards, did away with this restriction upon purchasers.

CHAPTER IV.

1846–1847.

Captain Montgomery hoists the American flag on Portsmouth Square.—Arrival of the ship Brooklyn from New York, with a large company of Mormon and other immigrants.—Disputes among her passengers, leading to the first jury trial in San Francisco.—Grand ball at the residence of Wm. A. Leidesdorff.—Nautical fête given by Capt. Simmons.—Public reception of Com. Stockton.—Attempts to establish a public school.—Name of town changed to San Francisco.—Number of buildings and inhabitants.—Suffering immigrants in the Sierra Nevada.—Trustees of the proposed school chosen.—Delegates to represent the District of San Francisco in the new legislative council.—Arrival of Col. Stevenson and New York Volunteers.—Vessels in the harbor, 13th March, 1847.—"The California Star" adopts the name of San Francisco.—Mails established between San Francisco and San Diego.—Proposed erection of a church.—Grand illumination in honor of Gen. Taylor's victory at Buena Vista.—Celebrations of Anniversaries.—Public meeting to consider the claims of Col. Fremont to the office of Governor of the Territory.—Sale of beach and water lots.—Election of the first town council.—The first public school.—Gales in San Francisco Bay.—The first steamboat.—Thanksgiving Day.—Commercial Statistics.

HAVING got the new town of San Francisco fairly planned, and given some general notion to the reader of the elementary composition of its inhabitants, shortly before the time when the discovery of gold was altogether to change its appearance and character, we shall now turn back a little in the order of time, and detail such few scattered notices of previous events as may seem to us worthy of being recorded among the "Annals" of the place.

1846.

JULY 8th.—The American flag was, on the morning of this day, hoisted in the *plaza*, or public square of Yerba Buena, by Capt. Montgomery, of the United States sloop-of-war *Portsmouth*, then lying in the bay. Two days before Commodore Sloat had despatched a messenger to Capt. Montgomery, informing him of his intention to raise the American flag at Monterey, and commanding him to do the same in the northern parts of the province around the Bay of San Francisco. This Montgomery did at the above

date, accompanied by a party of seventy sailors and marines, and under a salute of twenty-one guns from the Portsmouth. The plaza at this time received the name of *Portsmouth Square*, and the street lying on the beach was called *Montgomery Street*. It may be mentioned that the American flag was raised at Sonoma on the 10th of this month; and soon afterwards at every principal place in the northern portion of California, where it was generally beheld with tranquillity, if not with applause.

JULY 31st.—The ship "Brooklyn" arrived in San Francisco Bay with a company of Mormon and other immigrants from New York. On landing at Yerba Buena, they immediately set up their tents among the sand-hills close to the beach. Very soon disputes began to arise between the Mormon people and their leaders, which ended in an open rupture, and a secession from their body of several of the principal men. Mr. Samuel Brannan, one of the most prominent of the party, was bitterly reviled, and accused of sundry malversations in his office as president of the association and as one of the managers of their funds. A jury trial—the first ever seen in California—was the consequence; in which Mr. Brannan was successful. These proceedings had the effect of preventing the Mormons at this time from selecting lands together and establishing themselves as a distinct community. Soon afterwards many of them volunteered to serve in the war in California, and joined Colonel Fremont's battalion.

SEPTEMBER 8th.—The people of Yerba Buena, though still few in number, and particularly deficient in the fair sex, seemed determined to enjoy life while they might. A grand ball was given on the evening of this day at the residence of Mr. William A. Leidesdorff, by the officers in the service of the United States, and by the citizens of the town; when upwards of one hundred Californian and American ladies were present, with a large number of gentlemen. The dancing was very spirited, and kept up till daylight. This was the first gathering of ladies and gentlemen since the hoisting of the American flag. It was not long allowed to be the only one; for on the 18th of the same month, we find Capt. Simmons, of the American whale-ship "Magnolia," giving a nautical *fête* on board his ship on the evening of that day. One hundred and fifty family invitations were issued in

Yerba Buena and around the bay. From repeated traces which we find, of subsequent balls, grand dinners and suppers, and other festive entertainments, it may be presumed that the people of Yerba Buena were an exceedingly gay set. Business was brisk, and the town thriving; while the majority of the population being unmarried and without proper homes, it seemed that some such kind of continual public diversion was the only way in which they could unbend their minds from the contemplation of the "almighty dollar," and enjoy themselves.

OCTOBER 5th.—This day, His Excellency, Commodore Robert F. Stockton, the governor and commander-in-chief of California, was honored with a public reception on the occasion of a visit to San Francisco. At a preliminary meeting to make the necessary arrangements, nearly every male adult of the place had been present; and on this day again all turned out in procession, to welcome the commodore. After the magistracy of the district and foreign consuls, there came the committee of management and the masters of the ships in port, concluding with a long line of citizens. A military escort and band of music attended on the occasion. General M. G. Vallejo, with several other native gentlemen who had held office under the last government, also appeared in the procession. We may mention that the general (many of whose relations were American or English), and some other leading Californians, had been early of opinion that the best hopes for their country lay in immediate annexation to the United States; and, accordingly, on all occasions, when duty permitted, they had been firm friends to the Americans. After an appropriate address to Commodore Stockton, in which he was complimented upon his efforts and success in reducing California, and a suitable reply by him, the ceremonies of the day, after a long procession to the mission and back again, concluded by an excellent collation, followed by a ball in the evening.

1847.

JANUARY.—Various attempts have been made of late to establish a public school. The "California Star" has weekly been calling attention to this important subject. At last a committee was appointed to ascertain the amount of subscriptions that

might be expected from the inhabitants, the cost of the building and the salary of the teacher. Very unlike the usual proceedings of the citizens, much time and talk seem to have been lost on this subject ; nor was the object wished for obtained till upwards of twelve months after this date.

It was in this month that the term Yerba Buena was changed into San Francisco, by an ordinance of the alcalde, as stated in the preceding chapter. There were only about fifty houses at this period in the whole place, most of which were small single story buildings, constructed chiefly of *adobes*. They were scattered irregularly over the space lying between the foot of Telegraph Hill and Happy Valley. In April, of this year, the population numbered three hundred and seventy-five, without reckoning the Indians, who were by this time few in number.

FEBRUARY 3d.—A public meeting was held on the evening of this day to consider the alarming situation of a party of immigrants, who the previous year had attempted to reach California by a new route through the Great Basin ; but who, in ignorance of the country and other causes, had been so long delayed on the journey, that they were caught among the winter snows of the Sierra Nevada, where some of them had already perished, and the remainder were in imminent peril. Not content, however, with a mere expression of feeling, the meeting subscribed nearly fifteen hundred dollars, and immediately fitted out an expedition of twenty men, with an old mountaineer as guide, to proceed to the mountains with supplies to the sufferers, and to assist in extricating them from danger. Other expeditions, from various parts of the country, one of which was organized and altogether maintained at the personal charges of the benevolent Capt. Sutter of New Helvetia, likewise made the attempt to penetrate the mountains, and carry glad tidings and safety to the unfortunates. By these means those still alive were all rescued by the middle of spring. The descriptions given by the survivors, and by such members of the expeditions as were able to reach them, show a state of things of the most painful and horrible character. Many indeed had perished, through excessive cold and exposure to the weather, bodily fatigue and sheer hunger. When the provisions of the party were exhausted, and there was no strength nor oppor-

tunities left to kill game for food, necessity forced them to feed upon the dead bodies of their companions, two of whom (Indian guides), a small detached party of the white people killed for their support. Some even began to relish this kind of food, and sought it in preference when other provisions might have been obtained. One man, particularly, named Kiesburg, was suspected



Suffering Immigrants.

of foul murders to enable him to gratify this new and unnatural propensity. Before the time of trial, however, was over, all were glad enough of opportunities to partake of the horrid messes of human blood and uncooked entrails.

Packed closely together to preserve animal heat, in miserably small tents, with masses of snow beneath and around them, while piercing winds and snow blasts penetrated through all their defences, and the temperature was much below the freezing point, these unhappy beings for months saw only ultimate destruction from cold and hunger before them. There were husbands and

wives, parents and children, all bearing the same physical suffering, and the elders likewise the mental anguish of thinking upon the sad fate of their little ones and the females dependent on them. Snow had begun to fall earlier than usual among the mountains, and when the party had arrived at the eastern side of the great pass across the Sierra Nevada, it lay too soft and deep for them to proceed. To retrace their steps was impossible; and, accordingly, they were forced to encamp where they were, with all the gloomy months of winter before them, unprepared, in every respect, in clothing, food, and lodging. Soon despair filled every heart; while the stealthy approaches of starvation and the daily sight of their misery brought insanity in their train. Many died raving mad; while the minds of all were in some sense affected by the horror of their situation. By great efforts and much physical exertion some few scattered members of the company managed to struggle through the snowy barrier, and slowly and painfully, reached the nearest settlements on the western slope of the mountains. The warm hearts of the settlers beat with generous emotion on hearing the sad tidings from the few who had thus escaped, and soon the whole country around San Francisco Bay was aroused to carry relief to the people still among the snows.

The following notice of the appearance of the suffering immigrants when the relief party reached them, is taken from the "California Star" of the 10th April, 1847:—

"The bones of those who had died and been devoured by the miserable ones that still survived, were lying around their tents and cabins. Bodies of men, women and children, with half the flesh torn from them, lay on every side. A woman sat by the side of the body of her husband, who had just died, cutting out his tongue; the heart she had already taken out, broiled and eat! The daughter was seen eating the flesh of the father—the mother that of her children—children that of father and mother. The emaciated, wild and ghastly appearance of the survivors added horror to the scene. Language cannot describe the awful change that a few weeks of dire suffering had wrought in the minds of the wretched and piteous beings. Those who but one month before would have shuddered at the thought of eating human flesh, or of killing their companions and relatives to preserve their own lives, now looked upon the opportunity by these acts afforded them of escaping the most dreadful of deaths, as a providential interference in their behalf. Calculations were coldly made, as they sat gloomily around their camp fires, for the next and succeeding meals. Various expedients were devised to prevent the dreadful crime of murder; but

they finally resolved to kill those who had the least claims to longer existence. Just at this moment, however, as if by divine interposition, some of them died, which afforded the rest temporary relief. Some sunk into the arms of death cursing God for their miserable fate, while the last whisperings of others were prayers and songs of praise to the Almighty.

"After the first few deaths, but the one all-absorbing thought of individual self-preservation prevailed. The fountains of natural affection were dried up. The chords that once vibrated with connubial, parental and filial affection were rent asunder, and each one seemed resolved, without regard to the fate of others, to escape from the impending calamity. Even the wild hostile mountain Indians, who once visited their camps, pitied them; and instead of pursuing the natural impulse of their hostile feelings to the whites, and destroying them, as they easily could have done, divided their own scanty supply of food with them.

"So changed had the immigrants become, that when the party sent out arrived with food, some of them cast it aside, and seemed to prefer the putrid human flesh that still remained. The day before the party arrived, one of the immigrants took a child of about four years of age in bed with him, and devoured the whole before morning, and the next day eat another about the same age before noon.

"It is thought that several more of these unfortunate people might have been saved, but for their determination not to leave their property. Some of them who started, loaded themselves with their money and other effects to such an extent that they sunk under them, and died on the road."

It was expected that this calamity would have had a serious influence in deterring future immigration into California from the United States. But the discovery of gold immediately afterwards destroyed all calculations on the subject, and sent headlong tens of thousands across the plains and over the Rocky and Snowy Mountains where the above party had suffered so much, to encounter in some cases nearly the same amount of misery as they. We have seen that the town of San Francisco nobly did its duty on the lamentable occasion. Of the eighty individuals who composed the party, of whom forty-eight were males and thirty-two females, thirty-six perished. Of these, twenty-eight were males, and only eight females. The story of their sufferings and end make a striking incident in the history of California, and is worthy of being recorded in the "Annals of San Francisco," if it were only to mark the liberal exertions made by its citizens in their behalf.

FEBRUARY 21st.—Dr. F. Forgeaud, C. L. Ross, Dr. J. Townsend, J. Serrine and W. H. Davis, were appointed trustees of the proposed school.

MARCH 4th.—A meeting of citizens was held this day to consider the propriety of resolving, that the District of San Francisco should be fitly represented by one member in the new legislative council, convened by the governor, until a proper constitution should be obtained for the Territory ; when it was resolved to that effect, and Mr. J. G. T. Dunleavy was chosen by a majority of votes, to be representative accordingly. It appeared that the legislative council, recently organized by Com. Stockton, consisted of seven individuals, four of whom were Californians, one Englishman and two Americans ; while it was an undoubted fact that the majority of the white population was from the United States, and the constant immigration was daily increasing this majority. Similar meetings complaining of the insufficient American representation in the council were held at Sonoma, Santa Clara, and other places, at which American delegates were chosen to represent their interests, the governor being entreated by these meetings to accept of their choice, and formally to re-appoint their nominees as members of the legislative council. It does not appear that any notice was taken of these proceedings, or that the "people's choice" became also His Excellency's. The latter alone had the complete control of the Government—which, so long as war with Mexico lasted, was necessarily a military one—and appointed only such officers to assist him in the same as suited his personal views of the subject.

MARCH 6th.—The ship Thomas H. Perkins arrived from New York, bringing Col. Stevenson of the New York volunteers, and the first detachment of his regiment. With few exceptions, the volunteers were mechanics and single men; and as they were enlisted to serve during the war, and when peace came, to be disbanded only in California, it was expected that they would nearly all remain as permanent settlers in the country. The colonel himself and all his officers, had likewise expressed their wish and determination to make California their home after the termination of hostilities.

MARCH 13th.—There were in the harbor at this date six square-rigged vessels, viz. : the United States ship Cyane, the ships Moscow, Vandalia, Barnstable, Thomas H. Perkins, and the brig Euphemia.

MARCH 20th.—The local newspaper, the "California Star," is pleased, at last, to acquiesce, very unwillingly, in the change of name from Yerba Buena to San Francisco; and to-day, for the first time, dates its leader from the latter. This change seems not to have gratified every party. Mr. Semple, of the Monterey "Californian," and Mr. T. O. Larkin, who had jointly founded the new city of Francisca, on the Strait of Carquinez, afraid lest their rising town should be confounded and lost in the name and fame of San Francisco, were forced to change the appellation of the former to *Benicia*. In those days, Benicia was anticipated by many to be the great future rival of San Francisco. Later times have shown how unnecessary fear was on the subject.

APRIL.—Semi-monthly mails established between San Francisco and San Diego and intermediate places.

MAY 6th.—A public meeting was held to consider the propriety of erecting a church in the town; when a committee was appointed for the purpose of taking steps to procure the erection.

MAY 28th.—First grand illumination in San Francisco. This was in honor of General Taylor's great victory over the Mexicans at Buena Vista. Every building in the town, of frame or adobe, and shanty itself, shone with as much lustre as an unlimited allowance of oil and tallow could bestow. Fire-arms cracked, and bonfires blazed on all sides.

JULY.—Two great anniversaries were held this month, in a becoming manner, at San Francisco, viz.: the independence-day of the United States, on the 4th,—and the independence or conquest-day of California, on the 7th; on which latter day, in the previous year, the American flag had been hoisted at Monterey by Com. Sloat. We have already had occasion to notice the celebration of a "glorious fourth," just eleven years before, when Mr. Leese had erected the first solid building (his house being of frame, while Capt. Richardson's, erected the preceding year, was only a canvas-covered tent), that was seen in Yerba Buena. Then the country was Mexican, and while the guests were chiefly of that nation, the flags of both Mexico and the United States floated amicably together. Now—only eleven years later—the country was American, and her flag alone was displayed, while the vast

majority of those who shared in the festival was of that nation. What a wonderful change these few years had made in the character and prospects of the country! As before we had occasion to chronicle Mr. Leese's musicians, his six pounders, his dinner, drinks, dancing and general festivities; so we may here say, that the day of 1847 was celebrated in a similar manner, under salutes from men-of war in the bay, and the presidio, when people on shore processed to musical strains, and when flags waved, and much powder was burned, and the citizens speechified and hurrahed, toasted, drank, danced and made merry as is usual on such occasions. The 7th was observed in a similar fashion.

JULY 14th.—On this day was held a public meeting of a large number of citizens to consider the conduct of Col. Fremont in California, and his claims to be chosen by the President of the United States as Governor of the Territory. It appears that after the colonel's volunteer regiment of "mounted riflemen" was disbanded, there had been no money forthcoming for the arrears of pay, or even to reimburse the heavy pecuniary loss and outlay which many of the officers and men had incurred. Governor Kearny, and his successor, Governor Mason, would not, or could not, make such payments from the territorial exchequer, or rather grant available warrants upon the national treasury without the previous sanction of Congress. They had accepted a country conquered partly by these very volunteers, and had entered upon possession of its revenues, and yet would not, or cruelly delayed to pay the necessary cost. Col. Fremont therefore appeared, in the mean time, the only debtor; but as it was impossible that he could pretend to be able to make payment of the very large sums disbursed on account of the war in California, and for the benefit solely of the United States, much personal dissatisfaction was expressed against him by all who had suffered in this way, and by many sympathizing friends, especially in the northern districts of the country. In the southern quarters, from whence he had drawn few or no volunteers, and owed therefore neither pay nor supplies, the colonel had become exceedingly popular; and this although he had been a successful invader. In these parts of the country a petition had been got up and was numerously signed, praying Congress to appoint him Governor of California. The same peti-

tion being taken northwards for the approval and signatures of the Americans around San Francisco Bay, excited much angry feeling on the subject. Col. Fremont was in danger of losing all his recent popularity, and in the rage and injustice of the moment, was even denied many of the claims, formerly advanced and elsewhere allowed, to the heroic part he had taken in the conquest of the country. At the meeting above mentioned, a committee of eight gentlemen was formed to investigate and publish all reliable instances of his misconduct; and meantime, the meeting protested against his being chosen as their governor by Congress. It may just farther be stated on this subject, that Congress, a considerable time afterwards, allotted a large sum to satisfy all claims against Fremont on account of the war in California, and which naturally fell upon the United States as accepting the country reduced to their hands.

JULY 20th.—Beginning of the great sale of beach and water lots in San Francisco, as detailed in a preceding chapter.

JULY 28th.—The alcalde, Mr. George Hyde, selected six gentlemen to assist him in disposing of the great and daily accumulation of municipal business. These were the *ayuntamiento*, or "town council," as they were called, and were to remain in office until the governor should think fit formally to cause an election to take place among the citizens to fill their places. Accordingly, on

AUGUST 15th, Governor Mason issued an ordinance addressed to Mr. Hyde, in regard to such an election. As it explains the manner in which the municipal government was carried on in those days, we quote the principal portion of it :—

"There is wanted in San Francisco an efficient town government, more so than is in the power of an alcalde to put in force. There may be soon expected a large number of whalers in your bay, and a large increase of your population by the arrival of immigrants. It is therefore highly necessary that you should at an early day have an efficient town police, proper town laws, town officers, &c., for enforcement of the laws, for the preservation of order, and for the proper protection of persons and property.

"I therefore desire that you call a town meeting for the election of six persons, who when elected shall constitute the town council, and who in conjunction with the alcalde shall constitute the town authorities until the end of the year 1848.

"All the municipal laws and regulations will be framed by the council, but executed by the alcalde in his judicial capacity as at present.

"The first alcalde will preside at all meetings of the council, but shall have no vote, except in cases where the votes are equally divided.

"The town council (not less than four of whom shall constitute a quorum for the transaction of business), to appoint all the town officers, such as treasurer, constables, watchmen, &c., and to determine their pay, fees, &c.

"The treasurer to enter into ample and sufficient bonds, conditioned for the faithful performance of his duties: the bonds to be fully executed to the satisfaction of the council before the treasurer enters upon his duties.

"The second alcalde shall, in case of the absence of the first alcalde, take his place and preside at the council, and there perform all the proper functions of the first alcalde.

"No soldier, sailor or marine, nor any person who is not a *bona fide* resident of the town shall be allowed to vote for a member of the town council."

In pursuance of the foregoing order, Mr. Hyde fixed the election for six members for a town council, upon

SEPTEMBER 13th.—We give the names of the gentlemen elected, along with the names of those who had previously been appointed by the alcalde, as an interim council:—

Councillors elected.	No. of votes.	Councillors chosen by Alcalde.
William Glover,	126	William A. Leidesdorff.
William D. M. Howard,	114	Robert A. Parker.
William A. Leidesdorff,	109	José P. Thompson.
E. P. Jones,	88	Pedro T. Sherreback.
Robert A. Parker,	74	John Rose.
William S. Clark,	72	Benjamin R. Buckelew.

The town council chose Mr. Leidesdorff their treasurer. The first alcalde was Mr. George Hyde; and the second, Dr. T. M. Leavenworth. Immediately after the formation of the town council, its members entered with spirit upon the duties of their office. They passed a multitude of laws affecting the general interests of the town, regulating the streets and buildings, the licensing and character of business allowed, appointed constables, &c. Soon, therefore, the place became to assume a steady progressive appearance, and some fair sort of order was every where established. This council may be said to have had every thing to do to found the city. Our work would swell beyond all reasonable limits, should we attempt to name every public act of importance—when nearly all they did was new and of vital con-

sequence to the well-being of San Francisco—performed by this council. We can only, therefore, give an occasional notice in future of their proceedings. One, however, of their earliest resolutions may just be glanced at, viz.: the rescinding of those conditions in the sale of town lands, which made it imperative on the buyer to fence in and erect a building upon his lot within a year after the purchase. One effect of this was certainly to encourage speculation, since jobbers in lots could now safely hold an indefinite number, when not obliged to erect buildings upon them within a limited time.

SEPTEMBER 24th.—Messrs. Leidesdorff, Glover and Clark were appointed by the town council a committee to take measures for the establishment of a public school. Various resolutions were subsequently passed by the council on this subject, and after much public agitation, at length, on 17th March, 1848, a teacher was appointed, with a salary of one thousand dollars ; and on the 3d of April following, Mr. Thomas Douglas formally opened the long delayed and much needed school, for the instruction of the youth of both sexes. This was the first public seminary established in San Francisco.

OCTOBER 20th.—A severe *Norther* visited the harbor which did considerable damage to the shipping. Similar furious gales have since been experienced every year, when more or less loss has been occasioned to the shipping and to the wharves themselves. The exposure to excessive winds from the north and southeast is one of the most serious drawbacks to the safety and convenience of the port. The extension of the city, in late years, over the waters of Yerba Buena Cove, has increased the liability of vessels to damage during the prevalence of these winds.

NOVEMBER 15th.—"The Steamboat,"—being the only one it had no distinct name,—performed an experimental trip round "Wood Island." This was but a small concern which had been brought by Mr. Leidesdorff from Sitka. It was the first vessel of the kind in San Francisco Bay, and was quite a pet or plaything in its way. Two days afterwards "the steamboat" sailed for Santa Clara. In February following it was lost in a *Norther*.

NOVEMBER 18th.—The *first* "Thanksgiving Day" celebrated in New England style. Public worship was performed at the

house of Mr. Lincoln. The "Sons of New England" afterwards had a public dinner.

DECEMBER 31st.—The following statistics show the extent of the commerce of San Francisco for the *three months* ending this day :—

Total value of exports, $49,597.53 ; imports, $53,589.73. Of the amount of exports, $30,353.85, represent the native produce of California, and were shipped as follows :—To the Sandwich Islands, $320 ; Peru, $21,448.35 ; Mazatlan, $560 ; Sitka, $7,285.50 ; Tahiti, $700. The other exports, amounting to $19,343.68, were the produce of foreign countries, and were shipped as follows :—$2,060 to the United States ; $12,442.18 (of which $11,340 were coined gold and silver), to the Sandwich Islands ; and $4,831.50 to Mazatlan. The imports came from the following countries :—United States, $6,790.54 ; Oregon, $7,-701.59 ; Chili, $3,676.44 ; Sandwich Islands, $31,740.73 ; Sitka, $2,471.32 ; Bremen, $550.54 ; and Mexico, $160.

CHAPTER V.

1848.

Resolutions concerning gambling.—Public sale of City Property.—Price Current published.—Condition and population of the town.—Overland express to Independence, Mo.—George Hyde, alcalde, resigned, and succeeded by Dr. J. Townsend.—Death of Wm. A. Leidesdorff.—Discovery of gold, and immediate effects.—Illumination in celebration of the peace between Mexico and the United States.—Dr. T. M. Leavenworth elected alcalde.—First brick house.—Public meeting to regulate the price of gold dust.—First square-rigged vessel discharged at Broadway wharf.—Judicial limits of the town.—Rev. T. D. Hunt chosen chaplain.—First issue of the "Star and Californian."—State of the markets.—Public meeting to organize a Provisional Government.—New town council elected.—Election declared invalid.—Duties collected at the Custom-House

JANUARY 11th.—Stringent resolutions were passed by the council regarding gambling. This vice had been growing in popular favor, and at this period and for years afterwards, became one of the leading characteristics of the inhabitants. Besides heavily fining parties engaged in gambling, one of the resolutions authorized the authorities "to seize for the benefit of the town all the money *found* on a gambling table where cards are played." If this had been in force a short time afterwards, when the gold discoveries had enriched thousands, and the reckless miners hurried to San Francisco to spend their gains in the great public gaming saloons of the period, the town in a single night would have become wealthy. But at the next meeting of the council these resolutions were all repealed.

MARCH 5th.—A great public sale took place by the town of some of its real estate. The preferable lots had already been secured by speculators, under the old regulations, at a nominal price, by private arrangement with the alcalde. The prices obtained at this sale do not show much advance in the value of town property, since the lots only brought from sixteen to fifty dollars, averaging about twenty-two dollars and fifty cents each for fifty-two lots. It is certain, however, that the value of desi-

rable locations was immensely higher than this ; and the citizens, from their eagerness in getting up houses, and the high prices of labor and building materials, seem to have been satisfied on this subject. The population of the town was fast improving.

March 15th.—As a sign of the times, a weekly wholesale price-current was first published in San Francisco in the columns of the "Californian" of this date. In the "California Star," of the 18th instant, likewise appeared a similar document, and remarks on the state of the market, for the first time.

About this period the population of the town was ascertained by the Board of School Trustees, in canvassing the place for educational purposes, to be, 575 male and 177 female adults, and 60 children of ages to attend school, making a total of 812. Adding the number of infants and children still too young to attend school, the whole number of inhabitants amounted to about 850. The buildings of all kinds numbered 200. There were two large hotels in the place, besides boarding and public houses, and houses attached to ten-pin alleys, billiard saloons, &c. ; so that the town was becoming one of some consequence, and was assuming the pretensions and attractions of older, wealthier and more populous communities. Two wharves were in the course of construction, and extensive stores and warehouses had been erected. There were twelve mercantile houses established, consisting of agencies for large firms in the East and in the Sandwich Islands, auction and commission houses, and importers from the United States direct. The facilities for discharging ships and filling them anew with cargo, were rapidly increasing. There was much bustle, and even enthusiasm among the inhabitants, which promised a flattering future to the town. Current expenses were too high to prevent immediate fortunes being made ; still most persons in business believed they were laying the firm foundations of early wealth.

April 1st.—The "California Star Express" left San Francisco, to proceed overland to Independence, Mo. The passage was guaranteed to be accomplished in sixty days. Fifty cents was charged as the postage on single letters.

April 3d.—The first public school was opened. Dr. J. Townsend was also sworn in before the council, as first alcalde,

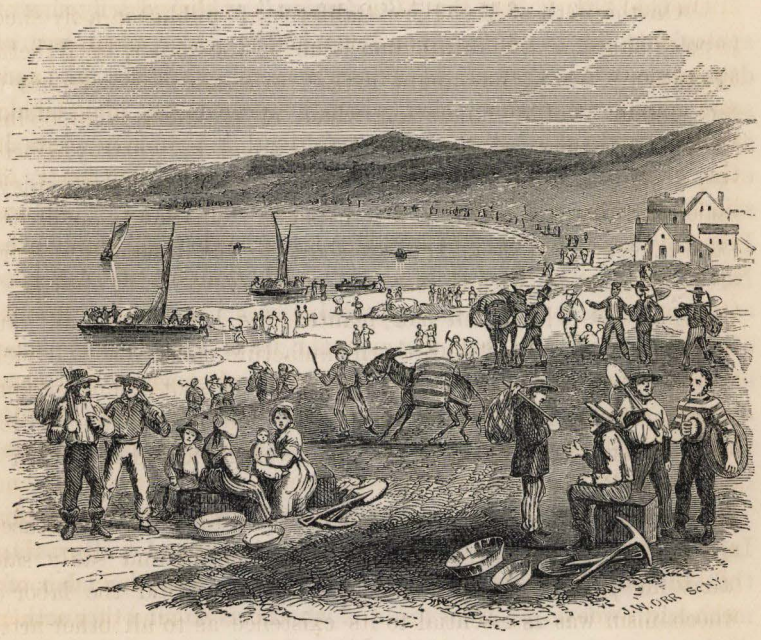
vice George Hyde, resigned. Serious complaints had been made in regard to Mr. Hyde's conduct in office, which, being reported to Governor Mason, led to a formal inquiry on the subject. Some nine or ten charges of a criminal nature were made against the former alcalde, only two of which were ultimately held to be established by proof. These, in the whole circumstances of the case, seemed insufficient to warrant His Excellency to remove Mr. Hyde from office. But as popular clamor was somewhat loud and vexatious on the matter, that gentleman thought fit to resign his trust.

May 18th.—Mr. Wm. A. Leidesdorff died of the brain fever. This gentleman was the United States vice-consul at San Francisco, and was closely connected with all the interests of the place. His decease was much regretted by the town's people, a large number of whom attended in his funeral procession. All places of business and entertainment were closed on the occasion, the flags at the barracks and of the vessels in port hung at half-mast during the day; while minute guns were fired as the burial train moved on towards the Mission Dolores, in the church-yard of which place the body was interred. Mr. Leidesdorff was of Danish extraction, and of the Roman Catholic religion. He had been nearly nine years in business in San Francisco, and was about thirty-six years old. The property he left was of considerable value at the time of his death, (though heavily burdened with debts;) while, as much of it consisted of real estate, on which the growing city afterwards spread, its value at this date is immense. The deceased left no legal heirs on the spot, and his estate was administered by Mr. Wm. D. M. Howard, under authority of the alcalde, for behoof of all concerned. Much litigation, among parties claiming to be administrators, or heirs or assignees of heirs of the deceased, afterwards resulted, which it is believed is not yet fairly ended. The law proceedings and history of the estate generally form quite an *event* in the annals of the town, and deserve a more particular notice, which will be given in a subsequent chapter.

The promising state of things in San Francisco shortly before described was now to be suddenly checked by means which, unpromising at first, ultimately led to the most extraordinary

prosperity in the city. Early in the spring of this year, occasional intelligence had been received of the finding of gold in large quantities among the foot hills of the Sierra Nevada, the particulars of which discovery we have already given. Small parcels of the precious metal had also been forwarded to San Francisco, while visitors from the mines, and some actual diggers arrived, to tell the wonders of the region and the golden gains of those engaged in exploring and working it. In consequence of such representations, the inhabitants began gradually, in bands and singly, to desert their previous occupations, and betake themselves to the American River and other auriferous parts of the great Sacramento valley. Labor, from the deficiency of hands, rose rapidly in value, and soon all business and work, except the most urgent, was forced to be stopped. Seamen deserted from their ships in the bay and soldiers from the barracks. Over all the country the excitement was the same. Neither threats, punishment nor money could keep men to their most solemn engagements. Gold was the irresistible magnet that drew human souls to the place where it lay, rudely snapping asunder the feebler ties of affection and duty. Avarice and the overweening desire to be suddenly rich, from whence sprang the hope and moral certainty of being so, grew into a disease, and the infection spread on all sides, and led to a general migration of every class of the community to the golden quarters. The daily laborer, who had worked for the good and at the command of another, for one or two dollars a day, could not be restrained from flying to the happy spot where he could earn six or ten times the amount, and might possibly gain a hundred or even a thousand times the sum in one lucky day's chance. Then the life, at worst, promised to be one of continual adventure and excitement, and the miner was his own master. While this was the case with the common laborer, his employer, wanting his services, suddenly found his occupation at an end ; while shopkeepers and the like, dependent on both, discovered themselves in the same predicament. The glowing tales of the successful miners all the while reached their ears, and threw their own steady and large gains comparatively in the shade. They therefore could do no better, in a pecuniary sense even, for themselves, than to hasten

after their old servants, and share in their new labor and its extraordinary gains, or pack up their former business stock, and travelling with it to the mines, open their new stores and shops and stalls, and dispose of their old articles to the fortunate diggers, at a rise of five hundred or a thousand per cent.



Rush for the gold regions.

In the month of May it was computed that, at least one hundred and fifty people had left San Francisco, and every day since was adding to their number. Some were occasionally returning from the auriferous quarter; but they had little time to stop and expatiate upon what they had seen. They had hastily come back, as they had hastily gone away at first, leaving their household and business to waste and ruin, now to fasten more properly their houses, and remove goods, family and all, at once to the gold region. Their hurried movements, more even than the words they uttered, excited the curiosity and then the eager desire of others to accompany them. And so it was. Day after

day the bay was covered with launches filled with the inhabitants and their goods, hastening up the Sacramento. This state of matters soon came to a head; and master and man alike hurried to the *placeres*, leaving San Francisco, like a place where the plague reigns, forsaken by its old inhabitants, a melancholy solitude.

On the 29th of May the "Californian" published a fly-sheet, apologizing for the future non-issue of the paper, until better days came, when they might expect to retain their servants for some amount of remuneration, which at present was impossible, as all, from the "*subs*" to the "*devil*," had indignantly rejected every offer, and gone off to the diggings. "The whole country," said the last editorial of the paper, "from San Francisco to Los Angeles, and from the sea shore to the base of the Sierra Nevada, resounds with the sordid cry of *gold!* GOLD!! GOLD!!! —while the field is left half planted, the house half built, and every thing neglected but the manufacture of shovels and pick-axes, and the means of transportation to the spot where one man obtained one hundred and twenty-eight dollars' worth of the *real stuff* in one day's washing, and the average for all concerned is *twenty dollars per diem!*"

On the 14th of June the "California Star" likewise ceased. In the explanatory fly-sheet, the editor simply and sadly said, that his paper "could not be made by magic, and the labor of mechanism was as essential to its existence as to all other arts." And as every body was deserting him, why, the press and the paper stopped together—that was all.

JULY 15TH.—The "Californian" revives, and promises an occasional paper, if that can be managed. It gives this day the first intelligence of the French revolution, under the alarming head, "THE WHOLE WORLD AT WAR!" though little did the gold-diggers and the speculative traders in San Francisco care about that. It chronicles likewise the observance of another "glorious fourth" which was held in the town as spiritedly as the few remaining inhabitants could manage. The rest of the news, and many of the advertisements were about the mines and gold. The city itself afforded few items of intelligence, except the continued desertion of the place, and the high and increasing prices

of labor. The council had not met for two months; and its members, with many officials of the town, had all "gone to the diggings."

JULY 25th.—Governor Mason issued a proclamation calling on the people to assist the authorities in apprehending deserters, who had now become very numerous from both the army and navy service.

JULY 31st.—His Excellency consents to receive gold dust in payment of duties at the custom-house at a low rate, with right of redemption of the whole by the payer, within one hundred and eighty days, or of the half within ninety days, upon giving the proper amount in gold or silver coin. Several public meetings have been held on this subject, in which the community was much interested.

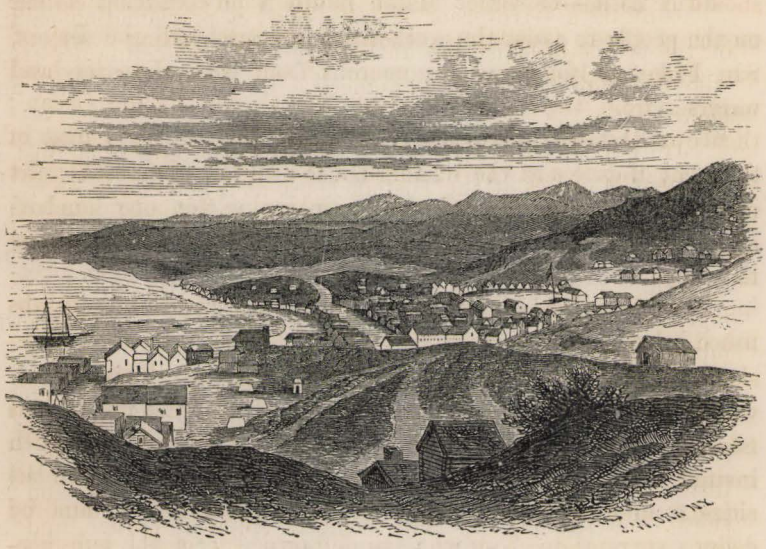
AUGUST 11th.—A second grand illumination. This time it was in celebration of the peace between Mexico and the United States, the official news of which reached Monterey on the 6th instant. In the early part of the day guns were fired on all sides, from the presidio and barracks, ships in harbor, and by every youngster on shore who happily owned, or could buy, borrow, or steal a little gunpowder and a fire-arm, from a musket to a rusty key with a priming-hole filed across the barrel. A cavalcade of citizens proceeded through the streets. In the evening, the windows of every house remaining inhabited were illuminated, many of them brilliantly. Tar barrels and bonfires blazed on all sides. Squibs, crackers and pistols boomed off in harmony with the general rejoicing.

AUGUST 29th.—Dr. T. M. Leavenworth elected first alcalde.

SEPTEMBER 6th.—The first brick house was erected by Mellus & Howard, at the corner of Montgomery and Clay streets. This was the second brick building erected in Upper California, one having been previously constructed at Monterey.

SEPTEMBER 9th.—A great public meeting was held to consider how best to fix the price of gold dust at a certain reasonable amount, to pass as a currency in the country, during the scarcity of coin, and until a branch mint could be established. This was supposed to be the largest meeting that had ever assembled in San Francisco, most of the old inhabitants having

returned for a season from the mines. Dr. T. M. Leavenworth was called to the chair, and Mr. J. D. Hoppe appointed secre-



San Francisco, Winter of 1848.

tary. The meeting unanimously decided and resolved that sixteen dollars an ounce was a fair price for gold dust, and that it ought to be taken in all business transactions at that rate. A committee was also appointed to urge upon Congress the immediate establishment of a branch mint at San Francisco.

This month a square-rigged vessel (the brig Belfast, from New York,) first discharged a cargo at Broadway wharf. The price of goods consequently fell twenty-five *per cent.*, while real estate rose from fifty to one hundred *per cent.* A vacant lot at the corner of Montgomery and Washington streets was offered the day previous to the opening of the wharf for five thousand dollars, but there were no buyers. The next day the same lot sold readily at ten thousand dollars. This shows how property was beginning to be affected by the improvement of the town.

October 3d.—At a second election, Dr. T. M. Leavenworth was again chosen first alcalde. B. R. Buckelew and Barton Mowrey were also elected town councillors. One hundred and fifty-eight votes were polled.

OCTOBER 9th.—First meeting of the town council since May last. At an adjourned meeting held on the 11th, it was resolved that the limits of the town for the administration of justice should be as follows, viz.: "That the line shall commence at the mouth of Creek Guadalupe, where it empties into the Bay of San Francisco, following the course of said stream to its head waters; from thence a due west line to the Pacific Ocean; thence northwards along the coast to the inlet to the harbor of the bay; thence eastwardly, through the middle of the said inlet into the Bay of San Francisco, and embracing the entire anchorage ground from the inlet to the mouth of the Creek Guadalupe."

NOVEMBER 1st.—No regular church had hitherto been established; but nearly every Sunday, for a long period back, occasional religious services had been performed by clergymen of various denominations; or, in their absence, by some serious minded layman. This day, the Rev. T. D. Hunt, who had been invited from Honolulu, was chosen Protestant chaplain to the citizens, and an annual salary of two thousand five hundred dollars appropriated to him, to be defrayed out of the subscriptions of various town's people. Divine worship on Sundays to take place in the Public Institute, (school-house,) Portsmouth Square.

NOVEMBER 18th.—The "Californian," having been bought up by the proprietors of the "California Star," a new paper, similar in appearance to both these, and virtually a continuation of the latter, which had stopped five months before, was issued this day under the title, "The Star and Californian."

DECEMBER.—The markets, as might be expected, were very high about this time, though prices fluctuated considerably. On the 1st of this month, flour was twenty-seven dollars a barrel, beef twenty, pork sixty; butter was ninety cents a pound, and cheese seventy. Two weeks later, flour sold at from twelve to fifteen dollars a barrel, while other articles had fallen in proportion. Brandy was in demand at eight dollars a gallon, and gold dust dull of sale at ten dollars and a half an ounce.

DECEMBER 12th.—The public school, after having been closed for many months during the gold-mania, re-opened. Rates of tuition were announced to be eight dollars a term.

DECEMBER 21st and 23d.—Great public meetings were held, (Dr. Townsend in the chair,) regarding the propriety, and growing necessity of immediately organizing a provisional government. For some time back, much public agitation had existed on this subject. The frequent murders and other daring outrages committed of late in different parts of the country, especially at the mines, while there was no proper legal protection for the lives and property of the citizens, had forced the people to conclude that Congress had been trifling with them in delaying the long proposed constitution—that there was no more time to wait—and therefore that instant steps should be taken to establish a form of government for themselves. At these meetings resolutions were passed to the above effect, and five delegates appointed to be chosen at a subsequent public meeting, to represent the town and district at a general convention to be held at San José, in March next, for the purpose of framing a form of constitution. A meeting to the same effect had been held at San José on the 11th instant, which had fixed the assembling of the convention so early as the 2d of January following, and similar meetings were beginning to be called all over the country.

DECEMBER 27th.—The following gentlemen were elected as town council, or *ayuntamiento*, for 1849, viz.: Stephen C. Harris, Wm. D. M. Howard, George C. Hubbard, Robert A. Parker, Thomas J. Roach, John Sirrine, and John Townsend—the last of whom was chosen president. The number of votes polled was three hundred and forty-seven.

DECEMBER 28th, 29th and 30th.—Various meetings were held of the *old* town council, which ended in its resolving that the election of the 27th instant was invalid, owing to the votes of a small number of unqualified parties having been received; and a new election was ordered for the 15th proximo.

The duties collected at the custom-house, during 1848, were as follows:—First quarter, $11,931; second quarter, $8,835; third quarter, $74,827; fourth quarter, $100,480. The value of imported goods during the year was about one million of dollars. Coin was also imported to about the same amount. Gold dust to the value of two millions of dollars was exported in the last six months of 1848. A few years later as great a quantity was exported by every semi-monthly mail.

CHAPTER VI.

1848–1849.

General Effects of the Gold Discoveries.

WHILE San Francisco, like so many other parts of the country, was forsaken in the manner described in the foregoing chapter, the neighborhood of the American River was overflowing with people, all busily engaged in gold hunting. The miners by the middle of May were estimated to be about two thousand. In another month they had increased probably to three ; and, two months later, their number was supposed to be about six thousand. From that period the arrival of persons at the different auriferous districts, which were known to extend over a large space of territory, was constant ; but no sufficient materials existed to form a correct opinion of their total number. The vast majority of all the laboring classes in the country had certainly deserted their former pursuits, and had become miners, while a great many others—merchants and their clerks, shopkeepers and their assistants, lawyers, surgeons, officials in every department of the State, of the districts and in the towns, runaway seamen and soldiers, and a great variety of nondescript adventurers—likewise began the search for gold. The miners were by no means exclusively American. They consisted of every kindred and clan. There were already tame Indians, Mexicans from Sonora, Kanakas from the Sandwich Islands, settlers from Oregon, mixed with the usual dash of Spanish, British, German and French adventurers that had for a long time existed in California. Later months were to bring other Mexicans, Chinese, Peruvians, and Chilians, and all these before the great impending immigration of Americans and Europeans.

At first the general gains of the miners, though great, were little compared to what shortly afterwards were collected. But any positive statement on this matter is naturally subject to error, since none could personally know more than what was taking place around the scene of his own operations, or where he was immediately travelling. If, however, we compare different accounts, and endeavor to form from them something like a fair average, we might find that from ten to fifteen dollars worth of gold dust was about the usual proceeds of an ordinary day's hard work. But while that might have been the average, people listened more to the individual instances of extraordinary success. Well authenticated accounts described many known persons as averaging from one to two hundred dollars a day for a long period. Numerous others were said to be earning even from five to eight hundred dollars a day. A piece of four pounds in weight was early found. If, indeed, in many cases, a man with a pick and pan did not easily gather some thirty or forty dollars worth of dust in a single day, he just moved off to some other place which he supposed might be richer. When the miners knew a little better about the business and the mode of turning their labor to the most profitable account, the returns were correspondingly increased. At what were called the "dry diggings" particularly, the yield of gold was enormous. One piece of pure metal was found of thirteen pounds weight. The common instrument at first made use of was a simple butcher's knife; and as every thing was valuable in proportion to the demand and supply, butchers' knives suddenly went up to twenty and thirty dollars apiece. But afterwards the pick and shovel were employed. The auriferous earth, dug out of ravines and holes in the sides of the mountains, was packed on horses, and carried one, two, or three miles, to the nearest water, to be washed. An average price of this washing dirt was, at one period, so much as four hundred dollars a cart load. In one instance, five loads of such earth sold for seven hundred and fifty-two dollars, which yielded, after washing, sixteen thousand dollars. Cases occurred where men carried the earth in sacks on their backs to the watering places, and collected eight to fifteen hundred dollars in a day, as the proceeds of their labor. Indi-

viduals made their five thousand, ten thousand, and fifteen thousand dollars in the space of only a few weeks. One man dug out twelve thousand dollars in six days. Three others obtained eight thousand dollars in a single day. But these, of course, were extreme cases. Still it was undoubtedly true, that a large proportion of the miners were earning such sums as they had never even seen in their lives before, and which, six months earlier, would have appeared a downright fable. When the "Californian" newspaper resumed its issue in July, the editors said, that the publisher of the paper, "when on a tour alone to the mining district," (probably in June,) "collected, with the aid of a shovel, pick and tin pan, about twenty inches in diameter, from forty-four to one hundred and twenty-eight dollars a day, averaging one hundred dollars." This is a fair specimen of the moderately fortunate miner.

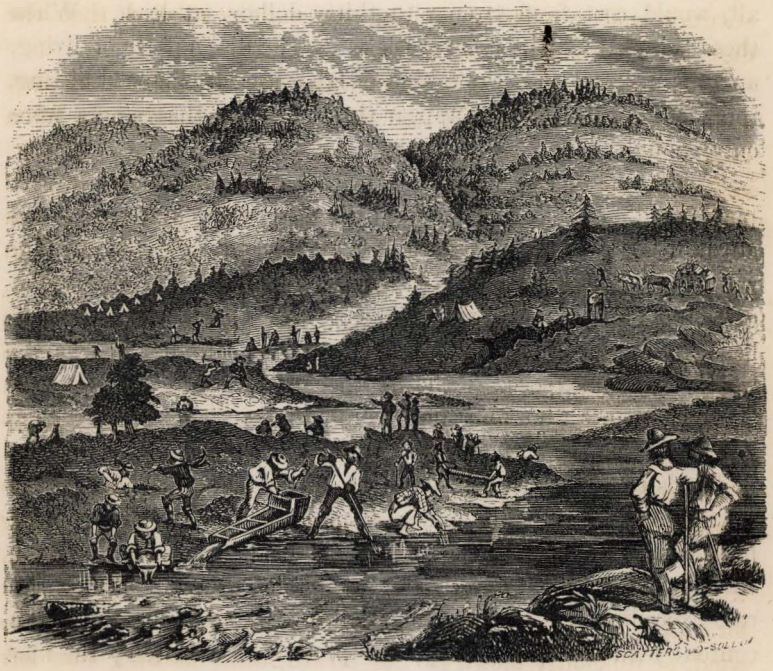
The story has a shady as well as a bright side, and would be incomplete unless both were shown. There happened to be a "sickly season" in the autumn at the mines; and many of the miners sank under fever and diseases of the bowels. A severe kind of labor, to which most had been unaccustomed, a complete change of diet and habits, insufficient shelter, continued mental excitement, and the excesses in personal amusement and dissipation which golden gains induced, added to the natural unhealthiness that might have existed in the district at different periods of the year, soon introduced sore bodily troubles upon many of the mining population. No gains could compensate a dying man for the fatal sickness engendered by his own avaricious exertions. In the wild race for riches, the invalid was neglected by old comrades still in rude health and the riotous enjoyment of all the pleasures that gold and the hope of continually adding to their store could bestow. When that was the case with old companions it could not be expected that strangers should care whether the sick man lived or died. Who forsooth among the busy throng would trouble himself with the feeble miner that had miscalculated his energies, and lay dying on the earthen floor of his tent or under the protecting branch of a tree? There were no kind eyes to gaze mournfully on him, hearts to feel, lips to speak softly, and hands to minister to his

wants. His gains were swept away to buy a hasty and careless medical attendance ; and too generally he died "unwept, unknelled, unknown." Selfishness that heeded not the dying might perchance bury the dead, if only the corrupting corpse stood in the way of working a rich claim—scarcely otherwise. Many, not so far reduced, were compelled to return to their old homes, the living spectres of their former selves, broken in constitution and wearied in spirit ; thoroughly satisfied that the diggings were not fit abiding places for them.

The implements at first used in the process of gold seeking, were only the common pick and shovel, and a tin pan or wooden bowl. The auriferous earth when dug out was put into the last, and water being mixed with it, the contents were violently stirred. A peculiar shake of the hand or wrist, best understood and learned by practice, threw occasionally over the edge of the pan or bowl the muddy water and earthy particles, while the metal, being heavier, sunk to the bottom. Repeated washings of this nature, assisted by breaking the hard pieces of earth with the hand or a trowel, soon extricated the gold from its covering and carried away all the dirt. But if even these simple implements were not to be had, a sailor's or butcher's knife, or even a sharpened hard-pointed stick could pick out the larger specimens—the *pepitas*, *chunks*, or *nuggets*, of different miners—while the finer scales of gold could be washed from the covering earth in Indian willow-woven baskets, clay cups, old hats, or any rude apology for a dish ; or the dried sand could be exposed on canvas to the wind, or diligently blown by the breath, until nothing was left but the particles of pure gold that were too heavy to be carried away by these operations. Afterwards the rocker or cradle and Long Tom were introduced, which required several hands to feed and work them ; and the returns by which were correspondingly great. Every machine, however, was worked on the same principle, by rocking or washing, of separating by the mechanical means of gravitation, the heavier particles—the gold from stones, and the lighter ones of earth.

Provisions and necessaries, as might have been expected, soon rose in price enormously. At first the rise was moderate indeed, four hundred *per cent.* for flour, and five hundred for beef cattle,

while other things were in proportion. But these were trifles. The time soon came when eggs were sold at one, two, and three dollars apiece ; inferior sugar, tea, and coffee, at four dollars a pound in small quantities, or, three or four hundred dollars a barrel ; medicines—say, for laudanum, a dollar a drop, (actually forty dollars were paid for a dose of that quantity,) and ten



A Mining Scene.

dollars a pill or purge, without advice, or with it, from thirty, up, aye, to one hundred dollars. Spirits were sold at various prices, from ten to forty dollars a quart ; and wines at about as much per bottle. Picks and shovels ranged from five to fifteen dollars each ; and common wooden or tin bowls about half as much. Clumsy rockers were sold at from fifty to eighty dollars, and small gold scales, from twenty to thirty. As for beef, little of it was to be had, and then only jerked, at correspondingly high prices. For luxuries—of which there were not many ; if a lucky miner set his heart on some trifle, it might be pickles,

fruit, fresh pork, sweet butter, new vegetables, a box of seidlitz powders or of matches, he was prepared to give any quantity of the "dust" rather than be balked. We dare not trust ourselves to name some of the *fancy* prices thus given, lest we should be supposed to be only romancing. No man would give another a hand's turn for less than five dollars; while a day's constant labor of the commonest kind, if it could have been procured at all, would cost from twenty to thirty dollars, at least. When these things, and the risks of sickness, the discomforts of living, and the unusual and severe kind of labor are all balanced against the average gains, it may appear that, after all, the miners were only enough paid.

About the end of May we left San Francisco almost a desert place, and such it continued during the whole summer and autumn months. Many ships with valuable cargoes had meanwhile arrived in the bay, but the seamen deserted. The goods at great expense had been somehow got landed, but there was nobody to take care of them, or remove them from the wharves where they lay exposed to the weather, and blocking up the way. The merchants who remained were in a feverish bustle. They were selling goods actually arrived at high prices, and could get no hands to assist them in removing and delivering the articles. By and bye, some of the miners came back to their old homes; but most of them were emaciated, feeble and dispirited. Here, therefore, as at the mines, the prices of labor and all necessaries rose exceedingly. The common laborer, who had formerly been content with his dollar a day, now proudly refused ten; the mechanic, who had recently been glad to receive two dollars, now rejected twenty for his day's services. It was certainly a great country, this—there was no mistake about it; and every subject was as lofty, independent, and seemingly as rich as a king. No money indeed could now buy the servile labor of many persons who had lately been glad to receive the meanest employment; and thus many necessary acts, and much manual business had to be done by principals themselves, or not done at all. Real estate, meanwhile, had rapidly advanced in value, and generally was considered worth from five to ten times its former price.

Within the first eight weeks after the "diggings" had been

fairly known, two hundred and fifty thousand dollars had reached San Francisco in gold dust, and within the next eight weeks, six hundred thousand more. These sums were all to purchase, at any price, additional supplies for the mines. Coin grew scarce, and all that was in the country was insufficient to satisfy the increased wants of commerce in one town alone. Gold dust, therefore, soon became a circulating medium, and after some little demur at first, was readily received by all classes at sixteen dollars an ounce. The authorities, however, would only accept it in payment of customs duties at ten dollars per ounce, with the privilege of redemption, by payment of coin, within a limited time.

When subsequently immigrants began to arrive in numerous bands, any amount of labor could be obtained, provided always a most unusually high price was paid for it. Returned diggers, and those who cautiously had never went to the mines, were then also glad enough to work for rates varying from twelve to thirty dollars a day ; at which terms most capitalists were somewhat afraid to commence any heavy undertaking. The hesitation was only for an instant. Soon all the labor that could possibly be procured, was in ample request, at whatever rates were demanded. The population of a great State was suddenly flocking in upon them, and no preparations had hitherto been made for its reception. Building lots had to be surveyed, and streets graded and planked —hills levelled—hollows, lagoons, and the bay itself piled, capped, filled up and planked—lumber, bricks, and all other building materials, provided at most extraordinarily high prices—houses built, finished and furnished—great warehouses and stores erected—wharves run far out into the sea—numberless tons of goods removed from shipboard, and delivered and shipped anew every where—and ten thousand other things had all to be done without a moment's unnecessary delay. Long before these things were completed, the sand-hills and barren ground around the town were overspread with a multitude of canvas, blanket and bough-covered tents,—the bay was alive with shipping and small craft carrying passengers and goods backwards and forwards,—the unplanked, ungraded, unformed streets, (at one time moving heaps of dry sand and dust ; at another, miry abysses, whose treacher-

ous depths sucked in horse and dray, and occasionally man himself,) were crowded with human beings from every corner of the universe and of every tongue—all excited and busy, plotting, speaking, working, buying and selling town lots, and beach and water lots, shiploads of every kind of assorted merchandise, the ships themselves, if they could,—though that was not often,—gold dust in hundred weights, ranches square leagues in extent, with their thousands of cattle—allotments in hundreds of contemplated towns, already prettily designed and laid out,—on paper,—and, in short, speculating and gambling in every branch of modern commerce, and in many strange things peculiar to the time and the place. *And every body made money, and was suddenly growing rich.*

The loud voices of the eager seller and as eager buyer—the laugh of reckless joy—the bold accents of successful speculation —the stir and hum of active hurried labor, as man and brute, horse and bullock, and their guides, struggled and managed through heaps of loose rubbish, over hills of sand, and among deceiving deep mud pools and swamps, filled the amazed newly arrived immigrant with an almost appalling sense of the exuberant life, energy and enterprise of the place. He breathed quick and faintly—his limbs grew weak as water—and his heart sunk within him as he thought of the dreadful conflict, when he approached and mingled among that confused and terrible business battle.

Gambling saloons, glittering like fairy palaces, like them suddenly sprang into existence, studding nearly all sides of the plaza, and every street in its neighborhood. As if intoxicating drinks from the well plenished and splendid bar they each contained were insufficient to gild the scene, music added its loudest, if not its sweetest charms ; and all was mad, feverish mirth, where fortunes were lost and won, upon the green cloth, in the twinkling of an eye. All classes gambled in those days, from the starched white neck-clothed professor of religion to the veriest black rascal that earned a dollar for blackening massa's boots. Nobody had leisure to think even for a moment of his occupation, and how it was viewed in Christian lands. The heated brain was never allowed to get cool while a bit of coin or dust was left. These

saloons, therefore, were crowded, night and day, by impatient revellers who never could satiate themselves with excitement, nor get rid too soon of their golden heaps.

We are, however, anticipating and going ahead too fast. We cannot help it. The very thought of that wondrous time is an electric spark that fires into one great flame all our fancies, passions and experiences of the fall of the eventful year, 1849. The remembrance of those days comes across us like the delirium of fever; we are caught by it before we are aware, and forthwith begin to babble of things which to our sober Atlantic friends seem more the ravings of a madman, than plain, dull realities. The world had perhaps never before afforded such a spectacle; and probably nothing of the kind will be witnessed again for generations to come. Happy the man who can tell of those things which he saw and perhaps himself did, at San Francisco, at that time. He shall be an oracle to admiring neighbors. A city of twenty or thirty thousand inhabitants improvised—the people nearly all adult males, strong in person, clever, bold, sanguine, restless and reckless——But really we must stop now, and descend to our simple "annals."

CHAPTER VII.

1849.

The Alta California newspaper established.—Delegates elected to the proposed convention to be held at San José.—New town council elected.—Three town councils at one time.—Meeting of the convention to frame a civil government postponed.—Public meeting respecting the conflicting coun cils.—Public meeting concerning negro slavery.—Town councils resigned, and legislative assembly chosen.—Arrival of the steamship California.—Address of delegates to civil government con vention.—Arrival of steamship Oregon, and Col. John W. Geary with the first United States mails.—General Riley announced territorial governor.—Acts of the legislative assembly and of the governor.—Meetings concerning municipal and State governments.—Growth, population and general prosperity of the city.—Gambling and other vices and crimes.

JANUARY 4th.—"The Star and Californian" is dropped, and the "Alta California," a weekly newspaper of the same character and appearance, and published by the same parties, is issued in its stead.

JANUARY 8th.—Election of delegates to the proposed convention at San José, in conformity with the resolutions of the public meeting of 23d ultimo, when Wm. M. Stewart, Francis J. Lippitt, Elbert P. Jones, Myron Norton and John A. Patterson were chosen.

JANUARY 15th.—New election of town council, which resulted in the choice of Stephen C. Harris, Lazarus Everhart, Stephen A. Wright, Daniel Starks, Isaac Montgomery, John Sirrine, and C. E. Wetmore. Mr. Sirrine was appointed president.

There were at this period *three* town councils in San Francisco, viz. :—the old one of 1848, not yet dissolved, and those elected on the 27th December and 15th January respectively. The former of the two last insisted that the council of the previous year had expired the very day of its own election on the 27th December, and therefore the members met and transacted business as if it alone represented the town. A majority of the old council, however, insisted on continuing in office till those whom

they considered their proper successors were chosen, and accordingly, they supported the council elected on the 15th January, and resolved to transfer the municipal records into its hands. The citizens generally seemed adverse to the pretensions of the old council, as scarcely a fourth part of the numbers that voted on the 27th December voted on the second election of the 15th January. Strong party and personal feelings existed among the inhabitants at this time. The alcalde, T. M. Leavenworth, and his official acts, among other subjects of contention, were vigorously attacked by one party, and as strenuously defended by the other.

JANUARY 24th.—The corresponding committee for the District of San Francisco, on the suggestion of the delegates chosen at Monterey, recommend a postponement of the assembling of the convention for framing a civil government to the first day of May, in order to give the southern districts sufficient time to elect delegates and appear at the convention. The movement for the election of such delegates is general over the country, as the people are satisfied that the present state of civil disorganization cannot safely be longer permitted.

FEBRUARY.—It was estimated that the population was now about two thousand.

FEBRUARY 12th.—Public meeting of citizens to consider the anomalous position of *two* town councils existing and acting, independently of each other, at the same time. Myron Norton was called upon to preside, and T. W. Perkins to act as secretary. George Hyde submitted a plan of municipal organization and government, which was adopted by the meeting ; and resolutions were passed requesting the members of both councils to resign, and appointing an election of fifteen town councillors and three justices of the peace, to take place on the 21st instant.

FEBRUARY 17th and 24th.—Public meetings to consider the propriety of instructing the delegates to the convention of the 1st of May to oppose any incipient act that might tend to the introduction of negro slavery into California. Capt. J. L. Folsom was chosen president, and B. R. Buckelew secretary. It was known that the whole delay of Congress in providing a territorial government had arisen from the disputes, and the apparent im-

possibility of agreement between the two great political parties on this subject. The inhabitants of the country itself might be said to be unanimous against slavery in all shapes among them; and they were justly indignant that the Atlantic politicians should pretend to dictate to them any thing on the matter. At these meetings, resolutions were passed, instructing the delegates of the San Francisco district, "by all honorable means to oppose any act, measure, provision or ordinance that is calculated to further the introduction of domestic slavery into the territory of California."

FEBRUARY 21st.—In compliance with the wishes of the meeting of the 12th instant, the members of both town councils resigned their office, and an election of fifteen members of a legislative assembly and three justices of the peace took place this day, which it was hoped would settle all disputes between the rival partisans. The parties elected were as follows:—

	Justices of the Peace.	
Myron Norton,	Theron R. Per Lee,	Wm. M. Stewart.
	District Legislature.	
Stephen A. Wright,	Isaac Montgomery,	Thomas J. Roach,
Alfred J. Ellis,	Wm. M. Smith,	Wm. F. Swasey,
Henry A. Harrison,	Andrew J. Grayson,	Francis J. Lippitt,
George C. Hubbard,	James Creighton,	George F. Lemon.
George Hyde,	Robert A. Parker,	

On the 5th proximo these gentlemen met, and chose various officials; but as the whole proceedings were afterwards set aside, it is unnecessary here to detail more of them.

FEBRUARY 28th.—The steamship "*California,*" being the first of the line of mail steamers along the coast, arrived. The citizens hailed her appearance with many cheers and other demonstrations of joy. General Persifer F. Smith, a passenger on this vessel, came to take command of the Pacific division of the military department of the United States, which comprehends Oregon and California.

MARCH.—An address to the people of California was issued by several of the delegates for San Francisco, Monterey, Sonoma, Sacramento, and other parts of the country, recommending a postponement of the meeting of the convention to frame a civil

government, to the first Monday of August, and that the place of meeting be Monterey, instead of San José.

MARCH 31st.—The Pacific mail steamship "*Oregon*" arrived with about three hundred and fifty passengers, among whom were Col. John W. Geary and family. Col. Geary had been appointed postmaster for San Francisco, with powers to create post-offices and appoint postmasters throughout the territory; also to establish mail routes and make contracts for carrying the mails. He was the bearer of despatches from the United States Government to the commanders of the military and naval forces on the Pacific, and brought with him the first regular mail from the Atlantic States that was opened in San Francisco.

APRIL 13th.—Order issued by Brigadier-General Bennet Riley, announcing that he had assumed command of the tenth military department of the United States, and the administration of civil affairs in California.

JUNE.—For the last six months, and particularly during the last two, the public events of most consequence to San Francisco resolve themselves into two divisions, viz.: the appointment of proper district and municipal authorities, and the formation of a State government. We have already chronicled several meetings on both these heads; but notwithstanding all that had been said or done, no common action could be obtained to promote the ends in view to the satisfaction of all parties.

As regarded the municipal question, the recently appointed legislative assembly abolished the office of alcalde, and substituted the senior justice of the peace in his place. Afterwards, the alcalde, Mr. Leavenworth, was ordered to give up the town documents and official papers in his hands; upon which he applied for advice to General Smith, who recommended him not to comply with the demands of the legislative assembly. That body next ordered the election of a sheriff, who, when appointed, proceeded to take what he considered legal steps against Mr. Leavenworth, who had meanwhile resuscitated the old council of 1848, to sanction and confirm his proceedings, which it readily did, appealing to Governor Riley for advice and protection. The governor, accordingly, on the 4th of June, issued a proclamation to the citizens, recognizing the office and power of the existing

alcalde, declaring the legislative assembly an illegal body, and forbidding payment of taxes to them.

While that was the state of affairs regarding the municipality and District of San Francisco, the governor, on the 3d of June, issued a proclamation to the people of California, in which, after narrating the position of the country, and the necessity of both district and general governments, he appointed the first day of August for the election, *first*, of certain specified municipal and district provisional officials over the whole country, according to Mexican custom; and *second*, of thirty-seven delegates to be chosen from the specified districts, as delegates to a general convention to be held at Monterey, on the first day of September next, for the purpose of forming a State Constitution.

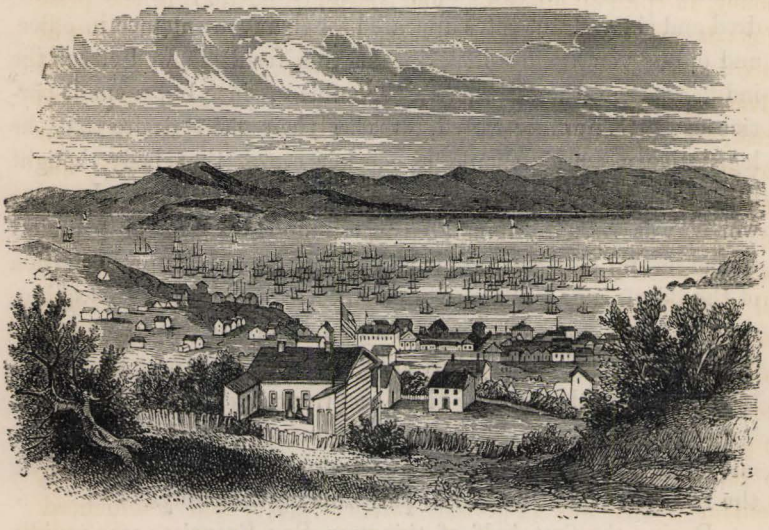
Following upon these proclamations, the people of San Francisco held a mass meeting in Portsmouth Square, on the 12th of June, when Wm. M. Stewart was chosen president, and E. Gould Buffum, secretary. This meeting was large and enthusiastic, and after being addressed by several eloquent speakers, *resolved* that the people of California had a *right* to organize a government for their own protection—that, therefore, delegates should be chosen to frame a constitution—and that a committee of five be immediately appointed by the president of the meeting to correspond with the other districts of the country, in order to carry out in a practical manner the said resolutions. The meeting refused to recognize Governor Riley's proclamations as binding on them. The committee chosen consisted of Peter H. Burnett, Wm. D. M. Howard, Myron Norton, E. Gould Buffum, and E. Gilbert. This committee, on the 18th of June, issued an address to the public, in which, without admitting the right or power in Governor Riley to "*appoint*" time or place for the election of delegates and assembling of the convention, yet considered it best, as a matter of expediency, to adopt the terms of the governor's proclamation in these respects.

These steps settled the plan and course of future proceedings so far as the State Government was concerned. In respect to the municipality the legislative assembly published a long address to their constituents, in answer to Governor Riley's proclamation of the 3d, and the very "uncourteous and disrespectful" one of

the 4th June. In this document, they resolved that they were a legally constituted body, and declared their determination to hold office and to act in the same until formally deprived of their authority by the people from whom it was derived. Thus arose a sort of civil war on a small scale. The assembly afterwards having considered it expedient to appeal directly to the people, a ballot was taken on the subject on the 9th July, when one hundred and sixty-seven votes appeared for their continuance in office, and only seven against it. But as this result showed either the indifference of the citizens on the subject, since but a small portion of their number voted, or else their tacit desire that the legislative assembly should altogether cease, that body thought fit, at last, to dissolve itself. Thus the old alcalde, Mr. Leavenworth, was virtually reinstated in triumph, and no obstacle left to the several elections ordered by Governor Riley's proclamation of the 3d of June. These various meetings and other proceedings narrated may possess little interest for the present inhabitants of San Francisco; but they certainly much excited those who dwelt in the town at the time of their occurrence. The excesses of the "hounds," fully described in a subsequent chapter, were much encouraged by the dissensions and jealousies which existed among the rival politicians and local partisans of those days.

During the first half of this year, San Francisco was rapidly increasing the number of its houses and population. Every day added sensibly to both. The mines were continuing to yield large returns, most of which were immediately forwarded to San Francisco, in exchange for new supplies. The bay was filling with shipping from all the ports of the Pacific coast of both Americas, from the Sandwich Islands, and from China, Australia and other ports towards the west. Nearly two hundred square-rigged vessels lay at anchor about the end of July. Hosts of passengers by these vessels, after staying but a little while in the town, hurried off to the diggings. Meanwhile, others who had been fortunate were returning from the mines with bags of gold dust, to squander in gambling, in drinking and all manner of thoughtless extravagance and dissipation. Gambling, which previously had been carried on to so great an extent, was now beginning to be developed on a still larger scale. Saloons, at the

public tables of which every variety of game was to be found, arose in all quarters of the town, where play was carried on during the whole twenty-four hours, and where the gross amount of money or gold dust staked was enormous. It might almost be said that the same spirit of gambling or speculation reigned in every department of business; and prices rose and fell, and for-



San Francisco, in 1849, from head of Clay Street.

tunes were made, and lost, and made again, according to the "play" of the parties engaged. New towns, all of course in splendid locations, were beginning to be projected, and the building lots in them sold for immense sums of money. Sacramento and Stockton were among the first and best needed of these places; and soon they took such positions as commanded success and insured future prosperity. But besides these two cities, a multitude of other and inferior places were projected, and while the future of the whole country was uncertain, but over which hung a certain vague grandeur, their pretensions were very respectably set forth, and speculation in their allotments was rife. Some of these schemes have since shared in the general advancement of the country; while of others probably nothing again will ever be heard.

A short experience of the mines had satisfied most of the

citizens of San Francisco that, in vulgar parlance, all was not gold that glittered, and that hard work was not easy,—sorry truisms for weak or lazy men. They returned very soon to their old quarters, and found that much greater profits, with far less labor, were to be found in supplying the necessities of the miners, and speculating in real estate. For a time every body made money, in spite of himself. The continued advance in the price of goods, and especially in the value of real estate, gave riches at once to the fortunate owner of a stock of the former or of a single advantageously situated lot of the latter. When trade was brisk, and profits so large, nobody grudged to pay any price, or any rent, for a proper place of business. Coin was scarce, but bags of gold dust furnished a circulating medium, which answered all purposes. The gamblers at the public saloons staked such bags, or were supplied with money upon them by the "banks," till the whole was exhausted. There were few regular houses erected, for neither building materials nor sufficient labor were to be had; but canvas tents, or houses of frame, served the immediate needs of the place. Great quantities of goods continued to pour in from the nearer ports, till there were no longer stores to receive and cover them. In addition to Broadway Wharf, Central Wharf was projected, subscribed for, and commenced. Several other small wharves at landing-places were constructed at the cost of private parties. All these, indeed, extended but a little way across the mud flat in the bay, and were of no use at low tide; yet they gave considerable facilities for landing passengers and goods in open boats. The different religious denominations were beginning to make movements as to creating churches and appointing clergymen; while the Freemasons and Odd-Fellows were likewise beginning to take their characteristic first steps. Seamen deserted their vessels, as a matter of course, so soon as they dropped anchor in the bay, and hastened to the mines. Society, not merely there, but in San Francisco, was in a state of utter disorganization, which became worse and more terrible as the autumn and winter months brought new thousands of immigrants upon the place. We have seen that there was neither a proper government for the State, nor recognized municipal authorities, who could have protected the citizens and

established order, and made provision for the systematic extension of the town and reception of the coming crowds. There was a military governor, indeed, and martial law could have been adopted, but the governor had not sufficient force at his command to curb the wild elements of the population ; nor, at best, would his forcible interference have satisfied American ideas of civil independence and the national privilege of self-government. Thefts, robberies, murders, and other outrages of the most desperate and criminal nature were taking place, and there were no proper officials to take cognizance of them, and bring the offenders to justice. Every man was intent on merely making money, and provided an outrage did not, in a direct manner, personally or pecuniarily affect himself, he was content to shut his eyes to the ultimate consequences.

By the beginning of 1849, the population of San Francisco had increased to two thousand. Two months later it was probably about three thousand ; whilst in July, when the riots and outrages of the "hounds" came to a height, it might be nearly five thousand. This was what might be called the usual and permanent population of the time—if any thing could be supposed permanent in so frail and fluctuating a place, although every day new arrivals of immigrants added temporarily to the number, till they flocked off to Sacramento, Stockton, and the mines.

CHAPTER VIII.

1849.

The Hounds.—Election of Supreme Judge, delegates to convention, and municipal officers.—Alcalde's address to the Ayuntamiento.—Duties of prefects.—The prison brig Euphemia, and storeship Apollo.—Churches.—Regulations and appointments of the Ayuntamiento.—The "Pacific News" commenced.—Meeting of the Constitution Convention at Monterey.—Merchants' Exchange.—Steam Navigation.—Death of Nathan Spear.—First democratic meeting.—Circus opened.—Constitution approved and State officers elected.—First habitation on Rincon Point.—Thanksgiving Day.—Judge Almond's court.—The "Alta California."—First great fire.

JULY 15th, *et seq.*—The affair of the "*hounds*" came to an end. This was an association of young men for the declared purpose of assisting each other in sickness, or when peril of any kind threatened any of the members. It had been imperfectly organized in the beginning of the year, and was virtually a gang of public robbers. The members assumed a kind of military discipline, under the guidance of regular leaders, who wore a uniform, and occasionally, but only on Sundays, paraded the streets with flags displayed and drum and fife playing. They attacked the tents of inoffensive people, chiefly foreigners, and if they could not extort money from the owners or inmates by threats, tore them down to the ground, and stole or destroyed money, jewels, and every thing valuable on the premises. These outrages, perpetrated usually at night, when the more peaceable citizens had retired to rest, were so frequent that the "hounds" became a terror to all well-disposed people of the town. They invaded the stores, taverns, and houses of Americans themselves, and rudely demanded whatever they desired. They could not be refused, for their numbers were so great, while they were well armed, that nobody durst resist them. The town was paralyzed with terror, and the "hounds," who latterly adopted the name

of "*regulators*," committed the most violent and cruel outrages in open defiance of the law and common humanity. A series of the most barbarous, destructive, and daring attacks, were perpetrated by those desperadoes on Sunday, the 15th of July, which at last effectually roused the community to a determined counteraction. They formed themselves into a police force, and proceeded to measure their strength against the rioters. They were successful, and immediately afterwards some twenty of the offenders were put upon trial. At this time San Francisco had no proper municipal organization, while neither was there an efficient State government to which the citizens could appeal for protection. They therefore had to do every thing for themselves. They accordingly appointed judges and counsel for both prosecution and defence, and at once proceeded with the trial of the rioters, or *conspirators*, as they were charged with being. A jury found them guilty of conspiracy, riot, robbery, and assault, with intent to kill. Nine were convicted and sentenced to various periods of imprisonment and considerable fines, and the town was purged for a while of the more violent ruffians that had infested it. A full account of these proceedings will be found in the *Third Part* of this work.

AUGUST 1st.—The elections ordered by Governor Riley took place in a spirited, though orderly manner. The candidates were numerous, and the following parties were elected :—

Judge of the Supreme Court.

Peter H. Burnett, who had 1298 votes in San Francisco, and 76 at San José.

Prefect.	*First Alcalde.*
Horace Hawes, 913 votes.	John W. Geary, 1516 votes.
Sub-Prefects.	*Second Alcalde.*
Francis Guerrero, 1503 votes.	Frank Turk, 1055 votes.
Joseph R. Curtis, 1399 "	

Ayuntamiento, or Town Council.

Talbot H. Green,	1510 votes.	Rodman M. Price,	840 votes.
Henry A. Harrison,	1491 "	Wm. H. Davis,	835 "
Alfred J. Ellis,	1354 "	Bezer Simmons,	825 "
Stephen C. Harris,	1323 "	Samuel Brannan,	823 "
Thos. B. Winton,	1052 "	Wm. M. Stewart,	815 "
John Townsend,	1052 "	Gabriel B. Post,	691 "

Delegates to Convention.	*Supernumerary Delegates.*
Edward Gilbert, 1512 votes.	Wm. D. M. Howard, 876 votes.
Myron Norton, 1436 "	Francis J. Lippitt, 874 "
Wm. M. Gwin, 1073 "	Alfred J. Ellis, 872 "
Joseph Hobson, 839 "	Francisco Sanchez, 872 "
Wm. M. Stewart, 833 "	Rodman M. Price, 871 "

There were some ten or a dozen different tickets at this election, upon all of which the name of Col. John W. Geary appeared for the office of First Alcalde. He consequently received the whole number of votes polled. This decided evidence of public confidence was deserved and appreciated. At the first meeting of the *ayuntamiento*, the newly elected *alcalde* presented the following address. It is a document worthy of preservation, being well written, and giving a faithful account of the gloomy aspect of public affairs in San Francisco at that period, and much useful advice to those having the interests of the city in charge :—

" *Gentlemen of the City Councils* :—Having been called by the unanimous voice of my fellow-citizens to the office of chief magistrate of the city of San Francisco, I find it impossible to convey to them by words the feelings excited by this decided manifestation of their confidence and approbation. Profoundly sensible that the honor and trust which have been conferred upon me far transcend my deserts, I can make no other return, than a heartfelt declaration of my gratitude, accompanied by the assurance, that to the extent of my power, I will with zeal and fidelity cause the observance of every law and ordinance made for the good of this city.

" The citizens of San Francisco, appreciating the importance of the present crisis in the territorial history of California, and particularly the high and important destiny of their city, have conferred upon you, gentlemen, the onerous duty, yet high honor, of legislating for their future welfare and prosperity.

" As your presiding officer, I deem it my duty to call your attention to the situation of the city, and to ask your co-operation in making it, in point of order and security, what it must shortly be in wealth and importance, the first city, and great commercial and moneyed emporium of the Pacific. To effect this, gentlemen, it will require of you great devotion to your duties, as well as great diligence and a liberal supply of funds for municipal purposes.

" Economy in the expenditure of the public money is at all times desirable and necessary; but situated as we are here, without any superior body to legislate for us, the people of the city will, of necessity, be called upon to assume a responsibility in the enactment of laws, and in the expenditure of money for public purposes, not usual under ordinary circumstances. Of this every citizen of San Francisco is fully aware, and all who desire the prosperity

and good government of the city will stand ready to sustain you in whatever you may do for its permanent improvement and benefit.

"At this time we are without a dollar in the public treasury, and it is to be feared the city is greatly in debt. You have neither an office for your magistrate, nor any other public edifice. You are without a single police officer or watchman, and have not the means of confining a prisoner for an hour; neither have you a place to shelter, while living, sick and unfortunate strangers who may be cast upon our shores, or to bury them when dead. Public improvements are unknown in San Francisco. In short, you are without a single requisite necessary for the promotion of prosperity, for the protection of property, or for the maintenance of order.

"I therefore repeat, that the present exigency in public affairs requires the utmost diligence on your part, in the performance of all your duties, as well as a liberal supply of funds, to provide for the security of life and property in San Francisco.

"There is perhaps no city upon the earth where a tax for the support of its municipal government can be more justly imposed than here. Real estate, both improved and unimproved, within a short space of time, has increased in value in many instances a thousand-fold, and even at its present high rates, will produce in the shape of rents the largest average income upon record. Yet notwithstanding this unprecedented increased value of real estate, the burdens of government should not be borne by a tax upon that species of property alone; each and every kind of business carried on within the limits of the district should bear its just and proper share of taxation. Equal justice to all should be your guide, and if strictly followed, none will have just cause of complaint.

"The charters of most cities in the United States, granted by the Legislatures, give the corporation the right to levy and collect a tax, as well to defray the expenses of its municipal government as for public improvements; and it is usual to submit a tax bill to the Legislature for its confirmation. This is done to prevent abuses. Yet I do not know of an instance where the tax imposed has been reduced by the Legislature. In towns not incorporated there is no resort to be had to the Legislature for a confirmation of the tax laws. The town officers, chosen by the people, impose the taxes, and collect a sufficient revenue by common consent; and their right to do so is never questioned. That you have a right to levy and collect a reasonable and proper tax, for the support of your municipal government, cannot, in my judgment, for a moment be questioned. In the absence of State legislative authority, you, as the representatives of the people, are supreme in this district, and your acts, so long as you confine them strictly to the legitimate sphere of your duty, will not only be sanctioned and approved by the present worthy Executive of our government in California, but will be most promptly confirmed by the Legislature, whenever one shall be assembled either for the Territory or State.

"I would, therefore, recommend that with all convenient despatch you ascertain, as near as possible, the amount of funds deemed necessary for the support of a proper and efficient municipal government for one year; that

when you shall have determined this, you shall proceed to collect a just equitable tax upon real estate and upon sales at auction; and that you require all merchants, traders, storekeepers, &c., to take out a license for the transaction of their business, paying therefor an amount proportionate to the quantity of merchandise vended by them. Also, that all drays, lighters, and boats, used in the transportation of merchandise, and of passengers, to or from vessels in the harbor, be licensed.

"There is also another class of business proper to be taxed, which although sometimes prohibited by law, yet in many countries is regulated by law. I recommend you to adopt the latter course. The passion for gaming is universal, even where the severest penalties are imposed to prevent its indulgence. And it is a fact well known and understood, whenever gaming tables are licensed and subject to proper police regulations, they are less injurious to the interests and morals of the community than when conducted in defiance of law. In the one case the proprietors are amenable to the law which authorizes them, and are subject to proper control; while on the other hand, if prohibited, the evasion of the law by such means as are usually resorted to, does but increase the evil, and the community is in no way benefited. I would, therefore, recommend, under present circumstances, and until State legislation can be had on the subject, that you license gaming and billiard tables.

"For the collection of each and every tax, the imposition of which I have recommended, you have the example of almost every city in the world. A revenue is necessary for the proper maintenance and support of the municipality, — and it is a maxim everywhere acknowledged, that every citizen should, for the privileges he enjoys, aid in the support of the government under which he lives, and which affords him protection of life, liberty, and property.

"The public documents containing all the muniments of title, &c., for real estate, are not to be found in possession of my predecessor, but in the private keeping of a portion of the citizens.

"As these documents have not been transferred to me in a legal manner by an officer of the law, and as there may be a probability of their being more or less mutilated, I particularly request you to grant me authority to appoint a committee of three respectable and intelligent citizens, who, under oath, shall make an inventory of the said documents, and a schedule of any *mutilations*, *erasures*, or *interlineations*, which may be found on their pages. I feel confident that the importance of this matter has already suggested to you such a measure, inasmuch as the value of titles to real estate might be greatly impaired by failing to adopt it. This course will not only relieve from unjust suspicion the officer to whose charge and safe-keeping those documents are intrusted by the law, but it will also render him responsible for his own acts, and not for those of his predecessor, or of any other person.

"The laws under which we act oblige each officer, without regard to his station, to advance, with his utmost zeal, the cause of education. I, therefore, strongly urge upon you the propriety of adopting measures by which the children of the high, the low, the rich and the poor of this district, can

have equal advantages of drinking freely at the fountain of primary knowledge; and it is to be hoped that our territory, which is ere long to be erected into a State, and placed by the side of her elder sisters of the Union, will show to them that she fully appreciates education as the only safeguard of our republican institutions; that the liberties of the people are based upon their intelligence, and that in this respect, as well as in all others, California will present herself to the world a model Republic, without spot or blemish.

"JOHN W. GEARY,

"*First Alcalde of the District of San Francisco. Cal.*"



Prison-brig Euphemia, and Store-ship Apollo.

Prefect Hawes also ably addressed the council, chiefly explaining the duties of *prefects*, which are, he says, "to take care of public order and tranquillity; to publish and circulate, without delay, observe, enforce, and cause to be observed and enforced, the laws, throughout their respective districts; and for the execution of these duties they are clothed with certain powers, which are clearly specified and defined. They are particularly enjoined to attend to the subject of public instruction, and see that common schools be not wanting in any of the towns of

their respective districts. They are also required to propose measures for the encouragement of agriculture and all branches of industry, instruction, and public beneficence, and for the execution of new works of public utility and the repair of old ones. They constitute the ordinary channel of communication between the governor and the authorities of the district, and are to communicate all representations coming from the latter, accompanied with the necessary information."

The first money appropriated by the ayuntamiento was for the purchase of the brig *Euphemia*, which was converted into a *prison* for the confinement of criminals. This was the first jail established in the place where convicted rogues could be kept in custody. We give a correct representation of the Euphemia. The store-ship *Apollo*, which is seen on the illustration, was anchored in the cove, some distance from the beach. It was subsequently used for a lodging-house and drinking-saloon. As the city improvements progressed, lots were piled, capped, and filled in on the flat covered by the waters of the bay, far beyond where the Apollo lay ; and strangers visiting the city were astonished to see the hull of a large ship located in the very heart of the city, surrounded on all sides with large blocks of substantial stone and brick edifices.

AUGUST 5th.—The first Protestant Church in California was dedicated by the Baptists. At this time the Episcopalians, Presbyterians, Congregationalists, and Methodists, were taking steps to build places of worship for themselves, while most of these denominations had already established sabbath-schools. The Roman Catholics had also erected a church in Vallejo-street, at which divine service was regularly performed on Sundays. The Rev. T. D. Hunt, whose appointment was noticed before, officiated at the chaplaincy ; and Mr. Lyman, a Mormon preacher, was holding forth at the Institute, on Portsmouth Square.

AUGUST 6th, 8th, and 11th.—The ayuntamiento meet, take the oaths of office, and organize and distribute themselves into various committees, for the purpose of systematically conducting the affairs of the town. On the 13th, they appointed the following municipal officials :—

Frank Turk, *Secretary.*
William M. Eddy, *City Surveyor.*
P. C. Landers, *Collector of Taxes.*
And on the 20th of the month,
Dr. T. R. Palmer, *City Physician.*
Jonathan Cade, *Sergeant-at-Arms.*
Malachi Fallon, *Captain of Police.*
A. G. Peachy, *City Attorney.*
John E. Townes, *Sheriff.*
Benj. Burgoyne, *City Treasurer.*



View of San Francisco in 1849, from head of California street.

AUGUST 27th.—The "*Pacific News,*" a San Francisco tri-weekly newspaper, published by Messrs. Falkner and Leland, makes its first appearance. This paper was the second in San Francisco at this period, and continued until 1851, when, after having several times changed its proprietors and political complexion, it expired. The only other newspaper in California was the "*Placer Times,*" published weekly at Sacramento; but which merged into a daily, and was afterwards issued in San Francisco.

The ayuntamiento this day issue an ordinance (subsequently amended and re-issued) for raising a revenue for municipal purposes, chiefly by means of a *percentage* duty on the sale of merchandise and real estate, and heavy license duties imposed on those engaged in different kinds of business. This was the beginning of those steps by which a very great revenue was afterwards collected.

SEPTEMBER 1st.—The convention of delegates to frame a State Constitution met at Monterey; and on the 4th instant, chose Robert Semple president, and Capt. Wm. G. Marcy secretary. The Constitution was finished and signed by the delegates on the 13th of October.

SEPTEMBER 10th.—The first "Merchants' Exchange" was projected a short time before this date; and at a public meeting of citizens, held to-day, the scheme was approved of and subscribed to by a considerable number of merchants and others. The undertaking, however, after going on some time, seems to have been dropped; and in November we find Mr. E. E. Dunbar opening a subscription "Merchants' Exchange and Reading Room" in Washington street, which was patronized by most mercantile people in the town.

OCTOBER 26th.—Steam navigation is beginning to be adopted in the bay and its upper waters. Just two years before this time Wm. A. Leidesdorff had attempted to run a small steamboat, about the size of a ship's jolly-boat, which had been procured from the Russian settlement at Sitka. But this vessel, in February, 1848, was sunk in one of the severe *northers* that visit the bay; and no steps had been taken to renew the experiment until some time after the gold discoveries made its success certain. Then speculators sent out many proper vessels from the Atlantic States. The "*Pioneer*," a little iron steamer, brought out in pieces from Boston, sailed upon the waters of the Sacramento River about a month before this date; and, being the first that had penetrated so far into the interior, deserves the title she had assumed. On the 9th instant, the small iron steamer "*Mint*" had a trial trip, which was highly satisfactory. She was intended to ply between San Francisco and the towns on the upper waters. This day the steam-propeller "*McKim*" left for Sacramento. Before this time voyages across the bay and up the Sacramento and San Joaquin Rivers were made in schooners and launches. These vessels were often detained a week or ten days in sailing that distance, which a steamer now accomplishes in half a day. Both the steamers mentioned sailed every alternate day from San Francisco, and on the intervening days left Sacramento for the return passage. The fares at first

were thirty dollars cabin, and twenty dollars deck. If berths were used, five dollars *extra*. Meals on board, two dollars each. The well known steamer "*Senator*" was shortly afterwards placed on the same station, and the little "*Mint*" withdrawn and placed on another. This was the beginning of a very great increase of the transit trade of the bay. Later years have sent numerous large, well appointed, and beautiful steam-vessels, which have still further developed the interior water traffic, and added immensely to the resources of the country.

October 21st.—Mr. Nathan Spear died of a disease of the heart. He was forty-seven years of age, and one of the oldest inhabitants of the place. This gentleman was partner to Mr. Jacob P. Leese, who built the first house and formed the first mercantile establishment in Yerba Buena. The death of Mr. Spear was much regretted by the citizens, and the flags of the ships in the bay were hung at half mast when it was announced.

October 25th.—The first *Democratic Meeting* ever held in California assembled this evening at Dennison's Exchange. The attendance was so large that the meeting was compelled to adjourn to the public square. The officers chosen were :—*President*, Col. John W. Geary ; *Vice-Presidents*, Dr. McMillan and Messrs. O. P. Sutton, E. V. Joyce, Thomas J. Agnew, John McVickar, Annis Merrill, and W. H. Jones ; *Secretaries*, Messrs. Joseph T. Downey, J. Ross Brown, Daniel Cronin, and John A. McGlynn. Hon. Wm. VanVorhies delivered a spirited address, and a long series of resolutions expressive of democratic principles were adopted. The chief object of the assembly was to effect a party organization previous to the approaching State elections.

October 29th.—Rowe's *Olympic Circus*, which was in a large tent, opened to a numerous attendance of spectators. This was the first public announcement of the dramatic or spectacle kind in San Francisco. The "house" could hold from twelve to fifteen hundred ; and the prices of admission were, three dollars to the pit, five dollars to the boxes, and fifty-five dollars for a private box. Two theatres had some time previously been announced, and were at this time in course of formation.

November 13th.—Ballot taken on the Constitution, and

election for State officers. Party politics were beginning to influence voters in the choice of candidates. The election, however, was conducted in a quiet and orderly manner. In San Francisco two thousand and fifty-one voted *for* the Constitution, and five *against* it. Over the whole country the votes were twelve thousand and sixty-four *for*, and eight hundred and eleven *against*. These numbers were much below what had been anticipated, partly on account of a mistake in the voting tickets at San Francisco, and partly from the heavy rains over the country, which prevented many voters from attending the polling places. Perhaps, also, after the first excitement was over, when the convention closed, the people became indifferent on the subject, and neglected the duty of voting. The following is a list of the State officers, senators, and representatives in Congress, first elected under the Constitution; also, the members of the first Legislature of California (to meet at San José), elected by the citizens of San Francisco.

Governor.
Peter H. Burnett.

Lieutenant Governor.
John McDougal.

United States Senators.
John C. Fremont, Wm. M. Gwin.

Representatives in Congress.
George W. Wright, Edward Gilbert.

Secretary of State.
Wm. Van Vorhies.

Treasurer.
Richard Roman.

Comptroller.
J. S. Houston.

Attorney General.
Edward J. C. Kewen.

Surveyor General.
Charles J. Whiting.

Chief Justice.
S. C. Hastings.

Associate Justices.
J. A. Lyon, Nathaniel Bennett.

State Senators.
Gabriel B. Post, Nathaniel Bennett.

Assembly.
Wm. Van Vorhies, Edmund Randolph, Levi Stowell, J. H. Watson, J. A. Patterson.

NOVEMBER 26th.—The first habitation on Rincon Point, erected by Dr. John H. Gihon. It was an India-rubber tent,

and occupied the site of the present U. S. Marine Hospital. The entire hill was covered with gnarled oaks and thick underbrush. There were at that time but several buildings between the Rincon and California street, while the waters of the bay washed the foot of precipitous sand-hills the greater portion of the distance, which rendered it necessary for the pedestrian, when the tide was in, to wade up to his waist in the water in passing from the city to the point, he being compelled to follow the line of the beach. Those hills have since been transplanted into the cove, and made substantial building lots, where large vessels were then anchored.

NOVEMBER 29th.—The governor had appointed this as a day of solemn thanksgiving and prayer for the new State of California, and as such it was very generally observed.

DECEMBER 12th.—Some time previous to this date, the business of the alcalde had so greatly increased, as to render necessary the establishment of another court ; and upon application made to the governor, he authorized William B. Almond, Esq., to open and hold a Court of First Instance, with civil jurisdiction only, and that in cases involving sums exceeding one hundred dollars. Judge Almond accordingly organized his court in the old schoolhouse on the plaza ; and the novel and summary manner in which he conducted his business and disposed of sometimes very important cases, was a source of as much merriment to some and mortification to others as any thing else then transpiring in the town. Many a wag who was fond of fun, and had nothing better to do, would spend an hour in the court-room to enjoy the satisfaction of observing the chagrin of upstart attorneys, toward whose oratorical eloquence and legal knowledge the judge was wont to exhibit the most mortifying indifference. His Honor, at whose expense many a good anecdote has been told, had a sovereign contempt for Buncombe speeches, legal technicalities, learned opinions, and triumphantly cited precedents. He was a man of quick discernment and clear judgment ; and his opinion once formed, and that sometimes occurred before even the first witness was fully heard, his decision was made. Nothing further need be said. His mind was as unalterable as were the laws of the Medes and Persians. Jury trials were then of rare occurrence, and the judge decided the cases that came before him ; and

there can be no reason to doubt, that his decisions generally were far more just and equitable than those more recently given in courts claiming greater legal knowledge, where learned judges gravely occupy the bench, and tampered juries are influenced more by bribes than testimony. On this day a case was tried in which a physician had sued the captain of a ship for medical attendance upon sick sailors during a voyage around Cape Horn. The prosecutor claimed five hundred dollars. A number of witnesses were called on both sides. The judge sat upon a rickety old chair, with his feet perched higher than his head upon a small mantel over the fire-place, in which a few damp sticks of wood were keeping each other warm by the aid of a very limited supply of burning coals. His Honor employed himself in paring his corns, or scraping his nails, while the "learned counsel" briefly presented the case, and called the first witness, whom the judge instructed, without changing his position, to tell all he knew about the matter, in as few words and as quickly as possible,—at the same time charging the lawyers not to interrupt him with questions. This witness was no sooner done, and he had but little to say, when the counsel called another; but His Honor informed him that it was unnecessary to pursue the inquiry further—the witness had told a plain, straightforward story—the court understood the merits of the matter, and its mind was made up. "But," says a lawyer, "you will at least hear us speak to the points of law?" "That would be a great waste of time, which is very precious," replied the judge; "I award the plaintiff one hundred and fifty dollars. Mr. Clerk, what is the next case?" Thus in less than fifteen minutes a case was equitably disposed of, which in an ordinary court of law might have occupied at least as many days; and in the course of the day, as much business was despatched in the same summary manner, as would occupy most courts an ordinary quarterly term. In the instance related the counsel for the plaintiff pocketed seventy-five dollars of the award, giving his client the balance, who was thus well paid for all the services he had rendered. Young lawyers, however, were not pleased with this summary method of disposing of business. To these the opportunity of making a speech, the tendency of which is usually to render a

clear case obscure, though it doubtless serves to display the extent of their wisdom and intelligence, is of quite as much consequence as meat and drink to other people. They could not live without it. Hence, Judge Almond, who deprived them of this exquisite enjoyment, was no favorite with them. On one occasion after a case had been decided, in the usual way, the defeated attorney commenced reading aloud from a book he held in his hand. The judge abruptly turned round, and reminded him that judgment had been rendered, and all further remarks were useless. "I am aware of that," said the sprightly lawyer; "but I thought I would simply read a passage or two to convince you what an old fool Blackstone was." The anecdote was not bad, whether well applied or not, and even though it lacked originality.

The greater part of the business of Judge Almond's court was of a similar character, viz., the settling of claims against owners and masters of ships, instituted by their passengers or crews; and as the decisions were generally against the defendants, it was often maliciously remarked that the judgments of the court were always given against those who were best able to pay the costs. This might have been true, though not in the sense intended; for in these cases, the parties most competent to pay were almost invariably the parties at fault. It was a well-known fact, that during the first great rush of emigration to California, the most shameless impositions were practised upon passengers by shipping merchants and their agents. Vessels that had long been considered unseaworthy were hastily fitted up, without proper accommodations or provisions, and sent on a most dangerous voyage, without even a reasonable expectation in some instances of their reaching their place of destination, with passengers who had been solemnly promised every needed comfort. And, when at sea, they first discovered how they had been deceived, and began to proclaim their grievances, they were merely laughed and scoffed at by the brutal officers appointed (because of their peculiar qualifications for that purpose) to carry out the designs of their employers. These men had practised similar impositions with impunity often before; for how or where could a poor sailor or emigrant passenger obtain satisfaction for wrongs suffered at sea,

when the courts, even if appealed to, were so tardy in their movements that the witnesses disappeared before an investigation could take place, or the complainant was subjected to expenses which he had no possible means to defray? Owners and masters of vessels never supposed that in California, where every thing was in a rude and unsettled condition, they would be punished for offences which had been winked at, if not sanctioned, by the legal authorities in the oldest and best regulated communities; hence, they were more reckless, bold and insolent than ever in sending their almost worthless ships around Cape Horn. But they were mistaken. Suits, well founded, were constantly brought against them by the passengers and crews of vessels arriving at San Francisco, and heavy fines and costs imposed for the practice of mean impositions and tyrannical abuses; until at length, Judge Almond's court became such a terror to merchants and captains of ships, that they would sooner compromise, even at a sacrifice, a disputed point with a sailor or passenger, than submit the case to the judgment of His Honor.

DECEMBER 14th.—An edition of the "Alta California" is published tri-weekly; the old weekly issue being also continued.

DECEMBER 24th.—This morning, about six o'clock, the awful cry of *fire* was raised in the city, and in a few hours property valued at more than a million of dollars was totally destroyed. The fire began in *Dennison's Exchange*, about the middle of the eastern side of the plaza, and spreading both ways, consumed nearly all that side of the square, and the whole line of buildings on the south side of Washington street, between Montgomery and Kearny streets. This was the first of the great fires which devastated San Francisco; and it was speedily to be followed by still more extensive and disastrous occurrences of a similar character. Something of the kind had long been anticipated by those who considered the light, combustible materials of which the whole town was constructed. That the flames did not spread further was in a great measure owing to the judicious steps early taken by the municipal authorities in pulling down, or blowing up with gunpowder, the houses at the extremity of the conflagration. Scarcely were the ashes cold when preparations were made to erect new buildings on the old sites; and in

several cases within a few days, and in all, within a few weeks, the place was covered as densely as before with houses of every kind. These, like those that had just been destroyed, and like nearly all around, were chiefly composed of wood and canvas, and presented fresh fuel to the great coming conflagrations.



Dennison's Exchange, and Parker House, before the fire, December, 1849.

The first fire of any consequence that had previously occurred in the place broke out in January of this year, when the "Shades Hotel" was destroyed. In June following, the ship "Philadelphia" was burned in the harbor, as preparations were being made for her sailing to the Sandwich Islands.

CHAPTER IX.

1849.

Increase of population.—No proper homes.—Character of the houses.—Condition of the streets.—Employments of the people.—Every thing in apparent confusion; still nobody idle, and much business accomplished.—How the inhabitants lived.—Money rapidly made and freely spent.—Gambling.—Shipping deserted.—Extravagantly high prices obtained for every thing.—Rents and wages.—The mines the source of all the wealth.—Destitution, sickness and death.—Increase of crime.—Aspect of the Plaza.—Mixed character of the inhabitants.—The Post-office.—A pleasant prospect.

THE population of the State, and of San Francisco in particular, had been largely increasing during the last six months. Between the 1st of January, 1849, and the 30th of June following, it was estimated that fifteen thousand had been added to the population of the country; of which number nearly ten thousand came by sea, and landed at San Francisco. Only about two hundred of these were females. The next half year gave an average of four thousand immigrants per month, by sea alone, about five hundred of whom, in all, were females; and the whole of which numbers landed at San Francisco. In the early part of 1849, the arrivals were principally from Chili, Mexico, and other countries on the Pacific coasts of America; but later in the year, an immense number of Americans came direct from the Atlantic States, around Cape Horn, or by way of Panama, while many foreigners also arrived from China and from various parts of Europe. Hitherto the departures were comparatively few. Altogether nearly forty thousand immigrants landed at San Francisco during 1849. Besides that great number, some three thousand or four thousand seamen deserted from the many hundred ships lying in the bay. Probably two-thirds of all these proceeded to the mines, or to various parts of the interior; but, on the other hand, numerous fortunate diggers, or those who had tried gold digging and been disappointed, visited town, to spend their gains, recruit

their health, or follow out some new pursuit there. It will be remembered also that somewhere about thirty thousand American immigrants had reached California across the plains, many of whom ultimately settled in San Francisco. Therefore, it may be reasonably estimated, that, at the close of 1849, the population of the town numbered, at least, twenty, and probably nearer



Muddy Streets.

twenty-five thousand souls. A very small proportion of these were females—a still smaller one, children of either sex; while the vast majority of inhabitants were adult males, in the early prime of manhood. This circumstance naturally tended to give a peculiar character to the aspect of the place and habits of the people.

There was no such thing as a *home* to be found. Scarcely even a proper *house* could be seen. Both dwellings and places of business were either common canvas tents, or small rough board shanties, or frame buildings of one story. Only the great

gambling saloons, the hotels, restaurants, and a few public buildings and stores had any pretensions to size, comfort or elegance. The site on which the town is built was then still covered with numberless sand-hills. The streets were therefore uneven and irregular. By the continued passage of men, and of horses and drays with building materials and goods, while the rainy season (which commenced earlier than usual, and was remarkably severe) was shedding torrents from the clouds, the different thoroughfares were soon so cut up as to become almost, if not quite impassable. Indeed both horse, or mule and dray were sometimes literally swallowed up in the mud, while their owner narrowly escaped a similar fate. The town authorities caused numberless cart loads of brushwood and limbs of trees to be cut from the surrounding hills, and thrown into the streets; but these only answered a limited and temporary purpose. The difficulty could not thus be remedied. Nobody troubled himself to remove any rubbish from the way; but inmates of tents and houses satisfied themselves with placing a few planks, tobacco-boxes, bags of coffee, barrels of spoiled provisions, or any other available object, across and along the worst parts of the roads, to enable them safely to reach their own dwellings. It was not for every body, however, to attempt to navigate these perilous places, or hope to keep on the narrow, slippery, unsteady, and often interrupted path which spanned the unfathomed abysses of mud and water which lay on all sides. Lanterns were indispensable to pedestrians at night, and even in daylight not a few would lose their footing, and find it difficult to extricate themselves from their unpleasant predicaments.

In those miserable apologies for houses, surrounded by heaps and patches of filth, mud and stagnant water, the strange mixed population carried on business, after a fashion. It is not to be supposed that people could or did manage matters in the strict orderly manner of older communities. Very few were following that particular business to which they had been bred, or for which they were best fitted by nature. Every immigrant on landing at San Francisco became a new man in his own estimation, and was prepared to undertake any thing or any piece of business whatsoever. And truly he did it; but it was with a

deal of noise, bustle and unnecessary confusion. The great recognized orders of society were tumbled topsy-turvy. Doctors and dentists became draymen, or barbers, or shoe-blacks; lawyers, brokers and clerks, turned waiters, or auctioneers, or perhaps butchers; merchants tried laboring and lumping, while laborers and lumpers changed to merchants. The idlest might be tempted, and the weakest were able, to do something—to drive a nail in frame buildings, lead a burdened mule, keep a stall, ring a bell, or run a message. Adventurers, merchants, lawyers, clerks, tradesmen, mechanics, and every class in turn kept lodging-houses, eating and drinking houses, billiard rooms and gambling saloons, or single tables at these; they dabbled in "beach and water lots," fifty-vara blocks, and new town allotments over the whole country; speculated in flour, beef, pork and potatoes; in lumber and other building materials; in dry goods and soft, hard goods and wet; bought and sold, wholesale and retail, and were ready to change their occupation and embark in some new nondescript undertaking after two minutes' consideration. All things seemed in the utmost disorder. The streets and passages, such as they were, and the inside of tents and houses, were heaped with all sorts of goods and lumber. There seemed no method in any thing. People bustled and jostled against each other, bawled, railed and fought, cursed and swore, sweated and labored lustily, and somehow the work was done. A spectator would have imagined the confusion inextricable, but soon had reason to change his opinion. Every body was busy, and knew very well what he himself had to do. Heaps of goods disappeared, as if by magic, and new heaps appeared in their place. Where there was a vacant piece of ground one day, the next saw it covered with half a dozen tents or shanties. Horses, mules and oxen forced a way through, across, and over every obstruction in the streets; and men waded and toiled after them. Hundreds of rude houses and tents were daily in the course of erection; they nestled between the sand-hills, covered their tops, and climbed the heights to the north and west of the town.

As we have said, there were no *homes* at this period in San Francisco, and time was too precious for any one to stay within doors to cook victuals. Consequently an immense majority of the

people took their meals at restaurants, boarding-houses and hotels —the number of which was naturally therefore very great ; while many lodged as well as boarded at such places. Many of these were indeed miserable hovels, which showed only bad fare and worse attendance, dirt, discomfort and high prices. A few others again were of a superior class ; but, of course, still higher



Lodging Room.

charges had to be made for the better accommodation. At best all were inconveniently crowded, heated and disagreeable. The whole population was constantly moving, and always visible, which added greatly to its apparent numbers. If only people did not sleep in public, they at least worked, eat, and amused themselves in crowds. But even at night, they lay from half a dozen to two score in a room, on the floor, in rows of cots, or contracted and filthy bunks fastened to the weather-boards from floor to ceiling, in which were immense swarms of fleas and other troublesome vermin. At some lodging-houses and hotels, every

superficial inch—on floor, tables, benches, shelves, and beds, was covered with a portion of weary humanity.

While wages and profits were so high, and there was no comfort at their sleeping quarters, men spent money freely at different places of riotous excess, and were indeed forced to pass their hours of leisure or recreation at drinking bars, billiard rooms and gambling saloons. Such places were accordingly crowded with a motley crew, who drank, swore, and gamed to their hearts' content. *Every body did so;* and that circumstance was a sufficient excuse, if one were needed, to the neophyte in debauchery. To vary amusements, occasionally a fancy-dress ball or masquerade would be announced at high prices. There the most extraordinary scenes were exhibited, as might have been expected where the actors and dancers were chiefly hot-headed young men, flush of money and half frantic with excitement, and lewd girls freed from the necessity of all moral restraint. A concert or a lecture would at other times help to entertain the weary spirits of the town. But of all their haunts, the gambling saloons were the most notorious and best patronized.

Gambling was a peculiar feature of San Francisco at this time. It was *the* amusement—*the* grand occupation of many classes—apparently the life and soul of the place. There were hundreds of gambling saloons in the town. The bar-room of every hotel and public house presented its tables to attract the idle, the eager and covetous. Monté, faro, roulette, rondo, rouge et noir and vingt-un, were the games chiefly played. In the larger saloons, beautiful and well-dressed women dealt out the cards or turned the roulette wheel, while lascivious pictures hung on the walls. A band of music and numberless blazing lamps gave animation and a feeling of joyous rapture to the scene. No wonder the unwary visitor was tempted and fell, before he had time to awake from the pleasing delusion. To make a fortune in the turning of a card was delightful—the very mingled hope and fear of eventual success was a charming excitement. For the moment, men felt as great conquerors may be supposed sometimes to feel; they manœuvred on the green cloth,—the field of their operations,—thinking their own skill was playing the game, when chance alone gave the result. At the end of a long even-

ing's campaign of mingled victories and defeats—petty skirmishes—they would either draw off their forces to renew the game next day, or hazard their all, thousands of dollars perhaps, on the issue of one great battle, and a moment afterwards leave the table richer or poorer by a moderate fortune. Again and again, were such campaigns fought, till the excitement and intense desire of playing became chronic. When great sums could no longer be had, small ones served the same purpose; and were, in the end, lost like the others. Gambling became a regular business; and those who followed it professionally were really among the richest, most talented and influential citizens of the town.

The sums staked were occasionally enormous. One evening sixteen thousand dollars' worth of gold dust was laid upon a faro table as a bet. This was lost by the keeper of the table, who counted out the money to the winner without a murmur, and continued his business with a cheerful countenance, and apparently with as good spirits as though he had incurred no more than an ordinary loss. As high as twenty thousand dollars, it is said, have been risked upon the turn of a card. Five thousand, three thousand, and one thousand dollars were repeatedly ventured. The ordinary stakes, however, were by no means so high as these sums—from fifty cents to five dollars being the usual amount; and thus the common day laborer could lay his moderate stake as stylishly as a lord. It was only when the rich gamester was getting desperate, or a half tipsy miner had just come from the diggings with a handsome "pile," that the larger sums were put on the cloth. Generally speaking, the keepers of the tables, or "bankers," had no objection to these heavy stakes; they knew the game better than the player, and were well aware of all the chances in their own favor. But it was scarcely necessary for the professional gambler to encourage particularly large stakes. The combined amount of all the usual small ones was very large; while every two minutes there was a new game formed, and new stakes put down. The extensive saloons, in each of which ten or a dozen such tables might be placed, were continually crowded, and around the tables themselves the players often stood in lines three or four deep, every one vieing with his neighbors

for the privilege of reaching the board, and staking his money as fast as the wheel and ball could be rolled or the card turned. The professional gamblers, who paid great rents for the right of placing their tables in these saloons, made large fortunes by the business. Their tables were piled with heaps of gold and silver coin, with bags of gold dust, and lumps of the pure metal, to tempt the gazer. The sight of such treasures, the occasional success of players, the music, the bustle, heat, drink, greed and deviltry, all combined to encourage play to an extent limited only by the great wealth of the community. Judges and clergymen, physicians and advocates, merchants and clerks, contractors, shopkeepers, tradesmen, mechanics and laborers, miners and farmers, all adventurers in their kind—every one elbowed his way to the gaming-table, and unblushingly threw down his golden or silver stake. The whole of the eastern side of Portsmouth Square, three-fourths of the northern, and a portion of the southern sides were occupied by buildings specially devoted to gambling. At these portions of the plaza were perhaps the greater saloons, but all around the neighborhood there were numberless other places, where the same system was carried on, and where the proceedings were exposed to the careless look of every passer-by.

While such scenes, in hundreds of distinct places, were night and day being acted in public, the better or richer classes, who at first had openly appeared and gambled among the crowds at the general saloons, began to separate and confine themselves to semi-private play in the rear of the Parker House, and at similar places. There, if the external excitement of moving crowds and music was wanting, the interest in the sport arising from larger stakes was correspondingly increased, if that were possible. The amounts ventured in such secluded circles were immense; and almost surpass belief. Men had come to California for gold; and, by hook or by crook, gold they would have. It was a fair and honest game, they thought, to hazard one's own money against that of another. Therefore, they staked and lost—staked and won—till in the end they were rich indeed, or penniless. But poor or rich, the speculative spirit continued—(there was surely something infectious in the air!)—and either in direct

gambling, or in nearly similar operations in mercantile, land-jobbing, or general business, the inhabitants of San Francisco, at this period of its history, seemed to be one great horde of gamesters. There were exceptions indeed, and some men scorned to enter a gambling saloon or touch a card, but these were too few comparatively to be specially noticed in the general hubbub and speculative disposition of the place.



Parker House when first opened.

Who can tell the joy, the hope, the triumph, or the fear, misery and ruin of the busy gamester? It is not avarice alone that urges his course—for we often find the professed gambler careless of money, liberal and generous to excess. There is mental excitement—personal victory—riches, and consequent power, honor and happiness in the game. Other passions have their moments of excitement and ecstasy; but perhaps few have more blissful ones than the uncontrollable spirit of play. Let cold-blooded, lethargic people, who condemn the practice—for it is still a pernicious vice—consider the temptations and pleasure, as

well as the evils and crimes it induces, and withhold their indiscriminating censures against those who have fallen victims to it. Some countries indulge in national vices—it may be intoxication or gambling, gross superstition or fanaticism. But no man can know all the peculiar circumstances and temptations that lead to wrong-doing; and no man is so personally and morally pure that he is entitled to throw a stone at the offender. We would not seek to excuse the San Franciscans of those days for indulging in gambling; but we think some palliation might be found for their conduct in the anomalous circumstances in which they were placed, and much allowance made for their temptation and fall. The same speculative spirit continues, although in a much less degree. There are still many public gaming tables, open every day of the week, at nearly all hours; but the stakes are much smaller than before, and the more respectable classes of the community do not attend such places. Private play is likewise still carried on, but to nothing like the extent of former years. The evil is dying away; though many years must pass before it be altogether extinct. So long as San Francisco is without proper homes, and its population is composed chiefly of adult males, while enormous profits and wages are usually made in every undertaking, so long will the only amusements be public ones, and chief among them, gambling. The richer and more respectable classes have now such homes and families to enjoy themselves among, and they no longer gamble. Give an agreeable domestic circle to the mechanic and the laborer, the general speculator, the tradesman and the clerk, and they likewise will forsake the public haunts of dissipation.

We have occasionally alluded to the desertion of seamen. At the time of which we write there were between three and four hundred large square-rigged vessels lying in the bay, unable to leave on account of want of hands. Many of these vessels never got away, but, in a few years afterwards, rotted and tumbled to pieces where they were moored. As stores and dwelling-houses were much needed, a considerable number of the deserted ships were drawn high on the beach, and fast imbedded in deep mud, where they were converted into warehouses and lodgings for the wants of the crowded population. When subsequently the

town was extended over the mud flat of the bay, these ships were for ever closed in by numberless streets and regularly built houses both of brick and frame. When, by and by, the runaway seamen returned from the mines, crews could be more easily had, though still at a great increase of wages; and gradually the detained vessels were enabled to leave the port, to make room for new fleets.

The circulation of money,—partly coin, partly gold dust,—was very great. Men had a sublime indifference to the smaller pieces of coin, and talked as familiarly of dollars as people elsewhere would of dimes. A copper coin was a strange sight. There was nothing less received for any service, however slight, than half a dollar; for any article, however trifling, than a twenty-five cent piece. The price of admission to the pit of the circus was three dollars; while fifty-five dollars was the cost of a private box. Thirty dollars a week, or eight dollars a day, was the sum asked for good boarding; while the most indifferent could not be obtained for less than twenty dollars a week. Every mouthful at dinner might be valued at a dime; and to get a hearty meal would cost from two to five dollars, according to the quality of the viands. Other things were in proportion. Wheat flour and salt pork sold at forty dollars a barrel; potatoes and brown sugar at thirty-seven and a half cents a pound; a small loaf of bread, such as might cost four or six cents in the Atlantic States, brought fifty cents; and the same price was required for a pound of cheese; coarse boots, the only description for which there was any demand, could not be purchased for less than thirty to forty dollars a pair, while superior ones of the same class were sold for more than one hundred dollars. And truly, when one considered the horrible muddy holes and ragged streets of the place, boots were reasonable at these rates. It was about as economical to throw away certain soiled articles of clothing and buy new ones, as to get the old ones cleaned, when people had to pay from twelve to twenty dollars for the washing of each dozen of articles, large or small. Laborers' wages were a dollar an hour; skilled mechanics received from twelve to twenty dollars a day. The carpenters struck work because they were getting only twelve dollars a day, and insisted on being paid sixteen.

Their employers then offered fourteen dollars a day, for a limited time, and afterwards an increase. Every brick in a house was roughly estimated to cost a dollar, one way and another, before the building was finished. Lumber rose to five hundred dollars per thousand feet.

Rents were correspondingly enormous. Three thousand dollars *a month*, in advance, was charged for a single store, of limited dimensions, and rudely constructed of rough boards. A certain two story frame building, known as the "Parker House," and situated on Kearny street, facing the plaza, paid its owners one hundred and twenty thousand dollars a year in rents. Of this sum, somewhere about sixty thousand dollars was paid by gamblers, who occupied nearly the whole of the second floor. The "El Dorado," a gambling saloon, which adjoined the Parker House on the right, at the corner of Washington street, and which was only a canvas tent of moderate size, brought at the rate of forty thousand dollars *per annum*. At another corner of the plaza a small building, which might have made a stable for half-a-dozen horses, was possessed by Wright & Co., brokers, under the name of the Miners' Bank, at a rent of seventy-five thousand dollars. The United States Hotel paid thirty-six thousand dollars; a mercantile establishment, for a one-story building, of twenty feet front, paid forty thousand dollars, and seven thousand dollars per month was paid for the Custom House. The interest of borrowed money was rated by the same scale. From eight to fifteen *per cent. per month*, with the addition of real security, was regularly given, *in advance*, for the use of money. And people paid these enormous wages, rents and interests; and still made fortunes to themselves! Real estate, that but a few years before was of little more worth than an old song, now brought amazing prices. From plain twelve dollars for fifty-vara lots, prices gradually rose to hundreds, thousands and tens of thousands of dollars; so that large holders of such properties became on a sudden *millionnaires*. Shippers in foreign countries realized large fortunes at first by their ventures to California; and if, ere long, the expenses were so heavy and the wholesale prices of goods, by excessive supply and competition, dwindled so low that sometimes they would not pay landing or storage charges, why, still the commission agents

of San Francisco, and the host of interior merchants, shopkeepers and other retail dealers, were doing a thriving business, and accumulating large sums. The holder of every office in the State and municipality was paid generously. There was no niggardliness in such things. A religious body, whose clergymen are seldom in the habit of receiving extravagant salaries, took the



Custom House on the Plaza.

support of their minister on themselves, and voted him the princely allowance of *ten thousand dollars per annum!* Clerks and underlings were treated in the same handsome manner. The great sums, forming the total of such wages, salaries and profits, were always rapidly passing from hand to hand, and came and went, and finally disappeared in gambling-saloons and billiard rooms, at bars and in brothels, in land-jobbing, building and mercantile speculations, in every kind of personal profusion, extravagance and debauchery.

The main-spring of all this bustle and money-making trade

was the gold mining. Consider, therefore, the mightily enhanced prices of every article at the diggings! Gold dust paid for all foreign supplies, and filled the pockets of every active and shrewd man besides. Millions' worth of pure gold, in lumps and dust, reached San Francisco every month. The greater portion was forwarded to the Atlantic States and other distant quarters in payment of supplies; but, in the transit, much was appropriated and retained, as currency, among the ever plotting, restless and "wide-awake" people of San Francisco. Future generations will see California a rich and prosperous country independently altogether of her mineral wealth; but in those early days it was *the placers* alone that made, and which are still making it what it appears. All honor then to the sturdy and independent digger, whose labors are peopling the country, cultivating the fields, building cities, making roads, covering the ocean and the bays and the rivers of the land with steamers and great ships, and conferring riches and happiness not only on the growing population of California itself, that shall hereafter be numbered by millions instead of the present hundreds of thousands, but also on millions of industrious workmen in every quarter of the world!

While labor was so well paid at this period, in San Francisco, it is a melancholy fact that there was much destitution, sickness, and even death by want and exposure in the place. Many of the immigrants had landed in a sickly and emaciated state, ill of scurvy and other diseases which their long voyage and hardships had produced; and such people could not work. Others had miscalculated their own powers and inclinations, and the nature of the country they had come to, and were either ashamed or unable to perform honest labor; while perhaps they were too timid or upright to speculate in the variety of strange and often cunning ways by which other adventurers made a living and fortune. Disappointed diggers, returning from the mines with broken constitutions, swelled the destitute population. They probably lived in miserable habitations, sleeping often upon the bare earth. Around them were bustle and lucrative pursuits, while they alone seemed neglected. Then they lost heart, pined, took sick and died, cursing the country and its gold, and the foolish fancies, that had led them to it. Many committed suicide in the utter prostration of

physical strength, in feebleness or disease of mind and absolute despair. Public meetings were held to consider the destitute situation of the poor—(strange word for such a country! yet San Francisco had its full share of the class),—and large sums were raised for their support. The Orders of Free Masons and Odd-Fellows, nobly did their part in the charitable work, and were the principal means by which now, and at a later period, hundreds of suffering beings were saved from a miserable end, or their remains decently interred after death.

San Francisco was like the scene of a great battle. There were victorious warriors braving and flaunting on all sides, while hope swelled the breast of every unwounded soldier. But, unheeded amid the crash and confusion of the strife, lay the wounded and dying, who had failed or been suddenly struck down in the *mêlée*. As in the case of other battles, there were likewise secret bands of unmanly ruffians, who attacked and plundered all sides alike. These were the thieves, burglars and murderers of the community, the "hounds" of recent times and their legitimate successors,—a large and fearful class indeed,—daily increasing in numbers, boldness and extent of depredation and crime. To their wickedness were afterwards ascribed, some of the extensive conflagrations which so repeatedly laid waste the most valuable portions of the growing town; and under cover of the alarm and confusion produced by which events, robberies could be carried on with impunity. What mattered it though millions' worth of property were consumed to enable the fire-raising villain to steal a few thousand dollars? He had still the few thousand dollars, and the universe might go to blazes for aught that he cared. In this manner, doubtless reasoned the "Sydney coves," and the other desperate and criminal adventurers with which the town was now infested. The "Vigilance Committee" had not yet arisen to terrify the wretches into good behavior.

The every-day aspect of the plaza and streets was of the most curious and interesting kind. Take the plaza, on a fine day, for a picture of the people. All races were represented. There were hordes of long pig-tailed, blear-eyed, rank-smelling Chinese, with their yellow faces and blue garbs; single dandy black fellows, of nearly as bad an odor, who strutted as only the negro can strut,

in holiday clothes and clean white shirt ; a few diminutive fiery-eyed Malays, from the western archipelago, and some handsome Kanakas from the Sandwich Islands ; jet-black, straight featured, Abyssinians ; hideously tattooed New Zealanders ; Feejee sailors and even the secluded Japanese, short, thick, clumsy, ever-bowing, jacketed fellows ; the people of the many races of Hindoo land ; Russians with furs and sables ; a stray, turbaned, stately Turk or two, and occasionally a half naked shivering Indian ; multitudes of the Spanish race from every country of the Americas, partly pure, partly crossed with red blood,—Chilians, Peruvians and Mexicans, all with different shades of the same swarthy complexion, black-eyed and well-featured, proud of their beards and moustaches, their grease, dirt, and eternal gaudy serapes or darker cloaks ; Spaniards from the mother country, more dignified, polite and pompous than even their old colonial brethren ; "greasers," too, like them ; great numbers of tall, goat-chinned, smooth-cheeked, oily-locked, lank-visaged, tobacco-chewing, large-limbed and featured, rough, care-worn, careless Americans from every State of the Union, dressed independently in every variety of garb, not caring a fig what people thought of them, but determined to "do the thing handsomely," and "go ahead ;" fat, conceited, comfortable Englishmen, who pretended to compete in shrewdness with the subtle Yankee—as if it were not the "manifest destiny" of Jonathan, every where, but especially on his own ground, to outshine John ! Then there were bands of gay, easy-principled, philosophical Germans, Italians and Frenchmen of every cut and figure, their faces covered with hair, and with strange habiliments on their persons, and among whom might be particularly remarked numbers of thick-lipped, hook-nosed, ox-eyed, cunning, oily Jews. Among this vast motley crowd scarcely could two hats be found alike in material, size and shape ; scarcely could two men be found otherwise dressed alike. The long-legged boot, with every variety of colored top, the buckled-up trousers, serapes or cloaks, pea-jackets and broad-brimmed or slouched hats and glazed caps, were perhaps the commonest articles of dress. The fortunate miner with his dirty garments and hirsute face, could be readily distinguished from all others. He cared not to dress or cleanse himself properly, till the bars and gambling saloons had been

duly visited, and his hard won gains were spent. Then did he shake, shave and wash himself, and start again for the golden placers.

The eye was delighted with the varieties of costume, and more readily distinguished the wearers ; while the ear was only confounded with the babble of unknown, and to it harsh, guttural and meaningless sounds which flowed from every mouth, and where all alike talked loudly, and many furiously gesticulated. Thus the people passed in pairs or in crowds—they loitered, stood still, and moved on again, while other parties jostled beside and around them. A horse or a bullock breaking loose would dash along the way, and make a momentary struggle and flight ; but soon again the scene resumed its old appearance. On two, if not three sides of the plaza, were the open doors of the "hells" of San Francisco, where gamblers, and others for amusement, passed out and in during the whole day. On the other portions stood hotels, stores and offices, the custom-house and courts of law, all thronged with numerous visitors. The little open space which was left by the crowds we have been describing, was occupied by a multitude of nondescript objects, by horses, mules and oxen dragging burdens along, by cars and carriages of various kinds, boys at play, stalls with sweetmeats, newspapers, prints, toys and other trifling articles of merchandise. At times a few Californians or some foreigners would appear on prancing steeds, the horses caparisoned with gaudy harness and brightly-colored saddle-cloths, while little bells jingled as they moved along. The riders wore strange leathern aprons before the legs, huge spurs on the heels, and perhaps had a cloak picturesquely thrown across their shoulders. Occasionally, too, even at this early period, the crowds would make way for the passage of a richly dressed woman, sweeping along, apparently proud of being recognized as one of frail character, or several together of the same class, mounted on spirited horses, and dashing furiously by, dressed in long riding skirts, or what was quite as common, in male attire.

We cannot leave this part of our subject without alluding to the scenes that daily occurred at the post-office, which was situated at the corner of Pike and Clay streets. Every body, of course, was anxiously expecting letters from *home ;* and every body has-

tened to look after them. The post-office was but a small building, and could neither accommodate many assistants and clerks inside, nor afford much standing-room to make inquiries without. When, therefore, soon after the arrival of the mail from the Atlantic States, which occurred but once a month, people came for their wished-for letters, exhibitions of an interesting character



The Post Office, corner of Pike and Clay streets.

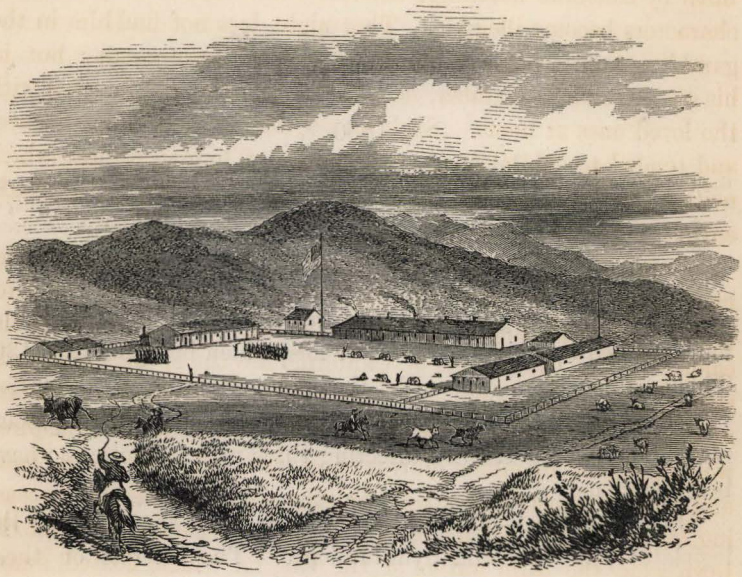
were sure to transpire. To avoid riots and confusion, several regular lines were formed from the delivery windows, at the end of which applicants for letters took places as they arrived. So anxious were many to receive their epistles, that they posted themselves in the evening of one day to be early at the window on the morning of the next, standing all night in the mud, with a heavy rain pouring down upon their heads. The lines extended a great distance down Clay street to the plaza, and along Pike street, even across Sacramento street to the tents among the chapparel. Hours

therefore, would elapse, before it came to one's turn to reach the window. To save such delay, sometimes people would employ and handsomely pay others to preserve places for them, which they would occupy, in room of their assistants, when they were approaching the loop-holes where the delivery clerks stood. Ten and twenty dollars were often paid for accommodation in this way. Indeed, many clever persons made large sums regularly by such work, by securing good places in the line early, never intending to seek letters for themselves, but only to sell their right of position to some richer man who was in haste, and regarded more his time than money. Some of these eager applicants had not heard from their far distant homes for many long months, and their anxious solicitude was even painful. It was therefore exceedingly distressing to mark the despondency with which many would turn away upon hearing from the delivery clerks the oft-repeated and much-dreaded sentence, "There is nothing here for you." On the other hand, it was equally pleasing to observe the cheerful and triumphant smile, not unfrequently accompanied with a loud exclamation of joy, that would light up the countenance of the successful applicant, who hastens from the window, and as soon as he can force a passage through the crowd, tears open and commences to read the more than welcome letter, every word of which awakens in his mind some tender reminiscence. He is now communing with the dearest idols of his heart. He knows no feelings but those of kindness and affection. The lines upon which his eyes are riveted, were written perhaps by an absent wife, and they have made him already a better man than he was an hour before. She is describing the sadness of the solitude his absence has occasioned, and urging him with all a true woman's fondness, to hasten back to the home which needs but his presence to be one of unmingled happiness. She tells him of their innocent children—of their improving loveliness—and how she has taught them in their daily prayers to lisp their absent father's name. Look close into the reader's face, and the nature of his emotions will not be mistaken. There is an unusual twitching of the muscles of the mouth, a growing dimness of the eyes, and tears are rapidly tracing down the furrows of his sunburnt cheeks. He is too much absorbed in his interesting occupation to know or care that he is an object of

curious observation. What matters it to him what others think of his apparent weakness ? It is a weakness of which he need not be ashamed. He at length carefully folds the paper and carries it to his comfortless abode, where he reads it over and over again, until by constant handling, and the tears that fall upon it, its characters become illegible. That night does not find him in the gambling-house, nor elsewhere in search of amusement ; but in his own wretched chamber, he is silently communing in spirit with the loved ones at home. Such scenes were of hourly occurrence, and tended to exhibit the better portion of human nature, which neither the thirst for gold nor feverish excitement of the place could entirely destroy.

Turning from these busy scenes and ascending a neighboring height, the wearied spectator beheld one of the most peaceful prospects and pleasant sights of the world. It was winter by the calendar ; but the winters of California are the springs and early summers of less favored lands in northern latitudes. Beneath was the little pandemonium he had left, where the devil-inspired worshippers of mammon burrowed in, and out, and about, holes and huts of canvas and wood ; but the noise of whose never-ceasing labors reached not his ears. Beyond the narrow limits of the town were the calm waters of the bay, on which floated, swan-like, hundreds of trim and well-proportioned ships, all motionless, and deserted by their crews. Farther out was the high lying island of Yerba Buena, green to the summit. Beyond it lay the mountains of Contra Costa, likewise arrayed in verdant robes, on the very tops of which flourished groups of huge redwood trees ; while far in the distance towered the gray head of Monte Diablo. The eye wandered to the northern and southern extremities of the bay, and still gazed on green hills, smooth waters and picturesque islands. It turned oceanward, and saw the Golden Gate studded with deep laden ships inward bound. The grand northern shores of the strait rose boldly and brokenly to the height of nearly three thousand feet, while the lower coast opposite was equally beautiful from the freshness of its fields and bushes, in the midst of which, and in the most beautiful spot embraced in the entire view, quietly nestles the presidio, now the solitary habitation of a small detachment of United States

soldiery. The great Pacific might be dimly seen beneath the dense veil of mist that hung miles out at sea opposite the Gate. To the west and south-west the spectator next looked, and admired the Blue Mountain and the Pass that sheltered the quiet



The Presidio of San Francisco.

valley of the mission, and the long ridges of the Sierra San Bruno, their green color sinking into a faint blue as they were seen more distantly. Overhead was a sky as blue and as beautiful as imagination could picture ; the air was fresh and balmy ; the earth beneath one's feet, soft and fragrant with new herbage and flowering shrubs ; while the life-giving sun shed over all its own radiance and joy. All was clear and sharp-defined ; all was tranquil and motionless, except the flight of innumerable white and gray-winged gulls, that soared and fluttered among the deserted shipping in the cove before the town.

CHAPTER X.

1850.

Great sale of water lots.—An election day.—Newspapers.—Approval by the ayuntamiento of the city charter, and limits of San Francisco.—Squatter difficulty at Rincon Point.—Political meeting on Portsmouth Square.—The Colton grants.—First county election.—Col. John C. Hayes elected Sheriff.—City Charter adopted by the State Legislature.—First election under the City Charter.—Changes in the Common Council.

JANUARY 3d.—A great sale by the municipal authorities, of four hundred and thirty-four water lots, which brought $635,130. This sale had been ordered by the ayuntamiento by a resolution passed on the 3d of October, 1849, in accordance with a proclamation of General Kearny, directing three months' notice to have been previously given.

JANUARY 8th.—An election was held for members of the legislature, alcaldes and ayuntamiento. The interest on these occasions increased with the population, and the election of to-day was the most exciting that had yet been held. The weather was exceedingly unpleasant, the wind blowing a gale, and the rain pouring down in torrents. The streets were covered with mud and water so as to render them almost impassable. Still the neighborhood of the polls was crowded during the entire day with men and boys, zealous as they well could be in their endeavors to promote the public welfare. It is one of the glorious consequences of our republican institutions, that at such times, so many worthy people are always to be found, utterly regardless of their personal interests, and so entirely devoted to the general good. Although the excitement ran unusually high, the day passed off without disturbance, and much good humor was exhibited by the conflicting parties. The voters were numerous; every citizen of the United States being entitled to the elective franchise, and almost all who were here, from every part of the

world, claimed to be American citizens. The way to the polls, for a considerable distance, on either side, was completely blocked up by roughly dressed men, who thrust their favorite tickets into the hands of every new comer, with loud exclamations in behalf of the parties for whom they were working. "Here's for Geary, and the old council!" cries one, "Geary and the old council for ever!" "For ever is a long day," says another; "rotation in office, is my doctrine. The old council has made money enough. Let's give a new one a chance at the public crib!" "The old ones are so fat they can't eat any more!" exclaims a third; "we had better keep them where they are!" "We have had the old council long enough!" vociferates a stout six-footer, wading up to his waist in the mud: "I go for a new council, *side-walks, and clean streets!*" "You do, do you?" replies a wag: "then I guess you will have to go an infernal long ways to find them!" "We want another yuntermenter," bawls out a youngster in a red shirt and tarpaulin hat, and resembling a drowned rat more than an independent voter:—"we want another yuntermenter, and here's the ticket for um!" "It's a gutterminty that ye want?" replies a brawny Irishman; "then take it, and good luck till ye!" giving the luckless wight a toss that sent him sprawling into the gutter overhead in water: "I am thinking ye won't want another gutterminty soon, any how!" With much difficulty the polling desk was reached, where other scenes no less amusing were transpiring. Around the judges and inspectors were an eager and excited crowd, some endeavoring to vote and others to prevent them. "I challenge that man's vote," cries a bystander, as a simple Sandwich Islander, almost as dark as an African, offered his ticket. "Then we must swear him!" says the judge, and the usual oath was administered. "Where were you born?" was the inquiry. "In New York!" whispered a prompter, and the answer was given accordingly. "Where did you come from last?" "New York," was again the reply. "Where was your father born?" "New York." "In what street did you live?" "New York." "Where is New York?" the judge next inquired. This was too much for the poor fellow. He knew as much of the locality and streets of the invisible world as he did of New York. His prompter, who had brought him there to vote, endeavored

to instruct him, but without success. His impatient challenger at length exclaims: "Turn him out, he is a Kanaka!" and the vote was rejected. Another and another pressed forward, and similar questions and just as honest answers were given, and many a vote was polled, to the right of depositing which the elector was no more entitled than the poor Kanaka. Still the election proceeded, and notwithstanding the interest and excitement manifested, the best sort of feeling was preserved throughout. The polls were closed early in the evening, and the judges announced the following gentlemen elected to the offices named. The heaviest ballot cast was in favor of Col. John W. Geary, who received 3,425 votes:—

State Senator.—David C. Broderick.

Member of Assembly.—Samuel J. Clarke.

First Alcalde.—John W. Geary.

Second Alcalde.—Frank Turk.

Ayuntamiento.—A. J. Ellis, Talbot H. Green, Wm. M. Stewart, W. H. Davis, Samuel Brannan, James S. Graham, Frank Tilford, F. C. Gray, J. Hagan, M. Crooks, A. M. Van Nostrand, and Hugh C. Murray.

JANUARY 22d.—The "Alta California" is changed into a daily newspaper, being the first of the kind that has appeared in California. The weekly issue is likewise continued. The day following, the "Journal of Commerce" was started as a daily paper; and about six weeks later, the "Pacific News" took a similar form. The "San Francisco Daily Herald" came into existence on the first of June, and became a very popular journal. On the first of August following, the "Evening Picayune" also made its appearance. The latter was the fifth daily but the first evening paper. The "Courier" and the "Balance" followed soon after, and subsequently many other journals have been developed in San Francisco and other parts of the country. Some of these are still in existence, while others after a very brief and sickly career, perished for want of support. The "Placer Times," which was extensively circulated in the mining districts, had been commenced at Sacramento in April, 1849, and appeared weekly. This was also converted into a daily newspaper, and was subse-

quently removed to San Francisco. It is a political journal, devoted to the interests of the democratic cause.

FEBRUARY 13th.—A charter for the city, previously drafted and considered, was amended and approved of by the ayuntamiento, and Messrs. Hagan and Green were instructed to present it to the representatives of the city for adoption by the legislature. By the first section of the charter it was declared, that "the limits of the City of San Francisco shall be the same which bounded the pueblo lands and town of San Francisco; and its municipal jurisdiction shall extend to said limits, and over the waters of the Bay of San Francisco, for the space of one league from the shore, including the Islands of Yerba Buena, Los Angeles, and Alcantraz."

FEBRUARY 28th.—A squatter difficulty occurred at the Rincon. Most of the land here was held as United States government reserve, and as such was leased for a limited period to Mr. Theodore Shillaber. Upon attempting to take possession, this gentleman found the leased property mostly occupied by "squatters," the majority of whom were from Sydney. These refused either to pay rent or vacate the land. Captain Keyes, therefore, having charge of the presidio, marched to the Rincon with a company of twenty United States soldiers, and soon demolished all the tents and shanties that had been erected on the government grounds. A Mr. White, one of the leaders among the squatters, subsequently brought a civil action for damages against the captain; but the latter was sustained by the court, and the case was dismissed, the prosecutor being required to pay the costs.

MARCH 9th.—Party politics begins to embrace a good share of public attention, and among the seekers after fame and fortune, there is no scarcity of aspirants for political preferment. It is but lately, however, that party lines have been drawn, and whigs and democrats, as such, arrayed against each other in their patriotic efforts to promote the general welfare. But it was found less difficult to draw these lines than to rally the forces under their distinctive self-constituted leaders. There were as many officers as soldiers to enter the political campaign. At least, each party was divided into several factions, every faction

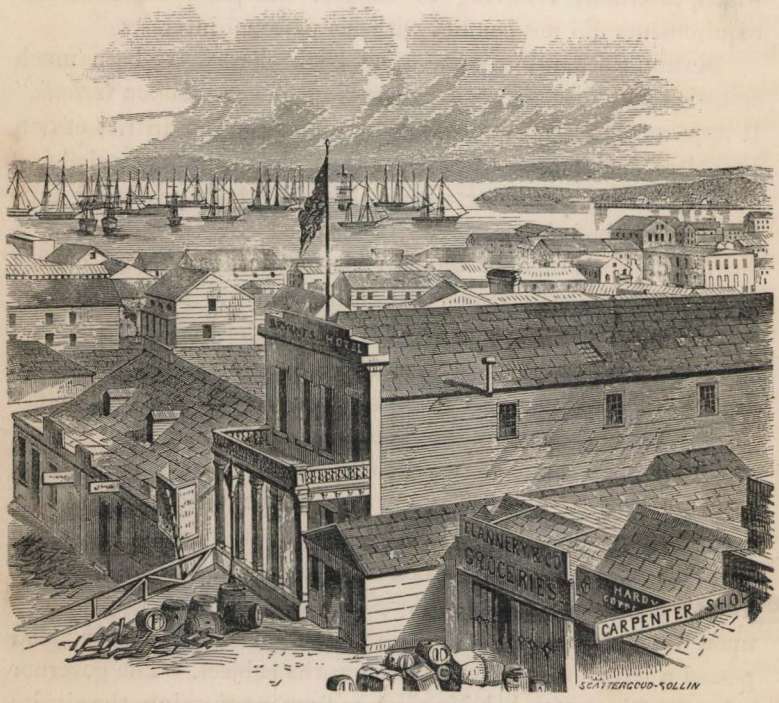
having at its head, of course, men whose claims to public favor were superior to all others. Concerted action was therefore out of the question. The democrats had resolved to remedy this evil, so destructive of their party interests, by uniting or harmonizing all their conflicting elements. To this end a mass meeting was held this afternoon on Portsmouth Square. About one thousand persons assembled, a band of music played national airs, and a large and splendid ensign waved gracefully over the speakers' stand, upon which were stationed officers duly appointed to conduct the proceedings in proper form. The meeting was opened with great enthusiasm, and, for a time, every thing gave promise of the desired result. Several addresses were delivered with good effect, which were enthusiastically responded to by the admiring listeners. But a trying moment at length arrived. The committee chosen to draft resolutions expressive of the feelings and purposes of the democracy, presented their report, and the resolutions were submitted for passage. These called forth the factional prejudices of the assembly, which were exhibited in uproar and confusion. The chairman was unable to decide the votes, and hence, some of the most boisterous determined to decide them in a manner peculiar to themselves. What they failed to accomplish by the power of their lungs, they attempted to effect by "the force of arms." Blows were liberally bestowed and received, and broken heads and bleeding noses were the consequence. The fight commenced on the speakers' stand, and in a short time, the meeting was divided into a dozen squads, each taking an active part in the mêlée. Order was at length restored, and the mass once more gathered to adopt or reject the resolutions. The chairman again "put the question," and the "*ayes*" rang loudly through the air, which were followed no less loudly by the "*noes.*" It was impossible to decide whether the "ayes" or the "noes" were in the ascendency. The holding up of hands was next resorted to. The "ayes" were told to hold up their *right* hands, and after them the "noes;" but many of both parties seemed to imagine that in a matter of such importance, *all hands were right*, and consequently held up all the hands they had, doubtless regretting not having others for the purpose. It was then suggested that the "whigs" created all the difficulty,

and they were requested to withdraw. The whigs accordingly fell back, leaving about one-half the assembly behind. Elated at the sight of their own numbers, they whirled their hats in triumph over their heads, which was accounted by their opponents as a signal for attack; and down they rushed upon the retiring force in a perfect torrent, sweeping before them all who were not levelled with the dust. It was now thought expedient to adjourn the meeting, which was effected with "three cheers" for the democracy, every aspirant for the honors, spoils and profits of which, internally resolving to support the party whenever its requirements did not conflict with his personal interests.

MARCH 26th.—For some time back there have been much agitation and discussion on the subject of the "*Colton Grants.*" It appears that Mr. Horace Hawes, prefect of the district of San Francisco, had chosen to consider that the duties and privileges of his office were more extensive than had been previously supposed. He had, in particular, instructed Mr G. Q. Colton, a justice of the peace in and for his district, to sell and convey away the municipal lands, accounting only to himself for the proceeds of the same. When, afterwards, the Court of First Instance, on the petition of the ayuntamiento, granted an injunction to restrain Mr. Colton from so acting, Mr. Hawes immediately issued a mandate annulling the said injunction. Mr. Colton meanwhile had sold or otherwise disposed of a great number of town allotments, some of them at nominal prices, to various parties. The ayuntamiento, holding that they alone were the proper parties to authorize such sales, thereupon determined this day to prefer against Mr. Hawes a number of charges, founded upon these and other facts, to the governor of the State; and passed a long string of resolutions on the subject. The governor subsequently suspended Mr. Hawes from performing the duties of his office; while the titles to the "Colton Grants," many of which had been signed in blank, and others were ante-dated, passed into the courts of law, and were for years afterwards a fertile source of litigation. In the end, it is believed that they were altogether found to be invalid.

APRIL 1st.—The first election for county officers. The principal office to be filled was that of sheriff, for which there

were three candidates. Col. J. Townes was the regular whig nominee—Col. J. J. Bryant the nominee of the democratic party —and the celebrated "Texan Ranger," Col. John C. Hayes, was selected by the people as an independent candidate. It was soon apparent that the contest rested between the two last named. Col. Bryant was a man of fortune, and was determined to spare no exertions or expense to secure his election. He was proprietor of the most extensive and best conducted hotel in the place, known at that time as the "Bryant House," formerly the



San Francisco in April 1850, showing Clay street, opposite Portsmouth Square.

"Ward House," which was a great place of resort for politicians, and where hundreds of the colonel's pretended friends and real supporters enjoyed, in no slight degree, the advantages of his generous hospitality. A band of music was daily stationed on the balcony of the Bryant House after the nomination of its proprietor, free lunches were served up in the spacious saloon, and on this day the building was literally covered with flags, signals,

and banners of every form and beautiful color, while the finest liquors were gratuitously dispensed at the well-stocked bar to all who chose to drink. On Saturday afternoon, March 29th, the friends of Col. Hayes held a mass meeting on the plaza, which was a large and enthusiastic assembly. After several spirited addresses had been given, the meeting formed in procession, and headed by a band of music, paraded the principal streets, cheering and being cheered by multitudes of spectators as they passed along. In the evening the democrats also assembled in the square, making a truly splendid display. The whole plaza was covered with men, horses and wagons, and was illuminated with flaming torches and other lights, which blazed from the speakers' stand and hundreds of vehicles admirably arranged for effect. Numerous transparencies, banners and flags added greatly to the life and splendor of the pageant. Able speakers urged the claims of the democracy in general, and of Col. Bryant in particular, to the suffrages of the people, whilst, at regular intervals, cannons were fired to give effect and increase the excitement. This meeting also ended in a procession, which traversed the streets to a late hour of the night. Early this morning the different parties were in force about the polls, and in due time the judges, inspectors and clerks were chosen and installed in their respective offices. The election was conducted with more than usual spirit. At noon it was evident that Col. Hayes was the people's favorite, which incited to increased efforts the Bryant party. Accordingly they appeared with another grand display upon the plaza. A procession of mounted men, and carriages filled with musicians, with banners and flags waving and floating above them, occupied the square, and were in a measure, producing the desired effect. But in the midst of the excitement thus produced, Col. Hayes, mounted upon a fiery black charger, suddenly appeared, exhibiting some of the finest specimens of horsemanship ever witnessed. The sight of the hero, as he sat bare-headed and unattended upon his noble animal, took the people by surprise, and called forth the admiration and patriotism of the vast multitude of spectators, from every one of whom shout after shout rent the air, deadening the sounds of trumpets and drums, and being heard far and wide over land and sea. Men crowded around him

on every hand, some seizing the bridle, others clinging to his clothing and stirrups, and each anxious to obtain a grasp of his hand. The noise and tumult terrified the spirited beast he strode, which reared and plunged among the enthusiastic crowd, though so admirably managed as to do injury to none; when, at length, his rider giving him the rein, he dashed into and along the adjoining street, followed and greeted by loud huzzas at every step. This settled the question. The cause of Col. Bryant was abandoned, and a vast majority of votes were given in favor of the "Texan Ranger." The following named parties were elected:—

Sheriff.—John C. Hayes.
County Judge.—R. N. Morrison.
County Recorder.—J. A. McGlynn.
County Surveyor.—Wm. W. Eddy.
County Treasurer.—G. W. Endicott.
District Attorney.—Calhoun Benham.
County Clerk.—John E. Addison.
County Assessor.—David M. Chauncey.
County Coroner.—Edward Gallagher.
County Attorney.—T. J. Smith.
Clerk of the Supreme Court.—E. H. Tharp.

April 15th.—The City Charter passed by the State Legislature. The limits of the city are now declared to be as follows:—"The southern boundary shall be a line two miles distant in a southerly direction from the centre of Portsmouth Square, and which line shall be a parallel to the street known as Clay street. The western boundary shall be a line one mile and a half distant in a westerly direction from the centre of Portsmouth Square, and which line shall be parallel to the street known as Kearny street. The northern and eastern boundaries shall be the same as the County of San Francisco." The city was to be divided into eight wards by the first council appointed by the charter; and for its government were to be elected a Mayor, and Recorder, a Board of Aldermen and a Board of Assistant Aldermen, which two boards should be styled the "Common Council," each consisting of one member from each ward. There was also to be elected by the city a Treasurer, Comptroller, Street Commissioner, Collector of City Taxes, City Marshal and City Attorney, and by each ward two Assessors. As at the time of the first election under the charter there were only four wards, it was provided that two chief and as many assistant Aldermen should be elected from each, while the same number of Assessors should be chosen. The municipal officers were to hold office only one year, and new

elections to be made on the fourth Monday of April annually. The powers and duties of the Common Council and municipal officers are minutely laid down in the charter.

MAY 1st.—This day the City Charter was submitted to the inhabitants for approval, when it was adopted; and the first election under its provisions took place. The following candidates were returned as elected:—

Mayor.—John W. Geary.
Recorder.—Frank Tilford.
Marshal.—Malachi Fallon.
City Attorney.—Thos. H. Holt.
Treasurer.—Charles G. Scott.
Comptroller.—Benj. L. Berry.
Tax Collector.—Wm. M. Irwin.
Street Commissioner.—Dennis McCarthy.

Aldermen.

Charles Minturn,	A. A. Selover,	C. W. Stuart,
F. W. Macondray,	Wm. Greene,	Wm. M. Burgoyne,
D. Gillespie,		M. L. Mott.

Assistant Aldermen.

A. Bartol,	John Maynard,	L. T. Wilson,
C. T. Botts,	John P. Van Ness,	A. Morris,
Wm. Sharron,		Wm. Corbett.

Assessors.

Robert B. Hampton,	John H. Gihon,	John P. Haff,
Halsey Brower,	Francis C. Bennett,	Beverly Miller,
John Garvey,		Lewis B. Coffin.

Before the term of election expired, several changes occurred in the Common Council. Mr. Burgoyne having made a visit to the Atlantic States immediately after the election, was never qualified, and his place was declared vacant; and Mr. Macondray resigned shortly afterwards. Their places were filled on the 27th June by the election of Moses G. Leonard and John Middleton. Mr. Maynard resigned June 24th, and soon afterwards the resignation of Mr. Botts was accepted; and a new election to fill the vacancies thus occasioned, on the 27th July, resulted in the choice of George W. Green and James Grant. Subsequently Messrs. Gillespie and Leonard retired from the Board of Aldermen, and Mr. Morris from the Board of Assistants. Their places were also supplied by election on the 20th January, 1851, by W. H. V. Cronise and D. G. Robinson to the first, and George W. Gibbs to the second Board. We are somewhat particular in mentioning these changes in the Boards of Aldermen, since the

affairs of their salaries, and the famous medals, hereafter noticed, directed much attention to the individual members.

May 4th.—The *second* great fire in San Francisco, when property to the value of nearly four millions of dollars was supposed to be destroyed. It began about four o'clock in the morning, in the building on the east side of the place called the



Fire of May 4th, 1850.

United States Exchange; and before eleven of the forenoon, three immense blocks of buildings, with a few trifling exceptions, were totally destroyed. These were the blocks lying between Kearny, Clay, Montgomery and Washington streets; and the two blocks between Dupont, Montgomery, Washington and Jackson streets. A great many buildings were torn down or blown up by gunpowder to stay the progress of the flames; and, among others, nearly the whole erections in Dupont street were voluntarily destroyed to prevent the conflagration spreading on that side. While some of the populace readily and untiredly assisted in extinguishing the flames, others would lend no hand at the work without being first well paid for it. The police force

was very efficient in preventing pillage, and preserving order among the real workers and the idlers at the fire. Circumstances occurred which led to the strong suspicion, if not moral certainty, that the fire arose through the agency of incendiaries, and a reward of five thousand dollars was offered by the mayor for their detection. Several parties were apprehended on suspicion, but no formal trial took place, and they were shortly afterwards liberated. As in the case of the former great fire, on the 24th December last, new buildings were begun to be erected while still the sites of the old were hot with smoking ashes. While even one extremity of the old tenement was still blazing, people were planning the nature of the new erection, and clearing away the embers and rubbish from the other scarcely extinguished end, to lay the foundation of the intended new pile. In a wonderfully short time the whole burned space was covered with new buildings, and looked as if no fire had ever been there; although it was generally remarked that these were even more unsubstantial and inflammable than those which had just been destroyed.

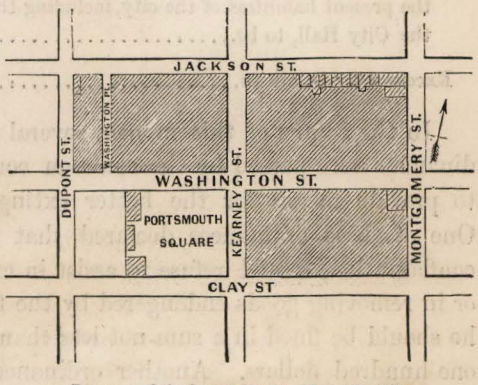


Diagram of the burnt district, May 4th, 1850.

MAY 9th.—The two boards of aldermen severally held meetings for the first time at the new City Hall, at the corner of Kearny and Pacific streets. The principal business of the meetings was to organize, appoint committees, and receive and read a message from the mayor. This latter was an able and interesting document, containing many truly excellent suggestions in regard to the interests of the corporation. Its great length precludes the propriety of its insertion. As the following extract, however, gives a correct statement of the financial condition of the city at this important period of its history, its omission would be inexcusable :—

"The Reports of the Treasurer and Comptroller are herewith submitted. The financial condition of the city is as follows:—

Amount on second instalment, of sales of water lots, due April 3d, 1850,	$23,049 00
Amount on third instalment, due July 3d, 1850	107,602 00
Amount on fourth instalment, due October 3d, 1850	107,602 00
	$238,253 00
The Report of the Comptroller, up to May 8, 1850, shows the present liabilities of the city, including the purchase of the City Hall, to be	$199,174 19
Excess over liabilities	$ 39,078 81"

In the course of this month, several stringent and useful ordinances were passed by the common council, which endeavored to provide means for the better extinguishing of future fires. One of these ordinances declared that if any person, during a conflagration, should refuse to assist in extinguishing the flames, or in removing goods endangered by the fire to a place of safety, he should be fined in a sum not less than five, and not exceeding one hundred dollars. Another ordinance authorized the mayor to enter into contracts for the digging of Artesian wells, and for the immediate construction of water reservoirs in various parts of the city. Another ordained every householder to furnish six water buckets, to be kept always in readiness for use during the occurrence of future fires. Such ordinances were all excellent in their way, though unfortunately they were somewhat late in being adopted.

CHAPTER XI.

1850.

Third great fire.—Aldermen's salaries.—Indignation meetings.—Veto message of the mayor.—Shipping in San Francisco Bay.—Celebration of the Fourth of July.—The Oregon Liberty Pole.—Custom-house at the corner of California and Montgomery streets.—Departure from California of General Riley.—Society of California Pioneers.—Squatter riots at Sacramento.—Suffering immigrants.—Presentation of Chinese Books.—Funeral ceremonies on occasion of the death of President Taylor.—A Chinese document.

JUNE 14th.—Scarcely had the citizens time to breathe after their recent exertions at the fire of the 4th of May, and the labors which followed in erecting new buildings in room of those destroyed, when again the terrible cry of *fire* rang in their ears. This was the *third* conflagration to which the city had been subjected, and its ravages exceeded even those of the two previous great fires united, being estimated at nearly five millions' worth of property. These successive losses would surely have broken the spirit of any people but Americans, and for a time indeed sank even theirs. But in proportion to the unusual depression was the almost immediate reaction, and the ruined citizens began forthwith to lay the foundations of new fortunes instead of those so cruelly destroyed. The fire, which arose from some defect in the chimney of the house where it broke out, began about eight o'clock in the morning, in a bakery, which was in a small wooden back building, between Sacramento and Clay streets, and in the rear of the Merchants' Hotel. The wind was high at the time, and the flames soon spread on all sides. In a few hours, the whole space situated between Clay, California and Kearny streets, down to the edge of the water, was one mass of flame ; and, with few exceptions, all the buildings and goods lying within these extensive bounds, were totally consumed. The individual losses were very severe ; and these occurring so shortly after the two

preceding great fires, had the effect of reducing many citizens, previously wealthy, to poverty. But as the spider, whose web is again and again destroyed, will continue to spin new ones while an atom of material or a spark of life remains in its body, so did the inhabitants set themselves industriously to work to rear new houses and a new town. In the space of a few weeks the burned districts were covered over with other buildings, many of which were erected of far more substantial materials than before. Sad experience had taught the people that although the cost of fire-proof, brick structures was much greater at first than the old wooden ones, yet in the end, they were cheaper and better. From this time forward, we therefore begin to notice, that the street architecture gradually assumed a new and grander appearance. This was one good consequence of the repeated fires; while another was the immediate formation and organization of numerous hook and ladder, engine and hose companies. Many municipal ordinances regarding these companies and the establishment and completion of wells and reservoirs in various parts of the city, were likewise the result of these successive disasters.

During all this month, the community was kept in a state of excessive excitement, arising from certain extraordinary proceedings on the part of the Common Council. The members had not been long in office, when they nearly unanimously passed an ordinance providing for the payment of certain salaries to themselves and the chief municipal officers. The mayor, recorder, and some others, were to be paid annually the sum of ten thousand dollars, while the sixteen principal and assistant aldermen were each to receive six thousand. The salaries of the municipal officials were perhaps not more than were necessary at the period, since these gentlemen had really much work to do, while all their time was supposed to be passed in the service of the city; but it was considered by the citizens generally, that to bestow six thousand dollars a year upon sixteen private persons, for only two evening meetings in each week, was extravagant and ridiculous. As one of the speakers at a subsequent public meeting said, people in foreign countries, when they heard of such a thing, would be apt to call it "*a California lie.*" More especially the proposed aldermanic allowance seemed monstrous and unjust, from the fact that

the city was then much embarrassed in pecuniary affairs, and that certain most obnoxious and heavy taxes were proposed to be laid upon the inhabitants.

Many public meetings of the citizens were held on the subject, at which resolutions strongly condemnatory of the council's proceedings were passed. One of these meetings took place on the plaza on the evening of the 5th of June, and was the largest that had ever assembled in San Francisco for any purpose. From three to four thousand people attended. General John Wilson was appointed president. After some introductory discussion, several resolutions were adopted by acclamation, the essence of which was this,—that we "instruct our mayor and common council to abandon the scheme of high salaries, and to remodel the schedule of oppressive taxation, as shadowed forth by their recent action; and unless they are willing to do so, to resign and give place to more patriotic and efficient men." A committee of twenty-five were then appointed to wait on the council and present a copy of the resolutions, and to request an answer to the same. The gentlemen composing the committee were Messrs. Wilson, Folsom, Crane, Post, Stoutenburg, Howard, Cooke, Kelly, Yale, Syme, Retan, Robinson, Courson, Robertson, Dunbar, Leonard, Minor, Parcells, Osborne, Wells, Duff, Parlon, Wakeman and Meacham.

The committee named, accordingly, through their chairman, Captain J. L. Folsom, presented the resolutions to the council. These the aldermen, who appeared determined to carry matters through with a high hand, received very coldly, and ordered them to lie indefinitely on the table. This not being deemed a sufficient answer by the committee, another "mass" and "indignation meeting" was called by them for the evening of 12th June; which was held on the plaza and was very numerously attended. Again General Wilson filled the chair. The report of the committee having been read, and the supposed "insolence of office" duly animadverted upon, the meeting, considering the "disrespect and insult" which their former representatives had met with, unanimously reappointed them as a committee, *with power to increase their number to five hundred*, and instructed them again to present the old resolutions to the council in such form as they

should think fit. The committee thus fortified, afterwards chose the additional members, and fixed the evening of the 14th, when they should all march in procession to the place of meeting of the common council, and there again submit the "sovereign will" of the people to the aldermen, and require their prompt obedience to the same. On that day the great conflagration just noticed took place; and farther action on the subject of the high salaries and obnoxious taxation ordinances was indefinitely postponed. Popular excitement took a new direction in consequence of the fire; and, excepting in the columns of the *Herald* newspaper, and among a few testy individuals, little more was said on the matter till some months afterwards, when the question was revived. The previous meetings, however, had the effect of causing the obnoxious license ordinance to be withdrawn for a time. In the end, the salaries of both the municipal officers and the common council were reduced, the latter being ultimately fixed at four thousand dollars.

It is due to Col. Geary, mayor of the city, to observe, that from the beginning he opposed the payment of salaries to the members of the Boards of Aldermen, and at last vetoed the bill allowing them four thousand dollars each. His message, on returning the ordinance, unapproved, was a highly creditable document. After declaring that the ordinance in question was in direct opposition to the wishes of the people, whose will had been made known to the aldermen in the most emphatic manner, which he averred it was the duty of the latter to obey, he uses the following language:—

"Another view which presents itself with great force to my mind, in interpreting the executive right to arrest the ordinance in question, is that of expediency. With great unanimity a financial measure has been adopted to provide for the immediate payment of the city's indebtedness, by means of a loan of half a million of dollars. It is of the greatest importance to the interests of the city, that that measure should be made to succeed at the earliest possible moment. In my deliberate judgment its success would be injuriously impeded, if not entirely defeated, by associating with the proposition for a loan, an ordinance to appropriate so large a proportion of the amount demanded as sixty-four thousand dollars, to the payment of a class of officers whose services are usually rendered without any other remuneration than the honor conferred by their fellow-citizens, and their participation in the general good which it is their province and duty to promote. It could

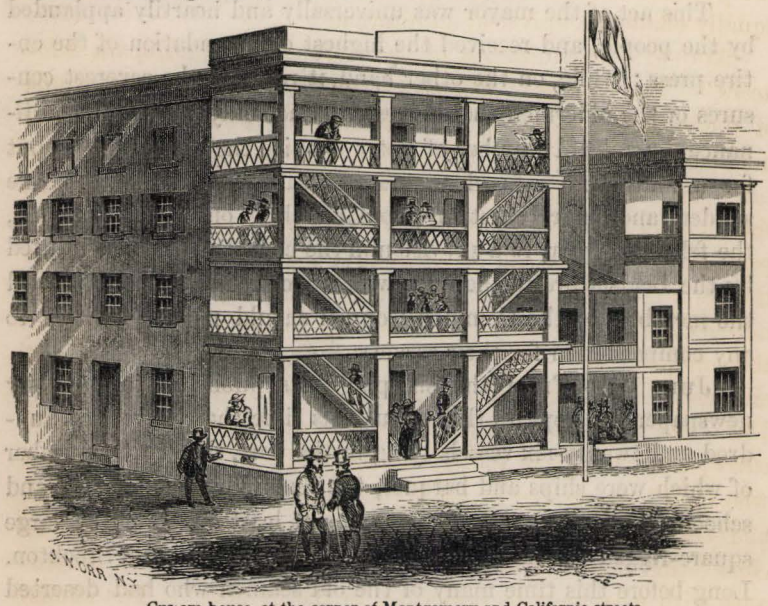
not fail to weaken our public credit to show a purpose to use it for the payment of salaries never contemplated by the people, especially in view of the admitted necessity for the practice of the most rigid economy, in order to complete by means of all the resources and credit we possess the public works in progress or in contemplation. With scarcely a dollar in the public treasury—without the means of discharging even the interest falling due for the scrip already issued—the city credit impaired, and general bankruptcy staring us in the face, retrenchment should be the order of the day, rather than the opening up of new modes of making enormous and heretofore unknown expenditures."

This act of the mayor was universally and heartily applauded by the people, and received the highest commendation of the entire press; while, on the other hand, it received the severest censures of the aldermen themselves, who not only passed the ordinance by a legal number of votes despite the mayor's veto, but for a long time refused to grant a salary to his honor. The sudden and angry burst of popular feeling on this subject led, the following year, to a provision in the new charter, then granted by the Legislature to the city, which declared that henceforward the members of the Common Council should not be entitled to any compensation for their services.

JULY 1st.—From the shipping lists published in the daily newspapers, it appears that about this time there were five hundred and twenty-six vessels lying in the port, the greater number of which were ships and barques, the remainder being brigs and schooners. Besides these, there were at least one hundred large square-rigged vessels lying at Benicia, Sacramento, and Stockton. Long before this time many of the old seamen who had deserted their ships had returned from the mines, and there was no difficulty in procuring crews for departing vessels, upon paying them the ordinary high wages of the time.

JULY 4th.—Another grand celebration of independence-day. This was particularly distinguished by the erection on the plaza of a magnificent flagstaff, or liberty-pole, which Messrs. S. Coffin and W. W. Chapman, on behalf of the citizens of Portland, Oregon, had presented to the citizens of San Francisco, and which was received by the mayor, Col. J. W. Geary. The length of this pole is one hundred and eleven feet. It is one foot in diameter at the bottom, tapering regularly to about

three inches at the other end, and is as straight as an arrow. This is perhaps the longest and most faultlessly straight pole that is known, although the presenters apologized that no longer one had been sent, on account of the inconvenience of shipping a stick of larger dimensions. The old pole which used to stand on the plaza from Mexican days, and upon which the first American flag was hoisted, had been removed on the 7th of June preceding, and was erected in front of the custom-house, at the corner of Montgomery and California streets.



Cus om-house, at the corner of Montgomery and California streets.

The custom-house, occupied by Col. James Collier, then collector of the port, was a new four-story brick building, and the most imposing edifice in the city. It was destroyed by fire on the 4th of May, 1851, as was also the old liberty-pole.

July 15th.—General Bennet Riley, late military governor of the territory, left San Francisco for the Eastern States. Prior to his departure a letter was addressed him, signed by the mayor and numerous influential citizens, tendering him a public dinner, and complimenting him for the satisfactory manner in which he had performed his duties as governor of the country. Previous arrangements, however, prevented the general from accepting

this invitation, in declining which he uses the following language :—"Both in my official and social relations with the people of California, I have ever been treated with the utmost indulgence and kindness. I can never cease to feel a lively interest in their happiness and prosperity, and I now leave them with feelings of deep regret. If California, by her mineral wealth, and the unexampled increase of her population and commerce, has attracted the attention of the world, her dignified course in the peculiar and trying position in which she has been placed, equally challenge universal admiration."

AUGUST.—Organization of the "*Society of California Pioneers.*" The objects of this society were declared, in the words of the constitution, to be "to cultivate the social virtues of its members, to collect and preserve information connected with the early settlement and conquest of the country, and to perpetuate the memory of those whose sagacity, enterprise, and love of independence, induced them to settle in the wilderness, and become the germ of a new State." The society "shall be composed of native Californians ; foreigners residing in California previous to the conquest ; and natives of other States and other countries, if citizens of the United States, resident here prior to January 1st, 1849, and their male descendants, who shall constitute the *first class ;* and citizens of the old States of the Federal Government who shall have resided in California prior to January 1st, 1850, and their male descendants, who shall constitute the *second class ;* and honorary members, who may be admitted in accordance with what may be prescribed in the by-laws." The admission fees, which are now (1854) ten dollars, and a monthly subscription of a dollar, payable half-yearly in advance, "and all funds arising therefrom or by donation, shall be safely invested, and the income arising therefrom shall be appropriated to charitable purposes, exclusively for the use and benefit of the widows and orphans of pioneer immigrants, members of this society." A list of the members in April, 1854, with the dates of their respective arrivals in California, their present residences, and the office-bearers of that year, appear in the Appendix. Here we may only name the first office-bearers of the society. They were as follows :—

President:—William D. M. Howard.

Vice-Presidents.

Jacob R. Snyder, Samuel Brannan, G. Frank Lemon.

Recording Secretary.
Joseph L. Folsom.

Assistant Recording Secretary.
J. C. L. Wadsworth.

Corresponding Secretary.
Edwin Bryant.

Treasurer.
Talbot H. Green.

Assistant Corresponding Secretaries.

W. C. Parker and A. J. Grayson.

Board of Directors.

James C. Ward,	H. W. Halleck,	J. Mead Huxley,
James C. Low,	J. D. Stevenson,	R. M. Sherman,
Samuel Kyburn,	James Hall,	Henry Gerke,
G. K. Winner,	Robert Wells,	G. W. Vincent,
H. A. Schoolcraft,	J. B. Frisbie,	R. A. Parker,
William Blackburn,	John Wilson,	W. H. Davis.

AUGUST 15th.—The city was thrown into a state of excitement by news of serious riots having occurred at Sacramento City on the preceding day. It seems that a great portion of the land covering that city and vicinity is held by grants from Capt. John A. Sutter, who claimed under an old Spanish title. Much of this land had been squatted upon by parties who denied the legality of Sutter's grants, and who claimed a right to the property as pre-emptionists or settlers. The holders of titles from Sutter appealed to the courts, and decisions were given in their favor; but upon attempting to possess themselves of their appropriated property they were forcibly resisted by the squatters. On the 13th instant, several of these latter were arrested for resisting the officers of the law and the process of the court, and in default of bail, two of them were held in custody on board the prison brig. On the day following an armed body of squatters repaired to the brig to release their companions, where they were met by the mayor, sheriff, and a posse, who drove them back a considerable distance into the city, when they turned and fired upon the legal authorities, who immediately returned the fire with guns and pistols. Of the latter, Mr. Woodland, city assessor, was

killed, and Mayor Bigelow, Mr. Harper, assistant postmaster, and several others were wounded. Mahloney, the leader of the squatters, was shot dead from his horse. Several others of the same party were killed, and a number severely wounded. On the same day, other disturbances occurred at Brighton, six miles south of the city, when Sheriff Joseph McKinney was killed, and



Sacramento City

several of his posse were wounded; three of the squatters were also killed, and a number taken prisoners. Immediately upon receiving intelligence of these lamentable occurrences Mayor Geary issued a proclamation, calling upon "the citizens of San Francisco to meet at the earliest possible period, form companies, and hold themselves in readiness to answer such calls as may necessarily be made upon them." Soon the "California Guard," Captain Howard, numbering eighty men, and "Protection Fire Company, No. 2," Captain McCormick, between forty and fifty men, properly equipped and armed with muskets, reported themselves ready for service. This force, under the command of Col. Geary, departed at 12 o'clock for the scene of the riots in the

steamboat Senator, which, with characteristic decision, promptness, and public spirit, had been placed at their disposal by Mr. Charles Minturn. Their departure was witnessed and loudly cheered by a great multitude of citizens, who had hastily gathered upon the wharves. They arrived at Sacramento about 11 o'clock in the evening. In the mean time order was partially restored, and happily their actual services were not required. They were kindly received by the authorities and citizens, and hospitably entertained until the 17th instant, when they returned to their homes. Before leaving Sacramento they were presented with highly complimentary and laudatory resolutions and votes of thanks from the Boards of Aldermen and Military Department of the State for the tender of their ready and efficient aid. This prompt action on the part of the mayor and citizens of San Francisco, doubtless, had a tendency not only to assist in preserving the restored peace of their sister city, but to prevent the occurrence of similar disturbances in other portions of the State. Be this as it may, it was deserving of the praise it received, and was an example worthy of being followed.

August 21st.—Mayor Geary published a brief address to the citizens in all the morning papers, informing them that news had been received of the "destitution, distress, and extreme suffering of the immigrants to California by the overland route;" and that a committee had been selected for the purpose of calling upon them during the day for means of relief for the sufferers. The committee consisted of John W. Geary, E. E. Dunbar, E. C. Kemble, Talbot H. Green, Henry M. Naglee, W. H. Parker, Wm. Sharron, and David C. Broderick. It was also stated by J. Neely Johnson, Esq., Agent for the Sacramento Relief Association, who had recently returned from an expedidition of relief to the immigrants, that "it was supposed that 60,000 emigrants started across the plains by the Northern, or 'Southern Pass' route. On the 18th June, 39,000 had been registered at Fort Laramie. Of this entire number probably 20,000 had arrived. Of the remaining number, 10,000 would probably arrive this side of the Desert, without teams, money, or provisions; 10,000 more with their teams so much worn down as to require additional assistance to enable them to cross the

mountains." Mr. Johnson described the condition of some whom he had met on his expedition as destitute, sick, and wretched in the extreme, and showed the necessity of speedy means being taken to save the immigrants from starving, or otherwise fearfully perishing before they could terminate their journey. These appeals were promptly responded to by the



Emigrant Train.

citizens. Before night the committee had collected an immense quantity of provisions, and about $6000 in cash, which was forwarded without delay to meet the wants of the sufferers.

AUGUST 28th.—A novel and interesting ceremony took place this afternoon in Portsmouth Square. Mayor Geary, Vice-Consul Frederick A. Woodworth, Rev. Albert Williams, and other members of a committee appointed for the purpose, assembled on the platform, to present the Chinese residents with certain religious tracts, papers, and books, printed in Chinese characters. The "China boys," as they are pleased to be called, having

formed themselves in procession, marched to the square, and arranged themselves in a circle upon the platform. They were clothed richly in their native costume, and made a fine and pleasing appearance. Here the presentation took place, and addresses were made by each of the gentlemen above named, which were interpreted by As-sing, one of the Chinese. The mayor, on this occasion, extended to them an invitation to take part in the funeral ceremonies that were to occur on the following day.

AUGUST 29th.—The death of President Taylor was commemorated by a funeral procession. The military and fire companies, Masonic and Odd-Fellows' Lodges, a variety of benevolent and other associations, the clergy, officers of the army and navy, consuls and representatives of foreign governments, the councils and various municipal and State officers, a great number of private citizens, and a large company of Chinese residents, took part in the imposing ceremonies. Hon. John B. Weller acted as Grand Marshal. The procession moved through the streets to Portsmouth Square, where an appropriate prayer was made by Rev. Augustus Fitch, and an eloquent eulogy pronounced by Hon. Elcan Heydenfeldt. On the following day the Chinese, who henceforward took considerable interest in public affairs, where any ceremony of a festival or imposing nature was concerned, presented the mayor with the following document, written in Chinese characters :—

"*San Francisco, August 30th*, 1850.

"*To* HON. JOHN W. GEARY, *Mayor of the City of San Francisco* :—

"SIR :—The "China Boys" wish to thank you for the kind mark of attention you bestowed upon them in extending to them an invitation to join with the citizens of San Francisco in doing honor to the memory of the late President of the United States, General Zachary Taylor. The China Boys feel proud of the distinction you have shown them, and will always endeavor to merit your good opinion and the good opinion of the citizens of their adopted country. The China Boys are fully sensible of the great loss this country has sustained in the death of its chieftain and ruler, and mourn with you in sorrow. Strangers as they are among you, they kindly appreciate the many kindnesses received at your hands, and again beg leave, with grateful hearts, to thank you.

"AS-SING,
"A-HE,
"*In behalf of the China Boys.*"

CHAPTER XII.

1850.

The first City Directory published.—Monetary crisis.—Fourth great fire.—Death of Captain Bezer Simmons.—The wharves.—Celebration on occasion of the admission of California into the Union of American States.—Explosion of the steamer Sagamore.—City Hospital burned.—Improvements in the city.—Plank road to the Mission Dolores.—Death of the mayor of Sacramento.—Thanksgiving Day.—Fire in Sacramento street.

SEPTEMBER.—The first "Directory" of the city was published this month by Charles P. Kimball. It was a duodecimo pamphlet of one hundred and thirty-six pages, and contained about twenty-five hundred names.

SEPTEMBER 7th.—There have been during the last few days a monetary crisis and great run upon the banks; when one of them, Mr. Henry M. Naglee's, suspended payment to-day. During the troublous and exciting winter of 1849–50, speculation had gone beyond all bounds both in every kind of merchandise and in real estate. When the reaction came, prices fell nearly as much below the prime cost of goods as previously they had been above it, and in many cases great quantities of valuable merchandise could be had at nominal rates. Real estate, when forced on the market, often did not fetch a tenth of its recent value. Added to this sudden collapse of prices, three great fires had helped to ruin many, and had affected indeed every inhabitant of the city in some measure prejudicially. Thus a general financial embarrassment ensued, and numerous bankruptcies of people previously reputed wealthy followed. Some of the most extensive firms of the city were compelled to assign their property for the benefit of their creditors. On a sudden a panic seized those who held deposits in the different banks, and an immediate "run" was made on these establishments. Messrs. Burgoyne & Co.,

James King of William, and Wells & Co., nobly met the unexpected demand, and kept their doors open during unusual and extra hours to accommodate the half frantic depositors.

SEPTEMBER 17th.—About four o'clock in the morning of this day, fire broke out in the "Philadelphia House," on the north side of Jackson street, near to the Washington market. It was the *fourth* great conflagration in the city. The principal portions of the different building squares lying between Dupont, Montgomery, Washington and Pacific streets were overrun by the flames. The buildings erected on these quarters were chiefly of wood, and generally one story only in height; so that, although the space over which the fire extended was very great, much less proportionate damage was sustained than on the occasions of the preceding great fires. The loss was estimated to be from a quarter to half a million of dollars. The newly organized fire companies were of much service in staying the progress of the conflagration, and would have been of still more had there not been a short supply of water. It was evident, however, that the want of a proper head or engineering chief sadly hindered the harmonious action not only of these and the hook and ladder companies, but of every person who volunteered help in extinguishing the flames. As usual, the burned space was so soon afterwards covered with buildings that in a few weeks all external traces of the disaster disappeared. It was remarked at this time that there were certain unlucky individuals whose properties had been consumed on each occasion of the four great fires—all within nine months! Many had suffered twice and thrice by these successive calamities. This surely was enough to try the patience of a modern Job, and drive the bravest to despair. But in a common calamity, however great, there is such sympathy and consolation, that the mind readily recovers its equanimity. People were almost beginning to consider that such conflagrations could not be avoided, but were surely sent either as a punishment for their wickedness or as a necessary drawback upon the otherwise great profits of general business. So those burned out just set themselves doggedly to work again, and soon reared up new and grander habitations for themselves. Happily indeed does the Phœnix appear on the corporation seal, since, like it,

the city was continually reviving and springing from its own ashes a fairer and more substantial thing than before.

SEPTEMBER 26th.—Captain Bezer Simmons, the senior partner of the well-known house of Simmons, Hutchinson & Co., died this day. He was among the most respected citizens of San Francisco, and the earliest business men of the place. His name appears on several occasions in these "Annals," in connection with subjects of public interest. Captain Simmons was a native of Woodstock, Vt. Some years previous to the cession of California to the American Government he was engaged in trading along the coast of Lower California, and in 1848, purchased property in San Francisco, where he settled, and soon afterwards engaged in extensive and successful business operations. In April, 1849, he was sorely afflicted by the death of his wife, (who was the sister of Frederick Billings, of the law firm of Halleck, Peachy & Billings,) and before the close of the year, he received intelligence of the death of his mother and a brother to whom he was strongly attached. In January, 1851, he repaired to Woodstock, with the remains of his wife, to bury them in her native town. On his return he learned that his business was in an alarming condition, and soon after the firm was declared insolvent. Being exceedingly sensitive, this rapid succession of misfortunes and afflictions were thought to aggravate an indisposition under which he had been for some time suffering, and which consequently terminated his life. His death was considered almost a public calamity, and his body was attended to the grave by an immense concourse of the best portion of the inhabitants of the city.

OCTOBER 22d.—To show the rapid progress of the city in one direction, we shall give a short notice of the state of the wharves in the bay about this time.

CENTRAL WHARF.—So early as the autumn of 1848 the want of a good ship wharf was seriously felt, and different schemes were, in the following winter and spring months, projected to supply the deficiency. It was not, however, till May of 1849, that any active steps were taken in the matter. At that time a proper wharf association was formed, which raised considerable capital, and began operations. By December of the same year, eight hundred feet of the wharf was finished.

In the fire of June, 1850, a considerable portion was consumed, but the part destroyed was promptly repaired—even while the smoke of the ruins around continued to ascend. In August following, measures were taken to continue the work; and at the date of this notice, it extended so much as two thousand feet into the bay. This wharf had already cost $180,000; and was of the greatest service to the shipping of the port. Large vessels could lay alongside and discharge at any state of the tide.

Market Street Wharf commenced at the foot of Market street, and had already run out six hundred feet into the bay.

California Street Wharf was four hundred feet long and thirty-two feet wide.

Howison's Pier was eleven hundred feet in length, by forty feet in width—the depth of water, at full tide, being fourteen feet at the extremity.

Sacramento Street Wharf was eight hundred feet in length.

Clay Street Wharf was nine hundred feet in length, by forty feet in width; and in another month was extended to eighteen hundred feet.

Washington Street Wharf was two hundred and seventy-five feet long.

Jackson Street Wharf was five hundred and fifty-two feet in length, with thirteen feet depth of water.

Pacific Street Wharf was already five hundred and twenty-five feet long, and sixty feet wide.

Broadway Wharf was two hundred and fifty feet long, and forty feet wide.

Cunningham's Wharf was three hundred and seventy-five feet long, and thirty-three feet wide, having a T at its end three hundred and thirty feet long, by thirty feet wide. It had twenty-five feet depth of water at the cross line.

Law's Wharf, at the foot of Green street, was likewise in the course of formation; and a wharf, to be seventeen hundred feet in length, was immediately about to be undertaken by the city, on the north beach.

The cost of these various wharves already amounted to nearly a million and a half of dollars; and they provided artificial

thoroughfares to the extent of almost two miles. A few of them were the property of the corporation; but the greater number were owned by private companies or by individuals, who drew large returns from them. There is little trace left of these works, for the water space along their sides is now covered with houses, while the wharves themselves have become public streets, their future extensions forming the existing wharves and piers of the city. This gradual march across the deep waters of the bay is a peculiar feature in the progress of the city, and serves to liken it to those other queens of the sea, Venice and Amsterdam, and perhaps also to St. Petersburgh. But where the latter have canals for streets, and solid earth now beneath their first pile-founded buildings, San Francisco, over a great portion of its business and most valuable districts, has still only a vast body of tidal water, beneath both the plank-covered streets and the pile-founded houses themselves. Year by year, however, this strange watery abyss is being filled up by the removal of the sand hills behind, which may be said to be taken up and cast bodily into the deep. When the original wharves were erected they proved of the utmost benefit to the commerce and prosperity of the city; and their extent, as detailed above, shows in a striking manner the energy and enterprise of the people who had constructed them in so short a space of time.

October 29th.—This day was set apart to celebrate the admission of California into the Union. When, on the 18th instant, the mail steamer "Oregon" was entering the bay, she fired repeated preconcerted signal guns which warned the citizens of the glorious news. Immediately the whole of the inhabitants were afoot, and grew half wild with excitement until they heard definitely that the tidings were as they had expected. Business of almost every description was instantly suspended, the courts adjourned in the midst of their work, and men rushed from every house into the streets and towards the wharves, to hail the harbinger of the welcome news. When the steamer rounded Clark's Point and came in front of the city, her masts literally covered with flags and signals, a universal shout arose from ten thousand voices on the wharves, in the streets, upon the hills, house-tops, and the world of shipping in the bay. Again and

again were huzzas repeated, adding more and more every moment to the intense excitement and unprecedented enthusiasm. Every public place was soon crowded with eager seekers after the particulars of the news, and the first papers issued an hour after the appearance of the Oregon were sold by the newsboys at from one to five dollars each. The enthusiasm increased as the day advanced. Flags of every nation were run up on a thousand masts and peaks and staffs, and a couple of large guns placed upon the plaza were constantly discharged. At night every public thoroughfare was crowded with the rejoicing populace. Almost every large building, all the public saloons and places of amusement were brilliantly illuminated—music from a hundred bands assisted the excitement—numerous balls and parties were hastily got up—bonfires blazed upon the hills, and rockets were incessantly thrown into the air, until the dawn of the following day. Many difficulties had occurred to delay this happy event, and the people had become sick at heart with the "hope deferred" of calling themselves, and of being in reality citizens of the great American Union. It is only necessary to state here, without going into particulars, that the delay had arisen from the jealousy of the proslavery party in Congress, at a time when they and the abolitionists were nicely balanced in number, to admit an additional free State into the Union, whereby so many more votes would be given against the peculiar and obnoxious "domestic institution" of the South. Several compromises had been occasionally attempted to be effected by statesmen of each great party, but without success. In the end, however, the bill for the admission of California passed through Congress by large majorities.

Such an occasion beyond all others demanded a proper celebration at San Francisco; and the citizens, accordingly, one and all, united to make the day memorable. On the 29th instant, a procession of the various public bodies and inhabitants of the city, with appropriate banners, devices, music and the like, marched through the principal streets to the plaza. The Chinese turned out in large numbers on this occasion, and formed a striking feature in the ceremonies of the day. The Honorable Nathaniel Bennett, of the Supreme Court, delivered a suitable oration to the

people on the plaza, and an ode, composed for the occasion by Mrs. Wills, was sung by a full choir. During the day repeated discharges of fire-arms and a proper salute from great guns carried off some of the popular excitement, while the shipping displayed innumerable flags. In the evening, public bonfires and fireworks were exhibited from Telegraph Hill, Rincon Point, and the islands in the bay. The houses were likewise brilliantly illuminated, and the rejoicings were every where loudly continued during the night. Some five hundred gentlemen and three hundred ladies met at the grandest public ball that had yet been witnessed in the city, and danced and made merry, till daylight, in the pride and joy of their hearts that California was truly now the *thirty-first* State of the Union.

On this day (October 29th), the steamer "Sagamore" exploded, when about to leave the wharf for Stockton. Thirty or forty persons were killed.

October 31st.—Destruction by fire of the City Hospital, which was situated at the head of Clay street, and owned by Dr. Peter Smith. This was supposed to have been the work of an incendiary. The fire broke out in an adjoining house, which was also consumed. Several of the patients were severely burned, and it was only by the most strenuous exertions of the firemen and citizens that they were saved at all.

November.—We have already noticed the progress that had been made in the erection of wharves, and we may now direct attention to the important steps that had been taken in grading, planking and otherwise improving the streets of the city. During the summer of this year, the care of the mayor and common council had been particularly turned towards the improvements of the communications through the town, and many ordinances had been passed with that view. Considerable hills had consequently been cut down and immense hollows filled up. Great quantities of rock and sand were removed, from places where they were only nuisances, to other quarters where they became of use in removing the natural irregularities of the ground, and making all smooth and level. Piles were driven deep in the earth where needed, the principal streets were substantially planked, and commodious sewers formed. The cost of these improvements was very great, it

being estimated that nearly half a million of dollars would be required this year to complete those now in operation. The city paid about one-third of that amount, and raised the remainder by assessment upon the parties whose properties faced the streets which were altered. To show the extent of these improvements, we give the following lists of the streets in which they were now being executed. Those running north and south were as follows:—

Battery street	between	Market	and	California	—graded and planked.
Sansome "	"	Bush	and	Broadway,	"
Montgomery "	"	California	"		" and sewer.
Kearny "	"	"	"		" "
Dupont "	"	Sacramento	"		" "
Stockton "	"	Clay	and	Water,	"
Ohio "	"	Broadway	and	Pacific,	"
Taylor "	"	Lombard	and	Water,	"

Those running east and west were as follows:

Bush street,	between	Battery	and	Montgomery	—graded and planked.
California "	"	bulkhead	"	"	and sewer.
Sacramento "	"	Sansome	and	Dupont,	" "
Clay "	"	bulkhead	and	Stockton,	" "
Washington "	"	"		Dupont,	" "
Jackson "	"	"	"	"	" "
Pacific "	"	Kearny	"	"	" "
Broadway "	"	Water	and	Ohio,	"
Francisco "	"	"		Stockton,	"

Thus the municipal authorities were taking precautions to remove, before the rainy season commenced, as many as possible of the obstacles, which, during the preceding winter, had rendered the streets nearly impassable.

NOVEMBER 18th.—This day an ordinance regarding the plank-road to the Mission Dolores, and which had previously been carried in the Board of Assistant Aldermen by a two-third vote, passed the Board of Aldermen by a constitutional majority, notwithstanding certain objections of the mayor and his consequent veto. The mission, which is situated two and a quarter miles from the plaza, was a place of common resort for the citizens, but the road to it being sandy, was difficult of travel, especially for vehicles. Owing to this cause, the cost of carriage was very great.

A load of hay, for instance, moved from the mission to the city, cost as much as fifteen or twenty dollars. The same way likewise led to San José, the capital of the State. It was therefore of considerable public importance that this road should be speedily improved. In the summer of this year, Colonel Charles L. Wilson conceived the plan of laying a plank-road from Kearny street to the mission, and presented a proposition to that effect to the Common Council. He offered to build the road, which, at that time, was considered a tremendous enterprise, in consequence of the high price of lumber and labor, on condition that he was allowed to collect certain rates of toll from those using it, and that he should have the exclusive right of the way for the term of ten years, at the expiring of which time the entire improvements were to revert to the city. An ordinance to grant Col. Wilson the privileges he asked, readily passed one of the boards of aldermen, but it was a long while before it obtained the concurrence of the other; and not even then until it was so modified that seven years only were allowed the projector for the use of the road, and but five months granted him for completion of the work. The importance of the undertaking was admitted on all sides; and the chief opposition to it was based upon the assumption that the city should rather make it at its own expense and reap the large profits which it was supposed would be the result. This, however, at that period, was impossible, the city being upwards of a million and a half of dollars in debt, and without the slightest prospect of being able for years to defray its unavoidable current expenses.

Having obtained the consent of the council, Col. Wilson next met with a formidable obstacle in rather an unexpected quarter. The mayor, after retaining the ordinance the full length of time allowed him, returned it unapproved. Notwithstanding, the council again adopted it with almost a unanimous vote. Still, the veto of the mayor affected the enterprise unfavorably to a considerable extent. Several parties, who had previously engaged to furnish funds for the work, now became alarmed as to the legality of the council's procedure, and withheld their promised aid. Col. Wilson was therefore left alone, to abandon altogether his weighty project, or to carry it on unassisted. He determined upon the lat-

ter course, and although without any definite idea of the source from whence the means were to be obtained, commenced the work. Having proceeded far enough to give a guarantee for the completion of the project, he visited the capital, and obtained from the



Beach of Yerba Buena Cove, Winter of 1849-50, from Central Wharf to Happy Valley.

legislature an act confirming the ordinance of the city council. This renewed confidence in the measure. A half interest in the undertaking was immediately sold, and funds were thus obtained for carrying it on. Upon the very last day allowed under the ordinance for completion of the work, loaded wagons passed on the road from the mission to the town.

This plank-road has proved of the greatest service to San Francisco, and the property through which it passes has increased immensely in value for building purposes. Formerly that property was at times nearly inaccessible, and on all occasions was very difficult and troublesome to reach; while it is now of comparatively easy access. Since the formation of this plank-way, another road of the same kind has likewise been formed to the mission, upon similar terms granted by the council to the projectors; and both are believed to have proved highly lucrative schemes to their spirited proprietors.

NOVEMBER 27th.—Hon. Harden Bigelow, Mayor of Sacramento City, died this morning at the Union Hotel. He had taken an active part in suppressing the squatter riots at Sacramento, when he received a gun-shot wound which required the amputation of an arm. The operation was performed by Dr. John Hastings, by whose advice Mr. Bigelow was removed to San Francisco, believing the climate of that city would conduce toward effecting a more rapid recovery from the effects of the injury. While here he was attacked with cholera, which caused his death. His body was conveyed to the steamboat New World, to be taken to Sacramento for burial, by an escort composed of the California Guard, the mayor, members of the Common Council, heads of departments of the city, and the Society of California Pioneers. Mayor Geary delivered a very appropriate address on the occasion, in which the many excellent traits in the character of the deceased were depicted in a most affecting manner.

NOVEMBER 30th.—A thanksgiving-day for the admission of California into the Union.

DECEMBER 14th.—On the evening of this day a fire broke out in an iron building on Sacramento street, below Montgomery street. Several large stores and much valuable goods were destroyed. The total damage was estimated at about a million of dollars. Elsewhere such a fire might well be called a *great* one ; but it was not so reckoned in the "Annals of San Francisco."

CHAPTER XIII.

1850.

Population in 1850.—City improvements.—Grading and planking streets.—Wharves, steamers, manufactures.—Supply and demand for goods.—Mines yielding abundantly.—Expresses established.—Moral progress.—Better state of things.—Cholera.—California admitted to the Union.—City Charter granted.—First Common Council.—The gold medals for Aldermen.—Corruption of officials.—Colton Grants.—Leidesdorff Estate.—City finances.—Outrages and fires.—The prisons and police.—Lynch Law agitated.

In the course of the year 1850, upwards of thirty-six thousand persons arrived by sea in San Francisco. Of these fully one-half came direct from foreign ports, while many of those that crossed the Isthmus of Panama were likewise from foreign countries. By far the greater number of immigrants were adult males, as might have been anticipated. The most of these persons hastened at once to the mines, only staying a few days, or at most a week or two, in town, to recruit their strength and make preparation for the digger's toil. Perhaps two thousand females, many of whom were of base character and loose practices, were also added this year to the permanent population, if that can be called permanent which dwelt at least a twelvemonth in the city. The immigration across the plains and by land generally into the State was also, as in the preceding year, very large. Great numbers of all these sea and land immigrants, after they had been some months at the mines, and made perhaps a few thousand dollars, returned by way of San Francisco, to their former homes. Many others, altogether disappointed with or unfit for the country, went hastily back to the places from whence they had come. Thus vessels leaving the bay, and especially the steamers, were nearly as well filled with passengers as when they had first arrived. This constant migration to and from the State gave a wonderful animation to the streets

of the town. Many of the incomers remained in the place, and the regular population continued to increase. At the close of this year, the inhabitants probably numbered between twenty-five and thirty thousand. The Chinese had not yet arrived in any great numbers, but the Chilenos and other people of Spanish-American extraction continued very numerous.

The year 1850 saw a wonderful improvement in the aspect of San Francisco. Notwithstanding the conflagrations which had so often laid in ruins large portions of the city, or perhaps rather to some extent in consequence of them, the buildings in the business quarters were now remarkable for their size, beauty and solidity. The tents and shanties of last year had totally disappeared from the centre of the town, while many of the old frame buildings that had not been destroyed by fire were replaced by others of a larger and stronger kind, if not by extensive fire-proof brick structures. It is true that in the outskirts there were still numerous frail and unsubstantial habitations left, while, farther away many more of the same kind were being weekly and daily added; but as population and the value of real estate and household property gradually increased, these temporary erections began to give place to more solid and comfortable buildings. Though labor still commanded high prices, during a great part of the year, most kinds of building materials could be obtained at comparatively low rates, probably at an average of one-fourth or one-sixth of the prices of the preceding season.

While houses were thus changing for the better, an equal improvement was taking place in the character of the streets. If nature had given to San Francisco magnificent water privileges, she had certainly been very chary in bestowing upon it land ones. The site, immediately available for building operations, was exceedingly small, and it was only by the expenditure of a vast amount of labor that additional space could be obtained for the necessary extension of the town. The land around was very hilly and irregular, which had all to be made smooth and plain before proper streets could be designed and convenient houses built. Fortunately the obstructing hills were composed chiefly of sand and easily removed. The original tents, shanties and houses had just been placed upon the old uneven surface, high up

or low down as it happened ; but it was soon found, that if the city was ever intended by its inhabitants to grow to greatness, some method must be observed in bringing them more upon a straight line, with ready access between all parts of the place. Very expensive works were therefore ordered by the town council, to establish a regular and convenient grade to the streets, while these were in many places substantially planked, and in some instances had sewers constructed along them. During the summer of 1850, such alterations had been proceeded with to a considerable extent, and now, when the winter and rainy season approached, their utility was seen and appreciated by all.

Other material improvements were keeping pace with those of the houses and streets. Numerous well appointed wharves were run out into the deep waters of the bay, at which the largest vessels could lay alongside and discharge. Better regulations were continually being adopted by the harbor masters to facilitate the shipping interests. In the year just passed six hundred and fifty-six sea-going vessels had arrived and discharged at the port. Of these five hundred and ninety-eight were American, and fifty-eight of different foreign countries. The public offices of the city and State were removed to more commodious and accessible buildings. The towns around the shores of the bay and those situated on the Sacramento and San Joaquin Rivers could now be easily, rapidly and cheaply reached, by means of numerous large, strong and beautiful steamboats. All along the outer coasts, magnificent steamships regularly carried the mails and passengers. In San Francisco itself, many workshops and manufactories began to be established ; and, if few articles of trade were manufactured from the beginning out of raw materials, at least extensive repairs could always be now made upon them. The important suburb of "Happy Valley," on the southern side of the town, became quite a hive of manufacturing industry, where there were many large works for the building and repairing of steam and sailing vessels, foundries, lumber-yards, docks, flour-mills and workshops of various kinds. Labor of every description was highly paid, and generally all branches of the community had reason to be satisfied with their profits.

The enormous gains of the preceding year had tempted those

who partook of them to largely increase their shipments for 1850, while others, determined to share in the golden spoil, hastened to send additional goods to what was a limited market at best. The increased supply of merchandise soon affected the market, and prices in the spring of 1850 fell very considerably. There was a slight subsequent reaction in the course of the year, but towards the close, markets became more depressed than ever, and much embarrassment ensued to the mercantile class. This fall in prices, as well as the natural depreciation in the value of real estate from the former excessive rates, and the losses sustained by the many great fires, led to a monetary crisis, when a great number of merchants, real estate jobbers and others became bankrupt. One particular consequence of the excessive supply of goods was the sudden extraordinary increase of auctioneering business. When markets began to fall, and merchants found that their importations could not afford to pay storage and other charges, and still more, when commission agents desired to realize their advances, or were urged by foreign correspondents to sell at any price, then whole shiploads of merchandise were rattled off with a crack of the auctioneer's hammer. It seemed to be of little moment at what rate so that somehow the matter was fixed, accounts could be adjusted, and the distant sufferer made aware of the net amount of his loss. This was still farther the case during the succeeding year. The auction business was meanwhile becoming one of great importance, which it continued to be, and is now, in San Francisco. That system of disposing of goods possesses many advantages, among which are speedy returns, and in the case of brisk demand, perhaps also better prices than can be obtained otherwise, but, at a period of glut, it fearfully sacrifices the interests of the luckless absent proprietor of unsaleable merchandise. In 1850, and still more in 1851, these things could not well be helped by any party. Still, however great individual losses and sufferings might be, the general interests of the place were all this while steadily advancing ; and this was only one of the severe ordeals through which every great city in its unexpected origin and speedy progress might be expected to pass.

The mines were yielding larger returns than ever, the country was being rapidly peopled, agriculture was beginning to be followed

to a considerable extent, towns were in course of erection, and magnificent structures built on all the land. San Francisco was the great centre from whence all these changes and improvements originated, and naturally kept to itself a large proportion of them. Steam and stage "expresses"—the invariable concomitants of American progress—were established over the whole country and to the Atlantic States, and letters, newspapers and packages were conveyed with speed and safety at moderate rates. A powerful press diffused general information, and from the pulpits of many able churches flowed religious and moral consolation. These are the marks of high civilization, and they were strikingly stamped upon San Francisco. Some of the first immigrants had sent for their wives and families, and a few of those who had come later brought them in their train. The "household gods" were set up in many a dwelling, and the inmates could now worship and enjoy their blessings together. Instead of the old scenes of terrible confusion which we have described as existing at the close of 1849, the city, only one twelvemonth later, presented an orderly, decent and busy aspect, with moderately clean and regular streets, houses of fair proportions, prices of provisions and goods reasonable, markets supplied with every luxury for the table, convenient wharves for shipping, "expresses" by sea and land, a dozen churches, half-a-dozen banking establishments, several theatres, well-filled book and music stores, six or seven daily newspapers, magnificent hotels and restaurants, handsome public carriages for the rich and ostentatious, and with almost every luxury, convenience and necessary, mental and corporeal, that old cities in long peopled and civilized countries could boast of. The earliest citizens formed themselves into the "Society of California Pioneers," and numerous associations were organized for municipal and defensive, literary, charitable, musical, social and similar purposes, just as we find in the old established communities. Most of the inhabitants certainly seemed to live purely to heap more dollars to their existing store; but it was not altogether so. Rays of refinement were shooting through the sordid mass, and gradually turning it towards a feeling that there was something higher, happier and better than mere money gathering. But while this ennobling leaven was silently and slowly at work among the busy

multitudes, the great apparent characteristics of the place continued to be its material progress and the incessant stir and industry of the people. The town had been severely tried in the conflagrations which so repeatedly destroyed large portions of the most valuable districts; but nothing could daunt the energy and enterprise of the inhabitants. These losses and all the natural obstacles of the site were successively overcome, and the city grew daily more grand and rich.

Cholera visited San Francisco in the fall of this year; but its ravages were slight. The greatest number of deaths in any one day did not exceed ten or twelve. The epidemic began in October, was at its height in November, and disappeared by the close of the year. Notwithstanding the filth and rubbish which naturally collected around the scene of so many busy operations by a vast population which had hitherto adopted no proper means to preserve cleanliness and purity of atmosphere, the health of the place was wonderfully preserved; and neither by cholera, which alights and is most deadly on the filthiest spots of a country, nor by other diseases, did a disproportionate or unusual number of deaths occur. This is high testimony to the extreme salubrity of the climate. The winter of 1850–51 was a remarkably dry and pleasant one, a striking contrast to the dreary winter of 1849–50.

In the course of 1850, two great political changes had taken place: California had been admitted into the Union, and a city charter, previously approved of by the inhabitants, had been granted to San Francisco by the State Legislature. The latter was much improved and re-granted in the following year. In the Appendix we give copies of the State Constitution and of the amended City Charter. By these events, the hands of both the general and local authorities were greatly strengthened, and the foundations of a firm government fairly laid.

The first common council of San Francisco, under the charter, had certainly a considerable deal to do, and perhaps did it well enough; but their appropriation of a large portion of the city funds to themselves, by the name of salaries, met with much opposition from the citizens, which had at least the effect of reducing the amount one-third. At a later date of the year, the

aldermen were said to have mysteriously voted to themselves a gold medal, of the value of one hundred and fifty dollars, supposed to be for those public and *extra* services which were not covered by the salaries of six or four thousand dollars, nor by the very many fine opportunities for corporation jobbery. But general curiosity being excited on the subject, and prying inquiries made as to the when and how, the why and the wherefore, these medals were earned, voted and paid for, the council boards suddenly found it convenient to pretend utter ignorance of the whole matter, and to quietly pay for the medals themselves, to put into the melting pot. The truth of the matter seems to have been that one of the sub-committees appointed to make arrangements for the public festival of the 29th October, to celebrate the admission of California into the Union, had wilfully or ignorantly overstepped their duties, and, assuming the glad consent of their brethren, had ordered these medals, on pretence of suitably decorating the aldermen for the occasion. But unluckily the medals were not, and could not have been procured in time for that celebration. The whole affair became an excellent joke, al-



Aldermen's Medal.

though a somewhat bitter one against the goaded council. To perpetuate the memory of those happy, or unhappy times for our "city fathers," we give illustrations of the wonderful medal. It will be noticed that a blank is left in the inscription for the name of the worthy recipient.

All human institutions are subject to abuse, and especially in the youth of a quickly growing community, where every member is heart and soul occupied in providing only for himself. Many charges have been made and more insinuated, as to the corrupt, careless, and extravagant behavior of most of the officials, since the fall of Mexican power, down even to 1854, in the administration of the revenues and properties, both of the State of California and of the City of San Francisco. In a country and place like these, where hitherto gold has been pretty generally the only thing supposed to be worth living for, one cannot avoid believing that many of these charges and insinuations were true; and yet the occupants of office might otherwise have been "indifferent honest" men, and, after all, perhaps quite as good as their clamant neighbors. When any transaction of a particularly glaring, base or improper nature was found out, public opinion was sure to rise in rebellion and shame the rogues to common decency at least. Much popular feeling was, at one period of 1850, expended at "mass" and "indignation" meetings against the municipal authorities; but, by and by, the community, who could not afford the pecuniary loss of such gratis excitement and attention, settled down into comparative calmness and indifference.

The "Colton Grants" and the "Leidesdorff Estate," proved the means of much litigation in the courts of law, and from the great extent of pecuniary interest involved, and the variety of parties interested, these legal matters became of exceeding public importance, and merit a passing allusion. We have already noticed the death of Mr. Leidesdorff on the 18th May, 1848. Circumstances had led that gentleman to become a Mexican citizen about the year 1844, whereby he was enabled to hold, as he afterwards acquired, real estate to a large extent in Yerba Buena and its neighborhood, now San Francisco. From the great immigration which subsequently took place, this property

suddenly became of immense value. Mr. Leidesdorff was reputed to have died some fifty thousand dollars in debt, and yet within two years afterwards his estate was worth nearly a million. This indeed was a prize worth contending for. The very administration of its revenues, at San Francisco charges, was the means of making annual fortunes to lucky agents. Hence the legal strife, and perhaps the imputing and bandying of improper motives among the judges and parties chiefly interested. The Leidesdorff estate was subsequently claimed by the State of California, on the ground that Mr. Leidesdorff had died intestate, leaving only alien, though legitimate relatives, whereby his property escheated to the State. In the spring of 1854, measures were about to be taken by the Legislature to make that claim effectual.

The financial condition of the city continued in a very bad state. Large sums of money were raised on scrip and loan warrants, for the purposes of municipal improvements and to defray the ordinary expenses, which there seemed no apparent means of soon redeeming. It is true the city possessed considerable property, but it was not yet time to sell it to advantage, while the pressure of taxation was beginning to be heavily felt by the inhabitants. The interest payable for public loans, as likewise in the case of private accommodation of the kind, was exceedingly great, the ordinary rates varying from five to eight *per cent. per month.* When private parties borrowed, they had generally to give real security for the amount, and to pay these high rates of interest monthly in advance.

The social and moral state of general society had meanwhile improved but little. Gambling indeed was not pursued, at least openly, by the more respectable classes, and among all it was much diminished in intensity. The common council had likewise passed ordinances which effectually prevented the public following of the avocation on Sunday. But notwithstanding this tribute to religious decency, and check against one branch of profligacy, crime was increasing, and the boldness and number of the criminals became very alarming. All manner of burglaries, robberies and thefts were of daily occurrence. So were personal assaults of an aggravated nature; while murders were repeatedly

taking place. A great many attempts at incendiarism had been detected, although the charge seldom or never could be fairly brought home to individuals. If, however, there were some legal



San Francisco, Winter of 1849–50, showing Montgomery street North from California street. For same view in 1854, see Frontispiece.

uncertainty on the subject, which prevented convictions, no moral doubt existed but that there was an active and numerous band of desperadoes existing in the city, who added to many other crimes that of wilful fire-raising. They did not display banners and march in procession through the streets to the music of drum and fife, like the old "hounds," but nevertheless they seemed to be as thoroughly organized and to support each other when necessary, as that notorious gang of villains. Besides the numerous real cases, false alarms of fire were still more frequently raised; and during the attendant confusion many depredations were committed. Hundreds of the loafer and rowdy class haunted the town, who had no visible means of support, and whose lives showed only one continued scene of vice, crime and violence. There seemed a wide-spread combination among the rogues to divide systematically the different branches and gains of their un-

hallowed profession; and from petty theft and swindling up to highway robbery and murder, the actors seemed to be perfect adepts in their several parts. The prisons were full; but they could not hold a tithe of the offenders. The police were few and not very highly paid, and they could not pretend to cope with the more daring rascals, who defied all their efforts at capture and conviction. False swearing at trials, by trusty and unblushing comrades, confounded the few prosecutions and ensured ultimate escape to the most guilty.

People, at last, began to talk among themselves of the urgent necessity of again adopting Lynch law, since the tedious and uncertain measures of the authorities did not seem to have the effect of terrifying and putting down the disturbers of the public peace. Even a portion of the newspaper press boldly advocated such doctrines; considering that the present alarming juncture of events formed such an exceptional case as to require a departure from the ordinary course of administering justice. As the successive conflagrations had developed a large volunteer force to watch over the safety of the town from fire, so the continued increase of open and daring crime was certain in the end to induce the establishment of a great police that would not be trifled with, but would uproot, by some sure and terrible means, villainy and villains wherever they could be found. Already the necessity of such a police was recognized, and it only wanted a few more glaring cases of outrage, spoil and murder, to give it a sudden being and irresistible strength.

CHAPTER XIV.

1851.

The Gold Bluffs and Pacific Mining Company.—The excitement at the City Hall in February, 1851.—Attempt to Lynch Burdue and Windred.—Their subsequent escape.—Burning of the steamers Hartford and Santa Clara.

JANUARY.—San Francisco has been startled "from its propriety" by news from the celebrated "Gold Bluffs;" and during the greater part of this month has dreamed unutterable things of black sand, and gray sand, and cargoes of gold. A band of pioneers and prospecters had recently proceeded in the *Chesapeake* steamer northwards to the Klamath River, near which, on the sea shore, they fancied they had found the richest and most extraordinary gold field that had ever been known. The sands of the sea, for a broad space several miles in length, beneath cliffs some hundred feet high, appeared to be literally composed in one half, at least, of the pure metal. Millions of diggers for ages to come could not exhaust that grand deposit. Already a few miners had collected about the spot; but these were so amazed and lost in the midst of the surrounding treasure that they knew not what to do. Like the ass with its superabundance of hay, they could not resolve to begin any thing. No man could well carry more than seventy-five or a hundred pounds weight upon his back for any great distance, and with that quantity of pure gold it was ridiculous, so it was, to be content, when numberless tons lay about. So these men—there were just nineteen of them—(the tellers of the story were very particular in some facts),—had resolved to wait till the spring, when they would freight and fill a ship with the wealth which they were then jealously watching over. Let us not be misunderstood, or supposed altogether jesting. A brilliant reporter for the Alta California says—"The

gold is mixed with the black sand in proportions of from ten cents to ten dollars the pound. At times, when the surf is high, the gold is not easily discovered, but in the spring of the year, after a succession of calms, the entire beach is covered with bright and yellow gold. Mr. Collins, the secretary of the Pacific Mining Company, measured a patch of gold and sand, and estimates it will yield to *each* member of the company the snug little sum of $43,000,000 [*say*, forty-three *millions* of dollars !] and the estimate is formed upon a calculation that the sand holds out to be one tenth as rich as observation warrants them in supposing." No digging even was required, since one had only to stoop a little and raise as much as he wished of the stuff—half gold, half sand, from the surface of the beach.

Back the adventurers hastened to San Francisco, where they had long been impatiently expected ; and the glorious news ran like wild-fire among the people. General John Wilson and Mr. John A. Collins, both of whom had been among the number of discoverers, frankly testified to the truth of these wonderful statements. The beach, they said, for a great distance, was literally strewed with pure gold. It was found in the greatest quantity in a certain kind of "black sand," although the "gray sand," which was rather more abundant, contained likewise a large proportion of the same black-colored stuff with its special share of gold. "Mr. Collins," says the poetic reporter, "saw a man [one of the nineteen, no doubt,] who had accumulated fifty thousand pounds, or fifty thousand tons—he did not recollect which—of the richest kind of black sand."

Such intelligence astounded the community. In a few days eight vessels were announced as about to sail for this extraordinary region. The magic phrase "GOLD BLUFFS!" "GOLD BLUFFS!!" every where startled the most apathetic, and roused him as with a galvanic shock. "GOLD BLUFFS!!!" filled the columns of newspapers among the shipping advertisements ; they covered, on huge posters, the blank walls of houses at the corners of the streets ; they were in every man's mouth. A company was formed called the "Pacific Mining Company," the shares of which instantly rose to a handsome premium. There seemed no doubt of their incalculable gains, since they showed

numerous samples of the wondrous "black sand," where the golden particles lay and shone mildly, as stars in the milky way, innumerable. The company had already, by the greatest good fortune, secured a considerable number of miners' claims, embracing indeed the entire beach beneath the "Bluffs," so that all was clear for immediate operations. We have seen the intelligent secretary's calculations on the subject. No wonder people raved, and either invested a few thousand dollars in shares of this company, or sold or forsook their all, and made sail for the *Gold Bluffs*. The ancient excitement of Mississippi and South Sea schemes was a bagatelle in comparison with that which now stirred San Francisco, used though it had been to all manner of rumors of placers, and gigantic "pockets" of gold. The skepticism of envious un-"progressive" people was happily ridiculed, and the press compared the ocean to a mighty cradle that had been rocking and washing up gold from the bottom of the sea for unknown ages, and had chanced to throw it in tons and shiploads beneath the hitherto undiscovered *Gold Bluffs*. It was truly great news for San Francisco.

The first damper to the hot blast that raged through the town, and from whence it spread and fired up distant countries, —until the arrival of the next mail,—was intelligence from the earliest miners, that they found it very difficult to separate first the black sand from the gray, and next the gold itself from the black sand, the particles of the precious metal being so remarkably fine. A little later, it was found that the innumerable "patches" of black sand began most unaccountably to disappear. Heavy seas came and swept them right away; and though it was hoped that heavier seas might soon bring them back again, the people got tired of waiting for that event, and hastily fled from the place, ashamed of their own hopes and credulity, and cursing the cruel wags that had exhibited in San Francisco sealed phials of dingy sand largely mixed with brass filings.

But we cannot pursue this pleasantry farther. Much serious loss was suffered by the *Gold Bluffs* piece of business. The unfortunate "Pacific Mining Company" had bought the *Chesapeake* at a cost for boat and repairs of *twenty thousand dollars*, had run her up the coast several trips at the loss of as many

thousands more, and afterwards, when she had been injured in a storm, were glad to sell her for about two thousand dollars. If, however, the shareholders, or any single adventurer lost much money—why, they had at one time the most brilliant hopes imaginable of immense riches; and these were surely some compensation. For what, after all, is life without *hope?* There was considerable gold at the *Bluffs*, but it turned out in the end to cost more trouble to gather than it was worth. Hence the place was abandoned, except by a few still hopeful individuals, after a few months' trial. Since the whole affair formed a very striking, though latterly a ridiculous event in the progress of San Francisco, we could not refuse it a place in these "Annals."

FEBRUARY.—After the affair of the "Hounds," in 1849, the citizens left the execution of the laws against criminals in the hands of the constituted authorities. Either the laws, however, or the authorities, or something else soon went wrong, and crime fearfully increased. At length, not only were the people seriously inclined to believe that they must take the law back to themselves and issue it in a new form, but the public journals discussed the matter gravely and argumentatively, and urged the instant appointment of "volunteer police," or "regulators," who would supply the place of an inefficient executive and judicature. Hitherto there had been no organization for the purpose mentioned, although occasional mobs had ducked or whipped offenders caught in the act of crime.

On the 19th of this month, about eight o'clock in the evening, two men entered the store of C. J. Jansen & Co., and, professing to be purchasers, asked to see some blankets. Mr. Jansen, who was alone in the store, was in the act of producing the articles, when he was violently struck with a slung shot, and fell insensible on the floor. While in that state he seems to have been farther maltreated, and was probably considered by the ruffians as dead. These robbed the premises of two thousand dollars, and immediately fled. The whole circumstances of the outrage were of the most daring character, and the knowledge of them caused much excitement among the people. The next day a man was arrested, believed to be one James Stuart, but who gave his name as Thomas Burdue, on the charge of having

murdered Mr. Moore, the Sheriff of Auburn, and of having robbed him of four thousand dollars. Stuart had been confined in the jail of Sacramento to await his trial, but had escaped two months before. Circumstances meanwhile had raised a suspicion that this man Stuart, *alias* Burdue, had had something to do with the attack on Mr. Jansen ; and accordingly he, and another



The City Hall, February 22d, 1851.

person of the name of Windred, who had been apprehended on suspicion of the same offence, were, on the 21st, confronted with the wounded man. Jansen at once recognized Stuart and also Windred, although with some faint doubt of the identity of the latter, as being the two persons who had committed the assault and the robbery. These circumstances being known, the citizens, in a state of the greatest excitement, gathered, on the following day (Saturday, 22d February), around the City Hall, where the examination of the prisoners was going on. Upwards of five thousand people thus collected. This was not a mob, but the *people*, in the highest sense of the term. They wanted only a

leader to advise and guide them to any undertaking that promised relief from the awful state of social terror and danger to which they were reduced. Handbills were extensively circulated among the multitude, which were to the following effect :—

"CITIZENS OF SAN FRANCISCO.

"The series of murders and robberies that have been committed in this city, seems to leave us entirely in a state of anarchy. 'When thieves are left without control to rob and kill, then doth the honest traveller fear each bush a thief.' Law, it appears, is but a nonentity to be scoffed at; redress can be had for aggression but through the never failing remedy so admirably laid down in the code of Judge Lynch. Not that we should admire this process for redress, but that it seems to be inevitably necessary.

"Are we to be robbed and assassinated in our domiciles, and the law to let our aggressors perambulate the streets merely because they have furnished straw bail? If so, 'let each man be his own executioner.' 'Fie upon your laws!' They have no force.

"All those who would rid our city of its robbers and murderers, will assemble on Sunday at two o'clock on the plaza."

While the examination of the prisoners was progressing, a shout arose among the assembled multitude, "Now is the time;" and many rushed into the court room to seize the accused out of the hands of the authorities. This attempt was successfully resisted. The "Washington Guards," who had been secretly stationed in an adjoining room, through the foresight of the recorder, who had anticipated some outbreak of this nature, now rushed, under the command of Capt. A. Bartol, into the court-hall, and soon cleared it of its noisy occupants, while the prisoners were hurried through a back door into the cells beneath. During the whole day the excitement continued, and many of the spectators remained about the place, though the greater number gradually dispersed, chiefly through the persuasions of some parties who thought like themselves. Towards dusk the people again assembled around the City Hall in greater numbers than before, when, after some speeches, the following gentlemen were appointed a committee to consult with the authorities and guard the prisoners till the next day, viz.: Messrs. W. D. M. Howard, Samuel Brannan, A. J. Ellis, H. F. Teschemacker, W. H. Jones, B. Ray, G. A King, A. H. Sibley, J. L. Folsom, F. W. Macondray, Ralph Dorr, Theodore Payne, Talbot H. Green, and J. B. Huie.

This committee the same evening met in the recorder's room, and discussed the position of affairs, and what was next to be done. To show the temper, not of this committee, for they were moderate and cautious in their proceedings, but of the general public on the occasion, we may quote a short speech by Mr. Brannan, who seems to have been always for stringing up and hanging every rogue outright, on the shortest possible grace. His language was certainly to the point, and quite accorded with the sentiments of a great majority of the vast multitude that was anxiously waiting without. One of the committee having proposed that the citizens should choose a jury to try the prisoners, Mr. Brannan said :—

"I am very much surprised to hear people talk about grand juries, or recorders, or mayors. I'm tired of such talk. These men are murderers, I say, as well as thieves. I know it, and I will die or see them hung by the neck. I'm opposed to any farce in this business. We had enough of that eighteen months ago [alluding to the affair of the "hounds,"] when we allowed ourselves to be the tools of these judges, who sentenced convicts to be sent to the United States. We are the mayor and the recorder, the hangman and the laws. The law and the courts never yet hung a man in California ; and every morning we are reading fresh accounts of murders and robberies. I want no technicalities. Such things are devised to shield the guilty."

The rest of the committee did not exactly think with Mr. Brannan, and after appointing a patrol of twenty citizens to watch over the prisoners, a majority of them adopted a resolution by Captain Howard, that they should adjourn to the following day, on the plaza, to report the proceedings to the people.

Next day (Sunday), about eight thousand people collected round the court-house. Mayor Geary, and others on the part of the authorities then addressed them, advising coolness and moderation, and suggesting that a committee of twelve of their number should be appointed to sit as a jury along with the presiding justice on the trial to take place the following day, the verdict of which jury should be final. Other counsels, however, prevailed ; and on the motion of Mr. Wm. T. Coleman, a committee of twelve was appointed, to retire and consider the best

course of action to be adopted. Almost immediately afterwards this committee returned and reported, that the trial should be conducted by and among themselves—that if the legal courts choose to assist in the business, they were welcome and invited to do so; but if not, that counsel should be assigned to the prisoners, a public prosecutor appointed, and the trials immediately commenced. This was all accordingly done. The public authorities having declined to interfere farther in the matter, and being powerless before so numerous a body, retired from the contest.

At two o'clock of the same day, the committee and a great number of citizens assembled in the recorder's room, while outside, in Kearny and Pacific streets, an immense multitude had collected. The following parties were then empanneled as a jury, viz. :—R. S. Watson, S. J. L. Smiley, W. E. Stoutenburg, J. L. Riddle, George Endicott, D. K. Minor, George A. Hudson, David Page, Jas. H. Robinson, J. E. Schenck, S. J. Thompson and I. C. Pelton. J. R. Spence was appointed to preside on the bench, and H. R. Bowie and C. L. Ross were named associate judges. J. E. Townes was selected to officiate as sheriff, and W. A. Jones as judge's clerk. Mr. Coleman was chosen public prosecutor, and Judge Shattuck and Hall McAllister were appointed counsel for the prisoners. We are particular in giving the names of these gentlemen, since they show the high character and social standing of the parties who were concerned in this movement against the legal and municipal authorities. As we said before, the crowd was not a mob, but emphatically the *people*. After evidence was led for the prosecution, an impartial charge was given by Mr. Spence. The jury then retired, and were absent a considerable time, as they seemed unable to agree upon a verdict. Seeing there were no signs of being able to come to a speedy agreement, they returned to the court, and their foreman reported that *nine* were for conviction, and *three* had doubts. Much disappointment and agitation was now manifested by the people, who had considered the prisoners clearly guilty on the testimony. Loud cries burst from all quarters of "*Hang them, any how! A majority rules!*" After some time order was restored, and the jury were discharged. It was now midnight, and

the numbers present were considerably diminished. The same excitement, however, prevailed, and it required all the efforts of the cooler and wiser portion of the assembly to preserve peace and decorum to the end. Addresses were spoken to this effect by Mr. Smyth Clarke, Dr. Rabe and Mr. Hutton. The latter gentleman was now chosen chairman, and the meeting adjourned to the outside of the building. At last—twenty minutes to one o'clock on Monday morning,—the question was put from the chair, that they should indefinitely adjourn, which being answered affirmatively, the crowd quietly dispersed.

During this excitement, it is proper to remark, that the mayor had collected together not only the regular police of the city, but an additional volunteer force of about two hundred and fifty citizens, and had determined that no injury should be done the prisoners until they were legally tried and found guilty of the alleged crime. In the mean time, parties were organized, who were resolved to seize the prisoners at all events, and hang them at the nearest convenient place, without regard either to decency or justice; and to carry out this object several attempts were made to break into the station-house where the prisoners were confined; but these were successfully resisted by the strong and determined force which the foresight of the mayor had gathered and with which the City Hall was surrounded.

The occasion of this outbreak was the greatest that hitherto ever agitated San Francisco, and the exciting scenes of Saturday and Sunday will be long remembered by the citizens of the period. For thirty-six hours the whole town had been in an uproar, and during a great part of that time many thousands of persons had been gathered in the court-room or in the streets outside. For months their patience had been severely tried by the knowledge that crimes of the most atrocious description—murders, burglaries, thefts, fire-raisings and violent assaults, had been of daily occurrence, and that few or no adequate punishments had been inflicted by the courts on the perpetrators. On this occasion the long suppressed ire against the supineness of the authorities burst forth, and the people were determined to make an example of those whom they believed guilty of the shocking assault upon Mr. Jansen and the robbery of his store.

They were indeed deceived in regard to the true criminals, and might have hanged innocent men. But the good sense of their temporary leaders, and a return to dispassionate reflection, hindered the execution of the sentence of death, which the general multitude wished to pronounce.

We may here shortly state the further incidents connected with the prisoners in relation to this matter. After being tried by the people, as above mentioned, when no unanimous verdict could be obtained, they were handed over to the proper authorities, by whom they were put a second time upon trial, for the same offence, according to the ordinary legal forms. On this occasion both prisoners were found guilty, and sentenced to fourteen years' imprisonment, being the highest penalty which the law could inflict for the imputed offence. Windred shortly afterwards escaped by cutting a hole through the floor of his prison. Stuart, *alias* Burdue, was sent to Marysville, to stand his trial for the murder of Mr. Moore, already noticed. He was found guilty for this crime also, and was sentenced to be hanged. This was in the course of the summer. Meanwhile, the Vigilance Committee, which had been recently organized, had contrived to lay hands on the *true* Stuart, who turned out not only to have been the murderer of Mr. Moore, but also one of those who had assaulted and robbed Mr. Jansen. Stuart was subsequently hanged by the people for these and other crimes, as detailed in our chapter on the Vigilance Committee. It was satisfactorily shown that neither Burdue nor Windred had ever had the slightest connection with any of the offences for which they were charged. The whole affair was a most curious case of mistaken identity. Burdue was at different places, and by different juries, twice convicted, and twice in the most imminent risk of death for the commission of offences of which he was perfectly innocent! The luckless man was sent back to San Francisco, where his sentence of imprisonment was annulled, and himself released. A handsome subscription was raised among the citizens to compensate in some measure for his repeated sufferings. What became of him ultimately we know not; but doubtless, in his cups, he will wax eloquent, and have strange stories to tell of his "hair-breadth 'scapes." Shortly after receiving the subscription

from the citizens, he was seen on Long Wharf playing at "French Monte," and lustily bawling to the passers-by—"The ace! the ace!—a hundred dollars to him who will tell the ace! —The ace!—The ace!—who will name the ace of spades? A hundred dollars to any man who will tell the ace!"

MARCH 3d.—The steamers Hartford and Santa Clara were burned this morning at Long Wharf.

CHAPTER XV.

1851.

Judge Parsons and the case of William Walker for contempt of Court.—Act of Legislature ceding Beach and Water Lots to the City of San Francisco.—Act to re-incorporate the city.—New city limits.—First election of municipal officers under revised charter.—Act passed to fund the State debt.—Act to establish State Marine Hospital.—Act to fund the floating debt.—Indebtedness of the city.—Municipal officers trafficking in city scrip.—Fifth great fire.

MARCH 9th.—An "indignation" meeting, at which there were several thousand persons present, was held to-day on the plaza, to consider the conduct of Judge Levi Parsons, of the District Court, towards Mr. William Walker, one of the editors of the *Daily Herald.* It appears that for some time before this date the general public press had been endeavoring to rouse the community to a full knowledge of the increasing and alarming state of crime, and, in doing so, had taken repeated occasion to criticise severely the "masterly inactivity" of the judicature in trying and punishing criminals. This appears to have displeased Judge Parsons, and he thereupon, in an address to the grand jury, chose to style the press a "nuisance," and insinuated that the jury might offer some presentment on the subject. The grand jury, however, did not gratify his wishes. His honor's observations became a new text for the now offended press; and, among other unpleasant things, they began to take grave exceptions to his knowledge and application of the law as regarded grand and petit juries. The *Herald,* in an article headed "The Press a Nuisance," was especially severe in its strictures. A few members of the bar next began to make some feeble movement to soothe their brother on the bench; but their affected indignation only provoked laughter and made matters worse. Judge Parsons thereupon—some days after the obnoxious article had been published, issued an order from his own court to bring before him

Mr. Walker, the acknowledged or reputed author of the article in question. Mr. Walker accordingly appeared, and was duly convicted by his honor,—who was plaintiff, judge and jury in the case,—of contempt of court, fined five hundred dollars, and ordered to be kept in safe custody until the amount was paid. The offender having declined to pay the fine, refusing to recognize his honor's jurisdiction in and summary settlement of the matter, was forthwith imprisoned for an indefinite time.

These circumstances being extensively made known, produced great excitement in the city. One and all of the press were *down*—to use an expressive vulgarism—upon his honor ; and as the people considered that the cause of the press was substantially their own, they resolved to make a "demonstration" on the subject. An "indignation" meeting accordingly was held, as above mentioned, at which resolutions were passed approving of Walker's conduct, and requesting Parsons to resign his judicial situation as no longer fit to hold it. A committee was then formed to transmit these resolutions to the latter. At the same time, the senators and representatives of the district were requested to propose articles of impeachment against the offending judge. The meeting next in a body,—some four thousand strong,—paid a personal visit of condolence and sympathy to Mr. Walker in prison.

Meanwhile, the matter was carried by a writ of *habeas corpus* into the Superior Court, by which Mr. Walker was discharged. It was held that Judge Parsons had abused his position, and that while the ordinary tribunals were open to him, if he considered that Mr. Walker had committed a libel, he had no right to cite and punish summarily that gentleman for any alleged contempt, that might be inferred from the published statements and remarks in a newspaper. The contrary doctrine would be destructive of the freedom of the press, and was opposed to the universally recognized principles of the constitution. This judgment was considered a great popular triumph. In the mean time, the question was farther discussed before the Legislature ; and, on the 26th instant, a committee of the Assembly, upon the memorial of Walker, "convinced that Judge Parsons had been guilty of gross tyranny and oppression in the imprisonment of

the memorialist," recommended the impeachment of the former. The majority of a select committee, however, afterwards appointed to inquire into the charges against Parsons, having reported that these, "and the testimony given in support of them, do not show sufficient grounds for impeachment," the matter was dropped.

At the period of which we write, the tribunals of justice were considered altogether insufficient for those dangerous times, and many of the individuals connected with them as both incapable and corrupt. The public looked chiefly to the press for advice and information as to their rights and duties, and had resolved that it should not be gagged and put down "by illegal orders, attachments, fines and imprisonments for imaginary contempts against courts *which cannot be reduced much lower than they have reduced themselves.*" So said the resolutions of the "indignation" meeting of the 9th instant; and this language was generally applauded.

MARCH 26th.—An act passed by the Legislature, ceding, for the period of ninety-nine years, all the right and interest which the State of California had in those parts of the city called the *Beach and Water Lots*, provided that twenty-five *per cent.* of all moneys thereafter arising in any way from the sale, or other disposition of the said property, should be paid over by the city to the State. The same act confirmed, also for ninety-nine years, all sales that had previously been made, in virtue of General Kearny's grant to the city, by the ayuntamiento, or town or city council, or by any alcalde of the city, the last having been confirmed by the said ayuntamiento, or town or city council, and the deeds of these sales having been duly registered in the proper books of records. This was a very important act, and tended, in some great degree, to ease the minds of legal possessors of city property. Owing to certain late conflicting decisions of different judges, in regard to real estate, considerable doubt had been cast upon the titles to almost every lot of vacant ground within the municipal bounds, and squatters had been thereby mightily encouraged to invade and secure for themselves the first and best unoccupied land they saw. This led to much confusion and even bloodshed among the contending claimants, and retard-

ed for a considerable time the permanent improvement of the city. The "Colton grants," of recent notoriety, likewise increased the general uncertainty in regard to titles. The above-mentioned act of the Legislature was therefore considered a great benefit, coming when it did, in regard to at least the "Beach and Water Lots," about the titles to which there could be no dispute.

An act was passed by the Legislature on the 1st of May following, by which the right of the State to these lots was for ever relinquished to the city, provided only that the latter should confirm the grants of all lots within certain specified limits originally made by justices of the peace. As this provision was intended to sanction some of the obnoxious "Colton grants," the common council did not consider it for the interest of the city to accept the State's relinquishment upon such terms, and accordingly the last-mentioned act became inoperative. The boards of aldermen, however, who happened, it might be said, to be somewhat accidentally in office during 1852, attempted to force the provisions of this most obnoxious act upon the citizens, but were successfully opposed by the veto of Mayor Harris and the general cry of public indignation. The act itself was, on the 12th of March, 1852, repealed by the Legislature, just in time to prevent some of the usual jobbery.

April 15th.—Act passed by the Legislature to re-incorporate San Francisco. The limits were enlarged, and the city was thereafter to be bounded as follows:—"On the south, by a line parallel with Clay street, two and a half miles distant, in a southerly direction, from the centre of Portsmouth Square; on the west, by a line parallel with Kearny street, two miles distant, in a westerly direction, from the centre of Portsmouth Square. Its northern and eastern boundaries shall be co-incident with those of the county of San Francisco." As a copy of this act, which is the existing charter of the city, is given in the Appendix, it is unnecessary here to particularize its provisions. Nearly the same variety and number of municipal officers are appointed to be chosen annually under it as under the charter, already noticed, of 1850, and which latter act was declared to be now repealed.

April 28th.—The first election of municipal officers under

the amended city charter took place to-day. Considerable excitement had been manifested by the candidates and their friends, and several torch-light meetings and processions, with other popular demonstrations, had been going on for some time previous. The total number of votes polled was nearly six thousand. The parties elected were as follows :—

Mayor.—Charles J. Brenham.
Comptroller.—George A. Hudson.
Marshal.—Robert G. Crozier.
City Attorney.—Frank M. Pixley.
Recorder's Clerk.—Jas. G. Pearson.
Recorder.—R. H. Waller.
Treasurer.—R. H. Sinton.
Tax Collector.—Thos. D. Greene.
Street Commissioner.—Wm. Divier.
County Judge.—Wm. H. Clark.
Public Administrator.—David T. Bagley.
City Assessors.—W. C. Norris, George Frank Lemon.

Aldermen.

E. L. Morgan,	C. L. Ross,	A. C. Labatt,	C. M. K. Paulison,
Ralph Dorr,	James Grant,	George Endicott,	William Greene.

Assistant Aldermen.

Henry A. Meiggs,	W. W. Parker,	T. H. Selby,	W. D. Connell,
Jos. Galloway,	J. F. Atwill,	Jas. Graves,	Q. S. Sparks.

April 29th.—Act passed by the Legislature to fund the debt of the State. Bonds to the extent of $700,000 to be issued by the treasurer, in lieu of scrip or other obligations of indebtedness held by parties against the State. One-half of the sum mentioned is declared payable in New York upon the first day of March, 1855, and the other half, also in the city named, upon the first day of March, 1861. Interest (payable either in New York or at the office of the treasurer) to run upon the bonds at the rate of *seven per cent. per annum.* Henceforward all State taxes to be paid only in the legal currency of the United States, or in gold dust at the rate of sixteen dollars an ounce, excepting as mentioned in the act. Various declarations are also made for providing the interest, and as to the formation of a sinking fund to redeem the bonds, for payment of the principal and interest of which are pledged "the faith and credit of the State of California."

April 30th.—Act passed by the Legislature establishing a State Marine Hospital at San Francisco; and, on 1st May, another act passed to provide a revenue for the same. As both of

these acts were amended in the succeeding session, they will be noticed among the events of 1852.

MAY 1st.—Act passed by the Legislature, "to authorize the funding of the floating debt of the city of San Francisco, and to provide for the payment of the same." Peculiar circumstances, such as the necessity of grading and improving the public streets, building certain wharves, the purchase of expensive premises for corporate purposes, the monstrous salaries claimed by the boards of aldermen and other municipal authorities, the heavy outlay attending the hospital, fire and police departments, contingent expenses to a very large amount, printing, (—$41,905 20 for only nineteen months !—) surveying and numberless other charges, had involved the city in an enormous gross amount of indebtedness. By the Comptroller's Report, the total expenditure of the city from the 1st August, 1849, to the 30th November, 1850, was $1,450,122 57 ; and in the three following months a further expenditure was created of $562,617 53. In the space of nineteen months, therefore, the total expenditure was upwards of *two millions of dollars.* But as neither the property of the city, which had already been sold to a great extent, nor its ordinary revenues, were adequate to defray this immense sum, the municipal authorities had been for a considerable period obliged to issue *scrip*, in immediate satisfaction or acknowledgment of the corporation debts. This scrip, as the city got farther involved and could only make payment of its new obligations in the same kind of paper, soon became much depreciated, and was literally in common sale at from fifty to seventy *per cent.* discount. Meanwhile, nobody would do any business for the city on the same terms as they would for other parties, so long as they were to be paid in this depreciated scrip. The natural consequence was that the municipal officers had just virtually to pay, or rather give their promise to pay, twice or thrice the amounts they would have needed to lay out, if the city had been solvent, with cash in hand to meet all obligations. This circumstance therefore still farther added to the enormous weight of debt.

Truly the city seems to have been long considered fair game for every one who had spirit, skill, and corruption enough to prey upon its means. The officials complained that their salaries

were paid in depreciated scrip. That was true, and hard enough upon many; but, on the other hand, certain leading office-holders made a fine thing of this same depreciation. They contrived to purchase vast quantities of corporation paper at one-third of its nominal value, which they turned over, in their several departments, to the city at *par*. In various ways they trafficked in this scrip, and always to their own great advantage. The tax-collector, for instance, refused to receive scrip in payment of license duties and other city taxes, on one ground or other, that it was not yet due, and the like, while instead of paying into the city treasurer the *cash* which was actually received, he only handed over his own comparatively worthless paper, purchased with the city's cash for that express purpose. The comptroller and treasurer were likewise parties concerned in this species of speculation. Considerable fortunes were thus gained by sundry officials, who could "*finesse*," and make money in any state of the corporation exchequer. Doubtless they quietly and gaily said to themselves, as the public thought, that "it was an ill-wind that blew *nobody* good." In those days—so recent, yet in the history of San Francisco so virtually remote—jobbing and peculation were rank, and seemed the rule in the city government. Public honesty and conscientious attention to the interests of the community were solitary exceptions. To such an extent did nefarious speculations in city paper prevail among people high in office, that the Legislature was at last compelled to interfere, and declare it a penal offence for any municipal officer to buy scrip or to traffic in it in any manner of way.

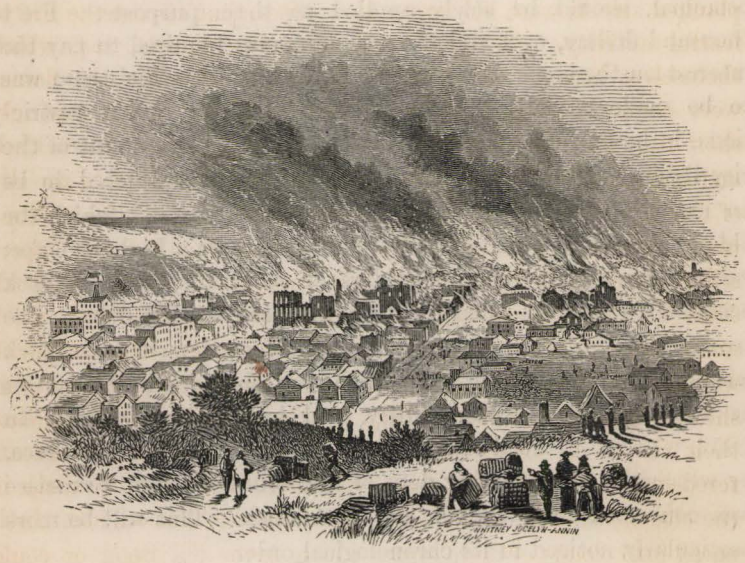
Meanwhile the scrip was bearing interest at the rate of three *per cent. per* month! On the 1st day of March, 1851, the total liabilities of the city were $1,099,557 56. At this time, the whole corporation property, if forced to a public sale, would not have brought one-third of that amount; while, if interest were to continue to run on the debt at the heavy rate just mentioned, the ordinary revenues would have fallen lamentably short of meeting it, after defraying the current expenses. In these circumstances, the act above mentioned was passed by the Legislature.

By this act certain commissioners were appointed to manage

the proposed "funded debt," who were empowered to issue stock, bearing interest at the rate of ten *per cent. per annum*, payable half-yearly, in lieu of scrip to a similar amount, which might be presented by holders of the same within a specified time. This funded debt was to be redeemed wholly within twenty years, and particular obligations were laid on the city that the sums necessary to be raised to pay the half-yearly interest, and ultimately the principal, should be solely applied to these purposes. Fifty thousand dollars, over and above the amount required to pay the interest on the stock, were to be levied annually, which sum was to be made use of by the commissioners, under certain restrictions, in buying up, and so gradually reducing the amount of the city liabilities. As the stock thus created was considered to be an undoubted security for the amounts it represented, which the old scrip was not, and as the former soon bore a higher market value than such scrip, the holders of the latter generally took occasion to convert their floating into the funded debt. The small amount of scrip never presented for conversion into stock within the specified time, and which was chiefly held by parties at a distance, was subsequently paid in full by the city. In 1852, a great financial operation of a similar nature took place, by which the then floating debt of the county of San Francisco was converted into a seven *per cent.* stock. This will be more particularly noticed in its chronological order.

MAY 4th.—The anniversary of the *second* great fire was signalized by the *fifth*, the ravages of which perhaps exceeded, in gross amount, those of all the fires together that had previously taken place in the city. For eight months the inhabitants had enjoyed comparative immunity from conflagration. Although single houses had caught fire, and been consumed, it was not believed that such a dreadful calamity could come as that which now happened. A considerable number of buildings, which were supposed fire-proof, had been erected in the course of the preceding year, the solid walls of which, it was thought, would afford protection from the indefinite spreading of the flames, when fire should unhappily break out in any particular building. But all calculations and hopes on this subject were mocked and broken. The brick walls that had been so confidently relied upon crum-

bled in pieces before the furious flames ; the thick iron shutters grew red hot and warped, and only increased the danger and insured final destruction to every thing within them. Men went for shelter into these fancied fire-proof brick and iron-bound structures, and when they sought to come forth again, to escape the heated air that was destroying them as by a close fire, they



Fire of May 4th, 1851.

found, O horror ! that the metal shutters and doors had expanded by the heat, and could not be opened ! So, in these huge, sealed furnaces, several perished miserably. Many more persons lost their lives in other portions of the burned district, partly by the flames, and partly by the tottering walls falling on and crushing them.

The fire began a few minutes past eleven o'clock on the night of Saturday, the 3d of May, in a paint, or upholstery store, on the south side of the plaza. As particular care seems to have been observed in this establishment to extinguish all lights and fires, the sad work was likely commenced by an incendiary. The wind blowing strongly from the north-west, the conflagration proceeded in the direction of Kearny street, and soon swept

before it all of the houses on some entire blocks. Then the breeze suddenly shifted, and blew from the south, carrying the fire backwards to the north and east. In a few hours the whole business part of the city was one entire mass of flame! The wind that would have been considered high, though no fire had existed, was now raised to a hurricane by the action of the flames, that greedily sucked in the fresh air. The hollows beneath the planked streets were like great blow-pipes, that stirred the fire to fearful activity. Through such strange channels, too, which themselves became as dry and inflammable as tinder, the flames were communicated from street to street, and in an amazingly short time the whole surface, over a wide region, glowed, crackled, and blazed, one immense fiery field. The reflection from the sky of this terrific conflagration was said to have been visible at Monterey, nearly a hundred miles off! where it filled the superstitious and timid with dismay and irrepressible terror. On all sides in the doomed city there was heard the fierce roar, as of many storms, that drowned the shouts of men and the shrieks of women. The firemen plied their engines vigorously, and sent showers of water on the wild flames, that only served to increase their fury. As the solid stream of some lofty cataract is scattered into spray and thin mist long before it reaches the earth in the chasm beneath, so were the jets from the fire-engines dissipated into clouds of mere steam which never fell upon or could not extinguish the hot centre of the resistless element. Houses were blown up, but the fire leaped lightly across the gaps, and pursued its terrible course. It ran along the planked streets, and from block to block, almost as if they were but a train of gunpowder. The short space of ten hours, from the commencement of the fire, saw from fifteen hundred to two thousand houses completely ruined. In the end, the absolute want of further fuel to consume was the chief cause of the conflagration ceasing. Eighteen entire squares, with portions of five or six others, were devastated, and, with fewer than twenty exceptions, all the houses and property of every description were totally destroyed. Only five of the brick buildings on Montgomery street escaped destruction, and ten or twelve in other localities. The burned district extended about three-fourths of a mile from north

to south, and one-third of a mile from east to west. In this space was comprehended the most valuable part of the city, and where the most precious goods and merchandise were stored. All was destroyed ! The damage was moderately estimated at from ten to twelve millions of dollars.



San Francisco after the fire of May 4th, 1851.

In this conflagration some of the old store-ships that had been hauled high upon the beach, and gradually closed in by the streets growing over the bay, were consumed. Of these was the old "Niantic." This vessel had long lain fixed at the corner of Clay and Sansome streets, where the hotel, which bears its name, was afterwards erected. The "Apollo" and "General Harrison" were also burned. Among the incidents of the fire, it may be mentioned that Dewitt & Harrison saved their warehouse by using vinegar in the absence of water, eighty thousand gallons of the former fluid having been employed by them in protecting the building. By breaking up the wharves, and so cutting off the connection with the burning masses, the immense amount of valuable shipping in the harbor was saved, which at one time was in the most imminent peril.

San Francisco had never before suffered so severe a blow, and doubts were entertained by the ignorant that she could possibly recover from its effects. Such doubts were vain. The *bay* was still there, and the *people* were also there; the *placers* of the State were not yet exhausted, and its soil was as fertile and inviting as ever. The frightful calamity, no doubt, would retard the triumphant progress of the city—but only for a time. Sour, pseudo-religious folk on the shores of the Atlantic, might mutter of Sodom and Gomorrah, and prate the idlest nonsense, while envious speculators in cities of California itself, that would fain rival the glories of its grand port, might preach till doomsday of the continual strong winds that prevailed in the latter place, and which were certain, so they said, among thousands of wooden houses, to fan the veriest spark into a conflagration, again and again. The citizens of San Francisco were content only to curse and vow vengeance on the incendiaries that kindled the fire, and resolved to be better prepared in future to resist its spreading ravages. After the first short burst of sorrow, the ruined inhabitants, many of whom had been burned out time after time by the successive fires, began again, like the often persecuted spider with its new web, to create still another town and another fortune. While the city lay one vast black and still smoking tract, preparations were made to erect new buildings. These were generally at first formed of wood, low in height, limited in extent, and slightly constructed; but, before long, such rough, slim, temporary structures, began to give place to the present magnificent buildings that decorate our streets. But one other *great* fire was to come.

CHAPTER XVI.

1851.

T. Butler King removing the custom-house deposits.—Frank Ball's song, and custom-house appointment.—Dr. Robinson's rhymes.—Incendiarism.—The case of Lewis, charged with arson.—The facilities with which criminals escaped from punishment.—The Vigilance Committee.—Contracts of Mr. Merrifield and the Mountain Lake Water Company to supply the city with water.

MAY 28th.—The custom-house, at the corner of Montgomery and California streets, having been destroyed by the fire of the 4th instant, another building was speedily fitted up for the same purposes at the corner of Kearny and Washington streets. The treasure, amounting to upwards of a million of dollars, had been preserved in a large safe (which had escaped damage from the fire) in the old building. To-day the removal of this treasure to the new custom-house took place; and the manner of doing so created some little excitement and much laughter in the town, from the *excessive* care and military display which the collector thought fit to adopt on the occasion. Some thirty gigantic, thick-bearded fellows, who were armed with carbines, revolvers and sabres, surrounded the cars containing the specie, while the Honorable T. Butler King stood aloft on a pile of ruins with a huge "Colt" in one hand and a bludgeon in the other, marshalling his men and money "the way that they should go." The extraordinary procession proceeded slowly along Montgomery street to the new custom-house, Mr. King, marching, like a proud drum-major, at the head of his miniature grand army. The people, meanwhile, looked on with astonishment, and with some grief, that their city should be considered so lawless and wicked a place as to require so formidable a force even to guard millions of treasure in broad daylight, and along one or two of the principal streets, where there were continually present thousands of the

most respectable inhabitants. But immediately the farcical nature of the whole exhibition struck the most phlegmatic, and peals of laughter and cries of ironical applause accompanied the brave defenders of "Uncle Sam's" interests to the end of their perilous march. It was felt that there was but one thing wanted to make the show complete—half-a-dozen great guns from the presidio.

In the absence of other matters of local importance, this bloodless achievement formed the subject of a humorous song, composed by a young man of the town, and which he sang in one or more of the public saloons, on many occasions, "with much applause." The thing had a run, and served to fill the clever author's purse. He had a large number of copies lithographed, on which was a caricature print of the procession, and these he disposed of at a dollar apiece. In a single night he sold five hundred copies at this rate. As the tune to which the song was set was a popular and easy one, soon the town rang with the story of "The King's Campaign." But besides this effusion, there immediately appeared innumerable paragraphs, squibs, jests, good sayings in social circles and the public journals. It is one of the penalties which people must pay for their superiority in place over their neighbors that their actions are pretty severely criticised, and, when occasion serves, ridiculed. It was so here "with a will," and to Collector King's great mortification. "Uneasy lies the head that wears a crown." But kings and collectors have potent remedies for the many evils that beset them. Frank Ball, the writer of the song in question, was shortly afterwards sent for by the collector, and favored with a private interview. Ordinary men might have "beat about the bush," or employed a friend in the little transaction which followed; but the Hon. T. Butler King, with the same dauntless face which he showed on occasion of the treasure removal, bluntly began conversation with the anxious poet, by asking whether he would not like to have a desirable post in the customs. Mr. Ball, gasping with surprise, mumbled, "*Yes, surely!*" "*Then, Sir, it is yours,*" said the collector, gravely. In gratitude Mr. Ball could do no less than stop singing his famous song, which was doubtless what his honorable and doughty chief ex-

pected. Cerberus was sopped. This anecdote would be incomplete unless we told that certain underlings attached to the custom-house, struck with a new light, began forthwith to chant the obnoxious stanzas. Unluckily they had mistaken the game, for the fact reaching the ears of the collector, one of them, caught in the act, was instantly, though quietly, dismissed from the service. It was a pretty illustration of the fable of "The Man, the Spaniel, and the Ass."



Caricature.

There are so many serious matters—murders, suicides, larcenies, grand and petty burglaries, assaults, fires, and the dismal-like in these "Annals," that we are glad, and so too may the reader be, to have an opportunity such as this of introducing a facetious subject, which once delighted the San Franciscans. We, therefore, give an illustration of the caricature above alluded to, and the song itself:—

"THE KING'S CAMPAIGN; OR, REMOVAL OF THE DEPOSITS.

"Come, listen a minute, a song I'll sing,
Which I rather calculate will bring
Much glory, and all that sort of thing,
On the head of our brave Collector King.
Ri tu di nu, Ri tu di nu,
Ri tu di nu di na.

"Our well-beloved President
This famous politician sent,
Though I guess we could our money have spent
Without aid from the general government.
Ri tu di nu, &c.

"In process of time this hero bold
Had collected lots of silver and gold,
Which he stuck away in a spacious hole,
Except what little his officers stole.
Ri tu di nu, &c.

"But there came a terrible fire one night,
Which put his place in an awful plight,
And 'twould have been a heart-rending sight,
If the money had not been all right.
Ri tu di nu, &c.

"Then he put his officers on the ground,
And told 'em the specie vault to surround,
And if any 'Sydney Cove' came round,
To pick up a cudgel and knock him down.
Ri tu di nu, &c.

"But the money had to be moved away,
So he summoned his fighting men one day,
And fixed 'em all in marching array,
Like a lot of mules hitched on to a dray.
Ri tu di nu, &c.

"Then he mounted a brick and made a speech,
And unto them this way did preach,—
'Oh, feller-sogers, I beseech
You to keep this cash from the people's reach.
Ri tu di nu, &c.

"'For,' said he, ''tis well convinced I am,
That the people's honesty's all a sham,

And that no one here is worth a d—n,
But the officers of Uncle Sam.'
Ri tu di nu, &c.

"Then he drew his revolver, and told 'em to start,
But be sure to keep their eyes on the cart,
And not to be at all faint of heart,
But to tread right up, and try to look smart.
Ri tu di nu, &c.

"Then each man grasped his sword and gun,
The babies squalled and the women run,
And all agreed that the King was one
Of the greatest warriors under the sun.
Ri tu di nu, Ri tu di nu,
Ri tu di nu di na."

They were a wild, perverse race, the San Franciscans in those days, taking much delight in whatever mortified the "city fathers." They are immoderately fond of fun and devilment still; and any thing of a peculiar spicy nature,—from a simple fall in the mud, or the kissing of a pretty girl, up to the five thousand dollar bribe of a senator, or a municipal papa, or grandpapa being caught lurking about the premises of a jealous married man, flies like lightning, or their own great fires over the whole city. The people live so much together in hotels and boarding-houses, they meet so frequently for talk and drink (*in vino veritas*) at bars and billiard-rooms, that every piece of scandal or matter of public interest is sure to ooze out and be discussed in all its bearings. A dozen daily papers by hint, inuendo, broad allusion, and description, considerably assist the promulgation and spreading of idle tales. Hence, they often assumed an importance which other communities may think they scarcely deserve. The year of which we write, 1851, had a full share of such local and temporary *facetiæ*, some of which may appear worthy of record, if it were only to illustrate the times. The affairs of the aldermen's salaries and the curious medal business were both prolific subjects for jesting and outrageous merriment. Dr. D. G. Robinson, a proprietor of the *Dramatic Museum*, gained considerable popularity by a series of doggerel, "random rhymes" which he gave on his own stage, in which al-

most every municipal man of mark was hit off, and sometimes pretty hardly too. So highly were these verses relished, and so much favor did the author gain thereby with the people, that Dr. Robinson was triumphantly returned as alderman to fill a vacancy which had occurred in the first board. He was afterwards seriously named as likely to be the most popular candidate for the mayoralty in 1852. Such rewards do the generous citizens bestow upon those who amuse them. Dr. Robinson's rhymes were subsequently collected into a small printed pamphlet, which will no doubt possess much interest to such as still relish the gossip and scandal of the day. It would be out of place to give here any characteristic quotations from the work. People look back already with surprise to the favorable notoriety which these songs gained for their author, and more especially to the elevated position to which they were the means of raising him. We have narrated the absurd affair of the removal of the treasure, and given the relative song, only because they were reckoned rather important *events* of the time, and concerning which there was much public merriment for a long period afterwards. The parties interested can now well afford to laugh heartily at the whole business. These things, also, form one illustration of the state of society and "life" in San Francisco at the date of their occurrence.

JUNE 3d.—For some time back the attempts of incendiaries to fire the city seem to be increasing. Cases of this nature are occurring daily, where the suspicious circumstances are evident, but where unfortunately the really guilty party cannot be detected. It is extremely difficult to discover criminals in the very act of committing arson. Incendiaries do their deeds only in dark and secret corners, and if interrupted, they have always ready a dozen trifling excuses for their appearance and behavior. The train and the slow match can be laid almost any where unobserved, while the "foul fiend" quietly steals away in safety. The inhabitants had got nervously sensitive to the slightest alarm of fire, and were greatly enraged against the presumed incendiaries. This day one Benjamin Lewis underwent a primary examination on the charge of arson. As the evidence was being taken, the Recorder's Court began to fill, and much excitement

to spread among the people. At this time, a cry of "*fire!*" was raised, and great confusion took place in the court-room, people rushing desperately out and in to learn particulars. This was a false alarm. It was believed to be only a *ruse* to enable the prisoner's friends to rescue him from the hands of justice. The latter was therefore removed for safety to another place. Meanwhile, some three or four thousand persons had collected outside of the building, who began to get furious, continually uttering loud cries of "*Lynch the villain! Hang the fire-raising wretch! Bring him out—no mercy—no law delays! Hang him—hang him!*" Colonel Stevenson harangued the crowd in strong language, encouraging the violent feelings that had been excited against the prisoner. Mayor Brenham endeavored to calm the enraged multitude. Loud calls were at length made for "Brannan," to which that gentleman quickly responded, and advised that the prisoner should be given in charge to the "volunteer police," which had been recently formed. A motion to this effect was put and unanimously carried. But when the prisoner was looked for, it was found that the regular police had meanwhile carried him out of the way—nobody knew, or would tell where. Perforce the crowd was obliged to be satisfied, and late in the afternoon it gradually dispersed.

This is one instance of the scenes of popular excitement which were now of frequent occurrence in the city. Repeated losses by fire, and the terrible array of unpunished, undetected, triumphant crime, were turning the inhabitants absolutely savage against the supposed criminals. Matters were coming fast to a head, which was immediately to ripen into the "Vigilance Committee." All these popular "demonstrations" were ineffectual in deterring the "Sydney coves," and those of a like character, from the commission of the most reckless, wanton, and flagrant outrages. Incendiary attempts were now remarked almost daily. Not only the desire for plunder, but malice against individuals, and an unnatural lust for general destruction, seemed to inspire the villains.

In regard to the particular case of Lewis, it may be mentioned that the grand jury found a true bill against him for arson. Twice shortly afterwards was he brought before the Dis-

trict Criminal Court for trial, and on each occasion his counsel found a "flaw" in the indictment, which quashed the proceedings. These delays and defects in the law were working the suffering people up to madness. This is only one case, but it may be taken as a fair specimen of the general inefficiency of the judicial officers and tribunals in punishing crime. The grand juries were continually making formal complaints that their presentments were disregarded, and that criminals were somehow never convicted and punished, while generally their trials were so long delayed that the prisoners either escaped from confinement, or the essential witnesses in the case had gone nobody knew whither; and so the prosecutions failed. San Francisco was truly in a desperate condition at this period of its history. Though few arrests were made in proportion to the number of offences actually committed, yet it may be mentioned, that, to take one instance, on Monday morning, the 9th June of this year, there were thirty-six cases before the Recorder's Criminal Court from one district alone (the second), out of the eight composing the city. "Of the whole," we quote from a journal of the time, "six were for drunkenness, six for fighting, six for larceny, three for stabbing, one for burglary, four for fast riding, four for assaulting officers, three for keeping disorderly houses, one for an attempt at robbery," &c. Yet the previous day, Sunday, on which these offences had been committed, had been remarked by the press as having been unusually quiet and decently observed—without any noise or crime worth noticing.

Of this date an ordinance was passed by the council boards, and approved of by the mayor, granting to Mr. Arzo D. Merrifield and his assigns, the privilege of introducing fresh water by pipes into the city. It had happened at the various fires that the numerous public water reservoirs were either wholly or partially empty; and great difficulty was at all times experienced in filling them. This reason, as well as the desire to have an abundant supply of pure, fresh water for household purposes, had long led parties to consider the best means of bringing it into the city by pipes from a distance. Various schemes were talked of among the public, and discussed in the journals. The plan of Mr. Merrifield to bring

water from a small lagoon, called the "Mountain Lake," situated about four miles west of the plaza, and which was well supplied by springs, was at length approved of by the common council, and under the ordinance noticed the projector became entitled to certain privileges for the term of twenty-five years, upon condition of his plans being carried into effect. Mr. Merrifield, his associates and assigns, were authorized to break open the streets, and lay down water-pipes in the same, upon properly filling up and replacing the openings. The quantity of water to be provided in a general reservoir, and the amount of discharge by pipes, were both fixed; while provision was made for the amount of rates to be paid by the citizens using the water, which rates were to be adjusted by a board of commissioners to be chosen annually by the common council. At the end of twenty-five years, from and after the 1st day of January, 1853, the entire water-works were to be deeded to the city, in consideration of the privileges and benefits that might accrue to the projector and his assigns and associates during the said term of years. The corporate authorities were also to be entitled to the gratuitous use of the water for the purpose of extinguishing fires, and for hospital and other purposes. In terms of this act, Mr. Merrifield granted a bond for fifty thousand dollars that the works should be completed on or before the 1st of January, 1853.

The gentleman named having conveyed his privileges to a joint-stock company, called the "Mountain Lake Water Company," another ordinance was, of date 14th of July, 1852, passed and approved of, whereby the former one was amended to the following effect, viz.: That the new company should only be entitled to the privileges granted by the first ordinance for the term of twenty years:—that the board of commissioners to fix the rates payable by those who used the water should be chosen, three by the common council, and two by the Mountain Lake Water Company, under the regulations specified in the ordinance:—that the term within which the works should be completed should be extended to the 1st of January, 1854, provided the Water Company should expend fifty thousand dollars on the works within six months of the date of the ordinance, and at least a similar sum every six months thereafter until the said last

mentioned date :—that the privileges granted to the said Water Company should be *exclusive* for the term of five years after 1st of January, 1853 ;—and, lastly, that the said ordinance should expire at such time after the 1st day of January, 1855, as the said Water Company should refuse, or be unable, to supply the city, at such elevation as the common council should fix, "one million of gallons of pure and wholesome fresh water during every twenty-four hours."



Hanging of Jenkins on the Plaza.

JUNE 11th.—The "Vigilance Committee" is at last formed, and in good working order. They hanged at two o'clock this morning upon the plaza one Jenkins, for stealing a safe. For the particulars of the trial and execution, we refer the reader to a subsequent chapter, where also will be found an account of the other doings of this celebrated association.

CHAPTER XVII.

1851.

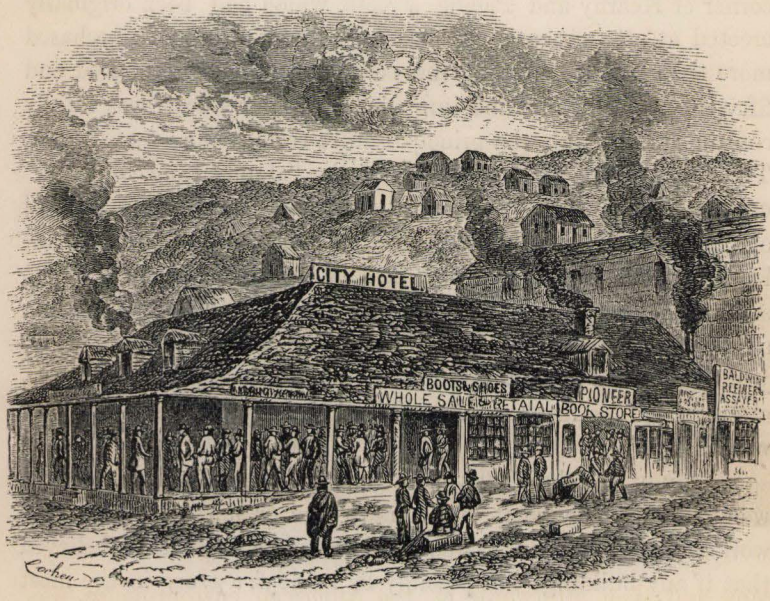
The sixth great fire.—Destruction of old buildings.—Execution by the Vigilance Committee of Stuart, Whittaker and McKenzie.—County and city elections.—The Vigilance Committee suspend operations.—Wells & Co. suspend payment.—Opening of the Jenny Lind Theatre.—The American Theatre opened.—Shipping in San Francisco Bay.—Ball of the Monumental Fire Company.—Indian disturbances and volunteer military companies.—Severe storm.

JUNE 22d.—The *sixth* great fire. It began a few minutes before eleven o'clock in the morning, in a frame house situated on the north side of Pacific street, close to Powell street. The high winds which usually set in about this hour from the ocean during the summer season, speedily fanned the flames, and drove them south and east. All day they spread from street to street, consuming one building-square after another. The water reservoirs happened to be nearly empty, and even where the firemen had water enough for the engines, their exertions were of little use in stopping the conflagration. Nor was it much better with the hook and ladder companies, whose useful operations were thwarted by the owners of the property they were seeking to pull down for the common good. Subsequent inquiries seemed to show that the fire must have been raised by incendiaries, while several attempts were detected during the day to kindle various distant quarters of the town, yet untouched by the flames. The fire extended from Powell nearly to Sansome street, and from Clay street to Broadway. Within these limits ten entire squares were destroyed, and large parts of six others. The total damage was estimated at three millions of dollars. Happily the chief business portion of the town escaped, and which had suffered so severely six or seven weeks before. In the fire of the 4th May, every newspaper establishment in the city, except that of the "Alta California," was totally destroyed. In the fire of the 22d

instant, all escaped, *except* that of the journal named. These conflagrations made no distinctions of persons or properties; but with a wild justice, sooner or later, reduced all to the same level. The proprietors of the *Alta* now lost their building, presses, types, paper and office furniture, just as their brethren of the broad sheet were ruined before. The City Hall, located at the corner of Kearny and Pacific streets, which had been originally erected at an immense expense as a hotel, and was purchased more than a year before by the corporation for one hundred and fifty thousand dollars, and improved at a heavy cost, was totally consumed, although the principal office records were saved. Mr. Thomas Maguire, the proprietor of the "Jenny Lind Theatre," on the plaza, which was a most valuable building, now lost all again,—*a sixth time, by fire!* But it is needless to particularize losses, where every citizen may be said to have been burned out several times, and to have again and again lost *his all.* With a sigh or a laugh, according to the temperament of the sufferer, he just began once more to raise his house, stock it with new goods, and arrange his future plans. The indefatigable *spider* was at work again.

Many of the buildings erected since these last fires show a wonderful improvement in strength and grandeur. When the work was to be done it was now well done; and it is believed that if any buildings can possibly be made *fire proof* in the most trying circumstances, many have now been made so in San Francisco. Solid brick walls, two and three feet in thickness, double shutters and doors of malleable iron, with a space two feet wide between them, and huge tanks of water, that could flood the whole building from roof to cellar, seem to defy the ravages of the fiercest future conflagration. Of that substantial character are many of the banking establishments, the principal stores and merchants' offices, and the most important houses in the city. This improved style of building has chiefly been rendered necessary by the great conflagrations we have had occasion to notice. Of the different companies formed for extinguishing fires we treat in a subsequent chapter. It is believed that they form the most complete and efficient organization of their kind in the world.

The *six* great fires successively destroyed nearly all the old buildings and land-marks of *Yerba Buena*. We extract the following pleasantly written lamentation on this subject from the "Alta California" of 21st September, 1851 :—"The fires of May and June of the present year, swept away nearly all the relics of the olden time in the heart of the city. The old City Hotel



Old City Hotel.

[corner of Kearny and Clay streets], so well known and remembered by old Californians, after standing unscathed through three fatal fires, fell at the fourth. How many memories cling around that old building! It was the first hotel started in San Francisco, then the village of Yerba Buena, in the year 1846. When the mines were first discovered, and San Francisco was literally overflowing with gold, it was the great gaming head-quarters. Thousands and thousands of dollars were there staked on the turn of a single card, and scenes such as never were before, and never again will be witnessed, were exhibited in that old building during the years 1848 and 1849. In the spring of '49, the building was leased out at sixteen thousand dollars *per annum*, cut up into small stores and rooms, and underleased at an enor-

mous profit. Newer and handsomer buildings were erected and opened as hotels, and the old 'City' became neglected, deserted, forgotten: then it burned down, and this relic of the olden time of San Francisco was among the things that were. Then the old adobe custom-house that had been first built for that purpose, and then used as a guard-house and military office by the Amer-



Residence of Samuel Brannan, Esq., in 1847.

icans, and then afterwards as the American custom-house, was also burned. The wooden building directly back of it, with the portico, was also one of the old buildings—erected and occupied by Samuel Brannan, Esq. in 1847. [In this house were exhibited the first specimens of gold brought from the *placeres*.] This also was burned, and all that remains of 1847, in the vicinity of the plaza, is the old adobe on Dupont street. This building, in the latter part of '47 and '48 was occupied by Robert A. Parker as a large trading establishment. This has stood through all the fires, and it is hoped that it may remain for years as a relic of the past." That hope was vain. In the following year the adobe on Dupont street was pulled down to make way for finer houses on its site. So has it been with all the relics of six or eight years' standing. What the fires left, the progress of improvement swept from the ground.

JULY 11th.—Trial and execution of James Stuart.

AUGUST 24th.—Recapture from the legal authorities of Whittaker and McKenzie, and their execution by the "Vigilance Committee."

SEPTEMBER 3d.—Annual election for the County of San Francisco. The following were the officials chosen :—

Senate.

Frank Soulé, Jacob R. Snyder.

Assembly.

B. Orrick, A. C. Peachy, A. J. Ellis, H. Wohler,
G. W. Tenbroeck, R. N. Wood. Isaac N. Thorne.

Judge of the Superior Court.
John Satterlee.

County Judge.
Alexander Campbell.

Sheriff.
John C. Hayes.

County Clerk.
James E. Wainwright.

County Recorder.
Thomas B. Russum.

District Attorney.
H. H. Byrne.

County Treasurer.
Joseph Shannon.

County Surveyor.
C. Humphries.

Coroner.
Nathaniel Gray.

County Assessor.
Henry Vandeveer.

Harbor Master.—George Simpton.

The new city charter had provided that the first general election for municipal officers should be held on the fourth Monday of April, 1851, and "thereafter annually at the general election for State officers." Under this section of the charter it was understood by some that the *second* city election should take place in September of the year named, when the usual annual election of State officers occurred. Another construction was put upon the section in question by the parties already in office and by a large number of the inhabitants, to the effect that the *second* election under the charter could only take place in September, 1852. Thus one party would give the existing common council and municipal officers only half a year in power, while another party, including the present incumbents, claimed a year and a half.

So dignified, or so satisfied with the legal strength of their position, were the existing city officers, that they took no steps to order a new election in September, 1851. Their opponents, however, relying on their own interpretation of the words of the charter, proceeded to act without them, and, unopposed in any way, elected the whole parties on their ticket. The general public took little interest in the matter, and most people seemed to believe that the new election would end in nothing. So little did the citizens concern themselves, that some of those newly elected, polled but a very few votes. When the election was finished the new officers made a demand upon the old ones for a surrender of the public books and documents. This being refused, the new mayor elect, Stephen R. Harris, immediately raised the necessary legal action against the old mayor, C. J. Brenham, for a declaration of his own rights and the ejection of the latter from office. In the district court a judgment was given to the effect that the present incumbents should hold office till April, 1852, and that then those elected in September, 1851, should enter upon and remain in office for one year. The result of this decision would have been that six months would always intervene between the election and the entering upon office of the municipal authorities. This decision was unsatisfactory to most people. Mr. Harris next carried the case into the supreme court, where a majority of the judges (24th December), after able arguments were heard from the parties, reversed the judgment of the court below, and found Mr. Harris entitled to enter upon office as in September, 1851. Mr. Brenham promptly acknowledged the weakness of his position, and at once yielded to his legal successor. Party feeling prevented the other city officers from surrendering their seats so readily. Those already in power consisted of men of both of the great political parties—whig and democratic ; and had been originally selected chiefly from among the independent candidates, as men who would earnestly work for the common good and the purification of the city from official corruption and wide-spread crime. On the other hand, those newly elected were altogether of the democratic party. The old council offered to resign, if the new one would do the same ; when both could appeal a second time to the people. But the

latter council refused to do this. Meanwhile, the legal courts had adjourned, and it would have cost much time and expense to drive out the old council from the places which they persisted in retaining; and their year of office would probably expire before this could be managed. In the end, however, the old council thought it best for their own honor and the interests of the city, to quietly retire from the unseemly contest, and make way for their unexpected successors. The names and offices of the latter were as follows:—

Mayor.—Stephen R. Harris. *Recorder*—George W. Baker.
Marshal.—David W. Thompson. *Street Commissioner.*—Theodore Payne.
Comptroller.—Jas. W. Stillman. *Treasurer.*—Smyth Clarke.
Tax Collector.—D. S. Linell. *City Attorney.*—Chas. M. Delaney.
Recorder's Clerk.—Thomas W. Harper.
City Assessors.—James C. Callaghan, David Hoag, Arthur Matthews.

Aldermen.

E. L. Morgan,	Wm. G. Wood,	Jos. H. Blood,	John Cotter,
Caleb Hyatt,	James Grant,	N. S. Pettit,	Wm. Moore.

Assistant Aldermen.

Henry Meiggs,	Jos. Galloway,	W. H. Crowell,	N. Holland,
D. W. Lockwood,	James Graves,	J. C. Piercy,	John W. Kessling.

SEPTEMBER 16th.—The "Vigilance Committee" agreed to suspend indefinitely farther operations regarding crime and criminals in the city. The old extensive chambers in Battery street were relinquished, and new rooms, "open at all times, day and night, to the members," were taken in Middleton and Smiley's buildings, corner of Sansome and Sacramento streets. During the three preceding months this association had been indefatigable in collecting evidence and bringing the guilty to justice. It had been formed not to supersede the legal authorities, but to strengthen them when weak; not to oppose the law, but to sanction and confirm it. The members were mostly respectable citizens, who had, and could have, only one object in view—the general good of the community. They exercised an unceasing *vigilance* over the hidden movements of the suspected and criminal population of the place, and unweariedly traced crime to its source, where they sought to stop it. They had hanged four men without observing ordinary legal forms, but the persons were

fairly tried and found guilty, while three, at least, of the number, confessed to the most monstrous crimes, and admitted death to be only a due punishment. At this small cost of bloodshed, the "Vigilance Committee" freed the city and country of many reckless villains, who had been long a terror to society. When these had disappeared, outrages against person and property almost disappeared too, or were confined to petty cases. The legal and municipal authorities now acquired, what previously they lacked, sufficient power to master the remaining criminals; and the committee, having no longer a reason for continued action, gladly relinquished the powers they had formerly exercised. Grand juries, instead of offering presentments against them, only praised in the usual reports their useful exertions, while, like all good citizens, they lamented their necessity. Judges occasionally took offence at the terms of such reports, and sought to have them modified; but the grand juries were firm. Judge Levi Parsons applied to the Supreme Court to have certain obnoxious sentences in one of these reports struck out; but his petition was refused. People felt that there was much truth in the repeated declarations of the grand juries, and they hailed with delight their expressions of implied confidence in the Vigilance Committee. The weak, inefficient, and sometimes corrupt courts of law were denounced as strongly by the juries as by that association itself. In one report the grand jury said :—"The facilities with which the most notorious culprits are enabled to obtain bail, which, if not entirely worthless, is rarely enforced when forfeited, and the numerous cases in which by the potent influence of money, and the ingenious and unscrupulous appliance of legal technicalities, the most abandoned criminals have been enabled to escape a deserved punishment, meets with their unqualified disapprobation."

But the worst days were over, and comparative peace was restored to society. Therefore the Vigilance Committee ceased to act. The members, however, did not dissolve the association, but only appointed a special or executive committee of forty-five to exercise a general watchfulness, and to summon together the whole body when occasion should require. This was shortly afterwards done in one or two instances, when instead of being oppos-

ed to the authorities, the members now firmly supported them by active personal aid against commotions and threatened outrages among the populace. They had originally organized themselves to protect the city from arson, murder and rapine, when perpetrated as part of a general system of violence and plunder by hardened criminals. In ordinary crimes, and when these stood alone, and did not necessarily lead to general destruction, the Vigilance Committee did not interfere farther than as good citizens and to merely aid the ordinary officials whose duty it was to attend to all cases of crime. When, therefore, some six months later, a body of two thousand excited people sought to "lynch" the captain and mate of the ship *Challenge* for cruelty to the crew during the passage from New York to San Francisco, the Vigilance Committee, instead of taking the side of the enraged multitude, firmly supported the legal authorities. On many occasions, both before and after this time, the committee were of great service to the authorities. At their own cost, they collected evidence, apprehended criminals and delivered them into the hands of legal justice. When the city offered a reward of $2500 to any person who would give information which might lead to the apprehension and conviction of an incendiary, the committee offered a reward of $5000 for the same services. The members gave large contributions to hasten the completion of the public jail; and, in many ways, by money, counsel and moral aid, and active personal assistance, sought earnestly to raise the character of the judicial tribunals and strengthen their action. There could not be a greater calumny uttered against high-minded men than to represent, as was frequently done in other countries, and in the Atlantic States, the members of the Vigilance Committee as a lawless mob, who made passion their sole guide and their own absolute will the law of the land. Necessity formed the committee, and gave it both irresistible moral and physical force. One might as well blame a drowning wretch for clinging to a sinking brother, or to a straw, as say that the inhabitants of San Francisco did wrong—some in joining the association, and others in not resisting but applauding its proceedings. People out of California could know little at best of the peculiar state of society existing there; and such as condemned the action of the Vigilance

Committee positively either knew nothing on the subject, or they outraged the plainest principles of self-preservation. We all defend the *man* who, with his own hand, violently and unscrupulously slays the midnight robber and assassin, because he would otherwise lose his own life and property, and where the time and place make it ridiculous to call for legal protection. So also should we defend the *community* that acts in a similar manner under analogous circumstances. Their will and power form new *ex tempore* laws, and if the motives be good and the result good, it is not very material what the means are. This subject is treated at greater length in the chapter on the Vigilance Committee, and to it the reader is referred.

October 3d.—"Wells & Co." bankers, suspended payment. This and the bankruptcy of H. M. Naglee already noticed, are the only instances of failure among that class of the citizens of San Francisco. When the place and the speculative spirit of the people are borne in mind, it is high testimony to the general stability of the banking interest, that only two of their establishments have become bankrupt.

October 4th.—Opening of the new Jenny Lind Theatre on the Plaza. This was a large and handsome house. The interior was fitted up with exquisite taste ; and altogether in size, beauty and comfort, it rivalled the most noted theatres in the Atlantic States. It could seat comfortably upwards of two thousand persons. The opening night presented a brilliant display of beauty and fashion, and every part of the immense building was crowded to excess. A poetical address was delivered on the occasion by Mrs. E. Woodward. A new era in theatricals was now begun in San Francisco ; and since that period the city has never wanted one or two first class theatres and excellent stock companies, among which "stars" of the first magnitude annually make their appearance. Before this date there had been various dramatic companies in San Francisco, but not before had there been so magnificent a stage for their performances. The "Jenny Lind" did not long remain a theatre. The following year it was purchased by the town for a City Hall for the enormous sum of two hundred thousand dollars. The external stone walls were allowed

to stand, but the whole interior was removed and fitted up anew for the special purposes to which it was meant to be applied.



Jenny Lind Theatre.

October 20th.—The "American" theatre opened. This was a large brick and wooden house in Sansome street, between California and Sacramento streets. It could contain nearly two thousand persons, and was very elegantly furnished inside. Mrs. Stark gave the opening address. The walls sank nearly two inches on the opening night, when the "house" was densely crowded. The site formed a portion of the bay, and the sand which made the artificial foundation had been deposited upon a bed of soft yielding mud. Considerable fears were entertained in such circumstances for the safety of the structure. Happily the sinking of the walls was regular, and after the first night no material change was perceptible.

October 31st.—To enable the distant reader to form an idea of the crowded state of the harbor, and which it may be

mentioned was at all times about as well filled, we give the following accurate list of the number of vessels lying there at this date, viz :—

	Ships.	Barques.	Brigs.	Schooners.	Ocean Steamers.	Total.
American	42	64	67	50	9	232
British	5	23	5	3		36
French	9	1	1			11
Chilian	1	2		1	one sloop & one galliot	6
Bremen	1	4	4	1		10
Austrian	1 ship; Swedish, 3 brigs,					4
German	1 barque; Italian, 1 brig; Dutch, 2 barques,					4
Storeships,						148
					Total number of vessels	451

The store-ships had originally belonged to all nations, though chiefly to America. In 1848 and 1849, most of the vessels that then arrived in the bay were deserted by their crews, while both in these years and in 1850, many old and unseaworthy vessels had been hurriedly pressed into the vast emigration service to California. A considerable number of all these vessels were not worth the expense of manning and removing, and so they were left to be used as stores and lodging-houses in the suddenly thronged town, or to rot and sink, dismantled and forsaken. We have had occasion at various places to mention that several of these ships are now lying on dry land, in the very centre of the city.

November 6th.—A grand ball was given in the evening of this day at the Parker House, by the Monumental Fire Company. It was one of the finest affairs of the kind held in the city. Upwards of five hundred ladies and gentlemen were present. Such balls were becoming too numerous to be all chronicled, while amidst the general brilliancy it is difficult to select any one as a specimen to show forth the times.

December.—The southern portion of the State, having been recently in great danger from attacks of the confederated Indian tribes, applied for aid to Gen. Hitchcock, commanding U. S. forces in California. He accordingly sent as many of his troops as could be spared, and authorized the raising of two companies of mounted volunteers. Great excitement, in consequence of this permission and the previous alarming news, existed in the

city, and numbers hastened to enroll themselves in the proposed companies. To the disappointment of many applicants, a selection only could be received. The two companies were placed under the respective commands of Col. John W. Geary and Capt. Daniel Aldrich, while Col. J. C. Hayes was appointed to the command in chief. Later intelligence from the south, to the effect that the Indian difficulties were being arranged, rendered it unnecessary for the volunteers to proceed thither.

DECEMBER 21st.—This day was remarkable for an unusually severe storm of wind and rain, which continued during the night, and lasted several days without abatement. The tide was several feet higher than ordinary, and the swell from the bay rolled in so heavily as to wash away the sand from many of the newly-piled water lots. Several vessels dragged from their moorings and came in collision with others. Store-ships, that had long been imbedded in the sand, were set afloat and drifted to other quarters. The water at Jackson street rose so high as to cross Montgomery street, causing, at their junction, a lake of no inconsiderable dimensions. The cellars in the lower part of the city were inundated.

CHAPTER XVIII.

1851.

Immigration diminished.—Females comparatively few.—Great city improvements.—Productions of the country, game, &c., in the markets.—Character of the community changing for the better.—The circulating medium.—Extravagance in living, dress, &c.—Personal rencontres and other outrages common.—Titles to real estate uncertain.—Legal decisions.—Depreciated value of merchandise.—Amusements, dissipation and recreation.—The foreign population.—Great crimes less frequent.—The finances of the city.

THE arrivals by sea at San Francisco were not so numerous in 1851 as during the preceding year. The tide of immigration was slackening, only to roll in its much greater numbers the following season. During 1851, upwards of 27,000 persons arrived by sea. Of these rather more than one-half came by steamers from the ports on or near the Isthmus. The ordinary population of the city was increasing, though more slowly than before. At the close of this year the total number probably exceeded thirty thousand. Females were very few in proportion to the whole number of inhabitants, although they were beginning to increase more rapidly. A very large proportion of the female population continued to be of loose character. The Chinese now began to arrive in considerable bands, and occasionally a few of their females. Great numbers of French and Germans, of both sexes, as well as other foreigners, made their appearance. The immigrants generally were of the mining and agricultural classes, although a fair number of them ultimately settled in San Francisco. An extensive immigration continued among the various districts and towns of the country, and the population of all was constantly changing. Fewer fortunate miners now paid visits to the city for the sake of mere recreation, since the rising towns of the interior, particularly Sacramento and Stockton, the capitals of the northern and southern mines respectively, offered all the attractions of dissipation closer at hand. Yet in one way or another,

at least one half of the entire population of the State passed through, or visited San Francisco. The ocean steamers carried away more people from the port than they brought. There was the usual large land immigration into the State, and, on the whole, the general population of the country was considerably increased.



East side of Portsmouth Square, Spring of 1850.

In San Francisco material improvements were taking place. At Clark's Point, on the northern extremity of the city, huge precipitous rocks were quarried and removed, and the solid hill deeply excavated, whereby much new and valuable space was gained for building operations. New streets were graded, planked and built upon, and new and finer houses every where erected. In the southern districts, the "steam-paddy" had been set to work, and was rapidly cutting away the numerous sand hills that lay between the plaza and "Happy Valley." The rubbish was conveyed by temporary rails along the streets, and emptied into the bay at those parts where already roads were laid out and houses

built on piles. Sansome and Battery, with the intersecting streets to a considerable distance, were gradually filled up, and firm foundations given for the substantial brick and stone houses that were beginning to be erected there. The town continued to move eastward, and new streets were formed upon piles farther out into the bay, across which the piers and wharves were shooting like the first slender lines of ice before the sheet of water hardens into a solid mass. Closer and thicker the lines ran, as house after house was reared on innumerable piles, while the steam-paddy and railway wagons, and horse-carts without number, were incessantly bearing hills of sand piecemeal to fill up the hollows, and drive the sea far away from the original beach. Where once ships of a thousand tons floated there now rose great tenements of brick and mortar securely founded in the solid earth. Portions of the loose sand were insensibly washed off by the tides from the first places where it was deposited, and the bay was slowly becoming shallower to a considerable distance from shore. As the wharves were pushed farther out, the shipping found less convenient anchorage, and were exposed to occasional strong tides and gales. The character of the port was perhaps changing somewhat for the worse, although the necessities of the town so far urgently required an extension across the bay.

The fires of 1850 and 1851, while they destroyed much valuable property, led in the end to a very superior kind of building, and may thus be said to have done some permanent good. They have stamped a wonderfully grand character upon the architecture of the place. What at first were called and believed to be *fire-proof* houses were becoming numerous, when successive conflagrations came and removed them all. Other houses were built of a still more substantial kind, and these were destroyed by fire in turn. At last, some buildings were erected that surely were *proof* against the most intense heat and flame; and upon their models all the later structures of pretension have been formed. While in certain respects these buildings assume the proportions and grandeur of palaces, in others they appear heavy and gloomy like the veriest prisons. The walls are enormously thick, and the windows deeply sunk in them, showing often at first sight only

narrow, dark cavities. When the ponderous wrought iron shutters and doors are closed on the outside the resemblance to a jail is complete. It is believed that no fire from without can seriously affect such buildings, although they may be subject to internal conflagration. While improved houses were rising in the centre and business portion of the town, superior buildings of frame were replacing in the outskirts and suburbs the old habitations, or such as were destroyed by fire. The new plank road to the mission had opened up a large and valuable tract of building ground, and neat and substantial wooden houses were being erected along the whole way.

In the vicinity of the town, wherever a tiny fertilizing stream of water ran among the sand hills, at the mission and the presidio, numerous flower and kitchen gardens and small farms were laid out, which yielded large supplies of the more necessary or prized vegetables. In 1849, the announcement of a real cabbage at dinner would have set half the population frantic with strangely stirred appetites; now, the many cultivated spots named, daily furnished numerous loaded carts of all kinds of fresh vegetables to the city markets. Potatoes were no longer a rarity; turnips could be had for money—and at a moderate price, too. The markets made pleasant morning sights. Besides a profusion of vegetables and fruits, they were largely supplied with noble fish and game of all descriptions from the ocean, the bay and the interior. Salmon of huge dimensions, and vast quantities of like delicious fish, whole cart loads of geese, ducks, quails, and other wild fowl, innumerable quarters of bear, elk, antelope, deer, and smaller game, loaded the stalls of the dealers. Mutton was perhaps not so plentiful, but excellent beef was in abundance. Times had changed with San Francisco. The hardships and semi-starvation of 1849 were forgotten in these ample supplies of exquisite food. The epicure might traverse the globe, and have no finer living than what this city yielded; the glutton would here find both eye and palate satiated. But two years had sufficed to this astonishing change.

The fires that cleared the ground and rendered necessary new building operations, and the improved style of house structures, gave constant employment to every body who could and would

work. Wages therefore continued high, and the poorest of the laboring classes were enjoying the incomes of merchants and professional men of other countries. The general improvements in the aspect of the town and social character of the people, noticed



New World Market, corner of Commercial and Leidesdorff streets.

in the review of 1850, were still going on. New "Expresses" were hurrying to all points, stage coaches, mails and noble steamers communicated with the most distant quarters. Additional manufactories and stores, additional newspapers, theatres, public institutions, benevolent, useful and agreeable associations, were being constantly established. Schools and churches were springing up on all sides. A certain class largely patronized the last, though it must be admitted that very many, particularly foreigners, never entered them. The old life and bustle continued, though matters were now systematized, and offered less show and confusion. In 1849, San Francisco was like a great ant-hill, when its busy creatures happen to be disturbed, and when all were visible, hurrying to and fro, out and in, backwards and forwards, apparently in the most admirable confusion and

cross purposes, as if every one were engaged in some life and death struggle. In 1851, the city was like the same ant-hill when the cause of fright had been removed and order restored. The old tenants were still as busy as ever, but there was method now in their actions. Some were closely engaged in the interior —the cells or houses of the place—and made no show. Outside lines of other eager workers ran here and there, without jostling or confusion, all filled with the thought of what they had to do, and doing it well and quickly. There was no sauntering, no idleness, no dreaming. All was practical and real; all energy, perseverance and success. In business and in pleasure, the San Franciscans were *fast* folk; none were faster in the world. Their rents, interest on money, doings and profits, were all calculated *monthly*. A month with them was considered equal to a year with other people. In the former short time, men did such deeds, and saw, felt, thought, suffered and enjoyed, as much as would have lasted over a twelvemonth in other lands. But then these were really *men*—giants rather, the very choice of the cleverest, most adventurous and hard-working people of America and Europe. California was a hot-bed that brought humanity to a rapid, monstrous maturity, like the mammoth vegetables for which it is so celebrated.

The city was settling fast into the condition in which it now is. The characteristics of a Spanish or Mexican town had nearly all disappeared. The barbarous magnificence of an old Californian rider was now seldom seen. The jingling, gaudy trappings of the horse, the clumsy stirrups and leathern aprons, the constant lasso and the reckless rider, had given place to the plain, useful harness of the American and his more moderate, though still dashing riding. Superb carriages now thronged the streets, and handsome omnibuses regularly plied between the plaza and the mission. People now, instead of being "every thing by turns and nothing long," more steadily confined themselves to one proper business. The old stores, where so recently all things "from a needle to an anchor" could be obtained, were nearly extinct; and separate classes of retail shops and wholesale warehouses were now the order of business. Gold dust as a currency had long given place to coin. Two years before, the buyer

would carelessly tumble out a heap of "dust" in payment, while the seller would have his weights and scales ready for it as a matter of course. A little lump less or more to the quantity was of no consequence to either party. All that loose, stylish kind of thing was now changed. Coin was plentiful, and its fair worth was generally looked for. People found it somewhat more difficult to accumulate wealth, and were less foolishly lavish of their means, although they still always spent them most extravagantly. Specimens of nearly all the coinage of the civilized world were in constant circulation. Approximate values were bestowed upon the pieces, and if any thing like the mark, they readily passed current. The English shilling, the American quarter-dollar, the French franc, the Mexican double-real were all of the same value; so likewise were the English crown, the French five-franc piece, and the American or Mexican dollar. It did not matter although some were twenty-five *per cent.* more worth than others. Four single francs were quite as good as the English five-shilling piece. The smaller silver coins of whatever denomination and of every country were all alike *bits*, and passed for the same value. As for copper money, it was, of course, never seen. A *bit* was the lowest denomination of money, and very little of any thing would it buy. Besides the coins mentioned, there were Indian rupees, Dutch and German florins and guilders, the many coinages of South America, and in fact every known piece of money that circulated in Europe, and in many other parts of the world. The deficiency in the American proper coinage was thus amply made up, especially so far as silver money was concerned. In gold there was a less variety of foreign coin, although many European pieces of that metal were in circulation. The fifty dollar gold pieces called "slugs," and the twenty and ten dollar pieces, issued by the United States Assay Office, in San Francisco, served all the purposes of a regular standard coinage. Before, and shortly after the establishment of the assay office, large quantities of gold currency were supplied by about a dozen different private parties; but as these coinages were generally of less intrinsic worth, in purity and weight of metal, than their nominal value, they soon fell into disrepute and were gradually withdrawn from circulation. Some

of them were very neatly executed, and stray specimens may still be occasionally found by the curious.

Formerly, that is, only two years before, the San Franciscans were careless in personal appearance, and rude in manners. Now, they dressed richly and extravagantly, and assumed the polished airs of gentlemen. A striking change was observable every where, and in every thing. The houses were growing magnificent, and their tenants fashionable. Perhaps this fashion was not quite *à la mode de Paris*, but rather *sui generis*. Balls and convivial parties of the most brilliant character were constantly taking place. The great number of flaunting women of pleasure, particularly the French, mightily encouraged this universal holiday, and gave ease, taste, and sprightly elegance to the manners of the town. There is perhaps no place in the world where money is so little regarded as in San Francisco. A man spends there like a prince, as he gains like one. The "almighty dollar" to him appears of less worth than a shilling does to people in England or in our Eastern States. At these balls, and at all public and private entertainments, immense sums were squandered. Trade might be dull, bad, ruinous—rents might rise or fall, and people be really insolvent—still they spent money on all sides. Business losses generally fell on distant correspondents, and the half-burned and supposed bankrupt and ruined city showed still the same brilliant bustle; and its inhabitants still pursued the same expensive round of amusements. Gold must come from the placers, and San Francisco never could in a certain sense be poor. The riches of the Californian mines on the one side, and the luxuries and conveniences of all countries in the world on the other, met in San Francisco. It would be hard indeed for its hot-blooded and venturous population if they did not make the treasures within their grasp minister to every enjoyment that youth and sanguine constitutions could crave.

Ever since the first great immigration many of the inhabitants carried some weapon of defence secretly about them. During the disturbed times in the early part of 1851, when nobody was safe from the assaults of desperadoes even in the public street or in his own dwelling, the practice of wearing deadly weapons became still more common. These were often used—

though not so much against the robber and assassin, as upon the old friend and acquaintance, or the stranger, when drink and scandal, time and circumstance had converted them into supposed enemies. The number of duels, and especially of sudden personal affrays, was fearfully great. The general population of San Francisco—with shame it must be confessed, in those days, as is still the case to a considerable extent—drank largely of intoxicating liquors. A great many tippled at times, and quite as many swore lustily. They are an adventurous people, and their enjoyments are all of an exciting kind. They are bold and reckless from the style of the place and the nature both of business and amusement. New-comers fall naturally into the same character. It may therefore be imagined that personal rencontres frequently occur among such a population. In 1851 these were constantly happening. One man perhaps called another a "liar," and straightway revolvers were produced on both sides. Repeated shots were hastily fired, with sometimes as much damage to the by-standers as to the half-drunken quarrellers themselves. Some scenes of a most savage and atrocious description, ending occasionally in death, took place between parties who were reputed to be of the first class of citizens. Among the lower American orders, and in all classes of foreigners, down to the vilest "greasers," the same violent spirit of personal revenge and deadly outrage was common. On the slightest occasion, at a look or touch, an oath, a single word of offence, the bowie-knife leaped from its sheath, and the loaded revolver from the breast pocket or the secret case, and death or severe wounds quickly closed the scene. The spectators often shared in the same wild feelings, and did not always seek to interfere. The law was powerless to prevent such personal conflicts. Men thought as little of their blood and lives as of their money, and to gratify high swelling passion would madly waste them all alike.

One considerable cause of personal disputes and bloodshed was the uncertainty of legal titles to property, which encouraged squatterism. Owing to recent conflicting decisions by the courts of law it almost appeared that the only, or the best title to real estate was actual possession. A great many people made a practice of settling down upon any vacant lot they fancied, and per-

haps in the course of a night would fence it in and erect some small house on the ground. When daylight and the proprietor came, the intruder defied ejection. To seek redress from the tribunals whose judgments had led to these encroachments was only ridiculous ; so the parties generally fought it out among themselves, with the aid of friends and long purses to hire help, until both suffered considerably in the battle. The effect of these conflicting legal decisions on the titles to real estate had otherwise a very prejudicial effect. They hindered the immediate and permanent improvement of property, since no man would expend large sums in that way when his title to the ground was in jeopardy. Lenders, already alarmed at the foolish proposals of usury bills in the Legislature, became shy in advancing money on the security of many properties ; the value of real estate fell considerably ; in some instances no price whatever could be obtained where the title was disputed ; and all was painful doubt on the subject. In 1850, real estate in the city was assessed at the value of $16,849,024 ; while, in 1851, it was only $10,518,273 ; and this was notwithstanding the vast improvements that had taken place in the interval. In the end, certain acts passed by the State, which confirmed sales of the beach and water lots by the city and sanctioned its title to those lots still unsold, and also later and more satisfactory decisions of the Supreme Court in the matter of titles, helped to re-establish confidence on the subject, and secure the old owner in his property against the mere squatter.

The commerce and imports of San Francisco were very great during 1851—too great indeed for a profitable trade. The fall in the prices of nearly all kinds of merchandise which lasted over a great part of 1850, continued during the following year. Matters were perhaps not quite so bad as when, in the spring of 1850, chests of tobacco were used to pave the streets or make a solid foundation for houses, and when nearly every article of merchandise went a-begging for a buyer, and not finding one was cast aside to rot, or used to fill up mud-holes ; but still, in 1851, most kinds of goods were a dead loss to the owner. In the palmy days of '48 and '49, all were purchasers, at any price : now every body sought to sell, at no matter what sacrifice. In '49 a dollar

was paid for a pill, and the same sum for an egg ; a hundred dollars for a pair of boots, and twice that sum for a decent suit of clothes ; a single rough brick cost a dime, and a plank some twenty feet long was cheap at ten dollars. At one period of that wondrous year, common iron tacks of the smallest size, sold for their weight in gold ; and for a long period were in request at from five to ten dollars *an ounce*. But in '51, bales of valuable goods were sometimes not worth their storage. There happened to be no plaster walls in '49, and small tacks,—of which there was only a very meagre quantity in the country,—were in extreme demand for fastening the usual muslin coverings to the wooden partitions of houses. Hence the apparently extravagant sum that was given. Every thing that was useful and really needed in those earlier days commanded the most astonishing prices. The supply was limited and the demand great, while money was suddenly plentiful. But in 1851, the stock of all kinds of goods was greatly over-proportioned to the natural demand of the place. The population of the city and country generally, although numbering only about a quarter of a million persons, yet being nearly all in the prime of life, rich and careless, and with large appetites, consumed and wasted the goods and provisions that would have satisfied an ordinary population of perhaps a million of people. Still the imports into San Francisco were far ahead of the most extravagant demands and consumption of the ravenous, wasteful people of California. For any article actually required, and of which there might be but a scanty stock in the market, noble rates were still given ; but as the supply of most goods was immense, prices fell accordingly. The auctioneers, whose business and importance daily increased, rattled away shiploads of merchandise at often nominal prices. Extravagance and waste did their best, but they could not destroy every thing. Enormous losses were sustained during 1850, and especially in 1851, by foreign shippers. The commercial people in San Francisco generally acted as agents on commission for others, and did not often import as merchants on their own account. The losses therefore on merchandise did not so very much affect individual citizens, while to the general public it was a positive gain to have an unlimited supply of goods at low prices.

In the ordinary recreations of the city a change was gradually taking place. The gambling-saloons, though still very many, were becoming fewer, while billiard-rooms and drinking-bars or saloons for refreshment and conversation, were increasing in number, in size and handsome style. There is no place in the world with so many billiard-tables in it in proportion to the population, as San Francisco ; and but few places, if any, with more drinking-houses. In such quarters, in 1851, a large proportion of the inhabitants usually spent their evenings. Other crowds nightly filled the large and beautiful theatres that were now erected. Balls, masquerades and concerts, gambling-saloons, visits to frail women,—who always have been very numerous and gay in San Francisco,—and an occasional lecture, filled up the measure of evening amusement. Gayety and personal dissipation were then, as they are now, characteristic features of the city. Nor were these things confined to the upper and richer classes. Labor was paid so highly that all orders of the people had money at command to squander in amusements. During the day, and particularly on Sundays, the "swells" of both the highest and the lowest rank, cantered to the presidio or the mission, or scampered among the sand-hills behind the town, or crossed the bay in the small steamers to Contra Costa, or formed pic-nic excursions to the fort, or the outer telegraph hill, or on the sea-shore, or somewhere among the lonely and picturesque valleys among the hills. San Francisco was certainly a great city ; and its people had great notions ; their deeds of business and amusement were all great in their way.

The large admixture of foreign races, particularly the light-hearted, theatre-loving French, the musical Germans, and the laughter-loving, idle, dancing Hispano-Americans, tended to give a pleasant, gay aspect to the city. The grave national character of United States men was converted into levity and cheerfulness by the example and sympathy of their merry neighbors. It may be said, at the same time, that the foreign population were generally an orderly, obedient and useful class of the community. The Chinese might here perhaps form an exception. They are an exclusive race, and mingle but little save with their own people. They were now beginning to arrive in considerable numbers, bringing with them a number of their women, who are among the filthi-

est and most abandoned of their sex. They, as well as most of the foreign races, generally dwelt together in particular localities, which gave these quarters a distinctive appearance from the rest of the town. The Chinese and the free negroes, of whom there was now a goodly sprinkling, were "the hewers of wood and the drawers of water" of the place; and performed washing and women's business, and such menial offices as American white males would scorn to do for any remuneration. The "greasers," too, who are verily "of the earth, earthy," helped the "celestials" and the black fellows, or infernals, in their dirty work.

In various parts of this book, we have dwelt so fully on the state of crime and public morals during 1851, that it is unnecessary to say much more on the subject in this general chapter. The extraordinary action of the Vigilance Committee, proved most salutary to the best interests of the community. After a few hangings, which were signalized by scenes of the most terrible and impressive nature, the social state of the city was much improved; and people could venture to appear at dark in the streets, or to dwell alone in poorly defended houses, without dread of the assassin, the burglar, or the incendiary. Crime was now principally confined to petty thefts, for which the "chain-gang" was an excellent punishment; while cases of bloodshed,—and they were frightfully many,—arose chiefly from the rampant, unregulated passions of the people, who thought and called themselves, as they were reckoned by others, respectable men and good citizens.

The financial affairs of the city, which had long been in a very confused and ruinous state, were, towards the close of 1851, much simplified and improved. The general improvidence and corruption of a long series of municipal authorities, from the day when the American flag was first hoisted on the plaza, had squandered or jobbed away many of the most valuable portions of the real estate belonging to the corporation. But the funding of the floating debt, and perhaps the increasing purity, or dread of being found out, on the part of recent officials, with other causes, tended gradually to raise the credit of the city. The next great blow which fell upon the municipal funds was the noted matter of the "Peter Smith" sales, which shall be duly chronicled among the events of 1852.

CHAPTER XIX.

1852.

Dr. Peter Smith.—His contract with the city to take charge of the indigent sick.—The city's indebtedness.—Smith's judgments and executions.—Injunctions of the commissioners of the funded debt.—Sale and sacrifice of the city property under Smith's judgments.

JANUARY.—Some time before this date certain legal proceedings took place which much affected the pecuniary interests of the city. These subsequently involved it in great and expensive litigation, where millions' worth of property were concerned. The whole subject forms one of the most important series of events in the history of the city, and has long excited the close attention of the citizens and the deepest regret in the minds of all honest men that such unfortunate circumstances should have occurred. Charges of official corruption and private jobbery have at different times been made openly, and oftener whispered, against prominent citizens for their connection with the matter, and improper motives have been very freely imputed to them. Lawsuits have been long and vigorously carried on regarding the subject, the final decisions upon some of which have regulated the ownership and titles to a vast amount of property. We have selected the opening of this year for a short general statement of the case, although some of the particular events alluded to occur much later in point of time.

In the course of 1850, Dr. Peter Smith contracted with the city for the care of its indigent sick. For each patient he was allowed a sum of four dollars daily. This may now seem a high allowance, but at that period,—to say nothing of the usual jobbery in the matter,—the cost of house-rent, boarding, medicines and medical attendance, was very great. The city having little money in its exchequer at the time, generally paid Dr. Smith in the shape of

scrip, which bore a monthly interest of *three per cent.* till redeemed by cash payments. The common council were meanwhile regularly auditing Smith's accounts, at short intervals ; while they continued to give that gentleman the necessary amounts of scrip to satisfy the different balances as they arose. Altogether, the amount of city indebtedness under Smith's contract was $64,431.

The total amount of city scrip granted in 1850 and the beginning of 1851, was exceedingly great, and, as we have already mentioned, an act, after considerable discussion and delay, was finally passed by the Legislature, to fund the floating debt and convert the same into stock, bearing an annual interest of *ten per cent.* General creditors, however, as well as holders of scrip, were neither obliged to await the passage of this act, nor afterwards to accept the terms of conversion. To those who possessed the obligations of the city, or who held it bound as debtor in any actual or implied contract, the ordinary courts of law were open for ascertaining and making effectual the amounts of their claims. Accordingly, some creditors,—and chiefly Dr. Smith,—proceeded to take the necessary legal steps to procure judgments against the city, and to make executions and sales of its property. If all the then holders of scrip or of city indebtedness had acted in this fashion, there would only have resulted "confusion, worse confounded;" and neither Dr. Peter Smith nor any one of the city creditors would have profited by his hasty and preference-seeking proceedings. As it happened, the party named was almost the sole, as he was the chief creditor, who thought fit thus to secure his strictly *legal* rights.

On the 25th of February, 1851, Smith recovered judgment against the city for $19,239, being a portion of the total amount claimed by him; and on the 8th of July following, the sheriff proceeded to sell so much of the city property as, it was expected, would defray the sum named. At this sale the various wharves belonging to the corporation were sold, as also the old city hall lot, and the city hospital and buildings. By this time the act to fund the municipal floating debt had been passed, and its property conveyed to the commissioners there named. At first sight it appeared improper, and perhaps ridiculous, in the circumstances,

for an individual to sue the city to extremities, and seek to gain a preference over the general body of creditors. The commissioners of the funded debt made both public and private statements in the strongest terms, to the effect that any sales which might take place under the Smith judgments would be held as illegal and of not the slightest value. This conduct on their part, as well as a vague general impression among the citizens, that such was, or certainly ought to be the true state of the case, had the effect of discouraging buyers from attending and bidding at the sales in question ; and consequently the property was sold at merely nominal prices, perhaps at not a twentieth, or even a fiftieth part of its real value. The sum realized was therefore insufficient to satisfy Smith's judgment. Accordingly an *alias* execution for the balance was issued on the 7th of August following, upon which the sheriff, on the 17th of September thereafter, sold forty one-hundred-vara lots, fifty-five fifty-vara lots and one water lot. But as the old impression remained that the whole proceedings were illegal, nominal prices were again only obtained for the great amount of property mentioned. On the 2d January, 1852, the sheriff further sold an immense amount of water lot property of the value, at least, of half a million of dollars, also at nominal prices. Still the original judgment was unsatisfied.

Meanwhile a second suit had been raised by Smith against the city, upon which judgment, on the 4th of March, 1851, was duly obtained, for $45,538. Upon this, the sheriff advertised to sell on 14th June following, one hundred and three water lots, twenty-seven blocks on South Beach, and seven one-hundred-vara lots. The commissioners, consequently, in order to save the city's property from the threatened sacrifice, appealed to the proper legal tribunals for injunctions to stay the sheriff's sale ; but for reasons which may not here be named, their appeal was disregarded. Failing to obtain the necessary injunction, and still determined to protect the interests of the people, the commissioners attempted to compromise matters with Dr. Smith, to effect which object, Col. J. W. Geary and Judge P. A. Morse, on behalf of the Board, personally waited upon John McHenry, Esq., counsel for Peter Smith, and guaranteed to secure to Smith from their own private funds the whole amount of his judgment on condition that the

sale should be arrested. This generous offer, which had it been accepted, would have saved millions of dollars to the city, from the pockets of a few greedy speculators who were instigating and abetting the proceedings of Smith, was not only rejected, but treated with contempt. The commissioners driven to their last resource, and acting under advice of their attorney, Solomon Heydenfeldt, Esq., who subsequently became and was a judge of the Supreme Court, when the decision against the action of the commissioners and confirming the "Peter Smith Titles" obtained from the sheriff, was given, issued the following address:—

"TO THE PUBLIC.

"A sale of a large number of city lots is advertised to take place this day, by virtue of an execution in the hands of the Sheriff, in favor of Peter Smith against the city of San Francisco. The public are hereby notified, that the city has no legal title to the said lots, nor had any title at the time of the rendition of the judgment. By virtue of an ordinance of Council the city conveyed the said lots in December last to the Commissioners of the Sinking Fund, in trust for the benefit of the creditors of the city; and by virtue of an act of the last Legislature, the Commissioners of the Sinking Fund conveyed said lots to the present Commissioners of the Funded Debt upon the same trusts. Some time since an injunction was obtained in the District Court to prevent this sale. The injunction was dissolved on the ground that the judgment creditor of the city had the right to sell whatever interest the city may have left after the execution of the trust, and that such sale would not interfere with the trust. Every one will readily perceive that a purchase made at the Sheriff's sale will convey no title, because the property of the city is insufficient to pay all of her debts, and under the acts above referred to, it will be the duty of the present Commissioners of the Funded Debt to sell said property in execution of the trusts confided to them, at which sales the purchasers will be enabled to obtain a complete and perfect title. The public are therefore cautioned to disregard the sale to be made by the Sheriff to-day, and the undersigned have given this notice so that no one can complain hereafter that they were purchasers without actual notice of the title held by the undersigned.

P. A. MORSE,
D. J. TALLANT,
WM. HOOPER,
JNO. W. GEARY,
JAMES KING, of WM.
} *Commissioners of Funded Debt.*

Office Commissioner's Funded Debt, June 14, 1851."

This address, which was published in the daily papers, and even read to the people on the day it was issued, failed to produce

the effect intended by the commissioners. While, perhaps, they never supposed it would deter the sheriff from proceeding with the sale, which took place according to advertisement; they, at least, and we must believe, honestly supposed that it would prevent citizens from purchasing property which the sheriff, according to their opinion, had no legal right to sell, and of paying money for titles which would never be confirmed, and therefore would be valueless. Their action in the matter, certainly prevented many persons from building or purchasing at the sale, and as before, the lots were disposed of at ridiculously low rates. For this, the commissioners have of late been the objects of much public censure and private calumny. Their conduct has been loudly condemned and their motives impugned. But it should be observed, that they acted by advice of learned counsel; though singularly enough, their adviser subsequently became a judge of the Supreme Court, where he held a seat at the very time the decision was given adverse to his former instructions, and legalizing the sales, by the sheriff, of the city property, under the judgments of Smith.

But it is unnecessary, in this work, which does not profess to be a legal guide to the titles of real estate, to detail minutely the further judgments and sales. It is sufficient to say that Dr. Smith instituted other suits, procured new judgments, and made new executions and sales of the most valuable portions of the property still left to the city. The great sale of the 30th of January, 1852, may only be alluded to, at which about *two thousand acres* of land belonging to the city, and situated within the municipal bounds, were disposed of by the sheriff in the manner above mentioned. As in the beginning, so to the end of these sales, only nominal prices were obtained. The city was losing piece-meal the best part of its real estate, while what between principal, interest and legal costs, the old debt of Smith long remained nearly as great as ever. In the end it was wiped off, but at what an enormous sacrifice!

At first the general public were inclined to treat the whole proceedings as a farce, though a somewhat expensive one to the purchasers at the sheriff's repeated sales. Farther consideration made people begin to think that, after all, the laugh and profit might really be on the side of those supposed foolish persons. The

commissioners of the funded debt, in pursuance of their duties, attempted to sell various portions of the city property, but were baffled by repeated injunctions on the part of the holders of what were at this time and have since been commonly called the "Peter Smith Titles." The boards of aldermen next meddled in the fray, and they likewise began to deal in injunctions and other legal annoyances. Matters looked bad, and soon the progress of serious lawsuits made them much worse. Opportunities were still given to cancel or remedy the worst parts of the original objectionable measures. The boards of aldermen and the mayor happened to be opposed in this as in many other matters of consequence, while the funded debt commissioners, were also not on the best terms with the common council, which last body again scarcely possessed the public confidence. Thus there was a general want of union and common action in most municipal matters; while especially in regard to the Smith sales, either nobody knew what to do, or every body pretended nothing could be done. At any rate, nothing effectual was done to save the city's interests.

At the last moment allowed by law for the redemption of property sold under the sheriff's authority, a large sum of money was procured through the liberality and public spirit of a distinguished and worthy firm, Messrs. Theodore Payne & Co., and tender was made of the sums, principal, interest and charges, contained in one of the judgments upon which the sale of the 30th January, 1852, had taken place. This redemption-money was refused by those who had purchased at the sale mentioned; and immediately new lawsuits were raised to try the question whether it had been offered timeously and by the proper parties, or whether indeed there could be any right of redemption whatever in the case. By and by the attorney-general instituted an action against the funded debt commissioners, in which was claimed the twenty-five *per cent.* due to the State of the supposed *real* value of the water lots that had been sold at nominal prices. That action was based on allegations of fraud, or culpable ignorance, or carelessness on the part of the commissioners. The pecuniary value of the whole property involved in these several sales was estimated, in 1852, at about two millions of dollars, although two

years later its probable value might be nearer twice, or perhaps thrice that amount.

It was subsequently decided by the Supreme Court, that the sales of the wharves and certain other portions of the city property were legal. This swept away for ever one great portion of the corporation means. The next question was the validity of the redemption above mentioned. It was contended that the mayor and the funded debt commissioners (which parties had made the tender), were not entitled to redeem, especially without instruction from the council boards, that right being only in the city in its corporate capacity. Other legal points of nicety arose, in regard, particularly, to the alleged right of redemption itself. These were long matters of contention, and from the immense pecuniary interests at stake, the action was conducted on both sides with all the talent and chicanery that influence or money could persuade or buy. At length, and while we write (April, 1854), a decision has been given, that the redemption money alluded to was not offered by the parties who alone were entitled to make it, and that therefore the relative sales were legal. This judgment embraced other points of law upon which it was likewise founded, but it is unnecessary here to allude farther to them. These several decisions have had the effect of depriving the city of an enormous amount of property, the possession of which would have much relieved the inhabitants of a great and annually increasing taxation.

There is still, as there has long been, much bitter and angry feeling existing in the city respecting the "Peter Smith Titles." San Francisco has somehow lost its best and most valuable property, and individual citizens have gained immense fortunes by the loss. Little or no money has really been paid by these lucky speculators in "the glorious uncertainty of the law." So far as Smith is concerned, it was his undoubted right to make his claims against the city effectual, if he legally could. The same right was in the power of all its other creditors. That they did not exercise their privileges was not the doctor's fault. At the same time it may just be mentioned as a *fact*, that public indignation was strongly excited against his independent and seek-my-own-good style of action. Still, whatever may be thought of that

gentleman's discretion or patriotism in the matter, or of the original nature of his claims, which (perhaps, without that close scrutiny that should have been given), having been sustained by legal judgments, became *settled facts*, he is not lightly to be blamed for the unfortunate events that afterwards occurred. The same may not be said of certain officials and private citizens who joined and acted with them. Every thing was certainly done to cry down the right of Smith to sell, and thereby was lowered the value of the municipal property. If this effect was foreseen and wilfully intended, as many have not scrupled to assert, in order to allow a clique of grand speculators to prey on the city means, their conduct cannot be too strongly condemned. If their proceedings arose simply from an error in judgment, the sad effects can only be deplored. The foregoing relation of facts seem clearly to show that the commissioners acted in good faith. They were men of reputed integrity, and had already "done the State some service." The general public took the same view of the subject as did the commissioners. They believed the sales to be invalid, and that the titles obtained from them would be worthless. Hence the sheriff had only for bidders and buyers those daring speculators, who either knew the law better, or were determined to "chance it;" and who, without competition, had the most valuable lots knocked down to them at the cost of an old song. Then, after all, is *nobody* to be blamed for the unfortunate issue? When millions have been lost in this way to the community, it is hard to convince the citizens that no underhand dealing has taken place; that no corruption, no wilful delay, false statements, gross personal interests and plotting have been at work. It may not be easy to discover and brand the guilty persons, and people may entertain different suspicions as to their names and special concern in the grand game of spoliation. Let every one therefore keep his own thoughts on the business. At this stage of the affair, it is perhaps impossible to get at "the truth—the whole truth—and nothing but the truth." One thing only seems certain—the "manifest destiny" of San Francisco is to be plundered at all hands, and to yield easy and quickly won fortunes to her "most prominent citizens."

CHAPTER XX.

1852.

The Chinese in California.—Act passed to fund the floating debt of the State.—The State Marine Hospital.—Act to convert into a seven *per cent.* stock the floating debt of the County of San Francisco.—Anniversary of fires.—Meetings of the Vigilance Committee.

APRIL.—The immigration of Chinese into California has greatly increased of late. By this month it was supposed that upwards of ten thousand of that people had arrived at San Francisco, while as many more were estimated to be on the way. Considerable public discussion existed at this period on the desirableness of such a vast immigration of the race; and we take occasion to make some general remarks on the subject, as well as upon the present (1854) condition of Chinamen in the city.

The manners and habits of the Chinese are very repugnant to Americans in California. Of different language, blood, religion and character, inferior in most mental and bodily qualities, the Chinaman is looked upon by some as only a little superior to the negro, and by others as somewhat inferior. It is needless to reason upon such a matter. Those who have mingled familiarly with "celestials" have commonly felt before long an uncontrollable sort of loathing against them. "John's" person does not smell very sweetly; his color and the features of his face are unusual; his penuriousness is extreme; his lying, knavery and natural cowardice are proverbial; he dwells apart from white persons, herding only with countrymen, unable to communicate his ideas to such as are not of his nation, or to show the better part of his nature. He is poor and mean, somewhat slavish and crouching, and is despised by the whites, who would only laugh in derision if even a divine were to pretend to place the two races on an equality. In short, there is a strong feeling,—

prejudice it may be,—existing in California against all Chinamen, and they are nicknamed, cuffed about and treated very unceremoniously by every other class. Yet they are generally quiet and industrious members of society, charitable among themselves, not given to intemperance and the rude vices which drink induces, and are reputed to be remarkably attached to their pa-



Chinese Merchants and Coolie.

rents, revering indeed in all persons advanced years, which are supposed to bring wisdom. The Chinese, or certain large tribes of their nation, are of a migratory disposition. They have long since wandered over the many great and rich islands and countries lying around their own land, and have contrived to secure to themselves a large portion of the most valuable trade and commerce of these places. From Canton to Calcutta and Callao, to Melbourne and Manilla, they swarm in all the ports of the Pacific, and more especially in those of the great Malay archipelago. There seems a vast pressure upon the interior multitudes of China, which forces many thousands annually to leave that densely peopled country, for the sake of a bare subsistence, and to save starvation at home. Little food, and that of the coarsest

and cheapest kind, suffices to support the life of Chinamen; and to procure that, they will drudge long and patiently at the most painful task. When in a foreign country they have contrived to amass a small sum, which may be considered a fortune by themselves, they generally seek to return to spend it, and enjoy the remainder of their days among kinsmen. This class of people will perhaps form a large portion of the future population of California, especially if any State encouragement should be given them, and a short notice of their character is not out of place in this work. At present they make one of the most striking peculiarities of San Francisco.

From the date of the discovery of gold Chinamen had occasionally appeared in the country; but it was only in 1851 and 1852 that their rapidly increasing numbers began to attract much notice. Considerable apprehension began then to be entertained of the supposed bad effect which their presence would have on the white population. Large bands of Chinese were working at the mines upon conditions which were supposed to be closely allied to a state of slavery. Much misunderstanding arose on the subject. It was believed that the gangs were receiving only subsistence and nominal wages,—some four or five dollars per month for each man,—and that speculators, both yellow and white, were setting them to work on various undertakings which free white laborers conceived should only be executed by themselves. If these vast inroads of Chinese were to continue, the white miner considered that he might as well leave the country at once, since he could not pretend to compete with the poverty-stricken, meek and cheap "coolie," as so John Chinaman was now called by many. It was true that the latter never sought to interfere with the rich claims which the American miner wrought, while he submitted very patiently to be violently driven away from whatever neglected spot he might have occupied, but which the white man suddenly chose to fancy. It was true also that the Chinaman regularly paid, as a foreigner,—and was almost the only foreigner that did so,—his mining license to the State; and was a peaceable and hard-working subject. These things did not matter. Right or wrong, he should be driven from competition with free white men, or his labor should be confined

to certain inferior kinds of work, to which the dominant lords of the soil never meant to apply themselves. Angry words, much strife and perhaps some bloodshed, were generated in the mining regions, and the hapless Chinese were driven backwards and forwards, and their lives made miserable.

Governor Bigler, influenced by the American miners' feelings, issued a message in which he stigmatized the Chinese as "coolies," (an appellation which they professed to abhor,) and advised the Legislature to pass a law prohibiting the farther immigration of that people. The terms of this message were considered offensive and uncalled for by most of the intelligent and liberal-minded Americans. The Chinese in San Francisco, who now formed a large class of the community, took the matter much to heart, and, on the 29th April of this year, published a long letter or manifesto in answer to the governor's message. This letter was written temperately, and was an exceedingly able document. Subsequent communications of a like nature passed between the governor and the Chinese. The Legislature meanwhile had appointed a committee to consider and report upon the whole subject, and sundry passionate, and some other amusing speeches were occasionally delivered in the State chambers. In the end, the illiberal action suggested by the governor was not adopted, and soon the matter fell asleep. Farther immigration of this people took place in the course of 1852, and towards the close of that year, there were probably sixteen or twenty thousand of them in the country. Considerable numbers have since left, but as many others have come in their stead, it may be supposed that in 1854 there is still nearly the number mentioned.

In San Francisco, the Chinese were, in 1852, as they have always since continued to be, very numerous—perhaps numbering from three to four thousand. The following description of their present condition is also applicable to the year named. Though individuals of the race reside and carry on business in every quarter of the city, the chief district in which they are located is the upper part of Sacramento street, the whole length of Dupont street, and portions of various other streets adjoining these named. In such places the Chinese are almost the only inhabitants, and the quarter is often called "*Little China.*" There is

a considerable number of respectable and wealthy Chinese merchants and shopkeepers in San Francisco, who have extensive business premises in Sacramento street and in various other parts of the city. Their merchandise, as might be expected, is chiefly the goods of their own country. These are of the "upper ten" order, the Corinthian capital of the "celestial" pillar, and would be a credit to any community. They are polite, shrewd, and learned gentlemen ; and are sometimes generous. They can either talk the English language pretty fluently themselves, or by means of an interpreter can conduct any business transaction or private conversation. But the great mass of their countrymen is of a very inferior description. Most of this class, who do really work, engage in the washing and dressing of clothes, for which they receive such wages as must appear to them noble remuneration. The washing and drying are conducted at the different lagoons and wells in the vicinity of the city, while in the smallest, meanest habitation in every street, the Chinaman may be seen diligently ironing and finishing the cleansed garment with his smooth-bottomed chafing-dish of burning coals. They are also employed as porters in warehouses and stores, and in various other kinds of inferior labor.

It appears, however, to most residents in San Francisco, a most curious thing how the great number of that people support themselves. The majority certainly seem to be quite idle, or only busy in gambling, which cannot be a very lucrative pursuit. A portion of the upper end of Sacramento street, and nearly all the eastern side of Dupont street, are occupied with Chinese gambling-houses, which night and day are filled with crowds of that people. The rooms, or "saloons," are generally small, each containing from three to half a dozen tables, or "banks." At the innermost end of some of the principal gambling places, there is an orchestra of five or six native musicians, who produce such extraordinary sounds from their curiously shaped instruments as severely torture the white man to listen to. Occasionally a songster adds his howl or shriek to the excruciating harmony. The wailings of a thousand love-lorn cats, the screams, gobblings, brayings, and barkings of as many peacocks, turkeys, donkeys, and dogs,—the "ear-piercing" noises of hundreds of botching

cork-cutters, knife-grinders, file-makers, and the like,—would not make a more discordant and agonizing concert than these Chinese musical performers in their gambling-houses. Heaven has ordered it, no doubt, for wise purposes, that the windy chaos is pleasant to the auricular nerves of the natives. Occasionally a few white men will venture into these places, and gaze with min-



Chinese Gambling-house.

gled contempt and wonder upon the grave, melancholy, strange faces of the gamblers, and their curious mode of playing. There seems to be only one game in vogue. A heap of brass counters is displayed on the plain mat-covered table, and the banker, with a long, slender stick, picks and counts them out one by one, while the stakers gaze with intense interest on the process. The game seems of the simplest nature, though white people scorn to know any thing about it. A few low guttural, gobbling sounds, are occasionally interchanged between the rapt players. A rank smell pervades the place, but that is submitted to for a while by the casual visitor. At last the diabolical music reaches some fortissimo passage of intense meaning, while the wild howls and

screams of the singer swell even above the dreadful instrumental din, and then the "outside barbarian" is fain to fly.

While one large portion of the Chinese population of San Francisco seems to be constantly engaged in gambling, another, almost equally large,—the females of the race,—follow prostitution as a trade. In 1851, there were only a few Chinese women in the city, among whom was the notorious Miss or Mrs. Atoy. Every body knew that famous or infamous character, who was alternately the laughing-stock and the plague of the place. Her advices home seem to have encouraged the sex to visit so delightful a spot as San Francisco, and by and by, notwithstanding all the efforts of the male Chinese to keep back their countrywomen, great numbers of the latter flocked to the city. It is perhaps only necessary to say that they are the most indecent and shameless part of the population, without dwelling more particularly upon their manners and customs. Dupont street, and portions of Pacific, and other cross streets, are thickly peopled with these vile creatures.

Notwithstanding all the reputed industry of the Chinese, and which has somehow become a "household word" over the world, it must be confessed that prostitution and gambling seem, in fact, the steady business of the majority of that nation in San Francisco. The truly industrious, well behaved, and worthy part of the people are scattered over the city and its environs, and are seldom seen, while the gamblers, the frail nymphs, and the yellow loafer class are continually loitering about the streets, or in their own proper, open dens, and are every where visible.

In 1852, a regular Chinese dramatic company appeared and performed pieces in their native language. These performances were largely patronized by their countrymen, as well as by many of the white inhabitants, who were curious to witness a real play done by such actors. In 1853, another Chinese theatre was opened. Besides these exhibitions, these people have occasionally other ceremonies and amusements peculiar to themselves. At two periods of the year, in spring and autumn, they form grand processions, and march to Yerba Buena Cemetery with roasted pigs and goats, the smell of which seems grateful to the spirits of their dead lying there. After firing a multitude of crackers,

burning mystic papers, and performing a variety of droll capers, they lift again the dainty meats, and march back in procession to town to feed heartily on them. Huge, gaudy standards, gilded dragons, with long tails, and a national orchestra, astonish and disgust the bystanders, but extravagantly delight the saffron-colored Johns. We have noticed above the nature of their in-



Chinese Females.

strumental and vocal music. Most of their national customs and doings are as little agreeable to white people as those horrible sounds which make the "celestial" harmony.

There seems to be some secret societies among this people, by means of which a few of their number have occasionally been found to grossly oppress their poorer brethren. The police have attempted to interfere and protect the injured, though seldom with much effect. The terror of these, lest vengeance should somehow befall them from their persecutors, have generally prevented full disclosures of the unlawful practices of the secret societies. So proverbial is falsehood among all classes of the Chinese here, that one is quite at a loss to know any thing of their peculiar private associations and customs. One strange idea

among them seems to be, that it is a matter of honor for a debtor who cannot pay his obligations to kill himself. Death cancels all debt, and clears scores with hard-hearted creditors. Even Chinese women, at different times, have poisoned themselves here with opium, to satisfy this curious code of honor. Some of the Chinese merchants are reputed to be pretty wealthy. They are now (in 1854) erecting a handsome building as a sort of Merchants' Exchange, specially for their own people. There is a Chinese mission in the city, and some of the race profess themselves Christians.

The Chinese in San Francisco make an extraordinary feature of the city, and appeal very strongly to most organs of the stranger —to his eye, ear, and nose. They are seen in every street quietly passing along. The white immigrant, who may never before have met with specimens of the race, involuntarily stops, and gazes curiously upon this peculiar people, whose features are so remarkable, and whose raiment is so strange, yet unpretending, plain and useful. They are generally peaceable and contented among themselves, and seldom trouble the authorities except in case of mere ignorance of the municipal ordinances. As we have said, there are many most respectable merchants of their race. These are active and keen men in bargaining. They dress in a characteristic and sumptuous manner, and in their own exclusive circles, where no low-caste countryman is allowed to intrude, will no doubt have much refined and intellectual enjoyment. Such flowery grandees as luxuriate in wives are proud to let the white man know that their charmers have the little feet of *ladies*, not the great hoofs of the trolloping damsels who haunt the streets and lie in wait for the foolish stranger. Nearly the whole race, from the "upper ten" to the lower thousands, wear the time-hallowed *tail ;* while their every-day garb is the immemorial clothing of Chinamen. Some, indeed, sport one or more articles of the white man's dress—his boots, trousers, coat, or hat ; but these are comparatively few. On occasions of public rejoicing, the Chinese muster in numerous bodies, while their banners, cars, and they themselves, in their most superb array, form striking and interesting features in procession, and the like. They are very fond of such shows, and among themselves appear to observe

many national, or private holidays, at which an abundance of their famous crackers are discharged. Their dwellings, some of which are brought in frames direct from China, and erected by themselves, are small and incommodious, though extraordinary numbers somehow contrive to creep into them, and live very comfortably. Over the fronts of many of these houses are nightly displayed the common colored paper lanterns of China.



Chinese Merchants.

MAY 1st.—Act passed by the Legislature to fund the floating debt of the State, and to issue stock to the extent of $600,000, bearing interest at the rate of seven *per cent. per annum.* The principal of the debt is declared payable in New York, or at the State Treasury, at the option of the parties receiving the stock bonds, on the 1st day of March, 1870. The interest to be payable either in New York or at the office of the

treasurer of the State. Particular provisions are made in regard to a sinking fund, and as to the annual interest.

MAY 3d.—Of this date acts were passed by the Legislature to amend certain acts which had been passed in the previous session relating to the establishment of a "State Marine Hospital at San Francisco," and providing for its revenue, and also concerning passengers arriving in the ports of California. This hospital received such indigent sick as were objects of State charity, as well as such invalids as were properly chargeable on the city, upon payment of certain fees by the latter. Parties in good health could secure the advantages of the hospital for one year, in the event of sickness, upon payment of the sum of five dollars. Other parties, invalids at the time, might be admitted, after obtaining the certificate of the resident physician, and upon payment of such fees as should from time to time be fixed. The funds and management of the hospital were vested in a board of trustees, to be composed of seven persons, five of whom (residents in San Francisco) were to be chosen annually by the Legislature, and the other two were to be the mayor and president of the chamber of commerce of that city for the time being. Of this board the mayor was declared president. The board was to choose a treasurer and inferior officials, while the Legislature was to appoint one resident and two visiting physicians for the term of two years, to each of whom a salary of five thousand dollars was allowed.

The revenue of the hospital was to be derived from various sources, such as—from a commutation tax upon all immigrants arriving in California by sea, being ten and five dollars upon each cabin and steerage passenger respectively, and which tax was divisible as follows, viz.: three-fifths to the State Marine Hospital at San Francisco, one-fifth to the Sacramento State Hospital (since abolished), and one-fifth to the State Hospital at Stockton; from a tax of one dollar upon each passenger, sailor, or mariner leaving the port of San Francisco,—from the one-half of all sums received by the city of San Francisco on account of licenses to hawkers and peddlers, and on account of auction sales and for licenses for gaming,—from the effects and property of all persons dying in the hospital, which might not be

legally claimed by others,—from voluntary donations, and the sums paid by parties to secure the advantages of the institution, &c. An additional one-fourth of the sums received by the city on account of licenses for gaming was also payable by it to the board of trustees, to be applied by the latter, in the first instance, towards payment of the debt of the former "State Marine Hospital;" and after that debt was satisfied, to be set aside as a building fund.

In the following year, the Legislature passed an act materially modifying the arrangements regarding this hospital and its revenues, which will be noticed under its proper date. As the acts particularly above mentioned, and those passed in the session of 1851, form the foundation of the subsequent legislation on the subject, we have thought fit to notice them in this place at some length.

MAY 4th.—Act passed by the Legislature authorizing the conversion of the floating debt of the County of San Francisco, to an amount not exceeding $400,000, into a seven per cent. stock. The interest of this funded debt is payable half yearly, and the principal is to be redeemed within ten years after the 1st day of July, 1852. Commissioners were appointed under this act to carry out its purposes, who should hold office until the first day of July, 1853, after which date the board of supervisors of the county should enter upon the farther management of the matters in question. Particular provisions are set forth in the act respecting the raising of the annual interest becoming due upon the debt, and for the formation of a sinking fund to redeem the principal.

This day was the anniversary of the second and the fifth great fires. Considerable apprehension was entertained that some attempts would be made to set the city in flames about this time. The different fire companies were therefore on the alert, and took every precaution to provide against the dreaded danger. The men remained in close attendance both day and night, and had all their engines and tackle in instant working order. About ten o'clock at night, on the 4th, the fire-bell was heard loudly booming, and with wonderful speed, "like greyhounds from the slips," the firemen hurried to the quarter announced. This proved a

false alarm; but the circumstance showed the efficiency of the fire-organization. The citizens had now some confidence in it, and a strong feeling of security that no conflagration on the scale of the former great ones would ever again happen.

The Vigilance Committee, which in the early part of this year had held several meetings, both of the executive committee and the general body of members, were again stirring at this time. A common impression existed that there was still an organized band of thieves and incendiaries within the city. So the executive committee recommended the general members to organize themselves into a "night patrol," while they took such other measures as were adequate to meet the emergency. Although this famous association had done many confessedly illegal acts, yet the tendency of these had been so good, and they seemed so justifiable in the terrible circumstances of the time, that the people were led to trust implicitly to their unwearied vigilance and decisive action, and could now lie down to rest at nights without feeling the old constant dread of having their houses robbed or burned before morning.

CHAPTER XXI.

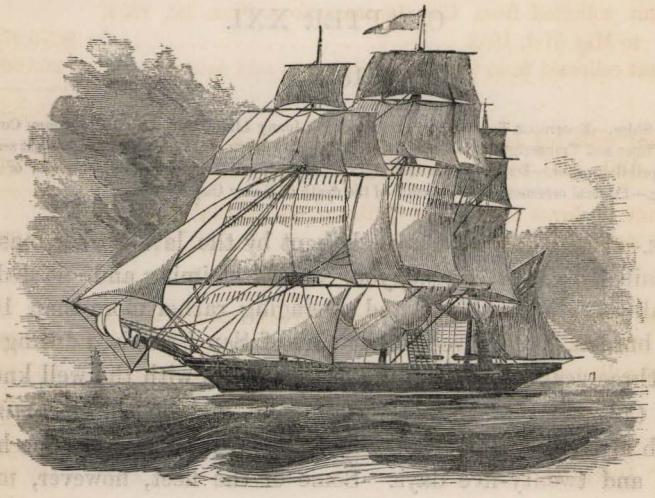
1852.

Clipper Ships.—Enormous Taxation.—Purchase of the Jenny Lind Theatre by the Common Council.—Times and Transcript removes to San Francisco.—Fourth of July celebration.—Great scarcity of printing paper.—Duel between Hon. Edward Gilbert and General Denver.—Custom of Duelling.—Funeral ceremonies on occasion of the death of Henry Clay.

JUNE.—It appears from records kept by the late harbor master, Captain King, that *seventy-four* vessels claiming and entitled to be called "clipper ships," and averaging rather more than 1000 tons burden, had arrived in the port of San Francisco during the last three years. These records commence with the well known brig *Col. Fremont*, in May, 1849, and include the *Aramingo*, which arrived in May, 1852. The average passage was one hundred and twenty-five days. Some of the fleet, however, made much more speedy voyages. The *Flying Cloud*, which arrived in August, 1851, performed the distance from New York in eighty-nine days. The *Sword Fish*, also from New York, arrived in February, 1852, after a passage of ninety days. The *Surprise*, arriving in March, 1851, the *Sea Witch*, in July, 1850, —both from New York,—and the *Flying Fish*, in February, 1852, from Boston, respectively accomplished the voyage in ninety-six, ninety-seven, and ninety-eight days.

The "clipper ship" is virtually the creation of San Francisco. The necessity of bearing merchandise as speedily as possible to so distant a market, one too which was so liable to be suddenly overstocked by goods, early forced merchants and ship-builders interested in the California trade to invent new and superior models of vessels. Hence the modern clipper with her great length, sharp lines of entrance and clearance, and flat bottom. These magnificent vessels now perform the longest regular voyage known in commerce, running along both coasts of the Americas,

in about four months ; while the ordinary ships of older models used to take seven and eight months to accomplish the same distance. The contrast is very striking between the short, clumsy vessels, of a few hundred tons burden, which brought the early European navigators to the coast of California, and the large and beautifully lined marine palaces, often of two thousand tons, that



Clipper Ship.

are now continually gliding through the Golden Gate. These are like the white-winged masses of cloud that majestically soar upon the summer breeze. In another part of this work we have given an illustration of the galleon, or sea-going armed merchantman of Drake's day ; here we lay before the reader a representation of one of the finest modern California traders, a clipper ship bound for San Francisco. While these noble vessels have revolutionized, in every maritime country, the model and style of long-voyage ships, they have also introduced a much happier marine nomenclature. The old-fashioned, humdrum *Julias* and *Mary Anns*, the *Trusties* and *Actives* are fast disappearing. The very names of our modern clippers have poetry and music in them, and convey a wonderful sense of swiftness. They confer even dignity on the dry details of the "marine reporter," where the simple words shine like golden particles in the Californian miner's sands.

San Francisco was certainly a wealthy city, yet the amount of taxation laid upon it was enormous. We give here some statistics taken from official documents, showing the amount of cash which had been paid by the citizens during the year previous to this date.

DIRECT TAXES.

Amount collected from City Licenses, from June 1st, 1851, to May 31st, 1852,	$275,873 14
Amount collected from City Taxes, between said dates,	262,665 23
	$538,538 37
Amount collected from State and County Taxes, from May 18th, 1851, to May 18th, 1852,	$231,348 85
Amount of direct taxes paid by the people of San Francisco during the past year,	$769,887 22

INDIRECT TAXES.

Duties collected at the Custom House for six months, ending Dec. 31st, 1851,	$1,012,128 94
Duties collected for three months, ending March 31st, 1852,	450,041 50
" for the fourth quarter (estimated,)	484,056 81
For the year ending June 30th, 1852,	$1,946,227 25
Direct Taxes, as above,	769,887 22
Amount in cash actually contributed by San Francisco for support of City, State, County and National Governments for one year,	$2,716,114 47

These statistics show only the amount actually paid; but there were arrears of direct taxes which would certainly be recovered (since they were secured upon property), and which would swell the amount chargeable on the year to $1,053,773. Adding the last sum to the amount of custom-house duties, it will be seen that about three millions of dollars were drawn, as taxes, from San Francisco in one year. If the population be estimated at 30,000, this would show that the amount of local direct taxation was about $35 per head. In regard to the goods paying custom-house duties, it will be borne in mind that a fair proportion of the necessaries, and at least one-half of the luxuries used in the State were consumed in this city. If we estimate therefore the population of the former at quarter of a million, it may be supposed that the sum of, at least, $300,000 was actually con-

tributed in indirect taxation by the inhabitants of the latter. This is at the rate of $10 per head. Add this to the sum of $35 above mentioned; and it appears that the total amount of direct and indirect taxation for a single year upon each inhabitant, male or female, infant or adult, of San Francisco, was $45. This is an amount of taxation which few cities or countries can show. But besides these sums, the holders of city real estate were assessed in two-thirds of the expense of grading and planking the streets opposite their properties; while the general citizens voluntarily incurred a vast amount of additional expense, in the appointment of special police to guard particular localities, in the gratuitous services of firemen, in lighting, watering, cleansing and repairing the public streets, in opening drains and sewers, and in many other ways, the duty of attending to which naturally falls, in the cities of other lands, upon the municipal authorities.

JUNE 4th.—We have already had occasion to mention the unexpected manner in which the common council existing at this time managed to get into office. They never enjoyed the confidence of the people, by whom in reality they were not chosen. Perhaps on that very account, they were the more determined to neglect the public interests and attend solely to their own. Had Mayor Harris not continually been a thorn in their side, much additional mischief would have been perpetrated. Though this gentleman was on their ticket, and came into office in the same doubtful manner with themselves, there existed a marked difference in their public acts. Dr. Harris was a man of undoubted personal integrity, and possessed in a high degree the confidence and esteem of the citizens. By his care and faithfulness, the city was saved from many heavy burdens that would recklessly have been laid upon it by the common council of this year. One noted instance was his refusal to approve of the aldermen's ordinance accepting the terms of the act of the Legislature which relinquished the State claims to the water lots, upon the city recognizing and confirming certain of the old obnoxious "Cotton Grants."

The purchase of the new Jenny Lind Theatre and Parker House for the purposes of a City Hall was another of the common council jobs which excited very much angry discussion at the time,

and which afforded interesting and amusing "matter" for the newspapers—(the "Jenny Lind Swindle," or sometimes "Juggle," they facetiously called it),—during half a year. The old City Hall having been destroyed in the fire of 22d June, 1851, the various municipal officials were compelled to get business chambers where they could, for which very high rents had to be paid. As the different public offices were now located in separate parts of the town, much inconvenience was experienced. This arrangement could only be temporary. The rents, which were somewhere about forty thousand dollars per annum, formed a heavy tax upon the public; while ground could be bought and a proper building erected by the city itself for about four or five times that amount. Several desirable sites could be had in the town on moderate terms, and responsible contractors were ready to undertake the construction of the proposed building at fixed rates, which would certainly have reduced the total cost below two hundred thousand dollars. In these circumstances, the common council, for reasons, as the saying is, best known to themselves, and in spite of the indignant cries of the citizens, and the general remonstrances of the press, determined,—in conjunction with the board of supervisors of the county, who were to pay half the cost,—to purchase the Jenny Lind Theatre, and convert it into the proposed City Hall. The purchase-money of the building as it stood was to be $200,000; while to remove all the inside walls, leaving only the outer ones standing, and to build up the interior anew, properly fitted up for municipal purposes, was believed to involve the expenditure of nearly half as much more. At the same time, it was supposed that the building when so altered would be only a miserable structure at the best. An ordinance authorizing the purchase was passed by large majorities in both council boards, and sent to the mayor for approval, which was refused. Notwithstanding, the common council, on the 4th June, re-adopted the obnoxious ordinance, and passed it by a constitutional and almost unanimous vote.

Meanwhile, the public wrath was growing very clamorous, the more so perhaps that it was impotent. On the evening of the 1st of June, one of the usual mass and indignation meetings was held on the plaza, where the proposed purchase was passionately de-

nounced. Mr. William A. Dana presided on the occasion. This was one of the most stormy meetings that had ever been held in the city. Hon. David C. Broderick, who was in favor of the proposed purchase, attempted to make a speech for his cause, but the noise and reproaches of the meeting effectually put him down. Sundry squabbling and wordy sparring took place between Mr. Broderick and Dr. J. H. Gihon, who was on this occasion the people's orator; and the meeting ended in hubbub, riot and confusion. Little cared the common council for such proceedings—the general ire—the mayor's veto—the denunciations and ridicule of the press. The matter was carried finally into the Supreme Court, at the instance of some public-spirited citizens, and shortly afterwards a judgment was obtained recognizing the right of the city and the board of supervisors to make the purchase. This was forthwith done; and the contemplated alterations were speedily made on the building, although at a great expense. The whole affair was long a prolific subject for conversation and discussion, for ridicule and the imputation of corrupt motives. It served to glorify the council of this year, as the notorious aldermen's salaries and medal pieces of business had immortalized a previous party of "city *step*-fathers."

After the purchase was made and the alterations were completed, it was found that the new structure answered the purposes intended better than was at first anticipated. The situation is excellent. At the present time, however (1854), it is beginning to be discovered that the building is too small for the increased business of the city. Movements are now making to purchase additional business chambers elsewhere, or to include a portion of the adjoining Union Hotel into the municipal establishment. Doubtless, before many years pass, the whole of either that building, or of the El Dorado gambling-saloon on the other side, if not both, will be required for the necessary extension of the City Hall, unless indeed it be located in some altogether different quarter, and built anew.

JUNE 28th.—The "Placer Times and Transcript," transferred from Sacramento, is first published in San Francisco, under the management of Messrs. Fitch, Pickering & Lawrence.

July 5th.—"Independence-day" falling upon Sunday, was

celebrated the next day. This national festival has always been a grand affair in San Francisco ; and on this occasion the citizens exceeded all their former efforts. Prominent in the procession of the day were large bands of foreigners, particularly of the French and the Chinese. The latter displayed numerous fanciful flags and specimens of the finest workmanship of their people. Their gongs, cymbals, wooden bowls or drums, and strange stringed instruments, made the air hideous with diabolical sounds. One wagon was filled with several Chinamen richly and showily dressed, who occupied themselves in continually firing off their national crackers. In the evening there was a brilliant display of fireworks on the plaza, where some fifteen thousand of the inhabitants had assembled to witness the exhibition.

JULY 11th.—The *Herald* newspaper is printed on coarse brown paper, such as is commonly used for envelopes and for wrapping packages. About this period, and during some months following, all the newspapers of the city were reduced to the same or to even worse descriptions of paper. Day by day, the old broad sheets were becoming narrower and coarser, while they assumed every color of the rainbow. The *Alta* for a long time was published on a small double sheet (which, however, was of a pretty fine quality), where the typographical matter on a page measured only about fourteen inches in length by ten in breadth. The market had suddenly and unexpectedly happened to be without supplies of proper printing paper ; and many months elapsed before a sufficient stock could be procured. Of course prices of the material rose enormously.

AUGUST 2d.—A duel took place this day between the Hon. Edward Gilbert, senior editor of the Alta California and ex-representative of the State in the Lower House of Congress, and General J. W. Denver, State Senator from Trinity County. Gen. Denver having taken personal offence at certain observations which had appeared in the "Alta California," regarding Governor Bigler's government, published a letter, in which he animadverted strongly on the terms of these observations, and talked of the writer in objectionable language. Mr. Gilbert, the author of the original obnoxious articles, considered the general's letter unjust and offensive to himself, and thereupon challenged that gentleman.

A hostile interview accordingly took place at Oak Grove, near Sacramento. The weapons were rifles, and the distance forty paces. General Denver, it was said, possessed an unerring aim, while Mr. Gilbert scarcely knew how to hold his piece. At the first interchange of shots, the general fired deliberately aside; while Mr. Gilbert missed. The challenger, or his second, insisted on the fight being continued, more especially, perhaps, because the former had been recently in the habit of ridiculing bloodless duels. His antagonist now considered that it was time for him to protect himself; and, at the next shot, sent his ball through Mr. Gilbert's body. The wounded man never spoke again, and in a few minutes expired. This termination of the duel excited great regret in San Francisco, where Mr. Gilbert had been much esteemed. A numerous company of the citizens assembled to pay the last respects to his remains, public institutions passed resolutions to the honor of the deceased, the shipping hung their flags at half mast, many public buildings and private houses were decorated with mourning draperies, and the newspapers appeared with black lines down their columns.

The custom of fighting duels was at the period of which we write, as it at present is, deplorably common among the higher class of people of San Francisco. These encounters are generally conducted in a manner which must appear somewhat strange to the natives of other civilized countries. There is little delicate privacy observed on the occasion. On the contrary, the parties, or their immediate friends, invite all their acquaintances, who invite others to go and witness the proposed engagement. It is sometimes announced the day before in the newspapers—time, place, parties, weapons, and every particular of the ceremony being faithfully given. That no price is mentioned for the sight, seems the only thing that distinguishes the entertainment from a bull or bear fight. If two notable characters be announced to perform a duel, say at the mission, half the city flocks to the place, and, of course, the spectators are much disappointed should nobody be slain. If the bloody entertainment be advertised to "come off," say at Benicia or somewhere in Contra Costa, the steamers of the eventful morning are densely packed with those who prefer the excitement of a gladiatorial show to the dull pursuit of business, or

loafing about the streets. The favorite weapons are navy revolvers. The antagonists stand back to back, walk five paces, turn suddenly round, and fire away at their leisure, till one or both are wounded or slain, or the barrels are all discharged. Sometimes rifles are preferred. With these deadly instruments many men can lodge the ball within a hair's breadth of a given mark at forty paces off, which is the usual distance between the parties in a duel of this description.

We intended to have made Mr. Gilbert's death a text, not only for enlarging upon the usual savage and public nature of the numerous duels which take place here, but also for some remarks upon the general carelessness of life among the people, and the frequency of sudden personal quarrels, when revolvers, bowie-knives and "slung shots" are unhesitatingly made use of. But we have at so many other places in this work had occasion to allude to these every-day characteristics of the inhabitants, that little more need be said here on the subject. In the earlier years,—that is, in 1849 and 1850,—fatal affrays were of very frequent occurrence in the streets, and in every place of public amusement. In the gambling saloons, pistols, loaded with ball, would every night be discharged by some hot-headed, revengeful, or drunken fellows. The crowd around were always liable to be wounded, if not killed, but notwithstanding, play at every table went briskly on, as if no danger of the kind existed. A momentary confusion and surprise might take place if anybody happened to be murdered in the room; but soon the excitement died away. Similar events often occurred at the bar, or on the steps of a hotel, in a low dance or drinking-house, or in the open street, and nobody was much surprised, though some of the parties were severely wounded or killed outright. It was their "destiny," or their "luck." Since the years last mentioned, quarrels of this description have become less common, though they are still numerous. There is a sad recklessness of conduct and carelessness of life among the people of California; and nearly all the inhabitants of San Francisco, whatever be their native country, or their original pacific disposition, share in the same hasty, wild character and feeling. The circumstances of the time, the place and people, soon create the necessity in the latest immigrant of think-

ing and acting like the older residents on this subject. It has always been a practice with a large proportion of the citizens, to carry loaded fire-arms or other deadly weapons concealed about their persons, this being, as it were, a part of their ordinary dress; while occasionally the rest of the inhabitants are compelled also to arm themselves like their neighbors. Of course, these arms are intended for defence against attacks by robbers, as well as to be used, when necessary, against those who would merely assault the person without meaning to steal. Such weapons are not generally produced, except in cases of extremity, or the place would soon be made desolate; while sometimes the fear of provoking their use, may keep the rowdy and the insolent rascal quiet. Yet the unhappy possession of these fatal instruments often gives rise, on occasions of sudden passion, to many lamentable consequences.

August 10th.—Funeral solemnities, on a great scale, took place this day, in commemoration of the death of Henry Clay. On this occasion political parties of all principles, the different associated bodies, native Americans and foreigners of every nation —in short, the whole inhabitants united to pay homage and respect to the memory of the celebrated statesman. The procession was the largest assemblage of respectable people ever seen in the city, and was distinguished as much for the evident heartfelt sorrow in the mourners, as for the pomp and melancholy splendor of the slow-moving train, which extended about a mile in length. The Merchants' Exchange, the Custom House, El Dorado, Bella Union, City Hall, Marshal's Office, and in fact all the public buildings and many private houses were clothed in black draperies, as if the very stones were to bewail the loss of a great man. The whole of Montgomery street was hung in black, the sombre-looking folds of the cloth being relieved at places by wreaths and ornaments of white. Portions of every other main street were decorated in the same elaborate and perhaps over-fanciful manner. The various engine houses were likewise suitably arrayed. While the insensate walls thus wore the aspect of universal gloom, the people themselves were dressed according to the solemnity and grandeur of the occasion—the natives of every land appearing in the recognized national costume that expressed

the deepest grief and mourning in the wearer. The tolling of great bells, the measured boom of the bass drum and the swelling wail of wind instruments turned the hearts of the people heavy and sorrowful. A hundred low-hung flags drooped over the city, and numerous bands of music played dead marches. If mechanical means could inspire or strengthen genuine sorrow, it was so on this occasion. The procession moved through the principal streets till it reached the plaza. There, the orator of the day, Judge Hoffman, delivered an appropriate and eloquent address. The dead no longer heard his praises chanted ; but the memory of his deeds, his fiery eloquence, and the numberless benefits conferred on his country and on the world, by the famous orator and statesman, will long gratefully fill the minds of American citizens.

The occasion was worthy of a grand display ; and it was admitted by everybody, that the procession, the ceremonies and general mourning, were of the most novel, imposing, and splendid description that had ever been witnessed in San Francisco.

CHAPTER XXII.

1852.

Australian gold mines.—Restlessness of miners.—Many who emigrated to Australia return to California.—Superior advantages of the latter place.—Second city directory published.—California Telegraph Company.—General election.—Fire in Sacramento city.—Another fire in San Francisco.—Intelligence received of the death of Daniel Webster.—Falling of the waters of Lake La Mercede.—Another city directory.—Firemen's election.—Legal execution of José Forni.—Destructive storm.

SEPTEMBER.—For some time back a large number of vessels had left San Francisco with adventurers to the Australian gold mines, while now other vessels were bringing many of the same parties back again. A short notice on this subject may not be out of place.

Gold is perhaps the most extensively diffused metal in the world, although it is commonly found in very small particles. Every land is historically known to have had its auriferous district. California, however, stood alone in this respect, so far as it yielded large quantities of the precious metal, procured with less labor than any other country. Its gold possessions had already drawn upon it a vast population, who came hither hastily to collect the sparkling treasure, and then leave. The miners generally never contemplated a permanent residence in the country. When they had raised their "pile," they hurried *home*—to the wives and families or the friends they had left in the Atlantic States or in Europe. So long as they remained in California, they were not closely attached to any one gold-bearing district, however rich it might be. More often, they were incessantly moving about and *prospecting*, hoping and looking for new and richer claims. When a particularly valuable district happened to be discovered, then a "rush" to it took place from all the neighboring regions, and even from places hundreds of miles distant.

This restlessness has always been a peculiar feature in the character of the miner, who is naturally speculative. He works hard —harder than an Irish laborer or an English "navvie," for perhaps one month—then he grows weary and discontented with his trifling gains, and wanders about for as long a period prospecting, poking into every odd crevice in likely rocks, sinking pits here and there, and trying the sandy bed of every stream he may see in his rambles, wistfully hoping, though seldom finding, some rich secret deposit that will repay his previous fruitless labor. When his means of living without immediately profitable and earnest work are nearly exhausted, he gets tired of this new occupation, and a supposed good claim may perhaps also be found. Then the digger sets vigorously to work once more, for another month or two, until new ennui and restlessness force him to go on the tramp again, and look about for the fanciful great gains that can alone satisfy his hopes. He chases the rainbow to find its base. The gold miner, like man in the abstract, "never is, but always *to be* blest." His business is closely allied to gambling, with its rare chances of suddenly making a great fortune, or of losing time and labor, which make his capital.

While the miner grew thus restless, and was attracted to new *placers* upon the least rumor of their fancied superiority, and when idle tales arose and were circulated by the weak, indolent or unlucky, that all the best fields had already been gleaned of their rich harvest, he was naturally prepared to go farther, and to seek in other lands the wealth which he had happened somehow to miss in California. It mattered little in what place or country he made his "pile," so that it was found. The discovery of gold in Australia, nearly a year and a half ago, had produced in that country, and subsequently over a great part of the world, a repetition of the troublous scenes which had occurred immediately after the discovery of gold in California. When, therefore, intelligence of the great quantities of the precious metal which were being found in Australia reached San Francisco, and subsequently the mining regions of California, great excitement was produced over all the country. Successive reports confirmed the first astonishing yields. Rich as the Californian placers had been esteemed, the Australian diggings appeared much to exceed them

in that respect. A good story by travelling loses nothing of the marvellous. The first wonderful tidings of the Sydney diggings —including the notable hundred-weight of pure gold, were almost forgotten, when later intelligence came of the newer gold fields of Victoria—of the famous Mount Alexander region, and its districts; Forest Creek, Friar's Creek and the rest, and also of the



Scene in the gold mines.

renowned Ballarat and Bendigo. Large numbers of the migratory and discontented miners in California now hurried to San Francisco, to depart for the newer and perhaps true Dorado, just discovered in Australia. Many adventurers from the city joined these emigrants, and set sail for Sidney and Melbourne. At the same time, great numbers of Australians, who had come to California after 1848, now took the opportunity of returning to their original homes. Some of these had wrought patiently at the mines, or lived as good citizens in various parts of the country, while others had long been the disgrace and terror of the commu-

nity. The "Vigilance Committee" of San Francisco, and similar associated bodies that had been formed in other towns of California, had already driven the worst of the last class of Australians away. The news of the gold discoveries in their own country, speedily carried off the rest. The migration from California at this period was therefore not an unmingled evil, although its own mines wanted every hand that could dig a hole or feed a long-tom.

After a time, most of the Californians in Australia grew sick of their new country. They had perhaps found the auriferous earth in general rather richer than what it was in California; but not so rich as their brilliant hopes had pictured it. At the same time, since the gold happened in general to be buried much deeper in the ground, the labor of extracting it was greater, while the water for washing purposes was often lamentably deficient. Then there was the moral contamination of working beside the convicts of Van Dieman's Land and New South Wales, the unhealthiness of the mining country, the scarcity of proper water to drink, the privations from want of food and severity of the weather, and excessively severe labor. The Californians were farther disgusted by the imposition of a tax of seven and a half dollars per month, laid by the government upon all miners for license to work, as well as by the occasional outbreaks of national jealousy, and disputes between themselves and British subjects. On the whole, therefore, the Americans were glad to leave the country to its first inhabitants and their coming brethren from England; and so soon as the former contrived to gather the pecuniary means, and had the opportunity, they hastened back to their old quarters in California, now doubly endeared to them by their luckless absence. The reports brought by these returned emigrants before long satisfied the wavering and adventurous, that no special benefit was to be obtained by any American in leaving the rich mines of his own country for those, however promising they might appear, of another. On the contrary, all he could look for were many additional hardships, physical and moral, and severe labor ill-requited. Of late, accordingly, comparatively few adventurers have sailed from San Francisco for the Australian gold fields. This is well for California. It may just also, while on this subject, be said in passing, that *other* labor in

Australia—from that of the rudest workman to that of the highest skilled mechanic—is only paid about one-half the rates which it commands, has always received, and probably for many years to come, will continue to receive in California. Let interested people say what they will, there is no land so well fitted for the comfortable residence of the poor and industrious man as California. Soil, climate, wages, and political, religious and domestic institutions here make his position more ennobling and agreeable than he can expect or possibly find in any other country.

This month the *second* (wrongfully said in the preface to be the first,) San Francisco "City Directory" was published by A. W. Morgan & Co. It was a well printed, thin octavo, of one hundred and twenty-five pages. The names were not more in number than what C. P. Kimball's Directory of 1850 contained. These, however, in Morgan's book were stated both alphabetically and classified into trades and professions. Some useful general information was also given in an appendix.

OCTOBER 22d.—A city ordinance was passed and approved of, granting a right of way to the "California Telegraph Company." Some time elapsed before the company could erect posts and extend the wires through the State; and it was only late in the following year that they got into working order. By means of this telegraph, San Francisco was brought into instant communication with San José, Stockton, Sacramento, Marysville, and other towns in the interior.

NOVEMBER 2d.—Election of State, county and city officials, as well as others for the United States. The county and city returns were as follows:—

Senate.—John N. Baird, John S. Hager.

Assembly.—Samuel Flower, John Sime, Frederick A. Snyder, George H. Blake, James M. Taylor, Isaac N. Cordoza, Elcan Heydenfeldt.

County Surveyor.—W. P. Humphreys.

Public Administrator.—David T. Bagley.

District Judge.—Delos Lake.

Mayor.—C. J. Brenham.

City Marsnal.—R. G. Crozier. *Recorder.*—George W. Baker.

Comptroller.—R. Matheson. *Street Commissioner.*—Wm. Divier.

Tax Collector.—Lewis Teal. *Treasurer.*—Hamilton Bowie.

Harbor Master.—W. T. Thompson. *City Attorney.*—John K. Hackett.

City Assessors.—M. D. Eyre, J. L. Anderson, J. O'Callahan.

Aldermen.

J. P. Flint,	W. A. Dana,	T. H. Selby,	Geo. K. Gluyas,
J. P. Haven,	C. L. Case,	A. J. Bowie,	E. J. Moore.

Assistant Aldermen.

H. N. Squier,	H. R. Haste,	James De Long,	J. B. Piper,
W. H. Bovee,	G. W. Bryant,	Edward Byrne,	Thomas Hayes.

NOVEMBER 2d and 3d.—Great fire at the city of Sacramento, by which nearly two thousand buildings were destroyed. The conflagration extended over fifty-five blocks, and deprived seven thousand people of their usual homes. The value of the buildings and goods destroyed was differently estimated at from five to ten millions of dollars. Much distress was suffered by the inhabitants on this lamentable occasion. The people of San Francisco, bearing in mind their own great fires, and the loss and misery these had caused, held public meetings, at this time, to express sympathy and to devise measures for relieving their suffering brethren. A sum of sixteen thousand dollars was immediately collected and remitted to Sacramento for the general relief of those who had been burned out. Other subscriptions swelled the amount to thirty thousand dollars. Many medical gentlemen offered their gratuitous professional services, while the steamers bore supplies thither free of freight. Signora Biscaccianti, who had recently been performing in San Francisco, generously offered to give a concert for the benefit of the sufferers. This was largely attended, and realized the sum of seven hundred dollars, which was paid into the relief fund. Other public performers gave benefits for the sufferers at Sacramento.

NOVEMBER 9th.—While the people of San Francisco were thus nobly sympathizing with the losses of others, fire again broke out among themselves. The flames were first noticed about half-past eight o'clock on the evening of this day, in a wooden building at the corner of Merchant and Kearny streets. The fire companies speedily turned out, and succeeded after working vigorously, though under difficult circumstances, for about an hour and a half, in subduing the conflagration; although not before thirty-two buildings, all of which, excepting one or two, were of wood, had been consumed in Merchant and

Clay streets. Among these was the Union Hotel. The loss was estimated at about $100,000. The new supposed fire-proof walls were severely tested on this occasion. The substantial masses of the City Hall on one side, the California Exchange on another, and on the east the brick building that faced Montgomery street, effectually prevented the flames from spreading beyond them.

This month was a disastrous one to many places in the State. Not only had Sacramento been nearly altogether destroyed, while San Francisco had sustained much loss, but Marysville, San Diego, and other towns and agricultural districts had been severely scourged by fire. It was estimated that the total losses which had fallen on the State from fire alone during the previous three years amounted to sixty-six millions of dollars.

NOVEMBER 21st.—Intelligence received of the death of Daniel Webster. The flags of the shipping, and others on shore, were hung at half mast, minute guns were fired during the day, and the city generally presented the appearance of sincere mourning for the loss of a "leader in Israel." The common council passed resolutions of honor to the deceased statesman; and it was afterwards proposed by the boards of aldermen that funeral solemnities on a great scale should be performed by the city, as had recently been done in the case of the death of Henry Clay. This proposal, however, through motives of economy, and partly perhaps on account of the rainy season having commenced, was ultimately negatived. It mattered naught to the illustrious dead. His fame here will live for ever, as on the Atlantic shore.

NOVEMBER 23d.—The waters of Lake La Mercede, in the vicinity of the city, and which cover several hundred acres, sank about thirty feet. Shortly before midnight of this day, a shock like that of an earthquake was felt by parties residing near the place; and the following morning it was discovered that a great channel between the lake and the sea had been opened, through a broad and high sand bank, during the night, by which the waters had found a way and been discharged. It was supposed by some, either that the bed of the lake had been suddenly uplifted, by volcanic agency, whereby the raised waters scooped through the yielding bank the channel just mentioned, and that afterwards the bed of the lake had fallen to its former level, or

else that a great sinking of the bank itself had taken place (supposed to have been produced by subterranean causes), owing to which depression, the water had been drawn off to the extent mentioned. The most probable conjecture is, that the excessive rains of the season had simply forced open a passage through the broad and loose sand-bank from the lake to the ocean. Formerly the lake had no visible outlet whatever; and its waters had insensibly been kept about the same level by means of evaporation, or by concealed underground communications with the sea.

DECEMBER.—"City Directories" seem to be lucrative properties. We have already noticed that of A. W. Morgan & Co., which appeared in September of this year. Another was published this month by James A. Parker. This was a much superior publication to either Kimball's or Morgan's. It was an octavo volume of one hundred and forty-six pages, and was well printed. The names were about nine thousand in number, being considerably more than double those contained in either of its forerunners. There was prefixed a creditable sketch of the rise and progress of the city, and the volume contained an appendix of miscellaneous useful information. Such publications in every place become curious and interesting after the lapse of a few years. Especially this will be the case in a rapidly increasing community like San Francisco. To the patient student of the social and personal, as well as the material history of our city, and to the future antiquarian, these little works will be inestimable.

DECEMBER 6th.—The election for chief and assistant engineers to the firemen is yearly becoming of more importance. That spirited body of men, who, without fee or reward, save the gratitude of the people, are ever ready to peril life and limb to save the persons and properties of the citizens, had become a numerous and influential association. Their annual election of officers took place this day, when George H. Hossefros was chosen chief engineer, and Charles P. Duane, A. R. Simons, and Edward A. Ebbets, assistant engineers.

DECEMBER 10th.—José Forni—or Forner, as he described himself in his first confession—a Spaniard, was hanged upon Russian Hill, for the murder of José Rodriguez, a Mexican, in

Happy Valley. This was the only *legal* execution that had taken place in San Francisco, where so many crimes deserving the punishment of death had been committed. The prisoner confessed having killed the deceased, but to the last maintained that the act was done only in self-defence. This, however, was not established by evidence. The gallows had been originally erected upon the summit of the hill; but just before the execution, it was removed about one hundred yards towards the west, so that it was not visible from the principal portions of the city. A very large crowd,—variously estimated at from six to ten thousand people,—gathered round the place of execution, at least one-fourth of whom seemed to be youths, women and children.

DECEMBER 17th.—A furious gale from the S. S. E., accompanied by excessive rains. Considerable damage was sustained by some of the more slimly constructed houses, while the shipping suffered severely. The losses of both were estimated at $200,000. Early in the previous month, a severe "Norther" had threatened much damage to the shipping, and carried away the outer portion of one of the smaller wharves. The want of docks, or of breakwaters, upon the north and south sides of the harbor, is felt more and more as the old sheltered cove gets gradually covered with streets and houses by the extension of the water front of the town.

The storm, first above noticed, seriously affected the rivers of the interior, which rose to an unusual height, and inundated most of the towns on their banks. The levee at Sacramento was burst through by the pressure of the flood, and nearly the whole of that unfortunate city, which so recently had been half destroyed by fire, was submerged to a depth of from five to ten feet. Marysville and Stockton were equally flooded. Many substantially built houses were undermined at all these places by the waters, and fell; whereby much valuable property was destroyed. All communication was cut off from the mining quarters, and great distress was suffered there by the enormous prices of provisions, particularly of flour, and the difficulty, or impossibility of keeping open a connection with the towns for supplies.

CHAPTER XXIII.

1852.

Increase of population.—Mixed character of the immigrants.—Chinese, Peruvians, Chilenos, and other foreigners, notoriously vicious.—Sufferings of the overland immigrants.—Greater attention paid to agricultural pursuits.—City improvements still progressing.—Great fires no longer possible.—Fire insurance agencies established.—Manufactories.—New gold discoveries.—Emigration to Australia.—Merchandise and provisions commanding high prices.—The clipper ships.—Filthy condition of the streets.—Great abundance of rats.—The city extension, bay, and shipping.—The strong winds preventive of disease.—Peculations of officials.—San Francisco only suitable for the industrious.—The city growing in importance.—Change of inhabitants.—Fascinations of San Francisco life.—Reflections concerning the moral condition of the city.

THE population of both the State and city was largely increased in 1852. The departures by sea from San Francisco were only 23,196, while there were 66,988 arrivals. This immigration was about double the amount that had taken place in 1851. The immigrants from the Atlantic States generally crossed the Isthmus, while the greater number of European foreigners came round Cape Horn. The Germans, a most valuable and industrious class of men, and the French, perhaps by nature not quite so steady and hard-working a race, though still a useful body of citizens, were year by year arriving in large numbers, and were readily remarked among the motley population. The most untutored eye could distinguish and contrast the natural phlegm and common-sense philosophy of the fat Teuton, and the "lean and hungry look" and restless gestures of the Celt. Both races were generally "bearded like the pard," though in this respect they were only like the commonalty of San Francisco, who pride themselves much upon hair. The people named cherished many of their old nationalities, and generally frequented their own particular boarding and eating houses and places of recreation. The English, Scotch and Irish immigrants, were also numerous, but their characteristics, although something dif-

ferent, were less distinguishable from those of native Americans than were the manners and customs of other foreigners. Besides these, there were always arriving numerous specimens of most other European nations,—Spaniards, Portuguese, Italians, Swiss, Greeks, Hungarians, Poles, Russians, Prussians, Dutch, Swedes, Danes, Turks, too—all visited California. Many of them went to the mines, although a considerable proportion never left San Francisco. The country and city were wide enough to hold them all, and rich enough to give them all a moderate independence in the course of a few years. A considerable number of German and French women were constantly arriving, as also many more of the sex from the Atlantic States. The female part of the population, though still numerically very far below the male portion, was increasing, perhaps faster in proportion to their previous numbers.

Upwards of twenty thousand Chinese are included in the general number of arrivals above given. Such people were becoming very numerous in San Francisco, from whence the recent immigrants from their country scattered themselves over the various mining regions of California. At one period of 1852 there were supposed to be about 27,000 Chinese in the State. A considerable number of people of "color" (*par excellence*) also arrived. These were probably afraid to proceed to the mines to labor beside the domineering white races, and therefore they remained to drudge, and to make much money and spend it in San Francisco, like almost every body else. Mexicans from Sonora and other provinces of Mexico, and many Chilians, and a few Peruvians from South America, were likewise continually coming and going between San Francisco and the ports of their own countries. The Chinese immigrants had their mandarins, their merchants, rich, educated and respectable men, in San Francisco; but all the Mexicans and Chilians, like the people of negro descent, were only of the commonest description. The women of all these various races were nearly all of the vilest character, and openly practised the most shameful commerce. The lewdness of fallen white females is shocking enough to witness, but it is far exceeded by the disgusting practices of these tawny visaged creatures.

The land immigration into the State was also exceedingly great this year, numbering probably about thirty thousand persons of all ages and both sexes. Among these was a large predominance of youths just entering upon the early prime of manhood. Much suffering was experienced by those who crossed the great desert, and supplies of provisions and other help were forwarded to them by the State Government of California. The steadily increasing production of gold had held out strong hopes to the adventurous of the Eastern States, and of many other portions of the world, that, after all, as great chances existed of still making a moderate, if not a large fortune, in a short period at the mines, as in the memorable years of 1848, '49 and '50.

Owing to the high prices of all kinds of provisions towards the fall of 1852, many of the older residents in the country, and a few of the later immigrants, began to turn their attention to agricultural pursuits, which promised to yield even larger profits, while they offered a pleasanter, healthier and surer occupation than gold-digging. The choicer districts of the country were thus getting gradually settled by "squatters" and pre-emptors, and some legal purchasers of land; and a beginning was made towards rendering California independent of foreign countries for supplies of food. A fair proportion of the recent immigrants remained in San Francisco, while many who had been laboring in the mines for the previous year or two with indifferent success, or who had become wearied of that kind of life, now visited the city with the view of permanently residing and entering upon some kind of business there. From the census taken this year, by authority of the Legislature, the total population of the State appeared to be 264,435, while that of the County and City of San Francisco was 36,151. These numbers were generally allowed to be too small, arising from perhaps unavoidable errors in taking the census. More particularly, the population of San Francisco was supposed to be considerably underrated, the inhabitants of some districts having been imperfectly enumerated. The census was taken towards the close of 1852, and by the end of December of that year, we think the true population of the city alone may be reasonably estimated at 42,000 persons.

The material improvements begun in 1851 were briskly con-

tinued during the following year. California, Sansome, and Battery streets were lined by a great many additional brick and stone buildings. Front and Davis streets were formed, and closely built upon with houses of frame. The various wharves continued to stretch eastward, as if it were intended that they should soon connect Yerba Buena Island with the mainland. The sand-hills behind supplied ample material for filling up the bay, and giving solid foundations for the increasing number of substantial stores. Every where in the business portion of the city new and handsome fire-proof edifices were rising. The lower story of these was often constructed of Chinese granite, and the upper ones of brick. The piling across the bay and the filling in were constantly going on. No sooner was a water lot piled and capped than up sprang a frame building upon it; no sooner was the hollow beneath filled than the house of wood was destroyed, and replaced by some elegant brick or granite structure.

At another part of the city, Stockton street was being ornamented with many handsome brick tenements, which were intended for the private residences of some of the wealthier citizens; while over all the western and northern limits additional and much finer frame buildings, and occasionally brick ones, were being erected. Telegraph Hill continued to be seriously encroached upon by the excavating and blasting operations going on at Clark's Point. Even more rapid progress was making towards the extreme south. Happy Valley now contained a large number of commodious and handsome habitations, chiefly of frame. Over all the city the process of grading and planking new streets was going on, so that communication between the principal districts was becoming easy. In the centre, the spirit of improvement was busily at work. The plaza indeed remained a disgrace to the authorities; but Montgomery street, and Commercial, Clay, Merchant, Washington and other cross streets, which touched it, were being rapidly covered with substantial and beautiful fire-proof buildings. At the north-west corner of Montgomery and California streets a large and imposing edifice of granite was erected. This was occupied by Adams & Co., express agents, and Page, Bacon & Co., bankers, and was the first of the superior class of private edifices which are now so numerous in many parts

of the city, and particularly on Montgomery street. The stone for this building was prepared in China and put up in San Francisco by Chinese workmen. It was erected, and is owned by Mr. John Parrott. More to the south, great changes were taking place for the better. The faithful "paddy" or steam-excavator never tired. Market street was cut through from Battery to Kearny street; while the sand-hills at the adjoining



Parrott's Granite Block.

ends of First and Second streets were rapidly disappearing. Bush street, that recently had been only a huge mound of sand, was levelled. California, Sacramento and other streets leading to the west, were cutting through or climbing over the obstructing eminences. Higher grades were being adopted for the streets in most of the lower quarters of the city, to which the houses were being gradually conformed.

On the whole, a vast improvement had taken place in the aspect of the town, and in the elegance and substantial comfort of the newer buildings. No longer could conflagrations, like the

great fires of '50 and '51, destroy the centre and most valuable parts of the city. The fire department was organized on the most efficient scale, and included among its members many of the most respectable inhabitants. The different companies were supplied with an excellent stock of engines and other apparatus. The *men* were enthusiastic, bold fellows, capable of enduring the severest fatigues, and ever ready to hazard life and limb upon the least alarm of fire, when their services could be made useful. An unlimited supply of water could not be depended upon; but generally there was enough in the many artificial reservoirs formed at the intersection of the chief streets, to extinguish any ordinary conflagration. Confidence was now felt in the stability of the city and its comparative immunity from fire. Two fire insurance agencies, one for a New York and the other for a London company, were established, so that the cautious could insure their properties at reasonable rates. This was a striking sign of the improved times. Lenders upon stored goods and on real estate could now secure their advances against all hazard from fire; while the speculative owners of property were encouraged to undertake permanent and most expensive improvements.

In the vicinity of the city numerous brick fields had long been established. The new style of fire-proof buildings occasioned a constant demand for this material. California-made bricks are certainly much inferior to well-burned English or United States bricks, yet they are considerably cheaper, and when painted or in some way protected from the weather serve their purpose very well. Besides these extensive manufactories of brick, there were other manufactories and workshops which were being constantly formed. In the district of Happy Valley particularly,—which had been early selected for the site of such establishments,—there existed numerous flour mills and timber saw-mills, iron-foundries, marine and land steam-engine works, and steamer and other boat-building yards. In addition to these larger and more imposing establishments, there were many workshops, in various parts of the city, of upholsterers, saddle and harness makers, boot and shoe makers, carpenters, blacksmiths, painters, jewellers and other craftsmen. *All* manufactured articles were no longer imported direct from the distant maker; but some of the more

necessary were beginning to be made on the spot from the raw material. The letter-press printers, as might have been anticipated from the character of the American people, were a numerous body; and on the many newspapers and in extensive job work found ample employment at lucrative rates.

The shops were daily assuming a more splendid appearance, while on their well loaded shelves and the neatly laid out window fronts and counters were displayed a brilliant assortment of the particular goods they dealt in. Stylishly dressed, and often lovely women were constantly seen, in fine weather, promenading the principal streets, and idling their time (which they knew not how otherwise to "kill,") and spending somebody's money in foolish shopping, just as is the custom with the most virtuous dames in the great cities on both sides of the Atlantic. Omnibuses and superb public carriages plied through the streets, and beautiful private equipages glittered and glided smoothly along. While the ladies dressed extravagantly, perhaps to please the other sex, perhaps only to please themselves or annoy some meaner souled or less rich sister, the gentlemen were scarcely behind them in this respect. The days of the blouse, the colored shirt and the "shocking bad hat" had fled, never, like time, to return.

The incessant immigration gave liveliness to the streets, and caused much profitable business to be done. At the same time there was a vast emigration. Not only were the usual number of departures to the Eastern States taking place; but, as we have seen, the discovery of gold in Australia was attracting many Californians to that country. The whole world seemed to be restless and morbidly excited by the cry of gold. Where it was all to end who could tell? Originally the Americas had been peopled by the same intense desire for the precious metals. Now, the portions of the New World that had been overlooked, and Australia,—a continent in itself,—were being filled by gold hunters, who would assuredly in the course of time play an important part in the history of mankind. San Francisco itself possessed a share of the precious metal. Gold was found in pieces of quartz quarried from Telegraph Hill, in earth excavated in Broadway, in the sand taken from a great depth in sinking

wells in Stockton street, and at various other parts of the city, in 1850. Indeed, we have seen hundreds of persons occupied in gathering it in small particles from the surface of the plaza itself, after a long continued rain. But all these deposits in the centre of the city, there is reason to believe, were scattered through the careless or mischievous behavior of parties who were either unable or too indifferent to take care of the precious metal brought by themselves or others from the well known mining regions, and some of whom doubtless felt repaid for the cost in the wonderment they excited.

Over all California, however, gold was continually being discovered in new places. It was the mineral wealth of the country that had created San Francisco, and which was the source of its continued prosperity. If this should suddenly fail, or the cry increase of other and richer gold countries, easily accessible like Australia, the city would undoubtedly receive a great shock. Thousands were already moving away, and it was only the unusually great immigration of the year that prevented their loss from being seriously felt by the city and the country at large. In the end it was found that the Australia mines were not better places for making a speedy fortune than were those of California, while the former were less salubrious and agreeable to the American personally. The emigration therefore to Australia began sensibly to slacken towards the close of this year; while gradually many of those who had gone thither early began now to return.

In our review of 1851, we had occasion to remark the general fall in the prices of merchandise, and the serious losses sustained by shippers of goods to the San Francisco market during all that year. The "good time" that had been long looked for by merchants came at last; and during the close, and generally over the greater part of this year, not only remunerating but extravagantly high prices were obtained for most goods, particularly for all kinds of provisions. Flour, that had been only eight dollars a barrel in March, by November had risen to upwards of forty dollars, with a firm market. Rice, that was usually worth only a few cents a pound, advanced, in the course of the year, to forty-five and fifty cents. The Chinese, who preferred rice to every

other kind of food, suffered severely from these high prices. Butter ranged from fifty-five to seventy cents a pound, over the early and greater part of the year. Other provisions and indeed most kinds of merchandise rose in proportion. The usual reaction, though long delayed, had taken place—the scarcity followed the glut; and the fortunate holders of goods realized large profits, that compensated those who had continued in trade for the losses of the previous seasons. Late in the year, when markets, in particular articles, were at the highest, it was known that a large fleet of clipper ships was on the passage with supplies, many of which vessels were overdue; but as the stock actually on hand was very limited, and day by day was lessening in amount, which might be totally exhausted before the expected arrivals happened, consumers had to submit to necessity and pay the rates demanded. Time was every thing in such a market as San Francisco, where prices of merchandise usually fluctuated as do "fancy stocks" on the 'Change of New York, London or Paris. A week lost or gained in the arrival of a well selected cargo might just be a fortune lost or gained to the shipper. The clipper ships, as we have already remarked, were peculiarly the consequence of such a trade and the natural creation of the needs and commerce of our city. These clippers after being hastily unloaded, were dispatched to India or China, where they either competed successfully with English ships for return cargoes to the Atlantic, or were profitably employed in bringing from the latter country many thousands of Chinese emigrants to California. Year by year, the clipper character of ship was being more adopted, until it became, commercially speaking, foolish and dangerous to freight any other kind of vessel to San Francisco.

Cholera again visited the city in the fall of this year; though its ravages were slight. However much may be said for the general healthiness of the place, little praise can be given for the very dirty state in which the greater part was allowed to remain —and nearly the same may just be said of its condition in 1854. The streets were thickly covered with black rotten mud. These were the proper dunghills of the town, and were made a general depot for all kinds of rubbish and household sweepings, offals and

filth. Sometimes the rains came and scattered the abominable stuffs, carrying part of them into the bay; at other times, the heats gradually dried them up. Rats—huge, fat, lazy things, prowled about at pleasure, and fed on the dainty garbage. The pedestrian at night, stumbling along the uneven pavements, and through streets that were only a series of quagmires, would occa-



A Street-scene on a rainy night.

sionally tread on the loathsome, bloated, squeaking creatures, and start back in disgust and horror, muttering a curse or two at such a villainously unclean town. These animals abounded in such great numbers that entire sacks and barrels of flour and bread have been destroyed by them on a single night in a storehouse. They were of several varieties, each differing in color. Besides the common grey rat, there were others white, blue and black. These latter descriptions have materially decreased in numbers of late; the gray fellows, being the stronger, having, it is said, either driven away or destroyed them. Sickening stenches per-

vaded every quarter. Owing to the raising of the streets in the lower part of the city when establishing the grades, many of the building blocks became great hollow spaces, surrounded on the four sides by high banks of earth. In these places also, which had no drainage, every foul thing and unsightly rubbish were carelessly thrown, and soon deep pools of stagnant water collected in the midst. Beneath the houses and streets which had been formed over the bay, and which had been only partially filled up, there was accumulating a vast mass of putrid substances, from whence proceeded the most unwholesome and offensive smells. In any other place as near the tropic these things would undoubtedly have generated a pestilence ; but here the cool winds from the ocean which prevail during the summer season, and which at times are so unpleasant to the shivering inhabitant, had the beneficial effect of neutralizing many of the bad effects which must otherwise have arisen from the want of cleanliness over all the city. From the dead level preserved in that part of the city which was built across the bay, it would seem impossible that a thorough drainage can ever now be had in the lower and most valuable district. This is one of the inconveniences which the indefinite extension of the town eastward has produced. Perhaps it would have been better, if instead of streets and houses, there had been constructed substantial quays and wet docks sufficient to contain all the shipping that had ever visited the harbor. Ships then would have lain in safety from the "South-easters" and the "North-easters," which now so terribly plague and damage them when lying exposed at anchor in the tidal channel.

Crime, during 1852, was perhaps not sensibly diminished ; but in the increasing importance of other matters of public discussion, lower-class criminals were tolerated, or less pursued. Legalized robberies, in the shape of "Peter Smith" purchases, more occupied the attention of the citizens. It would be unjust to individuals and to human nature, to challenge *every* public officer in San Francisco with gross peculation and corruption in office ; yet it was confessed on all sides that almost every citizen, who had a *chance* of preying upon the corporation means, unhesitatingly and shamefully took advantage of his position. His

brother harpies kept him in countenance. This gave rise to a general opinion that the city never could possibly obtain a pure and good government until the bone of contention among rival candidates for office,—its property, to wit,—was all exhausted, squandered, stolen or gifted away. When that perhaps happy day came,—as its advent seemed close at hand,—the "fathers" and salaried servants of the city might possibly work only for the common good, and not chiefly for their own. Had matters been prudently and patriotically managed, San Francisco might, at this day, have been the richest city, of its size, in the world. As the case stands, it is one of the poorest, as certainly its inhabitants are perhaps the most heavily taxed of any community for a feeble and inefficient government. This is chiefly to be attributed to the people themselves. Incapable, weak and corrupt officials are blamable, but the people who choose them, and of whom they are part, are perhaps much more in fault. Where the mass think, and talk, and act, without any particular regard to high moral principle, it can scarcely be expected that their chosen representatives should differ materially from them. When even a man of severe probity and high talent is elected to an office of trust, he finds often insuperable difficulties in his way, from the want of co-operation, and the carelessness or corruption of his own constituents. The most righteous judge can do little good on the bench when interested witnesses disguise the truth, and juries will return verdicts in defiance of it.

However, in spite of local jobbery and mismanagement, enormous municipal expenses, and iniquity every where, the city grew in size, beauty and importance. Its admirable maritime position, and chiefly the determined energy and perseverance of its people, who *believed* in its glorious future, and found their own interest in the work, were raising it year by year to still more remarkable grandeur. Many of the citizens were opulent, while none needed to be in poverty. Intemperance and dissipation alone could squander the enormous wages of the most inferior laborers and the large profits of capital in every kind of business. Then, as now, no healthy man of ordinary strength need want lucrative and honest employment of some kind or other. As for the sick and weak, San Francisco is indeed not a place for them, although

hospitals and occasional private charities may serve to alleviate for a time their hapless situation. San Francisco is a place for work—real, useful, *hard* work. If any man can give *that*—it may sometimes be with the head, but oftener with the hand, he is sure, not merely of subsistence, but of a competence, and indeed a fortune in the long run. If lazy, or incapable of such work, the sooner the useless thing takes his departure, the better for himself and the place.

No important change had occurred in the social or moral condition of San Francisco during 1852. The characteristics of the people which were noticed in our review of the previous year, still existed. The old dizzy round of business and pleasure continued. There were now only more people, greater wealth, finer houses, more shops and stores, more work, trade and profits, more places of dissipation and amusement, more tippling and swearing, more drunkenness and personal outrages, nearly as much public gambling and more private play. There were also a few more modest women, and many more of another class ; more benevolent institutions and orphans' asylums ; more fire companies, military companies, and masonic lodges. Likewise there were more newspapers, that discoursed eloquently, ever railing "in good set terms" against corruption in high places, but which not being supported by the sincere feeling of a pure and honest people, made no such irresistible body of public opinion as they sometimes do in other countries. Then there were more churches, more moral teachers and religious publications, more Sabbath and day schools ; and, too, more of every thing that was beautiful and bad, more vice, debauchery and folly, and perhaps also a little more real religion, and sometimes a deal of outward decency. The moral sepulchre was occasionally receiving a fresh coat of paint. It should not be forgotten, at the same time, that with the increase of population, there was also an increase of occasional charities and high-minded liberal deeds. These things are done in secret, or they lose their noble character. The public generally know not of them. However much the sordid pursuit of wealth may cloud the true friendships and generous actions of many of the San Franciscans, the native worth of heroic and pure souls will at times shine through all. As kings reigned before Agamemnon,

so there are here great and worthy, honest and true men, as well as there have been elsewhere. Their exact number cannot be counted, but the student of human nature, according to his temperament and means of information, may hazard an estimate on the subject.

Residents of a few years' standing—the landmarks, by turns, of the ancient village, town and city, began now to disappear. These perhaps had made a fortune, and sown their "wild oats" in the place. They now retired to the Atlantic States or Europe, —to *home*, in short,—to enjoy their gains at ease, astonish quiet neighbors with their wondrous tales, speculate on the future of San Francisco, and become disgusted and ennuied with the slowness, tameness, decorum and insipidity of the conventional mode of existence they were leading. New faces and new names were rising into importance, in place of the earliest pioneers and the "forty-niners." The majority, however, of the first settlers had faith in the place; they relished its excitements as well of business as of pleasure; they had no family or fond ties elsewhere, or these had been long rudely broken; and so they adhered to San Francisco. Many of these persons had waxed very rich, in spite of themselves, by the sudden rise in the value of real estate, or by some unexpected circumstance, while others, after expending a world of ingenuity, wickedness and hard work, remained almost as poor as when, hopeful and daring, they landed in the ship's boat at Clark's Point, or when the tide was high, at the first rude wharf that ran a short distance out from the beach at Montgomery street. There is a fascination in even the loose, unsettled kind of life at San Francisco. Of many who have left the city, after a residence of years, and when they have accumulated a handsome fortune, a considerable number have gladly returned. For many months, perhaps for even a year or two, the immigrant thinks he can never worthily or rationally enjoy existence in such a place; so he determines to make a fortune as soon as possible, and decamp for ever. But fortunes are now made more slowly, and the old citizen—a few years here make one old in sensation, thought and experience—changes his sentiments, and he begins to like the town and people for their own sake. The vices and follies, the general mode of living, that frightened and shocked

him at first, seem natural to the climate, and, after all, are by no means so very disagreeable. If he returned to settle in ultra or pseudo-civilized and quiet States, he would surely feel himself but a "used-up" man; so he continues where he made his money, still to feel, speculate and enjoy, to work and contend with real men, in their keenest and strongest characters.

It may be thought by some that we have said many over-harsh things in this and other chapters of this work, regarding our fellow citizens. We cannot help that, for the occasions seem to justify the language used. If unmingled praise, or hesitating censure were adopted when talking of San Francisco, people elsewhere would not believe the tale, while those here would only laugh in their sleeve at the decent hypocrisy and cant of the writer. Better proclaim the worst at once; and then let who will find explanations, excuses and palliations. These will be readily advanced by the wiser portion of mankind, who know the temptations that beset poor human nature, and how often it falls when fatal opportunity offers. Let it be always understood that we describe the place as at particular periods, and not what we think will be its grand coming destiny. San Francisco was, at the times of which we have discoursed, and it still is, in a state of moral ferment. When the ebullition ceases, though years may elapse before that happens, the natural qualities of its adventurous and clever people will be more clearly and generously developed. The scum and froth of its strange mixture of peoples, of its many scoundrels, rowdies and great men, loose women, sharpers and few honest folk, are still nearly all that is visible. The current of its daily life is muddied and defiled by the wild effervescence of these unruly spirits. It may be said that nearly all came to the city only as devout worshippers of mammon; scarcely one, to find a home, which might unjustly have been denied him elsewhere. In order to accumulate the greatest heap of gold in the shortest possible time, schemes and actions had often to be resorted to, which nice honor could not justify nor strict honesty adopt. In the scramble for wealth, few had consciences much purer than their neighbors; few hands were much cleaner. Some were found out and victimized; others were wise and provoked not discussion. The few lamented, and the

wise and good hoped and foresaw better things. Time, and a sounder public opinion, will cure most of the evils we have alluded to, leaving the undoubted talent, shrewdness, capacity for hard, practical work, and the original honesty, honor and high liberal spirit of the people free to show themselves. Cities, like men, have their birth, growth and maturer years. Some are born Titans, and from the beginning promise to be mighty in their deeds, however wilful and destructive. Few spring into being full armed, wise and sedate as Minerva. San Francisco, while it can show so many enduring marvels for its few years, has also wasted much of its means in "riotous living;" but its young hot blood will cool by and by. Then ripened years and wisdom will subdue its foolish levities and more disgraceful vices. Meanwhile, let us treat the noble city kindly, just as we deal with the beautiful woman that offends us—look upon her face and forget her follies. We pardon the careless, extravagant, yet high spirited youth, who lavishes his substance in wild pleasure, when he stops short and vows repentance; nay, even though he break out again and again, we cannot seriously feel offended with the charming gallant, so only that he hurts nobody but himself. Let us view San Francisco in something of the same gentle and forgiving, if not sympathizing spirit.

CHAPTER XXIV.

1853.

Commerce.—Mercantile Library Association.—The Limantour claim.—Election of delegates to revise the City Charter.—Third annual celebration of the organization of the Fire Department.—Steamships lost.—Extension of the city water front.—United States Marine Hospital.

JANUARY.—We have taken occasion to notice in various parts of this work the progress of commerce in San Francisco. Year by year, the number of vessels visiting the harbor was increasing. We present here some statements on the subject, compiled from a table of statistics by Colonel Cost, of the naval office.

ARRIVALS AND CLEARANCES IN THE PORT OF SAN FRANCISCO DURING THE YEAR 1852.

Arrivals.			*Clearances.*		
Nations.	Vessels.	Tons.	Nations.	Vessels.	Tons.
American	346	188,575	American	405	216,642
British	225	74,931	British	196	76,270
French	29	11,286	French	33	12,949
Chilian	37	9,393	Chilian	25	6,444
Mexican	41	5,279	Mexican	34	4,567
Danish	12	2,215	Danish	10	1,959
Bremen	11	3,132	Bremen	11	2,977
Norwegian	4	1,100	Norwegian	2	576
Hamburg	20	4,628	Hamburg	20	4,185
Dutch	15	6,965	Dutch	5	1,523
Hawaiian	28	3,562	Hawaiian	25	3,190
Peruvian	14	2,024	Peruvian	8	1,599
Prussian	2	960	Prussian	2	540
Swedish	4	1,156	Swedish	5	1,700
Portuguese	3	675	Portuguese	2	450
Brazilian	1	738	Brazilian	1	728
Sardinian	3	1,038	Sardinian	7	1,383
Austrian	1	521	Austrian	1	300
Am. Coasters	351	196,282	Am. Coasters	833	115,462
Total	1147	514,460	Total	1625	453,444
In 1851, the arrivals were	847	245,678	In 1851 the clearances were	1315	422,043
Increase	300	268,782	Increase	310	31,401

The shipments of gold dust during 1852 from San Francisco, as appears from the custom-house record of clearances, amounted in all to $46,599,044. Of this amount the value of $45,251,724 was cleared for Panama ; $511,376, for San Juan ; $482,596, for Hong Kong ; and the remainder principally for various ports on the Pacific. Sums carried away by individuals are not included in the amounts mentioned.

JANUARY 25th.—Election of officers of the Mercantile Library Association. It had long been evident that such an association was much needed in San Francisco. In the absence of any thing like a home or domestic comfort, all classes seemed to be alike forced to frequent places of public recreation, and were exposed to the many degrading influences which drink, gambling, and still worse vices have upon the personal character. To withdraw youths in particular from the haunts of dissipation, and to give to persons of every age and occupation the means of mental improvement, and a suitable place for passing their leisure hours, were the great objects of the Mercantile Library Association. Public meetings were held, at which the purposes and advantages of the proposed institution were strongly urged by its benevolent projectors and patrons ; and committees were formed to collect contributions of books and subscriptions from the general public. By these means a considerable deal of interest was excited on the subject, and liberal donations and subscriptions were procured. The following gentlemen were unanimously elected as the first officers :—

President.—David S. Turner.
Vice-President.—J. P. Haven. *Treasurer.*—C. E. Bowers, jr.
Recording Sec'y.—R. H. Stephen. *Corresponding Sec'y.*—Dr. H. Gibbons.
Directors.—E. E. Dunbar, J. B. Crockett, D. H. Haskell and E. P. Flint.

The rooms of the association, which were on the second floor of the California Exchange,—a central and most convenient locality,—were first opened on the evening of the 1st of March of this year. The largest apartment was elegantly fitted up as a reading and lecture room, and was abundantly supplied with local newspapers, and with some of the leading journals of the Eastern States, as well as with a choice selection of magazines and reviews. The library contained fifteen hundred volumes by

the best authors, and was being constantly increased by donations and purchases. Only one year later, it numbered about three thousand volumes, comprising many of the best standard works in the English language, besides many valuable works in French, Spanish, German, &c.

This institution is of the most excellent character, and deserves the active support and well wishes of every liberal-minded citizen. It is the best substitute for a portion of the comforts of a home that can be provided in the present condition of San Francisco. Occasional lectures on interesting topics, literary and dramatic essays and readings, and frequent public debates on political and other subjects of the day, give variety and excitement to the ordinary business of the association. The pleasures and advantages of this institution have not hitherto been sufficiently understood, or sought by the people for whom they were intended; but it may be presumed that the intrinsic and growing merits of the association will in future excite more fruitful notice from all classes of the community. The terms of membership are very moderate, being an entrance fee of ten dollars (since reduced to five dollars, "for clerks and others in employ"), and a monthly payment of one dollar. A subscription of twenty-five dollars, and a monthly payment of one dollar, entitle the party to one share in the *stock* of the institution, and to the profits arising on the same. The library and reading rooms are open every day, from 9 o'clock A. M. to 10 o'clock P. M. For two hours after noon they are only open to ladies, and gentlemen accompanying ladies. The chambers of the association are now in the Court Block, Merchant street.

FEBRUARY 5th.—The claim of José Yves Limantour presented to the Board of Land Commissioners. San Francisco, which had survived the Leavenworth and Colton grants, the Peter Smith sales, and other legalized robberies and "squatters" without number, though it suffered terribly in the struggle, was now threatened by a claim, which if held valid, would turn over to a single individual one-half of its real estate, owned partly by the city itself, and partly by thousands of onerous and bona fide holders, who fancied their possessions were their own by the strongest legal titles. Limantour, who was a Frenchman by birth, and

had been a trader along the coast, stated, that he had advanced, in the year 1843, to Manuel Micheltorrena, who was then Mexican Governor and Commandante-General of the Californias, considerable sums of money for the use of the departmental government of that country, at a period when it was impoverished. In return for this service, or as it is expressed in the deed itself, "in consideration of loans in merchandise and ready money which he has made to this government at different times" (somewhere about $4000), Limantour said that he had received a complete grant of certain large tracts of land in the neighborhood of Yerba Buena. The deed of conveyance and several relative papers have been produced to the Board of Commissioners, and appear at first sight regular and legal documents. The first seems to have been given at Los Angeles, the 27th day of February, 1843, and is signed by Micheltorrena. It conveys "the land contained from the line of the *pueblo de la Yerba Buena*, distant four hundred varas from the settlement house (*casa fundadora*) of Don William Richardson to the south-east, beginning on the beach at the north-east, and following it along its whole edge (*margen*), turning round the point of Rincon to the south-east, and following the bay as far as the mouth of the estuary of the mission, including the deposits of salt water, and following the valley (*cañada*) to the south-west, where the fresh water runs, passing to the north-west side, about two hundred varas from the mission to where it completes two leagues north-east and south-west to the Rincon, as represented by the plat (*diseño*) No. 1, which accompanies the *Expediente.*

"Second: Two leagues of land, more or less, beginning on the beach of the '*Estacada*' at the ancient anchorage of the port of San Francisco, below the castle (*castillo*) following to the south-east, passing the "*presidio*" (military post)—following the road of the mission, and the line to the south-west as far as the beach which runs to the south from the port, taking the said beach to the north-west, turning round the Point Lobos, and following to the north-east, along the whole beach of the castle (*castillo*) two hundred varas, and following the beach as far as the '*Estacada,*' where begins the plat (*diseño*) No. 2."

The tracts of land contained within the boundaries men-

tioned (which are vague and very unsatisfactorily given), comprise four square leagues, and include a great part of the most valuable portion of the city. It may also be mentioned here, that, in addition to these four square leagues, Señor Limantour likewise claimed the Islands of Alcantraz and Yerba Buena in the bay, and the whole group of the Farallones, which lie twenty or thirty miles off the Heads, and a tract of land, one square league in extent, situated opposite the Island of Los Angeles, at the westward of Racoon Straits. Besides these islands and square leagues, Limantour has also claimed before the Board of Land Commissioners still more extensive properties in various parts of the State, amounting in all to considerably more than a hundred square leagues of land. All other claims are a bagatelle to this.

These great claims seemed so ridiculous and untenable at first sight, that the press and individuals pecuniarily interested were generally disposed to think very lightly of them. That Limantour should have been so long silent as to his alleged rights was a very odd circumstance that generated suspicion all was not told. He had looked on during years when the property included in his grants was being transferred over and over again to new buyers, always rising in value at every sale, and had tacitly appeared to assent to the existing state of things. When the ground was worth many millions of dollars, and hundreds, if not thousands of individuals were pecuniarily interested in it, then Limantour first declared his pretensions. His claim seemed monstrous—to one half of the great City of San Francisco, with all its houses and improvements and future prosperity !—a claim that had been mysteriously concealed for eight or ten years ! Pshaw ! it could not be an honest, valid one. So folks said to themselves. As while we write the matter remains under judicial consideration,—though some years may pass before a judgment can be obtained,—we are prevented from examining minutely the nature both of the claim and the objections to it. We may only state generally that many believe the former is "false, fraudulent, or simulated;" while Gen. James Wilson, Limantour's attorney, says—"With a perfect knowledge of all the papers and documents in the case; a careful consideration of all

the testimony taken, I am constrained to say, and I do most conscientiously say, that there is not, and in my firm belief there cannot possibly be, the slightest indicia of fraud in it, or in any way connected with it. 'Fraud is to be proved, not inferred.'" In the pamphlet from which these quotations are made, and which was printed and published by order of Limantour, Gen. Wilson discusses Micheltorrena's alleged grant, and finds it abundantly proved. He thus settles his client's cause with a thunder-clap sentence, which must frighten the very souls of Limantour's "nimble adversaries:"—"Say *that deed* of grant is not valid! *Never*—NEVER! It cannot be so said without rushing roughshod and blindfold over all the facts in the case, and all the law and equity in Christendom." If proof and the Land Commissioners sanction Limantour's claim, there will be a day of reckoning and lament to many of our citizens, who have fondly imagined themselves the true proprietors of much valuable real estate. Then will be tried the truth and worth of the maxim—*Justitia fiat, ruat Cœlum.*

FEBRUARY 16th.—Election of delegates from the different wards to a convention to revise the city charter. The following parties were elected:—

First Ward.—Henry Meigs, Edward McGowan, William Carr.
Second Ward.—F. L. Jones, James Gallagher, E. W. Graham.
Third Ward.—D. A. Magehan, Eugene Casserly, W. H. Martin.
Fourth Ward.—S. W. Holliday, C. S. Biden, J. R. Dunglisson.
Fifth Ward.—Louis R. Lull, T. D. Greene, F. O. Wakeman.
Sixth Ward.—James Grant, Henry Richardson, David Jobson.
Seventh Ward.—A. C. Wakeman, James Hagan, Henry Sharpe.
Eighth Ward.—Thomas Hayes, I. D. White, William Green.

These parties met on the 7th of March at the council chambers in the City Hall, and proceeded to discuss the provisions of the existing charter and the proposed alterations upon it. The charter, as revised, was afterwards submitted to the people at the annual election of municipal officers. Little interest seemed to be manifested on the subject, except by the inhabitants of the eighth ward, whose personal interests were particularly affected by the contemplated measure. Though rejected by six wards, it was, on the whole, approved of by a majority of votes. Subse-

quently it was laid before the Legislature, to be formally passed by it as a new charter of the city. At the date of writing this notice, that event has not taken place. It differs materially from the former charter, and the propriety of some of its declarations, particularly what may be called the "squatter" provisions, has been much disputed. In many other respects, it is a decided improvement upon the present charter.

FEBRUARY 22d.—The anniversary of the birth-day of Washington had been adopted on previous occasions as a fit time to celebrate the organization of the fire companies of the city. On this day, the third annual celebration took place. It was distinguished by the large attendance of the firemen, the splendor of the procession, the fineness of the weather, and the great number of citizens, who as sympathetic spectators participated in the festivities of the occasion. The firemen were dressed in the uniform of the different companies, and their engines and various apparatus were burnished as brightly and decorated as beautifully as hands could manage. Several bands of music formed part of the procession, while banners and devices of various kinds gave increased animation to the scene. The chief interest, however, of the exhibition lay in the appearance of the *men* themselves. These were of every class in the community, and were a fine athletic set of fellows. Their voluntary occupation was a good and grand one, and required much skill and courage, while it was pursued under circumstances involving great personal danger, and often much inconvenience and pecuniary loss to individuals, who, at the call of duty, cheerfully forsook their own private business to save the community from a terrible calamity. At the awful peal of the alarm-bell, no matter at what hour or place, or how occupied, the fireman rushed to his post, to drag and work his pet engine where most needed. At busy noon, he threw aside his cash-book and ledger ; in the evening, he abruptly left the theatre, or other place of amusement ; at midnight, he started from sleep, and only half-dressed, leaped and ran to his appointed quarters. A few minutes later, and the whole city might be in a blaze ! This thought gave speed to his heels and strength to his arms. Scarcely had the first heavy strokes of the alarm-bell ceased to vibrate on the panic-stricken

ear, when were heard the lighter, cheerful peals of the bells of the engines, as they were wheeled from their houses and hurried rapidly through the streets.

Fires in San Francisco used to be dreadful affairs, and no pen can adequately describe the terror, confusion and despair that spread far and wide when the wild cry was heard. The danger and horror of conflagration are now much lessened, partly by the increase of fire-proof brick buildings, and partly by the continually growing efficiency of the fire companies. Still the alarm of fire can never be listened to without many sad misgivings as to the possible result. The centre and business part of the city may now seem to be beyond the reach of total destruction or even of a serious loss ; yet large districts lying around the fire-proof nucleus may any day be altogether consumed, if it were not for the unflagging and desperate efforts of the unpaid, volunteer firemen. From the peculiar risk and circumstances attending conflagrations in San Francisco, these noble men have always had a difficult and dangerous task to perform. Their boldness, their alertness, energy, and unwearied perseverance in their praiseworthy calling, have been long celebrated in America ; and, to this day, it is a high term of honor over the civilized world to belong to their body. Many foreigners are members of the different companies. Later in this year, some of the French inhabitants of the city formed themselves into a company by themselves, called the " Lafayette."

On the occasion of the anniversary of the Fire Department of this year, the procession alluded to moved through the principal streets, attended, admired, and cheered by a large concourse of people. Indeed the whole city seemed to have turned out *en masse*. The firemen then proceeded to the American Theatre, where an occasional address was delivered by Frank M. Pixley. The house was filled to overflowing, and presented a fine show. There was a large attendance of ladies in the boxes.

March 6th.—The Pacific mail steamship *Tennessee* went ashore this morning at Tagus Beach, in Bolinas Bay, about three or four miles north of the Heads, at the entrance to the Bay of San Francisco. Dense fogs, which had misled the captain as to the ship's position, were the cause of the vessel striking the

shore. These fogs are very prevalent along the coast, and have often been the cause of serious shipwrecks. The Tennessee had about six hundred passengers on board, one hundred of whom were women and children. By happy chance, the ship went upon a small, sandy beach, on both sides of which at a short distance were enormous cliffs, on which if the vessel had struck she



Wreck of the Tennessee.

would have gone immediately to pieces, and probably most of those on board would have perished. As it was, and the sea being smooth, the passengers were all safely landed, as well as the mail-bags and express matter. It was expected that the Tennessee would afterwards have been safely towed off. The Goliah and the Thomas Hunt, steam-tugs, were sent to perform that operation ; but after some trials, it was found to be impracticable. After removing therefore a considerable quantity of cargo, stores, &c., the vessel was abandoned, and shortly afterwards went to pieces.

The loss of the Tennessee was the first known of a series of calamities at sea, which happened about this time, and in which

San Francisco was deeply interested. The most terrible and disastrous of these was the loss of the steamship *Independence*, of Vanderbilt's Independent Line, from San Juan to San Francisco. Upon the morning of the 16th of February, about daybreak, and when the atmosphere was perfectly clear, the ship struck upon a sunken reef, about a mile from the shore of Margarita Island, off the coast of Lower California. The sea was quite smooth at the time. The engine was backed, and the ship hove off the reef. As she was making water rapidly, it was thought best to beach her. She was accordingly run ashore in a small cove on the south-west side of the island, about five miles distant from the place where she had first struck. At this time it was discovered that the vessel was on fire. The people, who had hitherto been quiet and self-possessed, now lost all control of themselves; and many in a frantic state leaped overboard. All order seemed to be lost, and everybody thought only how best to save himself. The scene is said to have been horrible in the extreme. The crew and passengers amounted to four hundred and fourteen persons; and of this number nearly two hundred perished, among whom were seventeen children and fifteen females. When intelligence of the sad occurrence reached San Francisco, it caused much excitement and general sorrow. Many had to mourn the loss of a relative or friend, whose coming had been fondly expected. Liberal contributions were made by the citizens to alleviate the sufferings of the surviving passengers of the Independence, and to carry them to a place of safety from the desolate and dangerous island upon which they were thrown, naked, and without food or shelter.

On the morning of the 9th April following, the steamship *S. S. Lewis*, of the Nicaragua line, went ashore at a place six miles north of Bolinas Bay, and about fifteen miles north of the Heads. Dense fogs were the cause of this loss, as they had been the cause of the loss of the Tennessee. There were three hundred and eighty-five persons on board when the ship struck, all of whom were saved, as well as the greatest part of their personal baggage. The sea was running high at the time, and soon afterwards the vessel went to pieces.

Thus were three of the large ocean steamers connected with San Francisco lost within little more than a month, two of which

had gone ashore within the distance of a few miles from the city. It was remarked that there seemed to be a kind of fatality attending the passenger steamers connected with our port. Eleven vessels of that description, some of which were of a magnificent character, had been lost within the previous two years. The list is as follows :—

Commodore Preble.—May 3d, 1851, on Humboldt Bar.
Union.—July 5th, 1851, at San Quentin.
Chesapeake.—Rudder lost at sea, put into Port Oxford for repairs, October 10th, 1851; proceeded to Humboldt, and was condemned and sold.
Sea Gull.—Jan. 26th, 1852, on Humboldt Bar.
General Warren.—Jan. 31st, 1852, Clatsop Spit.
North America.—Feb. 27th, 1852, forty miles south of Acapulco.
Pioneer.—Aug. 17th, 1852, San Simeon's Bay.
City of Pittsburg.—Oct. 24th, 1852, burned in the Bay of Valparaiso, on her way to California.
Independence.—Feb. 16th, 1853, burned at Margarita Island.
Tennessee.—March 6th, 1853, entrance to San Francisco Bay.
Lewis.—April 9th, 1853, three miles north of Bolinas Bay.

APRIL.—For some months back the citizens have been much excited by the introduction and progress through the legislative chambers, of a bill to extend the water front of the city six hundred feet beyond the existing boundary line. It appears that the annual expenditure of the State was year by year greatly exceeding its income, and financial difficulties were the natural consequence. To procure some relief from these, Governor Bigler, in a message to the Senate and House of Assembly, recommended that the limits of San Francisco should be extended towards the water, and that such extension should be sold or leased for the benefit of the State. This counsel appeared most unjust, and caused much alarm to the inhabitants of the city. The mayor and the boards of aldermen and assistant aldermen severally issued messages and reports against the passage of the contemplated measure. The board of aldermen, on the 31st January, unanimously adopted a memorial to the Legislature, in which they represented that any measure of the nature suggested by the governor would be productive of incalculable hurt to the prosperity of San Francisco.

"Your memorialists," the document said, "have spared no labor to procure a full and frank expression of opinion by the most competent to decide upon

the merits of the proposed extension, and have received the concurrent testimony of every captain and merchant in the city, that the sanction of your honorable body to such a proceeding would place in jeopardy the entire shipping of the port, by depriving it of the protection and shelter of the headlands which it at present enjoys.

"Your memorialists feel warranted in asserting, from their own observation, as well as from the assurance of the present distinguished officer in command of the Hydrographical Party of the United States Coast Survey, that the extent to which the present filling up of the City Front has been pushed, has worked material injury to the safe anchorage of vessels already, by shoaling the waters of the harbor, and compelling ships of heavy draft to anchor further out, exposed to the full force of the tide and the fury of the strong gales from the south-east that prevail during the rainy season."

These opinions were fully shared in by the inhabitants generally. Not only would San Francisco, the commercial metropolis of the State, be materially damaged as a port, but much grievous wrong would be committed against the owners of property upon the line of the existing water front. By the Act of 26th March, 1851, which leased the State's interest in the water lots for ninety-nine years, and which specifically defined the boundary lines, it was declared that the same "shall be and remain a *permanent* water front" of the city. In the knowledge and faith of this constitutional and binding declaration, the water lots had been sold and improvements made upon them. The present owners had every reason to believe that the water front could not legally, and would not illegally and inequitably, be further extended. The doing so would be most prejudicial to their rights, while at the same time it would be a most serious injury to the general interests and privileges of the city.

Notwithstanding these and other objections, the obnoxious bill passed the House of Assembly by a majority of four, in which majority were two of the representatives from San Francisco. The other five representatives, who had voted against the measure, and some of whom had spoken often and forcibly upon its manifest injustice, now resigned their seats, and appealed to their constituents for an approval of their conduct, by standing as candidates for re-election. On the 14th of April, a new election took place. The course taken by the old representatives was chiefly opposed by a certain small section of the community, which was supposed to be personally interested in the passing of

the bill complained of. On the 2d of January, in the preceding year, at one of the noted Peter Smith's sales, already mentioned, a great belt of land "covered with water," and extending six hundred feet beyond the existing and recognized water front, and embracing many thousand distinct lots, had been sold by the sheriff for something less than $7000, in order to satisfy a judgment against the city. The particular nature of the right of the city to this ground "covered with water," and the rights of the party holding the judgment, and of the sheriff to sell it, were matters imperfectly understood. Therefore the exact rights acquired by the purchasers nobody could distinctly estimate. As things stood, the buyers, who had speculated on a fortune of twice as many millions as they had paid thousands, could do nothing. But by enlisting the State on their side, and exciting the cupidity of the government, the Peter Smith jobbers might hope to derive incalculable benefits from their desperate bargains, by making a "compromise" with the commissioners proposed to be appointed under the contemplated bill. By the express terms of this bill, they would, most probably, have secured two-thirds of their purchases. To raise a fund for carrying on their scheme, and to interest parties personally in its success, certain of the new water lots were disposed of at low or nominal prices.

It was these original and subsequent buyers then, and their immediate friends and those whom they could in any way influence, that opposed the re-election of the representatives to the House of Assembly. The people generally felt that this matter was one of the utmost consequence to the welfare of the community. On the day of election many of the leading citizens closed their places of business, and devoted themselves to watching over the polls. The question at issue was one of principle, and not the mere personal choice of favorite candidates. The anti-extensionists, as they were called, were completely successful. Five votes to one of those polled were in favor of the old representatives; while, if it had been necessary, a still larger majority would have been obtained. At the close of the poll, the following parties were elected, viz. :—Samuel Flower, John Sime, John H. Saunders, James M. Taylor, and Elcan Heydenfelt.

Meanwhile, the bill had been carried into the Senate, and

the parties for and against it seemed nearly balanced. Repeated public meetings were held at San Francisco on the subject, at which resolutions were passed strongly condemnatory of the bill and its known supporters. All classes of the community, except the reckless speculators who hoped to profit by the iniquitous Act, were bitterly opposed to the measure. If adopted, it would certainly have the effect of injuring the harbor and city to an incalculable, an irreparable extent; while, by throwing back the existing water front, and altering the grades of the streets, an immense deal of damage would be done upon private property. And all for what? Principally to enrich a few water-lot gamesters, and perhaps put a little money in the exhausted exchequer of the State. The pecuniary advantage of the transaction to the State was exceedingly doubtful at the best; while it was abundantly evident that interminable litigation and grievous loss to private parties and to the port itself were sure to arise. A large number of the members of the Legislature seem to have been at all times opposed to the prosperity of San Francisco; and would fain lay upon it what has often been considered,—by the citizens themselves, at all events,—more than a proportionate share of the burdens of the State. In the case in question, if even the government had the legal right to carry out the measure proposed by the obnoxious bill, which right was disputed by able and disinterested lawyers, the advantage to be derived by the State was very paltry in comparison with the vast amount of damage that would be occasioned to the city and individual citizens. This consideration plead for mercy from the spoiler, but it had little effect. The Senate, like the House of Assembly, seemed determined to kill the bird that laid the golden egg—for such were the taxes that San Francisco, in its prosperity, paid into the coffers of the State.

To show further the injustice and impropriety of the steps contemplated by the Extension Bill, we give an extract from a Report made by a portion of the committee appointed by the Senate on the subject:

"The harbor known in 1849 as the harbor of San Francisco, flanked north and south by the headlands of North and Rincon Points, and stretching inwards somewhat in the form of a crescent as far as Montgomery street, is now almost entirely filled up and occupied as the business part of the city. The

boundary line of this, the eastern front, as fixed and declared permanent by the 4th section of an act of the Legislature, passed March 26th, 1851, extends even a little farther out into the bay than the headlands, and when the same shall be fully built up to and improved, the city will have a water front of sufficient extent and adequate depth of water to supply all the wants of her commerce and trade. The farther extension of said front six hundred feet into the bay would not materially increase the extent on the eastern front, while a greater depth of water than the present front now enjoys, would not be necessary to enable vessels of the largest class to lie at the wharves.

"So far, therefore, as the eastern front of the city is concerned, we can discover no public necessity or conveniency which demands any action on the part of the Legislature, conflicting either in letter or spirit with the guarantee, or at least the declaration, that 'the said boundary line shall be and remain a permanent water front of said city,' contained in the act above referred to.

"The testimony taken by the committee conclusively shows that the shipping of the harbor would be materially injured by the further extension. Protection to the headlands, which is still to some extent enjoyed, would be destroyed, and the roadstead between the city and Goat Island, with a rapid current, and subject to strong south-easterly and north-westerly gales, would be materially contracted. This acknowledged injury, it has been suggested, can be counteracted by the erection of breakwaters off either or both North and Rincon Points. In a bay with such a variety of powerful currents, it would be difficult to predict the effect should such a plan be carried into execution. It might prove a greater injury to the water front than any yet inflicted upon it. But were the erection of breakwaters clearly demonstrated to be of great service, the practicability of accomplishing such a task by the State in so deep and turbulent a bay, by any expenditure within her means, is extremely doubtful. Any appropriation adequate even to the commencement of such a work, would, under Art. 8 of the Constitution, have to be submitted to the people for their approval.

"No necessity now exists for such a hazardous project, and it would be truly impolitic to create a necessity for it by making the proposed extension.

"But should the Legislature determine in any manner to extend the city front, we are decidedly of opinion that the necessity or use of erecting breakwaters would follow; and that if profit to the treasury should be a motive in making such extension, the connection of any breakwater scheme with it would entail upon the treasury losses infinitely greater than any imaginary or hoped-for profits could liquidate. The cost of breakwaters can only be reckoned by millions, and if the State embarks in the project with the hope that the proceeds of the sales of water lots will raise an adequate fund for that purpose, she will surely be disappointed.

"The right of the State to sell lots in the place indicated would be questioned perhaps by men most anxious for the sale to proceed; the title of the State could not escape being clouded in the minds of purchasers, when it is considered that a variety of interests adverse to the State would no doubt be in active operation. With these interests the public are familiar, and from one of them has proceeded the only proposition before the Legislature for an

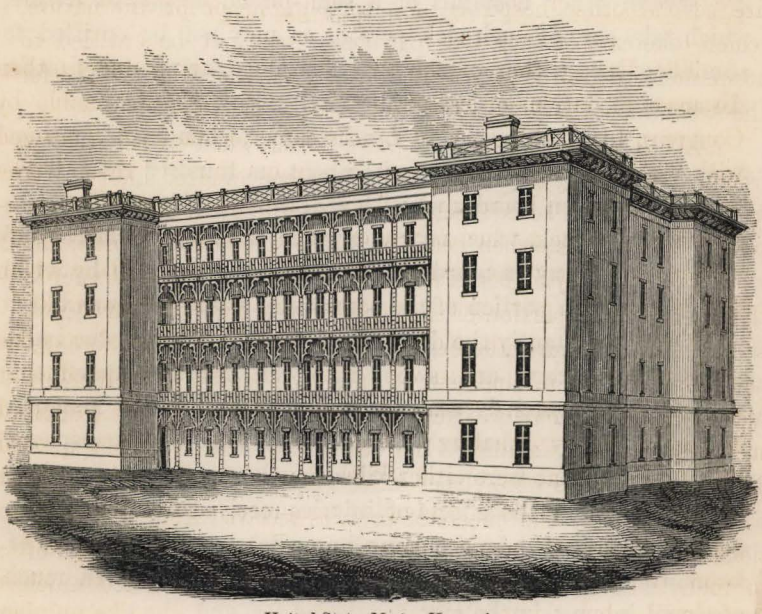
extension, and that proposition is based upon the assumption of a title adverse to and independent of the State, coupled with the proffer of a partnership interest of an entangling and intricate nature, as a consideration for the influence and authority of the State in carrying into effect a plan which your committee believe destructive to commerce, injurious to the property of a large class of citizens, and inconsistent in legislation.

"Respectful and temperate language cannot be employed in giving complete expression to the sentiments entertained of this proposition, and therefore your committee refrain from further allusion to it."

The Report, from which the above extract is taken, then discusses at length the nature of the various rights claimable by Congress, by the State, and by the city, to the land "covered with water," in question; and concludes thus: "Even if the water front right, being a vested right, could be successfully questioned, *bad faith* to the citizens of San Francisco would be truly chargeable against the government, were an act passed by which said water front privileges and advantages would be destroyed."

The united people of San Francisco, excepting always the small clique of speculators already mentioned, considered that all law, justice, and expediency, were opposed to the projected extension; the supporters of the bill in the Legislature could only talk of the absolute and wilful *right* of the State to do what it chose with its own pretended property, without regard to those who might be ruined by its so doing. After several debates, the bill came to a final vote in the Senate upon the 26th of April, when thirteen members voted for, and the like number against it. Happily, the president of the chamber, Lieutenant-Governor Purdy, who in cases of parity possesses a casting vote, gave his against the bill. Thus, by the narrowest chance, San Francisco escaped this severe stroke. Perhaps the Peter Smith speculators in extension water lots may at some future time renew their attempt to carry out their views, and may persuade even a majority of the Legislature—at all times jealous of the greatness and independence of San Francisco—to further their iniquitous schemes. The citizens, therefore, will require to be ever watchful on this subject, until a constitutional and legal declaration be obtained, and which will be beyond all cavil or question, that the existing boundary line shall be really and truly the *permanent* water front of the city.

April 7th.—The corner-stone laid of the United States Marine Hospital, when the usual interesting ceremonies observed on similar occasions, were performed. On the 10th of December, 1852, the mayor approved of an ordinance, which the common council had passed, by which he was directed to convey to the Government of the United States six fifty-vara lots, situated at



United States Marine Hospital.

Rincon Point. These were intended for the site of the magnificent structure, the corner-stone of which was laid to-day. The building was erected in the course of this year (completed December 12th), and is now a striking ornament to the city. It is built of brick, and is four stories high. It is 182 feet long by 96 feet wide. At one time five hundred patients can be comfortably lodged, while, in cases of necessity, so many as seven hundred can be accommodated. The total cost has been about a quarter of a million of dollars. This hospital has been built and will be supported by the United States, from the fees paid into the treasury by the sailors of every American vessel entering our ports. The sum of twenty cents a month is deducted from their wages, and paid by the master of every vessel to the custom-

house. In return, every sick and disabled seaman reaching San Francisco is entitled to a certificate from the collector for admission to the hospital. As sailors under foreign flags pay no fees, they are of course not entitled to the privileges of the institution. This hospital and the State Marine Hospital sufficiently provide at present for the wants of the sick in San Francisco. There are several other hospitals of a semi-public or private nature, which take care of such sick persons as may not be entitled to admission into either of the two mentioned, or who may prefer the accommodations of less public institutions.

April 11th.—The *Jenny Lind* steamer, when on her passage from Alviso to San Francisco, with about one hundred and twenty-five passengers on board, met with a dreadful accident. At half-past twelve o'clock, when nearly opposite the Pulgas Ranch, and when the company on board were about sitting down to dinner in the after cabin, a portion of the connecting steam-pipe was blown asunder, and instantly the destructive vapor burst open the bulk-head of the cabin, and swept into the crowded apartment. Many were dangerously scalded, and a large number instantly struck dead, by inhaling the intensely heated atmosphere. Thirty-one persons were either killed on the spot, or soon afterwards died, from the effects of injuries received from the explosion. This catastrophe occurring immediately after the losses of so many fine steamships at sea, already noticed, excited much sorrowful interest in the city.

CHAPTER XXV.

1853.

Russ's garden.—The German population.—May-day celebration by school-children.—Burning of the Rassette House.—Mountain Lake Water Company.—General State Hospital.—Drinking houses.—Clipper ships and short passages.—Military parade and celebration of 4th of July.—Dedication of the First Congregational Church.—St. Mary's (Catholic) Church.—Unitarian Church.—Seamen's Bethel.—Squatter difficulties.—Store-ships burned.—Strikes by mechanics and laborers for higher wages.—Anniversary of the German Turnverein.—City and county election.—Lafayette Hook and Ladder Company organized.—The French inhabitants.—Sweeney & Baugh's electric telegraph.

MAY 1st.—May-day was celebrated by a large number of our German citizens in the cheerful and imposing style observed in Fatherland. The *Turner Gesang Verein* (Gymnastic Musical Union) took the most active part in the festivities. Dressed in loose brown linen coats and pantaloons, proper for their exercises, they marched, with banners flying, and musical instruments sounding, to the gardens of Mr. Russ, near the Mission road. There somewhere about eighteen hundred persons of German blood participated in the different enjoyments of the day. They leaped, balanced and twirled, danced, sang, drank, smoked and made merry, as only such an enthusiastic race of mortals could. The weather happened to be very fine, and the grounds seemed beautiful beyond all expression of praise from the full heart that could only enjoy, while it knew not and cared not why. *Das Deutsche Vaterland* was chanted in the most rapturous manner, and for the moment the different performers seemed to forget all their native local distinctions and the very land that now gave them shelter, to become in heart and spirit only members of the one common brotherhood of Germans. Prizes to the best performers in the various athletic and other games were distributed, and several appropriate addresses were afterwards delivered.

The German population in San Francisco has always been

very large, and may now (1854) be estimated at between five and six thousand. They are an orderly and intelligent people, and show fewer criminals than a proportionate number of any other class of citizens. They learn the English language very readily, and many of them are naturalized citizens. Very different from the French population in this respect, they appear to have little wish to return to their native country. When Germans do leave California, it is generally for the Atlantic States, from whence most of them directly came. In San Francisco, they take considerable interest in local affairs, and easily enter into the spirit of the place. The different fire companies show many Germans on their rolls. This people have a daily newspaper in their own language, and at one time had two. They also possess a school, and at different times have supported a national theatre, while they often have both vocal and instrumental concerts. The professional musicians in San Francisco are chiefly Germans. Various other occupations are extensively and almost exclusively followed by them. The cigar and beer-shops are chiefly kept by them. A large number of the Jews in San Francisco are of German blood, many of whom are from Prussian Poland.

Though comparatively few Germans intend to return to Fatherland, they all bear a strong feeling towards it, and when opportunity serves are always ready to celebrate their nationality and praise the old country customs. Some of these are of an interesting and most pleasing character, in which music generally bears a leading part. Though usually somewhat phlegmatic both in person and mind, and not so brilliantly gay as the French, or so carelessly wanton in their mirth as the Hispano-Americans, the Germans are perhaps the most thoroughly *cheerful* of all the national races in San Francisco. Though many of them possess considerable property, they are not as a class distinguished for wealth; and they are generally of a saving, and sometimes a penurious character. Touch their nationality, or their pecuniary interests, and they may spend money lavishly; but in most other matters they are totally opposed, in feeling and behavior, to the princely extravagance of native Americans. The Germans pursue all professions, while they monopolize a cer-

tain few, and number some rich and many highly educated individuals among their people. Some of these have formed themselves into the *Deutsches Club*. The Germans have a society for the protection of immigrants, and various other benevolent and social institutions. Many of their naturalized citizens manifest



Lager Bier Politicians.

a lively interest in the politics of our country, which they discuss with much warmth in their favorite beer-house .

MAY 2d.—May-day happening upon Sunday, a procession of school-children, to celebrate the occasion, took place the next day. This was a new and pleasant sight in San Francisco, and the event is worthy of being recorded. There were about a thousand children of both sexes in the train. They appeared all in holiday costume, the girls being dressed in white. Each one carried a bouquet of fresh and beautiful flowers. There was the usual "Queen of May," with her "Maids of Honor," and various other characters, all represented by the juvenile players. The children of seven schools bore distinctive banners. A fine band of music accompanied the happy procession. After proceeding

through the principal thoroughfares, the children moved to the school-house in Broadway. Here some pleasant ceremonies, songs, and occasional addresses took place, in which the children themselves were the chief actors. A repast of such delicate eatables as suited youthful palates was next enjoyed, after which the glad multitude dispersed.

About eleven o'clock on the evening of this day, the *Rassette House*, at the corner of Bush and Sansome streets, and some of the adjoining buildings, were destroyed by fire. The Rassette House was a first-class hotel, well known in the city. It was a frame building, of five stories in height, including the basement. The fire began in a room above the kitchen, and in a few minutes spread over the enormous structure of dry timber. The hotel happened to be well filled with lodgers at the time, nearly all of whom were in bed when the flames broke out. There were four hundred and sixteen boarders at the house, the most of whom also lodged there. The horror and danger of their situation, in the midst of such a combustible mass, may be imagined, but can scarcely be described. A north-east wind was blowing fresh at the time, and strong fears were entertained lest the conflagration should spread over that district of the city which had escaped all the great fires of 1850 and '51. The firemen were early in attendance, and did all that men could do in the circumstances. Though they could not save the blazing pile of lumber, nor some of the neighboring houses, they prevented the conflagration spreading beyond a limited, short distance. The loss of property was estimated at nearly $100,000, without including the valuable property belonging to the many lodgers in the Rassette House. Several of the inmates of the latter building were severely burned, and it was supposed for a considerable time that some had perished. A new hotel has since been built on the same site. It is one of the most magnificent, as it is the largest private edifice, devoted to a single business, in the city.

In the week previous to that in which the fire just noticed occurred, several very extensive conflagrations had taken place in various districts of the city. However, the numerous fire-proof brick tenements, and the rapid movements and unwearied exer-

tions of the firemen, prevented these fires from spreading far. The daring and persevering labors of the Fire Department were constant themes of praise and public gratitude.



New Rassette House.

MAY 14th.—The origin and privileges of the Mountain Lake Water Company have been already noticed. The commencement of their works was this day celebrated by some imposing ceremonies at the foot of the hill near the presidio. The completion of this important undertaking has been considerably delayed, and while we write the works are at a stand. Want of funds is presumed to be the reason. The cost has far exceeded the first calculations of the projectors. Doubtless the necessary moneys will be raised before long, and the original project carried fully out. No single measure is of so much vital importance to the city as this, and all good citizens must wish well to the success of the enterprise. Hitherto San Francisco has been chiefly provided with fresh water from a considerable number of artesian

wells sunk in various parts of the city, and from supplies brought in tanks by small steamers from Saucelito, on the opposite side of the entrance to the bay. The water from all these sources is deficient at the best, and its cost forms a considerable item in the expenses of housekeepers. It is expected that the Mountain Lake Water Company will be enabled, with a handsome profit to itself, to supply millions of gallons daily of the softest and purest fresh water at greatly lower rates than what are now being paid for much smaller supplies. In a place like San Francisco, so much exposed from position and circumstances to conflagration, the unlimited supply of water for extinguishing fires is particularly requisite; and that will surely be obtained when this company has completed its works. Its name is taken from the Mountain Lake, which is but a small sheet of water, and of itself could not yield the expected supplies. This lake has no visible outlet. A few hundred yards from its northern margin, there gushes through the ground a full stream of water, which is believed to be amply sufficient for all the purposes of a city thrice the size of San Francisco. It is matter of doubt whether this great spring, or rather subterranean river, is the vent of the small Mountain Lake, or whether it is not the open end of a natural siphon, which discharges the rains and dews that fall among the mountains on the opposite shores of the bay.

MAY 19th.—We have already noticed various acts of the Legislature establishing a State Marine Hospital at San Francisco. Of this date, an act was passed which considerably altered the constitution of the existing establishment, and which was henceforward intended to be the sole general State Hospital in California. The administration of the hospital was declared to be under the control of a board of five trustees, to be annually elected by the Legislature, in joint convention. The trustees should themselves choose by ballot a president and vice-president from their own number. A treasurer, with a salary of $2,000 should also be chosen by them. The Legislature should elect every two years two resident and two visiting physicians, the former to receive annually the sum of $4,000, and the latter the same sum, each, in both cases payable quarterly. Particular provisions are made in the act as to the respective duties of the trustees, the treasurer

and physicians. All invalid persons desirous of being received into the hospital should apply to the resident physicians or either of them, and on their certificate should be admitted. Indigent sick persons, not residents of any county in the State might likewise be admitted to the hospital, as State patients ; as also the indigent sick of the city, upon such terms as the municipal authorities and the board of trustees might determine. All the State patients in the Sacramento and Stockton State Hospitals at the time when these should be abolished by law should be admitted as patients into the State Marine Hospital at San Francisco. There should be set apart by the State Treasurer, as a hospital fund, the net amounts accruing to the State Treasury, as follows, viz. :— Three-fifths of the amount derived as a commutation or tax on passengers arriving at the ports of the State, and the fines and penalties collected by reason of a violation of the laws regulating the same ; and all sums paid into the State Treasury for license for auction, gaming, billiards, ten-pin or bowling alleys, hawkers and peddlers, or collected as fines or penalties for a violation of the same. Of the amounts derived from these several sources, the one-half should be appropriated to the support and maintenance of the State Marine Hospital at San Francisco, and the other half should be distributed to each organized county in the State, proportionably to the population of said counties, as a special fund, to be appropriated exclusively to the support and maintenance of the indigent sick of such counties respectively. It was, however, provided that such allowance to the hospital at San Francisco should not exceed the sum of $100,000, and that if it did not amount to that sum then the State Comptroller should draw his warrant for the deficiency, if the necessities of the hospital should require it.

The State Marine Hospital at San Francisco is, while we write, located in Stockton street, in a large and commodious building (formerly at various periods, the American Hotel, the Marine Hospital, the Kremlin, and the Clarendon Hotel), and which is rented at a large sum. It has been much enlarged, and was expressly fitted up for the purposes of a hospital. The situation is pleasant and healthy, although the inhabitants of the adjacent houses have grumbled, with some reason, that such an

establishment should have been located in a thickly peopled and fashionable part of the town. This hospital is efficiently conducted, and as might naturally have been expected, has been productive of much benefit to both foreigners and Americans. The average number of patients is about two hundred and fifty. The only other State Hospital is one solely for insane persons at Stockton.

JUNE.—For some things San Francisco has been always particularly notorious. Among these may be mentioned its gambling saloons and drinking bars. Many keepers of these places have made large fortunes. A great proportion of the community still gamble—the lower classes in public, and the upper, or richer classes in private. Very many also continue the habit of occasionally taking a daily "drink," or two; while most of the inhabitants take many more "drinks" than they would perhaps care to confess to a rigidly sober acquaintance. In the *Christian Advocate* (a San Francisco weekly newspaper), about this date, there appeared some information which exhibits the intemperance and dissipation of San Francisco in a very alarming light. Religious journals are not always trustworthy, especially in facts and figures, when commenting on the vices of the age; but in this case there is ample room for all possible exaggeration in the statements, and still there would be statistics enough left to grieve the philanthropist. We copy the following from the *Herald*:

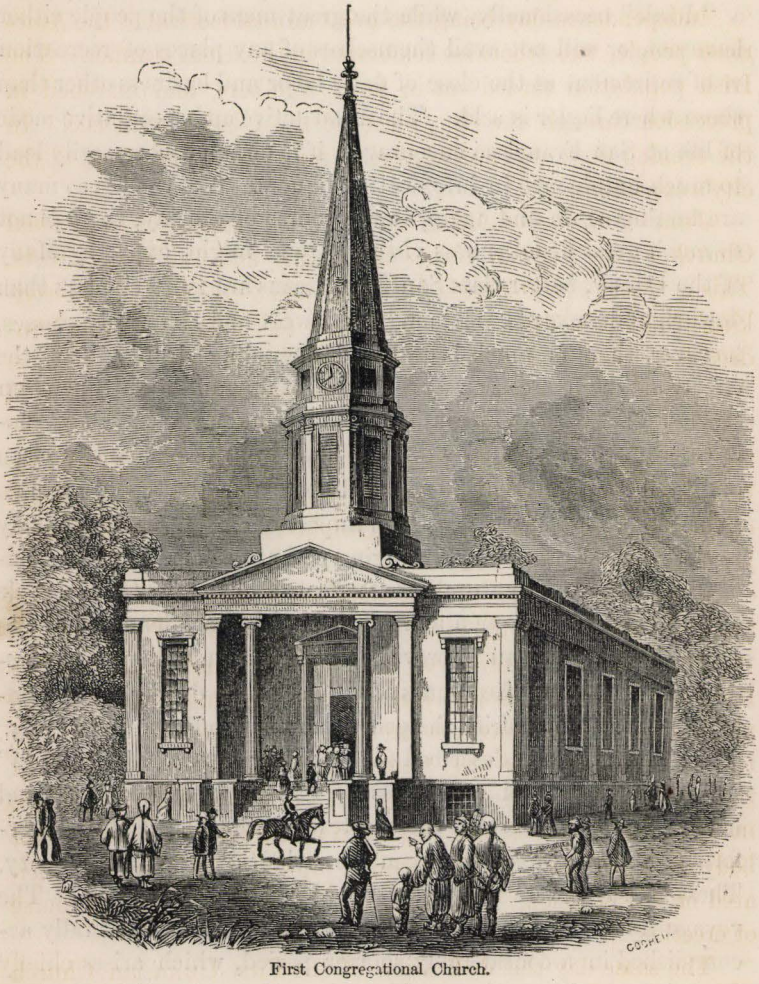
"The *Christian Advocate* has found, *by actual count*, the whole number of places where liquor is sold in this city to be five hundred and thirty-seven. Of these, eighty-three are purely liquor, in retail line, and fifty-two wholesale; making one hundred and twenty-five places which do not keep an onion to modify the traffic. Of the four hundred and twelve places where it is sold in connection with other business, one hundred and forty-four are tavern restaurants; one hundred and fifty-four groceries; forty-six gambling-houses; and forty-eight supposed to be kept by bawds. Some of these appear genteel, others are dance-houses and such like, where Chinese, Mexican, Chilian and other foreign women are assembled. There were five hundred and fifty-six bar-tenders present in the various places at the time when the memoranda were taken. We think we may safely add one-quarter, if not one-third, as reserve corps, making, including women, seven hundred and forty-three bar-tenders in our city."

These statements, in all conscience, make matters black and and bad enough. Opposed to such an array—"seven hundred

and forty-three bar-tenders!"—all the "Sons of Temperance," the clergymen, churches, religious publications, Mercantile Library Associations and the like, can hope to do little good for strict sobriety. It happens to be the custom in San Francisco to take a "drink" occasionally, while the great mass of the people either have not, or will not avail themselves of any places of recreation or of retirement at the close of daily labor and business other than those where liquor is sold. The usual active and speculative mode of life at San Francisco encourages, if it does not necessarily lead to much indulgence in intoxicating liquors. Yet though so many are tasting again and again, in the course of the day, there is not so much gross drunkenness visible as one might expect. Many of the thirsty, better class San Franciscans are more tipplers than downright drunkards. Among the lowest and the rowdy classes, however, there is much brutal and degrading drunkenness, the effects of which are seen at all hours of day and night upon our streets. It is in the mixed dance and drinking-houses above noticed, that so many noisy brawls and desperate assaults, often ending in murders, chiefly take place, that make San Francisco so infamous for its crimes. It is impossible at present completely to close such places without bringing perhaps worse evils upon society. Only time, a naturally better set of citizens, the example and benefits of good men and good institutions, homes and domestic society, and an improved public opinion, will gradually reduce the number of the haunts of vice, close the drinking and gambling-saloons, and purify the general moral condition of the city.

We have already described the character of the "clipper ships" which the trade and necessities of San Francisco created, and have mentioned several of the shortest passages that had been performed by these vessels between the Atlantic ports and our city. These passages were the quickest that had ever been made. The voyage from San Francisco to the Atlantic ports is generally accomplished in a considerably shorter period, which arises chiefly from the prevalence of westerly winds in the region of Cape Horn, by reason of which homeward-bound ships are speedily wafted round that dreaded place, where usually so much delay is caused to outward-bound vessels. The *Northern Light* sailed from San Francisco, on the 13th of March this year, and arrived at Boston

on the 29th May thereafter, thus accomplishing the voyage in the wonderfully short space of seventy-six days. This is the fastest passage that has ever been made between the places by any ship, not a steamer.



First Congregational Church.

JULY 4th.—Independence-day this year was chiefly remarkable in San Francisco for the first battalion parade of the military companies. These, numbering seven in all, inclusive of the "Sutter Rifles," from Sacramento City, which were here on a visit, formed into line and passed in review before Major General John A. Sutter and a brilliant staff. The benevolent and true hearted old

pioneer was rapturously welcomed wherever he appeared. The battalion afterwards marched to the gardens of Mr. Russ, about a mile and a half from the plaza, where Mrs. C. N. Sinclair presented it with a set of colors.

Independence-day being the great annual festival of the American people, was otherwise celebrated in the usual manner. The Irish population turned out in large numbers, and marched in procession through the city, preceded by a band of music. In the evening there was a discharge of fireworks on the plaza, at the city's expense.

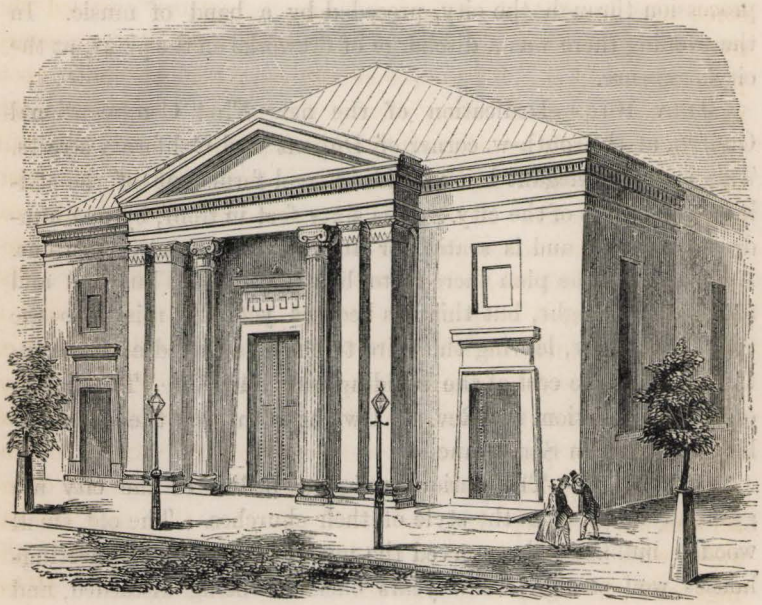
JULY 10th.—Dedication of the new First Congregational Church, at the south-w. corner of Dupont and California streets. This is a very elegant brick building, and forms one of the striking ornaments of the city. It is sixty feet in front, by one hundred feet deep, and is seated for about twelve hundred persons. According to the plan there is to be a steeple one hundred and sixty feet in height, but this has been as yet only raised to the top of the tower, leaving the spire to be constructed at some future date. The cost of the building was $40,000. The pastor of the congregation, the Rev. T. Dwight Hunt, was the first regular clergyman in San Francisco.

JULY 17th.—The various religious bodies of the city are gradually improving the style of their churches. The old, small wooden buildings that served the purposes of religious meeting-houses well enough a few years back are being discarded, and magnificent brick structures are rising in their stead. This day the corner-stone of a new Roman Catholic church was laid, at the north-east corner of Dupont and California streets, with the many imposing ceremonies performed on similar occasions by that body of Christians. A long train of priests and dignitaries officiated on the occasion. The building, St. Mary's, is still in course of erection.

The same day the dedication of the First Unitarian Church took place. The exterior of this church is not yet finished; the interior is very fine. It is situated on Stockton street, near Sacramento street. The services at the dedication were conducted by the pastor of the church, the Rev. F. T. Gray.

These are among the most imposing and substantial edifices

for public religious worship that have yet been erected in the city. The most of the other churches are still of wood. Among them may be noticed that eminently useful place the Seaman's Chapel, or Bethel. This structure has been formed upon the hull of an old forsaken ship, and exhibits a remarkably chaste and beautiful interior. As congregations get larger and wealthier,



Unitarian Church.

the many churches constructed of frame which are now existing will gradually be supplanted by handsome edifices of brick or stone, in conformity with the improved character of other buildings throughout the city.

JULY 20th.—The under-sheriff, John A. Freaner, was shot on Mission street by one Redmond McCarthy, a "squatter," when the former, in the performance of his duty, was endeavoring to execute a writ of ejectment against the latter. Revolvers were produced and fired by both parties, and both were severely wounded. The circumstance is particularly mentioned as illustrative of the "times" in San Francisco. About this period the

"squatters" on city lands became suddenly more numerous and daring than ever. These were not like the legitimate "settlers," who took possession of vacant unclaimed lands, under the ordinary pre-emption laws of the United States. On the contrary, many of the squatters seized upon lands known to be claimed by others, and who held them by the strongest legal titles known. As these titles, however, happened in almost all cases to have some nice legal doubt affecting them, "squatters" settled the matter in their own way, and at once forcibly seized upon every piece of ground that had no permanent improvements made upon it. They "squatted" every where; not only on choice lots along the line of public streets, and among the distant sand hills, but on the public and private burying grounds and on the open squares of the city. If they had the least colorable title adverse to the party in constructive possession, good and well; but generally there was no other right pretended than that of force. The intruder displayed only his six-shooter and with a scowl and a sullen curse would mutter to the offended owner—*My title is as good as yours; I have now the ground, and I will keep it, ay, until death. Out of the way!* Of course those who considered themselves the proper owners were not inclined tamely to submit to this violation of their rights. Sometimes they took counsel and aid from the law, but nearly as often they met the invader with his own weapons, the axe to destroy fences and buildings, and the revolver to frighten or kill his antagonist. Hired persons on both sides sometimes helped to carry on the war. Occasionally one "squatter" would envy, and seek to steal the already stolen possession of another; and then both would have a bloody fight about the matter. "*To the victors belonged the spoils.*"

Many lives were lost in these savage contests, and bitter enmity engendered among rival claimants. The law was almost powerless to redress wrong and punish guilt in such cases. It said that the owner of ground was entitled by every means in his power, to prevent unlawful and hostile intrusion upon it; and thus men had not the slightest scruple to use fire-arms upon all occasions. In the confusion and conflict of adverse titles, it could not be instantly determined who were the true owners, and

judges therefore could not punish the trespassers and murderers. If even the title of one slain in such a struggle were clear, juries could not be found who would bring in the slayer guilty of murder. His plea, however false and ridiculous, of supposed title to the ground which was the cause of the fatal dispute, was always held sufficient to save him from any verdict that would justify the extreme penalty of the law. Probably one or more of the jurors themselves had committed similar outrages, and would not condemn in the prisoner their own principles of action, and weaken the titles to their own properties. It was supposed that many of these "squatters" were secretly instigated in their reckless proceedings by people of wealth and influence, who engaged to see their pupils out of any legal difficulty into which they might fall. Such wealthy speculators shared, of course, in the spoils of the proceedings. To this day, many of the most valuable districts in and around San Francisco are held by "squatter's titles," which had been won perhaps at the cost of bloodshed, and in defiance of other titles, that, if not the best in law, had at least a colorable show, and should have been always strong enough to resist the strong-hand claim of the mere robber. In this way the city itself, the great victim of real estate speculators, "squatters" and plunderers, has lost, for a time at least, much of its remaining property. The new charter, if passed by the Legislature, will make many of these temporary losses, final and irretrievable ones. If it were desirable to enlarge on this painful subject, as showing the independent and lawless state of society in California, a history might be given of the great gang of squatters who have stolen the broad rich acres of the native Peraltas on the opposite side of the bay, in Contra Costa. However, it is sufficient merely to mention the subject, in illustration of the like practices that had been long carried on, and at this time seemed to be at their height in San Francisco and its environs.

JULY 24th.—Fire broke out in the store-ship *Manco*, which lay in close proximity to the wharves, near the corner of Mission and Stewart streets. The store-ship *Canonicus*—an old "forty-niner,"—which was moored alongside, next caught fire. The firemen turned out, as usual, but from the want of

proper resting-places found much difficulty in working their engines with effect. There happened to be a large quantity of gunpowder on board the Manco at the time, the knowledge of which fact, when circulated, speedily sent to a respectful distance the curious crowd that had gathered on the neighboring ships, and wherever they could procure a view of what was going on. The firemen, however, gallantly stuck to their posts, and poured vast quantities of water into the hold of the burning ship. By these means the powder was so damped that only partial explosions of small quantities took place. At last, the ship was scuttled, and she sank in shallow water. The flames continued, and were only extinguished a considerable time afterwards. The losses sustained by both the Manco and Canonicus were estimated at about $50,000.

JULY—AUGUST.—There was a succession of "strikes" during these months, among most classes of mechanics and laborers, when wages were generally raised from fifteen to twenty per cent. The following may be quoted, as being the average rate of daily wages payable at this time to journeymen :—Bricklayers, $10 ; stone-cutters, $10 ; ship carpenters and caulkers, $10 ; plasterers, $9 ; house carpenters, $8 ; blacksmiths, $8 ; watchmakers and jewellers, $8 ; tinners, $7 ; hatters (but few employed), $7 ; painters and glaziers, $6 ; tenders, $5 ; 'longshoremen, $6 ; tailors, $4 ; shoemakers, $100 per month, without boarding ; teamsters, $100 to $120 per month, finding themselves ; firemen on steamers, $100 per month ; coal-passers, $75 per month ; farm hands, $50 per month, and found. These wages are at least five times higher than what are paid similar workers in the Atlantic States ; while they are about double the highest rates of wages that are now (1854) given mechanics and laborers in the gold-producing country of Australia. Most trades and occupations other than those above named were paid equally well. The printers, who have been always a highly remunerated class, could earn, according to skill and employment, from $10 to $15 a day. Perhaps the former sum may be taken as a low average. As we have elsewhere said, there is no place in the world where so high remuneration is given for labor—useful, wanted labor, as in San Francisco. The rates above mentioned do not vary much

in the course of the year; and may, in 1854, be still quoted as nearly correct. At the same time it should be mentioned that it is not always the case that the applicant can find constant employment at his particular trade. However, if necessity should compel him to work for a time at an inferior occupation, and provided only he have bodily strength, he may always fairly calculate in finding employment as a laborer in coarse work, or in doing odd jobs, at from $3.50 to $5 a day. The immigrant, however, must work at *something*, unless he means to starve outright. The expenses of living are very much greater in San Francisco than in the dearest of the Atlantic cities, while there is very little charity or sympathy bestowed on idle, healthy men. People who would honestly succeed in this country must be prepared to turn their hand and attention to any kind of labor that promises to *pay*, no matter how disagreeable, or how little used to it may be the hesitating beginner. That has been the case with many of the most respectable and wealthy citizens, who at earlier times in San Francisco have been without a dime in their pocket or a friend to give them a gratuitous meal. They had to strip to the shirt, and earn the beginning of their present fortunes by "the sweat of their brow." If all employment should by possibility fail in the city, the robust immigrant has still the gold mines to fall back upon for sustenance and wealth, as well as the rich unclaimed lands of the United States, that seek only a tiller to produce marvellous crops, or he may always secure a situation as an agricultural laborer for others. Again, then, we say, there is no country in the world to be compared for wages and profits to California. It is emphatically the poor working-man's paradise on earth.

August 14th.—The second anniversary of the German *Turnverein* (the gymnasts already noticed) was observed to-day, in the park of Dr. Wedekind, in the southern quarter of the city. This affair was a very grand one with the whole German race here; and nearly three thousand persons participated in the festivities of the occasion. Besides Dr. Wedekind's grounds, the gardens of Mr. Russ adjoining were thrown open to the people, where athletic games and many amusing sports, music, dancing and singing, and the indispensable smoking and drinking were

kept up till a late hour at night. The amusements were resumed on the following day.

SEPTEMBER 7th.—The annual election of city and county officers. The following parties were chosen :—

Senate.

E. J. Moore,
W. M. Lent (*for short term*),
Samuel Brannan, *and subsequently on his resignation*, David Mahoney.

Assembly.

J. C. Hubbard,	A. A. Green,	N. Hubert,
E. P. Purdy,	W. J. Swasey,	Elijah Nichols,
F. W. Koll,	J. W. Bagley,	James A. Gilbert.

Sheriff.—William R. Gorham.

County Judge.—T. W. Freelon (J. D. Creigh, *to fill vacancy.*)

District Attorney.—Henry H. Byrne.
County Clerk.—Thos. Hayes.
County Recorder.—James Grant.
County Treasurer.—G. W. Green.
County Surveyor.—James J. Gardner.
Coroner.—J. W. Whaling.
Public Administrator.—S. A. Sheppard.
County Assessor.—J. W. Stillman.

Mayor.—C. K. Garrison.

Recorder.—Geo. W. Baker.
Tax Collector.—W. A. Matthews.
Comptroller.—Stephen R. Harris.
City Attorney.—S. A. Sharp.
Treasurer.—Hamilton Bowie.
Street Commissioner.—John Addis.
Marshal.—B. Seguine.
Harbor Master.—Robert Haley.

Clerk of the Supreme Court.—Henry Haskell.

Assessors.—Robert Kerrison, Jas. H. Keller, Richard Parr.

Aldermen.

H. Meiggs,	Richard M. Jessup,	John D. Brower,	John Nightingale,
Chas. O. West,	Joseph F. Atwill,	D. H. Haskell,	Jas. Van Ness.

Assistant Aldermen.

Chas. H. Corser,	Geo. O. Ecker,	Wm. H. Talmage,	Saml. Gardner,
C. D. Carter,	J. R. West,	Frank Turk,	J. G. W. Schulte.

On this occasion the proposed new charter of the city, framed by the delegates already mentioned, was submitted to the people for their approval or rejection. There were given for it 747 votes, and against it 620 ; showing a majority of 127 votes in its favor. In all the wards, except the 2d and 8th, there were considerable majorities against it. In the 2d ward, the numbers were nearly equal ; and in the 8th almost the whole votes were for it. The people, except perhaps in the last-named ward, seemed to take little interest in the proposed measure.

SEPTEMBER 19th.—The French inhabitants of the city organ-

ized among themselves the "Lafayette Hook and Ladder Company." The uniform they adopted was that common to firemen in France. We have at different places alluded to the public spirit of this class of citizens, and their appearance in large bodies on occasions of public ceremonial. They are nearly as numerous as the Germans in San Francisco, and may now (1854)



French Shoeblacks.

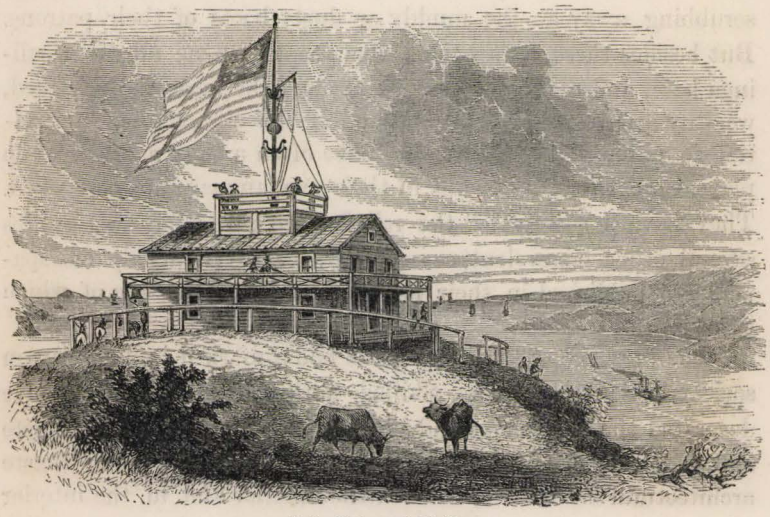
number about 5000 persons of both sexes. They preserve many of their national characteristics, and do not seem capable of thoroughly adopting American thoughts and fashions. But a small proportion seek to become naturalized citizens, and they do not readily acquire our language. California, and America itself, are but places where money may be made to enable them to return to their own land in Europe. In San Francisco they have monopolized many professions of a semi-artistic character. They are the chief shoeblacks and hairdressers, cooks, wine importers and professional gamblers. In the first-named capacity, they form

one of the street features of the place. They are posted at many of the prominent corners, with seats for their customers, whose boots they are ever ready to polish at the charge of twenty-five cents ; and some of them have at this singular business gathered money enough to open shops, neatly furnished, for the same purposes. It is not uncommon to see a dozen of these shoeblacks in a row upon the edge of the side-walks, scouring and scrubbing away at the muddy or dusty boots of their patrons. But besides these occupations, this people pursue all other callings here, and many of them are among the most distinguished, wealthy and respectable inhabitants of the city. They are partial to public amusements, and have often a theatre open, when plays, vaudevilles and operas in their own language are performed. They have a society for the relief of poor immigrants, besides several other benevolent associations. Two tri-weekly newspapers are published in their language, a portion of one of which is written in Spanish.

The presence of the French has had a marked influence upon society in San Francisco. Skilled workmen of their race have decorated the finer shops and buildings, while their national taste and judicious criticism have virtually directed the more chaste architectural ornaments, both on the exterior and in the interior of our houses. Their polite manners have also given an ease to the ordinary intercourse of society which the unbending American character does not naturally possess. The expensive and fashionable style of dressing among the French ladies has greatly encouraged the splendid character of the shops of jewellers, silk merchants, milliners and others whom women chiefly patronize, while it has perhaps increased the general extravagance among the whole female population of the city.

There are in San Francisco many natives of Switzerland and Alsace, those debatable lands between the French and German people. The Alsatians are claimed, and sometimes rejected by both. There does not seem much sympathy between the rival races, less a great deal than is between either of them and the Americans. The French complain that they are not treated so kindly by the last as are the Germans. The reason seems obvious. It is because they do not take the same pains to learn the

American language and character. The naturalized Germans are professed and acknowledged brethren ; the French—foreign in manner and physical appearance, in thoughts and hopes—can never be considered as such. The occasional devotion of Germans to old Fatherland does not so fill their hearts that they become insensible to the numberless political and social blessings which



Outer Telegraph Station.

they receive in their adopted country. But the wild glorification of Frenchmen to every thing connected with their beautiful France, is often a neglectful insult to the land that shelters them, and which they would ignore, even although they seek not to become its permanent citizens. Both races have played a prominent part in the industrial history of San Francisco, and in that of California generally. Their numbers are very large in the various mining districts ; while, as we have seen, they form a considerable proportion of the population of the city. They are not the dominant spirits of the place—for these are of the true American type that ever cry *go ahead !*—but they help to execute what the national lords of the soil, the restless and perhaps unhappy people of progress contrive. The character of a man may at least partially be inferred from his " drinks." The true Germans dote on *lager-bier*—and they are a heavy, phlegmatic, unambi-

tious race ; the French love light wines—and they are as sparkling, yet without strength or force of character ; the genuine Yankee must have a burning *spirit* in his multitudinous draughts—and he is a giant when he begins to work, tearing and trampling over the *impossibilities* of other races, and binding them to his absolute, insolent will.



Inner Telegraph Station.

SEPTEMBER 22d.—Opening of the first electric telegraph in California celebrated. This extended eight miles, between San Francisco and Point Lobos, and was erected by Messrs. Sweeny & Baugh, to give early information of shipping arrivals. Early in 1849 this enterprising firm had erected a station-house on Telegraph Hill, which commanded a view of the entrance to the Golden Gate and the ocean in that immediate vicinity ; and having adopted a variety of appropriate signals, well understood by merchants and others in the city, were enabled to give early intimation of the approach and peculiar character of all vessels coming into the harbor. This proved of immense value to newspaper publishers and other business men, from whom the enterprise received a liberal patronage, it being principally supported by voluntary contributions. Thus encouraged, Messrs. Sweeny & Baugh afterwards established another

station at Point Lobos, overlooking the ocean, from which, on a clear day, vessels may be distinguished many miles distant. This station is in full view of that on Telegraph Hill, which, receiving early signals from it, communicated them at once to the citizens, who were thus apprised of the arrival many hours before the vessel entered the harbor. The electric telegraph is still another improvement, and increases materially the facilities previously afforded by the method of signalling. Occasionally heavy fogs prevented the signals from being intelligible, or even seen, which difficulty is measurably obviated by the electric telegraph. The proprietors have also established in Sacramento street, near Montgomery, a Merchants' Exchange, supported by subscription, in the spacious rooms of which are always to be found the latest papers from all parts of the world. These enterprises have proved exceedingly lucrative to their projectors.

CHAPTER XXVI.

1853.

Important legal decision of the Supreme Court confirming Alcaldes' grants.—Burning of the St. Francis Hotel.—Opening of the telegraph communication to Marysville.—Lone Mountain Cemetery.—Anniversary of the day of St. Francis.—The Mission Dolores.—The Spanish races in California.—The Custom House Block.—The steamship Winfield Scott wrecked.—Election of officers of the Fire Department.—The Sonorian Filibusters.—Opening of the Metropolitan Theatre.—Great sales of water lots.—Montgomery block.

OCTOBER 13th.—The most important decision ever given by the Supreme Court of California was pronounced to-day in the case of *Cohas* vs. *Rosin and Legris.* Previous decisions both of this and the lower legal tribunals had established principles which unsettled the city titles to nearly every lot of ground within the municipal boundaries, and mightily encouraged squatterism. By these decisions, one title had just seemed as good or as bad as another ; *possession* being better than any. The alarming consequences of these doctrines forced both bench and bar into further inquiries and minute researches into the laws, usages and customs of Spanish or Mexican provinces and towns. The new information thus acquired was brought to bear upon the suit above named, where principles were evolved and a precedent formed of the utmost consequence to the community, and which have nearly settled, though not quite, the "squatter" questions. The decision was pronounced by Judge Heydenfeldt, and was concurred in by Chief Justice Murray (although upon somewhat different grounds) and Judge Wells. Without entering upon the merits of the particular case in question we give the "conclusions" come to :

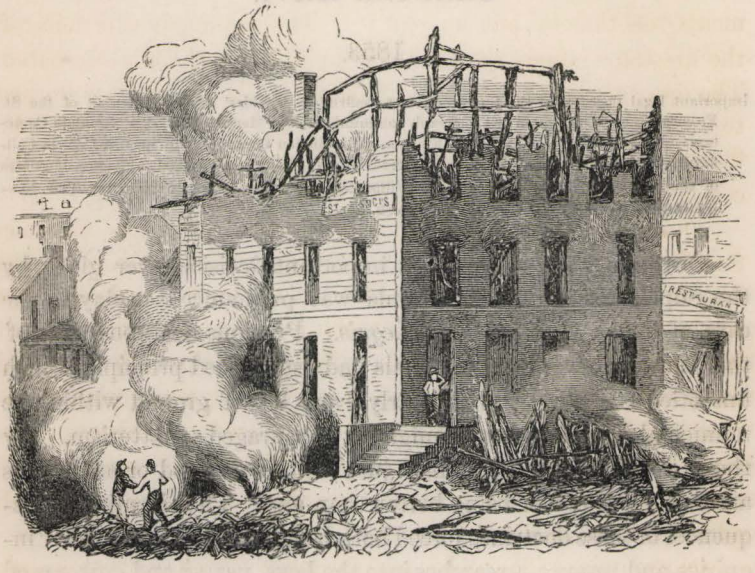
"*Firstly*, That by the laws of Mexico, towns were invested with the ownership of lands.

"*Secondly*, That by the law, usage and custom in Mexico, alcaldes were the heads of the Ayuntamientos, or Town Councils, were the executive officers

of the towns, and rightfully exercised the power of granting lots within the towns, which were the property of the towns.

"*Thirdly*, That before the military occupation of California by the army of the United States, San Francisco was a Mexican pueblo, or municipal corporation, and entitled to the lands within her boundaries.

"*Fourthly*, That a grant of a lot in San Francisco, made by an alcalde, whether a Mexican or of any other nation, raises the presumption that the alcalde was a properly qualified officer, that he had authority to make the grant, and that the land was within the boundaries of the pueblo."



St. Francis Hotel immediately after the fire.

These conclusions sustain all alcaldes' grants in the city, no matter though the alcalde himself had been illegally appointed and had made a dishonest use of his power. By this decision—all opposing precedents having been expressly set aside by the court—many notoriously fraudulent alcalde grants have been legalized; but that seems a small price to pay for the full assurance of title now given to the proprietors of the most valuable part of the ground within the municipal bounds.

October 22d.—Destruction by fire of the St. Francis Hotel, at the corner of Dupont and Clay streets. This was a famous house in the history of San Francisco. It was built in the fall of 1849, and in the basement story the polls were held of the

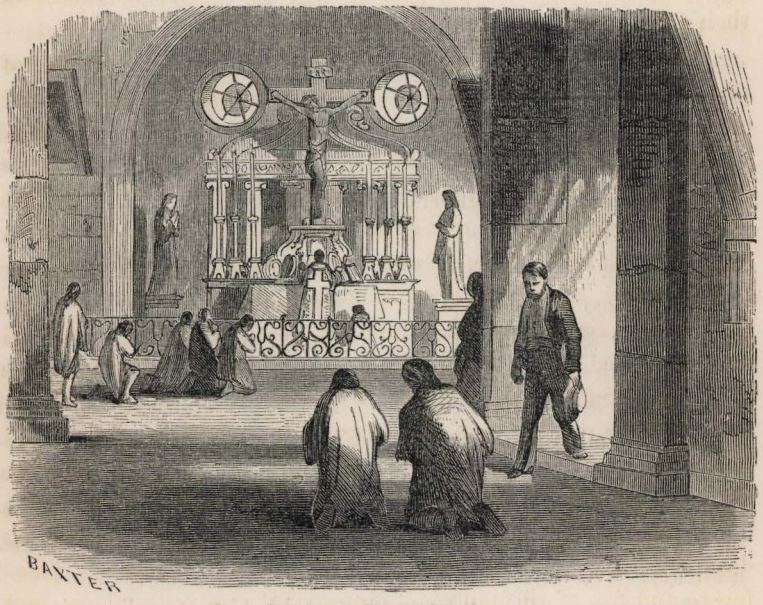
first State election. It was afterwards converted into a first-class hotel. The structure was composed of the slightest and most inflammable materials; and it had long been matter of surprise that it had escaped the many conflagrations which had so repeatedly destroyed great portions of the city. When, at last, it was consumed, people were not only no whit surprised, but many were absolutely glad that it was so, since the danger of its long anticipated burning spreading to the neighboring tenements was thereby put an end to. The strenuous exertions of the firemen confined the fire to the building in which it originated. The damage was estimated at $17,000. One lodger was burned to death; and several firemen were very severely injured by the flames. The masterly efforts of the Fire Department on this occasion were much praised.

October 24th.—First telegraphic communication between San Francisco and Marysville. This was the completion of the line of the State Telegraph Company, already noticed. The whole length of the wire is two hundred and six miles; and it was erected in seventy-five days. The rates charged were, and are now as follows: From San Francisco to Stockton, Sacramento or Marysville, two dollars for the first ten words; and for each additional five words, seventy-five cents. From San Francisco to San José, for the first ten words, one dollar, and for each additional five words forty cents.

November.—The "Lone Mountain Cemetery" projected. A tract of land three hundred and twenty acres in extent, lying between the presidio and the mission, is to be laid out in a proper manner as a new resting-place for the dead, the cemetery of Yerba Buena being considered, by the planners of the new grounds, too near the city for a permanent burial-place. The new cemetery is located near the well-known "Lone Mountain," situated three or four miles west of the plaza. From the summit of this beautifully shaped hill may be obtained one of the finest and most extensive views of land and water. At the date of writing, very material and expensive improvements are being made upon the grounds, to adapt them for the purposes of a cemetery.

November 9th.—The day of St. Francis, the anniversary of the foundation of the Mission Dolores, in 1776. In the pre-

ceding pages, occasional allusions have been made to the former grandeur and subsequent decline of this mission. At present, the chief thing worthy of notice about the place is the old church. This is constructed of *adobes*, and is a spacious building. The exterior is partially whitewashed and is very plain in appearance, although the front pretends to some old-fashioned architectural



Interior of a Mission Church.

decorations, and shows several handsome bells. The capacious interior is dark, cold and comfortless. The walls and roof are roughly painted, and upon the former are several common paintings of saints and sacred subjects. The ornaments upon and around the great altar are of the tinsel character usually adopted in ordinary Roman Catholic churches. It is presumed they are of no great pecuniary value. Public worship is still regularly celebrated in this huge and gloomy temple. The usual audiences are a few women, whose features and dress proclaim their Spanish origin. If any of the fast-thinking, doing and living people of San Francisco could be induced to "pause and moralize a while," there is no spot so fitted to encourage the unwonted mood, as the dismal, silent and deserted interior of the Mission Church.

There is an awe and apparent holiness about the place which the casual heretical visitor cares not to disturb, as he perhaps humbly kneels on the damp, earthen floor, and worships in secret his own God. A walk round the small graveyard attached to the church will only deepen his meditation as he gazes on the tombs of departed pioneers and gold-hunters, and reflects upon the glory of the ancient patriarchal times of tame Indians and their ghostly keepers.

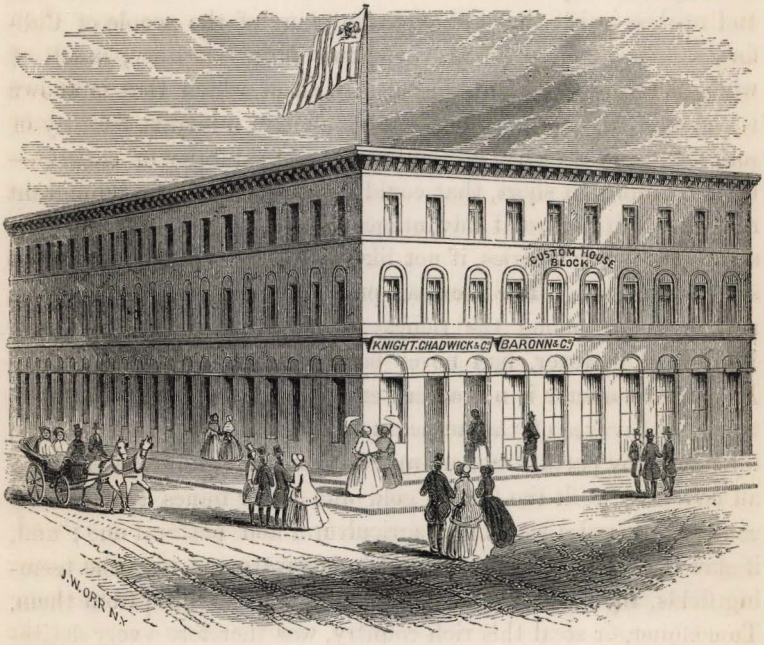
The mission has always been a favorite place of amusement to the citizens of San Francisco. Here, in the early days of the city, exhibitions of bull and bear fights frequently took place, which attracted great crowds; and here, also, were numerous duels fought, which drew nearly as many idlers to view them. At present, there are two race-courses in the neighborhood, and a large number of drinking-houses. Two plank-roads lead thither from the city, upon both of which omnibuses run every half hour. The mission lies within the municipal bounds, and probably will soon be united with the city by a connected line of buildings. The highway to San José and the farther south, runs through the village, while around it are fine green hills and fertile fields, and hotels and places of public recreation. These things all make the old home of the "fathers" a place of considerable importance to our health and pleasure seekers. On fine days, especially on Sundays, the roads to the mission show a continual succession, passing to and fro, of all manner of equestrians and pedestrians, and elegant open carriages filled with ladies and holiday folk.

Since we have given elsewhere short separate notices of some of the leading races, not American, that people San Francisco, we may here say a few words upon that one which first settled in the country—the Spanish. Over the whole of California, there may be probably about 20,000 persons of Spanish extraction; and in San Francisco alone, some 3,000. It is of the last only that we would speak. Few of them are native Californians. Perhaps one-half of the number are Mexicans, and one-third Chilians. The remaining sixth consists of Peruvians and natives of Old Spain, and of parts of Spanish America other than Mexico, Chili and Peru. The Hispano-Americans, as a class, rank far beneath the French and Germans. They are ignorant and lazy, and are con-

sequently poor. A few of their number may have a high social standing in the city, while some more bear a respectable position. For these there is one page of a French tri-weekly newspaper written in the Spanish language. It is not of them, nor of the few native Californians, who are gentlemen by nature, that we speak, but of the great mass of the race. Many of the Chilians are able both to read and write; few of the Mexicans can. Both peoples, when roused by jealousy or revenge, as they often are, will readily commit the most horrid crimes. In proportion to their numbers, they show more criminals in the courts of law than any other class. The Mexicans seem the most inferior of the race. They have had no great reason to love the American character, and, when safe opportunity offers, are not slow to show detestation of their conquerors. The sullen, spiteful look of the common Mexicans in California is very observable. The Chilians in the time of the "Hounds" were an oppressed and despised people. Since that period the class has perhaps improved. The Hispano-Americans fill many low and servile employments, and in general engage only in such occupations as do not very severely tax either mind or body. They show no ambition to rise beyond the station where destiny, dirt, ignorance and sloth have placed them. They seem to have no wish to become naturalized citizens of the Union, and are morally incapable of comprehending the spirit and tendencies of our institutions. The most inferior class of all, the proper "greaser," is on a par with the common Chinese and the African; while many negroes far excel the first-named in all moral, intellectual and physical respects.

The Hispano-Americans dwell chiefly about Dupont, Kearny and Pacific streets—long the blackguard quarters of the city. In these streets, and generally in the northern parts of the city, are many dens of gross vice, which are patronized largely by Mexicans and Chilians. Their dance, drink and gambling houses are also the haunts of negroes and the vilest order of white men. In the quarrels which are constantly arising in such places many treacherous, thieving and murderous deeds are committed. A large proportion of the common Mexican and Chilian women are still what they were in the days of the "Hounds," abandoned to lewd practices, and shameless.

The large and elegant building called "Custom-House Block," at the south-east corner of Sansome and Sacramento streets, was completed and partially occupied during this month. It was constructed at a cost, exclusive of the land, of $140,000; and is a substantial structure, three stories high, besides a basement, fronting eighty feet on Sansome and one hundred and eighty-five



Custom-House Block.

feet on Sacramento street. The various offices connected with the custom-house and naval department, besides a billiard room, and sundry other offices and stores, are in the second and third stories.

DECEMBER 2d.—The mail steamship *Winfield Scott*, on her way from San Francisco to Panama, was wrecked on the rocky and desolate Island of Anacapa, near the Island of Santa Cruz, off Santa Barbara. The passengers and most of the mail bags were saved, but the ship was a total loss. The accident was caused by dense fogs and ignorance of the exact position of the ship.

DECEMBER 5th.—Annual election of the Fire Department, when the following officers were chosen: *Chief Engineer.*—

Charles P. Duane. *Assistant Engineers.*—E. A. Ebbetts, Joseph Caprise and Charles F. Simpson.

DECEMBER 13th.—The Barque *Anita* sailed with about two hundred and forty volunteers to join a small band of adventurers that had lately left San Francisco on a filibustering expedition against Lower California and Sonora. The circumstances attending this expedition show in a remarkable manner the wild and restless spirit that influences so many of the people of California. Not content with their own large territory, much of which is still unexplored, and nearly all of which that is known is characterized by extraordinary richness in minerals, fertility of soil, beauty of scenery, and mildness and salubrity of climate—by everything, in short, that could tempt an energetic immigrant to develope its unusual advantages—many of our restless people sighed for new countries, if not like Alexander for new worlds, to see and conquer. The Mexican province of Sonora had long been reputed to be among the richest mineral regions in the world. Its mines, however, had never been properly developed. The Mexican character is not a very enterprising one. At the same time, the ravages of the numerous tribes of warlike Indians that inhabit many parts of Sonora and its frontier, had farther checked all efforts to work the known gold and silver mines there. The country otherwise was a fine agricultural and pastoral one ; and, if slaves could only be introduced to cultivate and reap the teeming fields, the owners would draw immense revenues from them. To conquer, or steal this rich country, was therefore a very desirable thing. That it belonged in sovereignty to a friendly and peaceable power, and that some seventy thousand white people inhabited and possessed the land, appeared matters of no great consequence. The government of Mexico was a worthless one, surely, and the citizens of Sonora were, or should be, dissatisfied with it, and had a right to rebel, and call upon foreigners to aid them in their rebellion. If they did not, why, their culpable negligence was certainly no fault of the filibusters. The Sonorians *ought* to rise, proclaim their independence, and cry for help from all and sundry. That was enough. The filibusters needed no particular invitation. They were determined to succor the poor Sonorians, and themselves ; and so they gathered together with

arms and ammunition for the purpose. Walker was another Lopez ; Sonora, another Cuba.

About a twelvemonth before this date the grand scheme was first projected, and during the following summer was matured. Scrip was largely printed and circulated at fair prices among speculative jobbers. This paper was to be redeemed by the first proceeds of the new government. The nominal and perhaps real leader of the movement was a gentleman, William Walker to wit, who has already figured in these pages, as the champion of the press and popular rights against the alleged corrupt judiciary of former times. Walker is said to be personally a brave, highly educated and able man, whatever may be thought of his discretion and true motives of conduct in the expedition. He seems to have taken a high moral and political position in the affair, though his professions were peculiar and their propriety not readily admitted by downright sticklers for equity and natural justice. A few of his coadjutors were perhaps also men of a keen sense of honor, who forgot, or heeded not, in the excitement of the adventure, the opinions of mere honest men upon the subject. But the vast majority of Walker's followers can only be viewed as desperate actors in a true filibustering or robbing speculation. The good of the wretched and Apache-oppressed Sonorians was not in their thoughts. If they succeeded, they might lay the sure foundations of fortunes ; if they failed, it was only time and perhaps life lost. In either event, there was a grand excitement in the game.

What Americans generally are to other nations, so are the mixed people of California to Eastern Americans themselves. All the impulsive characteristics of the natives of the Atlantic States are on the Pacific carried out to excess. Americans, and particularly those in California, are not altogether devoted to money ; they oftentimes love change and excitement better. The golden gains to be sometimes won here by strange speculations early engendered a most restless disposition in society. The adventurous character of the succeeding immigrants readily received the impress and spirit of the place. What, our people seem to think, is the worth of life, wanting emotion, wanting action ? At whatever hazard, most persons here must have occa-

sional excitement—new speculations, leading to personal adventure, change of scene and variety of life. Danger to life and limb and loss of property will not stand in the way. They will overlook the fairest prospect close at hand, with its dull routine of duty and labor, to seek for an inferior one at a distance. They are almost invariably dissatisfied with their present condition, whatever that may be. The world moves not fast enough for their boundless desires. Thus a new land, where hope and fancy see all things, is to them a charmed land. They will seek and know its qualities, or perish in the attempt. *Discontent* and *restlessness* make the true spirit of "progress" that is ever unsatisfied with the dull present, the practical and real. These are the characteristics of all great men and great races, and are the strongest signs of their superior intellect.

The spirit of progress is probably a most unhappy one to individuals, although it tends to raise a nation to the height of wealth and glory. Knowledge is power, the attribute of a god; yet as the satirist says, increase of knowledge is only increase of sorrow. Knowledge—power—"progress," is the Anglo-Saxon disposition, which has been developed on a large scale in the American character. Brother Jonathan, like the Israelite of old, seems doomed everlastingly to wander over the earth. His journey fairly began nearly a century since. On, on he must go. *Excelsior!* is his cry. The morality of the various steps in the fated pilgrimage—as morals, social and political, are commonly understood among old-fashioned people—may be dubious; yet the weary work must proceed. It is the fate of America ever to "go ahead." She is like the rod of Aaron that became a serpent and swallowed up the other rods. So will America conquer or annex all lands. That is her "manifest destiny." Only give her time for the process. To swallow up every few years a province as large as most European kingdoms is her present rate of progress. Sometimes she purchases the mighty morsel, sometimes she forms it out of waste territory by the natural increase of her own people, sometimes she "annexes," and sometimes she conquers it. Her "progress" is still steadily onward. Pioneers clear the way. These are political agents with money bags, or settlers in neglected parts of the continent, or peaceable American citizens

who happen to reside in the desired countries, and who wish to dwell under the old "Stars and Stripes," or they may be only proper filibusters, who steal and fight gratuitously for their own fast-following Uncle Sam. When they fail in their schemes, they are certainly scoundrels, and are commonly so termed; when they succeed, though they be dubbed heroes, they are still the old rogues. Meanwhile AMERICA (that is the true title of our country) secures the spoils won to her hand, however dishonestly they may have come. That is only her destiny, and perhaps she is not so blamable as a nation in bearing it willingly. One may profit by the treason, yet hate the traitor. Let the distant monarchs of the lands beyond the great lakes and the tawny people of the far south look to it. America must round her territories by the sea. Like Russia, she is steadily creeping over the world, but different from that empire, her presence bestows freedom and good upon the invaded nations, and not despotism, ignorance, and unmanly, brutal desires.

The pioneers into Sonora were Walker and his people. They never reached their destination. Lower California was in the way, and they thought it best to begin on the small scale, and secure it first. On the 30th of September of this year, the brig *Arrow*, which was about to be employed to convey the filibusters to the land of promise, was seized by order of General Hitchcock, commanding the United States forces on the Pacific, and acting under orders or a sense of his duty to protect a neighboring friendly power from being wrongfully attacked by Americans. This measure involved General Hitchcock in unpleasant litigation, and seems to have disgusted him with attempting to interfere farther in the filibusters' movements. For want of sufficient legal evidence to show the destination of the *Arrow* and the character of the preparations making by those connected with the affair, or rather, perhaps, through disinclination of the prosecutors to go on with the proceedings, the case was abandoned and the vessel released. Meanwhile, the other officials here of the United States Government, whose duty it was to prevent all piratical and filibustering expeditions from leaving the port, gave little attention to the subject, and appeared wilfully to neglect their most urgent duties. As for the State and city authorities,

it seemed to be considered none of their business to move in the matter. The newspaper press was neutral, or at all events did not (with one or two exceptions) loudly condemn the course intended to be pursued by the known filibusters. Encouraged by these circumstances, the adventurers soon procured another vessel, the barque *Caroline*, and shortly afterwards (16th October), forty-six of their number sailed in her from San Francisco for the lower coast. Early in November, they reached the town of La Paz, situated within the Gulf of California, and in the southern division of the peninsula. There they landed, scattered the surprised inhabitants, secured the governor, proclaimed the independence of Lower California, declared the civil code of Louisiana the law of the land, hauled down the Mexican flag and hoisted their own—all within half an hour. A slight engagement afterwards took place between the Mexicans and the invaders, in which the latter were successful, after killing a few of the enemy. This was the *battle* of La Paz. Mr. Walker then was nominated "President of the Republic of Lower California," and chose, or had chosen for him his various Secretaries of State, War and Navy, and other grand functionaries of the new government. As there were fewer than fifty men to select from, a pretty fair proportion of the party became suddenly dignitaries in the Republic. The President, his staff and whole forces soon forsook La Paz, the particular reason for attacking which town at this juncture of events is not plain, though perhaps it was only to create a "sensation." There was not even the pretence made that the inhabitants of the place, or any of the natives of Lower California, had invited the presence of the spoilers of their property. Walker and his party now retreated altogether from the gulf; and carrying with them the archives of the government, sailed for Ensenada, a place about a hundred miles below San Diego, on the Pacific side of the peninsula. Here, in a thinly peopled and unattractive country, and at a long distance from any Mexican troops, they were safe for a time; and here they established their "Head Quarters," until reinforcements should reach them from San Francisco. It was understood that the seizure of Lower California was only the first step in the proposed conquest of Sonora, which was all along the grand object of the expedition.

When news of this short campaign reached San Francisco, there was a mighty ado with the friends and sympathizers of the expedition. Among the few initiated in the supposed secret causes of the adventure, there were brilliant hopes of the indefinite extension of one of the peculiar "domestic institutions" of the South, and among all were glorious dreams of conquest and plunder. The national flag of the new Republic was run up at the corner of Kearny and Sacramento streets, and an office was opened for the purpose of enlisting recruits. The excitement was great in the city. At the corners of the streets and in bar-rooms, groups of intending buccaneers and their friends collected, and discussed the position of affairs. More volunteers appeared than there were means of conveying to the scene of action. News next reached the city of the *battle* of La Grulla, near Santo Tomas, where the filibusters, when said to be in the act of helping themselves to the cattle and provisions of the natives, were severely handled, and a few of them slain. This, however, only fired the recruits the more to help their oppressed brethren. Why could not the Lower Californians, poor, ignorant brutes, have been contented with the beautiful scrip of the new Republic for their paltry provisions? The rage for war—freedom to the Mexicans, death to the Apaches, and plunder to the Americans—spread over all California, and numbers hastened from the mining regions to San Francisco, to depart southward in time and share in the spoil of the conquered land. The authorities meanwhile, looked calmly on, and took no steps to prevent the departure of the filibusters. The newspapers recorded their various movements at length, and in general either indirectly praised, or did not strongly condemn them. People in private circles laughed, and talked over the business coolly. They generally thought, and said, it was all right—at all events, it was a fine specimen of the go-aheadism of Young America. Moneyed men even advanced considerable sums for the use of the expeditionists, and the scrip of the new Republic was almost saleable on 'Change, at a dime for a dollar.

We have mentioned this affair at some length, more to show the general wild and reckless character of the people, and the state of public opinion upon filibustering, in San Francisco, and

in California at large, than to chronicle the particular doings of the adventurers. Our people are mostly in the prime of life, their passions are of the strongest, they have an acute intellect, absolute will and physical strength, but they are not distinguished by high moral and political principle. They are sanguine in whatever things they undertake, and are more inclined to desperate deeds, than to the peaceful business of ordinary life. Had Walker's party succeeded in reaching Sonora and been able to stand their own for a time or perhaps signally to defeat the Mexicans in a pitched battle, ten thousand of our mixed Californians would have hastened to their triple-striped two-star standard. Against such a force not all the power of Mexico would have been sufficient to dislodge the invaders from Sonora. Other tens of thousands would have flocked into the country, and perforce it would have been thoroughly Americanized. Undoubtedly this will happen some day. Is it not "manifest destiny?" People here certainly look upon it as such, and hence very little fault has been found, in general, with the proceedings of the filibusters. The principles of action now existing in California, in so far at least as regards neighboring countries, are something like those of Wordsworth's hero, who acted upon

> "The good old rule, the simple plan—
> That they should take who have the power,
> And they should keep who can."

Rob Roy was a great man in his day; and in our own times the Californians are the greatest of a great people. That is a fact.

To finish the story of Walker's exploits. The *Anita* safely bore her contingent to "Head Quarters" at Ensenada, and by other opportunities a considerable number of volunteers went thither. They were generally well armed with revolvers, rifles and knives. On their departure, the recorder's court at San Francisco had much less daily business, and the city was happily purged of many of the old squad of rowdies and loafers. Strengthened by such an accession to his forces, opposed to which no body of Mexicans in that part of Lower California could appear in the field, Walker now, with a stroke of his pen, for he is said to be even abler as a writer than as a warrior, abolished the

Republic of "Lower California," and proclaimed in its stead that of "Sonora," which comprised the province of that name and the peninsula itself. Most of the great prizes in the lottery had already been distributed. However, Col. H. P. Watkins, of the *Anita* contingent, had the honor of being appointed the "Vice-President." This gentleman and some of his fellow-dignitaries subsequently underwent a trial at San Francisco for their filibustering practices, the result of which will be noticed under the proper date. In Lower California, various "decrees," proclamations and addresses to the natives and to his own soldiers were made by the "President." They dwelt upon the "holiness" of the invaders' cause, and were very grandiloquent. The march was being formed for Sonora, straight.

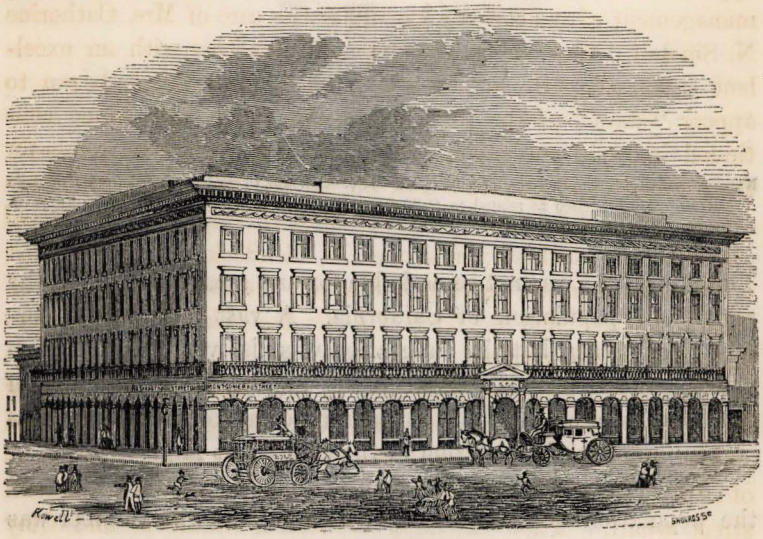
Meanwhile, dissensions were breaking out among the men. The rank and file, the tag, rag and bobtail of the expedition, had considerable difficulty in digesting the stolen or scrip-bought beef, always beef, and Indian corn, always corn, that formed their rations. They fancied that their officers "fared sumptuously every day," which very likely was not the case. Any thing will serve as an excuse for behavior that has been predetermined. So these epicures and haters of beef and corn, to the number of fifty or sixty, gave up, without a sigh, Walker, Sonora and their frugal meals. Other desertions subsequently took place, and the staunch filibusters were gradually reduced to a very few. To improve the moral tone of his army, Walker caused two of his people to be shot and other two to be flogged and expelled, partly for pilfering and partly for desertion. The San Franciscan journals had now little mercy on the expedition and all connected with it. It was a farce, they said; and its end was just what they had expected. For a while there remained a remnant of the filibusters loafing about Ensenada, or Santo Tomas—or God knows where—looking, like the immortal Micawber, for "something to turn up." Subsequently, however, as will hereafter be seen, they surrendered themselves as prisoners to the United States authorities.

DECEMBER 24th.—Opening of the "Metropolitan Theatre." Theatricals, and especially that class of them in which music bears a considerable share, have always been largely patronized

by the San Franciscans. It was thought proper to have a more magnificent temple for dramatic and operatic entertainments than any hitherto erected in the city, and the "Metropolitan" accordingly was built and opened. This is one of the finest theatres in America, and is distinguished by the beautiful and chaste appearance of the interior. The house is built of brick. The management of the theatre was under the care of Mrs. Catherine N. Sinclair. She opened the splendid structure with an excellent stock company, among whom there immediately began to appear "stars" of the first magnitude, which have since continued in rapid succession. The prices of admission were—for the orchestra and private boxes, $3, for the dress circle and parquette, $2, and for the second and third circles, $1. The *School for Scandal*, in which Mr. James E. Murdock played the part of "Charles Surface," and Mrs. Sinclair, the manageress, that of "Lady Teazle," and the farce of *Little Toddlekins*, were the performances of the evening.

DECEMBER 26th.—Great sale of one hundred and twenty water lots belonging to the city, when the gross sum realized was $1,193,550. These lots formed in all four small sized blocks of land, covered with water, lying upon each side of Commercial street wharf. They extended between Sacramento and Clay streets, and from Davis street eastward two blocks. Most of the lots measured twenty-five feet in front to a street, and fifty-nine feet nine inches in depth. These brought on an average between $8,000 and $9,000 a lot. The corner lots, which faced two streets, brought from $15,000 to $16,000. A few larger lots brought from $20,000 to $27,000. There was an average depth of about eight feet of water, at low tide, upon these blocks of land; and to make them fit to receive buildings would require the expenditure of large sums of money. The enormous prices obtained for such small lots of ground, "covered with water," show the confidence which capitalists had in the future prosperity of the city. The sale was only for ninety-nine years, after March, 1851, being the period for which the State had conveyed the property to the city. In terms of the original grant, the city was obliged to pay over to the State twenty-five *per cent.* of the proceeds of the sale. The sum of $185,000 was likewise

appropriated to satisfy any claims which several of the wharf companies adjoining the lots disposed of had pretended to the slips, now sold. After these deductions were made, a very handsome sum was left to replenish the municipal exchequer, and relieve it from many pressing obligations which had been gradually accumulating.



Montgomery Block.

DECEMBER 28th.—Great sale of the State's interest in water property, when lots to the value of $350,000 were sold. This property was situated between Broadway and Pacific streets. It was partly covered with water, and partly dry land, although covered with water in 1849, and is a portion of the property called the "Government Reserve" on the ordinary maps of the city.

The magnificent structure known as "Montgomery Block" was completed toward the close of this year. This is the largest, most elegant, and imposing edifice in California, and would attract especial attention in any city, though it occupies a site that was partially covered by the waters of the bay as late as 1849. It has a front of 122 feet on the west side of Montgomery street, from Washington to Merchant street, along which streets it extends 138 feet, presenting an unbroken façade on these three streets of nearly 400 feet. It is owned by the law firm of Halleck, Peachy, Billings & Parke.

CHAPTER XXVII.

1853.

Numbers and description of the population of the State.—Amount of gold produced from California mines.—San Francisco as related to California.—Population of San Francisco.—City improvements.—Commercial statistics.

THE year 1853 was not remarkable for any great increase in the permanent population of California. A vast immigration certainly took place, but the emigration was also very great. Before noticing the estimated increase in the number of inhabitants in San Francisco, we take this opportunity of making a few remarks on the progress of population in the country at large.

The Government census, taken at the close of 1852, returned the population of California at 264,435; but this number was considered by those best able to judge to be considerably understated. In his message communicating the census returns to the Legislature, the governor of the State, commenting upon them, expressed his belief that the population of the country, at the close of 1852, might properly be estimated at 308,000 persons of both sexes, and of all races and ages. In 1853, it was supposed that the immigration by land from the United States and Mexico amounted to about 15,000 persons, while the number of those leaving California by land was too inconsiderable to affect materially any calculations on the subject. The number of immigrants by sea, who landed at San Francisco, was about 34,000, while the departures were about 31,000. There were, therefore, probably about 18,000 persons, on the whole, added to the population of the country. If this number be added to the *estimated* number at the close of 1852, it will appear that at the close of the following year the total population of California was

326,000 persons. As while we write, in the spring of 1854, the ordinary immigration of the year has not fairly commenced, which, however, promises to be very large, the last-mentioned number may be taken as a fair approximation to the present number of inhabitants. Estimates have been made, at different times, of the various *races* forming the total number, but none of these can be confidently relied upon. The French and German peoples generally claim a greater number of their countrymen in California than the Americans are willing to allow. The following may be taken as a rough calculation on this subject. Under the term "Americans" are included the natives of Great Britain and Ireland, who are less easily distinguishable from native Americans than are other foreigners. Many, however, of the British-born, are American by adoption and naturalization. Since the common language of the Americans and British is English, and their customs and habits of thought are generally the same, there seems no impropriety in calling them all in California simply Americans. At the same time, it may be observed that the vast majority of those so called are really natives of the United States :—

Americans, 204,000 ; Germans, 30,000 ; French, 28,000 ; Hispano-Americans, 20,000 ; all other foreigners of white extraction, 5,000 ; Chinese, 17,000 ; Indians (estimated by the census agents at 33,000, which number is considered much too high), 20,000 ; Negroes, 2,000 ; total, 326,000.

Of this number, about 100,000 are believed to be working miners, the remainder forming the population of the different towns and the pastoral and agricultural districts of the country. It is estimated that there are about 65,000 women in the country and perhaps 30,000 children. In the mining regions the females are much fewer relatively to the local population than in the towns. As among the Indians and the native Californians the sexes may be supposed to be nearly equal, it will be seen that among the other races, the number of females must be very small in proportion to the number of male inhabitants. The class of small farmers and generally the agricultural population increased considerably during 1853. They produced a large portion of the provisions which supplied the wants of the people ; and it is pro-

bable that in a few years the State will be altogether independent of foreign supplies in the great staples which support life.

The quantity of gold produced from the Californian mines cannot be correctly ascertained, though reasonable approximations on the subject may be made. The custom-house returns at San Francisco do not show the great amount of gold carried off by private parties, and not manifested, nor the quantity retained in the country, where the circulation of local gold pieces is very large. Perhaps the quantity of gold dust deposited and coined at the different mints of the United States, with a fair allowance for what may be shipped directly or transhipped to foreign countries, and used in manufactures throughout the Union, and as coin in California itself, and what may be still in the hands of miners and others, may make a sufficiently exact statement on the subject. This allowance, after a careful consideration of many circumstances, we would put, for the last five or six years, at $44,000,000, which we think moderate. The total production of the different years may therefore be estimated, and given as follows:

	Deposits at the various mints of Californian gold.	Total estimated produce.
1848	$45,301	$3,000,000
1849	6,151,360	25,000,000
1850	36,273,097	40,000,000
1851	55,938,232	60,000,000
1852	53,452,567	63,000,000
1853	55,113,487	65,000,000
Add, the manifested shipments of gold dust from San Francisco in the month of December, 1853, but which would not be deposited at the mints until January following	4,846,743	
	$211,820,787	$256,000,000

As manifested in the custom-house, the export of gold from San Francisco, during 1853, was $54,906,956 74. Of this amount, the sum of $47,914,448 was for New York; $4,795,662 for London; $926,134 for China; $445,778 for Valparaiso; $390,781 for New Orleans; $191,000 for the Sandwich Islands,—and the remainder for New South Wales and various ports on the Pacific.

It will be observed that between six and seven millions were shipped, during the last year, directly to foreign countries, and would not therefore appear in the returns of the United States mints.

It seems unnecessary, in the "Annals of San Francisco," to enter more largely into the mere statistics of gold. The yearly production has steadily continued to increase, and the manifested semi-monthly shipments of specie regularly range from two to three millions. These shipments, as we have explained, do not show the total production, since large quantities of dust are carried off by private parties, which do not appear in the custom-house records. In the beginning of 1854 the mines are unusually productive; and so far as can be estimated, the total production of the year named may be expected to show a considerable increase on the production of 1853.

It is admitted by all who bestow a moment's attention upon the subject, that hitherto it has been gold, almost alone, which has given such an impetus to the progress of California at large, and particularly to San Francisco. The latter is the one great port through which the enormous foreign supplies of provisions and all other kinds of goods pass to the interior, and from whence the payments in gold dust are shipped abroad. Most of the miners reach California by way of San Francisco, and all who leave the country depart from the same city. Many years hence the fertile and genial California will be a rich and populous country, irrespective entirely of her mineral wealth; and as farming, and, by and by, manufacturing immigrants pour in, that time will be hastened. San Francisco will then, as now, be the great port of the State, and the emporium of a vast commerce. The Atlantic and Pacific Railway, which has been discussed for so many years, and which must soon be really set agoing, will increase to an incalculable extent the population and prosperity both of California and San Francisco. By whatever route the proposed railroad communication is made, our city must be the chief terminus on the Pacific. Meanwhile, she is closely dependent for prosperity upon the success of the miners and the increasing production of gold. If these grow fewer, or the production be seriously reduced, San Francisco must suffer most severely for

a time. From the figures given above, it appears that the annual production of gold has been steadily increasing; while, from what is known of the character of the mining regions, there seems no reason to fear a serious falling off in the amount for many years to come. Scientific apparatus and superior methods of working are every year being applied to the auriferous earth and rocks, which readily yield richer returns than ever. Long before the mining districts can be worked out, for profitable labor, San Francisco will have the millions of California for supporters of her commerce and patrons of her magnificence. Hitherto she has been, and from her unequalled maritime position, her wealth, population and enterprise, must always be, the financial and political, the vital centre of the State.

During 1853, the population of San Francisco was considerably increased. At the close of the year, the city was estimated to contain nearly fifty thousand inhabitants, or more than a seventh part of the whole population of California. It is true that many of these were only temporary residents, but as they gradually left the city, their places were supplied by an equally large number of occasional visitors or fresh immigrants. The population, permanent and fluctuating, was composed of all kindreds and peoples, and may be divided thus:

Americans (including British and Irish born—who probably amounted to one-sixth of the number), 32,000; Germans, 5,500; French, 5,000; Hispano-Americans, 3,000; other races of white extraction, and negroes, 1,500; Chinese, 3,000; total 50,000.

About 8,000 of this population are females, and 3,000 children; while the great majority of the remainder are men between the ages of twenty and forty years. The greatest number of votes given at any one election have, however, been only 11,000. This is partly explained by the fact that a large portion of the adult males are neither native nor naturalized citizens.

San Francisco, during 1853, was particularly improved by the erection of a large number of elegant and substantial fireproof brick and stone buildings. Some of these would be remarkable in any country for their great size, strength and beauty. The principal portion of them are situated on the east side of the plaza, in Montgomery, Battery, Sansome and Front streets,

and in those parts of the cross thoroughfares, from Jackson to California streets, inclusive, that touch or lie between those first named. There are also many fine brick buildings in Stockton street. "Montgomery Block" has upwards of one hundred and fifty rooms, and the "New Rassette House," nearly two hundred and fifty. Such great structures, the piles called the "Armory Hall," the "Express building," the "Custom-House Block," and many others of nearly as grand a character, have cost enormous sums of money to build. At North Beach, Mission Bay and Pleasant and Happy Valleys, many elegant private dwellings and manufacturing establishments have been reared, and on Rincon Point towers the splendid United States Marine Hospital, surrounded on the land sides by numerous elegant structures. Some of the more finely finished edifices have either the whole front or the lower story formed of polished Chinese granite; while the fronts of nearly all the larger buildings, constructed of brick, are covered with a fine gray-colored mastic which gives them all the appearance of being made of stone. The distant reader can scarcely have any proper conception of the magnificence of some of these edifices, so different from the character of buildings which were constructed in the early years of the great cities on the Atlantic border. It was the repeated recurrence in former days of conflagrations, which occasionally destroyed half the city, and the perpetual liability, from local position, to similar disasters, that induced capitalists to endeavor to make the best and most valuable portion of the city thoroughly fire-proof. To accomplish that, a peculiarly massive and imposing style of architecture has been adopted, the character of which has been more particularly noticed in a previous page. The later fire-proof buildings, like the earlier ones, are all provided with exterior window-shutters and doors of thick wrought-iron. This circumstance gives the best street architecture of San Francisco an appearance which is peculiar to itself. Engraved illustrations can scarcely represent the general *effect*, arising from the cause, and which the actual spectator feels.

While in the centre of the city these great buildings were rapidly rising, in the districts beyond and in the outskirts, other material improvements, in levelling the unequal ground and

erecting additional houses, generally of frame, and in the formation of gardens, were being daily carried on. A second and a third time, new and supposed better street grades were being everywhere established. To carry out these, enormous and costly excavations had to be made at particular localities, while at others immense mounds of earth had to be thrown over deep valleys. Generally the streets in the lower part of the city were raised several feet above the former height, while on the high grounds towards the north and west, the lines of streets had to be lowered from ten to fifty feet. Although the city generally may in the end be much improved by the adoption of these grades, the necessity thereby created of excavating, or of filling up the building lots along the artificial street line, and of raising or of lowering substantial buildings already erected, to suit the new level, has caused incalculable injury and loss to individual citizens. Perhaps, under the existing plan of San Francisco, which, as we have elsewhere explained, is on the principle of strait lines of street crossing each other at right angles, without regard to the natural inequalities of the ground, something like the existing grades of the streets was unavoidable, if a prudent regard was to be had to the future appearance of the city and convenient access to the remotest parts of it. But on viewing the sad destruction of property caused to particular persons by these new grades, we are only the more imbittered against the original designers of the town for their absurd mathematical notions. If the great thoroughfares had been adapted to the natural configuration of the tract of country upon which the city stands, there might have been some apparent irregularity in the plan, and some, perhaps some little ground available for building purposes lost, yet many millions of dollars would have been saved to the community at large, which, as matters stand, have already been unprofitably expended, while millions more must still be spent in overcoming the obstacles wilfully placed in the way by the originally defective plans.

But leaving such unprofitable discussion, we may only remark that owing to the adoption of these new grades, an immense deal of labor was performed during the year, both in forming the streets themselves and in altering the buildings along the sides

of them. Many new streets were planked for the first time, and some of the old ones replanked. Planking has served well in the infancy of the city, but it is probable that so perishable a material will soon give place to cobble-stones or Macadamized paving, or even square dressed blocks of granite or whinstone. San Francisco, like Rome, cannot be built in a day. Already, portions of Montgomery and Washington streets are finely laid down with cobble-stones. Meanwhile, the streets in general have gradually been getting into clean and regular order, and have a pleasant appearance. They and the buildings lining them are in many respects equal, and in some respects superior to the streets and buildings of long established and populous cities in the Atlantic States. The San Franciscans are proud of their noble city that sits enthroned beside calm waters, and as Queen of the Pacific receives homage and tribute from all seas and oceans. Richly freighted ships from every land visit her harbor. Her buildings are becoming palaces, and her merchants, princes. Wealth, gayety and luxury characterize her people. She is fast approaching that peculiar and regal character which in days of old was borne by the great maritime cities of the Mediterranean, in more recent times by Venice and Genoa, and perhaps at this date by Amsterdam and St. Petersburgh. Like the great mercantile cities of the past, San Francisco may fall in her pride; but centuries shall first pass. She is very young yet, and has a long age of growing grandeur before her. The commerce of the Pacific is only beginning, and with its certain increase will San Francisco certainly wax greater and more marvellous. Her spirit is GO AHEAD! We have seen her, but a few years since, only a barren waste of sand-hills—a paltry village—a thriving little town—a budding city of canvas, then of wood, and next a great metropolis of brick. In a few years more, if she be not changed into marble, like Augustan Rome, she may be turned into as beautiful and enduring substance, into Chinese or rather Californian granite. After the wonders we have already seen, and part of which we have described, nothing seems impossible in the progress of San Francisco. Her future will be far more glorious than even the present. As the lover expatiates rapturously upon his mistress, whose perfections, though nature may have been

bountiful, he chiefly himself creates, so do the San Franciscans speak of their beloved city, whose magnificence is principally the work of their own hands. Some glorification is natural and allowable on the subject.

To give a general notion of the condition in some respects of the city at the close of 1853, we here present a variety of miscellaneous statistical facts. These have been drawn from the columns of various newspapers of the day, from the city directory, custom house and other records, and from personal observation.

San Francisco, at the close of 1853, is divided into 8 wards for municipal purposes, and has nearly 250 public streets and alleys open, many of which are graded and substantially planked. It has 2 public squares formed and already surrounded by buildings. Besides an immense number of handsome and commodious edifices of frame, there are 626 brick or stone buildings, already erected or in course of erection, within the limits of Broadway and Bush street, Stockton street and the water front. Of these 350 are two stories in height; 154, three stories; 83, one story; 34, four stories; 3, five stories; and 1, six stories. Many of the houses are very large, and a few rival in size and grandeur the finest buildings in the United States. Nearly one half of the whole number were built during 1853, and about two thirds have been constructed in the most substantial manner, and made secure against the hottest fires. The real estate of the city was valued, on the 1st of July, at $28,880,200. As, since that period, this kind of property has risen twenty-five per cent. in marketable value, while extensive improvements were making in the interval, the valuation will justify an increase of $10,000,000 on the estimate made in the summer. There are 160 hotels and public houses with a descriptive name, 66 restaurants and coffee saloons, 63 bakeries, 5 public markets and 43 private ones, 20 bathing establishments, 15 flour and saw mills, 13 foundries and iron works, and 18 public stables.

There are 19 banking firms, of which more than one-half are extensive establishments of the highest credit; and the operations of a single one, including its agencies, have been $80,000,000 in one year. There are 9 fire, life and marine insurance companies. There are 10 public schools, with 21

teachers, and 1250 scholars, besides several private educational establishments. There are 18 churches, and about 8000 church members. There are 6 military companies (one of them, however, being chiefly for target practice), with 350 members in all, of which number about 260 are on active duty. The companies have a common armory and drill room. There are 14 fire companies, numbering about 840 members, with 12 engines, and 3 hook and ladder trucks. There are 38 large public cisterns for the use of the fire companies. There are 2 government hospitals, 1 hospital in the course of erection by a benevolent society, and an alms-house, all having together about 600 patients, besides private establishments of the same nature. There are 8 lodges of secret benevolent associations, and 4 public benevolent societies, connected with different races. There is a fine law library, and, be it said, about 200 attorneys. There are all the usual public buildings which are required in a city of the size, a handsome city hall, a jail, post-office, custom-house, and city, county and state court rooms of various denominations. There is also a mint erecting. There are a great number of societies for mercantile, professional, literary, social and religious purposes, among which are the Chamber of Commerce, a gas and water company, a plank road and various wharf companies, the Mercantile Library Association, the Christian Library Association, Bible and tract societies, several asylums for orphans, the California Pioneers, the Philharmonic Society, the Medical Society, the New England Society, the *Turnverein* (Gymnastic Society), the *Saengerbund* (Singer's band), the San Francisco *Verein*, and the German Club. There are resident consuls for 27 foreign governments. There are 12 daily newspapers, of which 8 are morning papers, 3 evening papers, and 1 a German morning paper. There are 2 tri-weeklies, both of them French; and 6 weeklies, of which 3 are religious, 1 commercial, 1 French, and 1 a Sunday paper. There are 2 monthly publications, of which 1 is an agricultural journal, and the other literary. Among places of public amusement, there are 5 American theatres (generally three or four of which are at all times open), a French theatre, a musical hall for concerts, balls, lectures, exhibitions, &c., a gymnasium and two race courses. During the year, there were open,

besides the American and French theatres, a German theatre, a Spanish theatre, and a Chinese theatre. The billiard rooms, and the public and private places at which gambling is carried on, can scarcely be counted; and the same may be said of the places where vast quantities of intoxicating liquors are daily consumed.

There are 18 ocean steamers, of which 8 run to Panama, 4 to San Juan del Sud, 2 to Oregon, and 4 to points on the coast of California; and there are 23 river steamers, which ply to different parts on the bay and its tributaries. There is one line of daily stages to San José, another to the Red Woods, and one thrice a week to Monterey. There are regular lines of omnibuses on the plank roads, which run to the mission every half hour. There is a magnetic telegraph eight miles in length, from Point Lobos, for reporting vessels; and another, extending altogether upwards of three hundred miles, to Marysville, through San José, Stockton and Sacramento. There are 2 great, and some smaller express companies, which convey letters and packages to all parts of the Union, and to many foreign countries. The great Atlantic mails leave twice a month, *via* Panama; and there are daily mails to all places of importance around the bay or on the Sacramento and San Joaquin Rivers. For nearly two months, in the summer of 1853, a weekly mail left for the Eastern States, but this, not being sufficiently supported by government, came abruptly to an end. About 1,000,000 of letters were sent during the year to foreign and Atlantic ports.

The settled portion of the city covers about three square miles. The principal part of the business is carried on in houses erected on piles, or built on earth filled in where the waves of the bay rolled three years ago. There are 2 plank roads to the mission, and one across the hills on Pacific street, on the way to the presidio. There are 12 large wharves projecting directly into the stream, besides nearly as many small cross ones. About $2\frac{1}{2}$ miles of streets and wharves are made on piles over the water.

During 1853, there were, in round numbers, imported into San Francisco, 100,000,000 pounds of flour and meal, worth $5,000,000; 20,000,000 pounds of butter, worth $4,000,000; 25,000,000 pounds of barley, worth $500,000; nearly 80,000,000

feet of lumber, worth $4,000,000; 29,500 casks, and 12,000 packages, of hams; 8,400 tierces, hogsheads and casks, 700 barrels and 9,400 boxes, of bacon; 51,000 barrels of pork; 16,000 barrels of beef; about 40,000 barrels of refined, and 160,000 bags, 3,000 barrels and 4,000 boxes, of raw sugars; 100,000 boxes of soap; 170,000 cases of candles; 1,100,000 pounds of tea; 115,000 bags of coffee, (not including some 13,000 boxes of the article ground); 2,300 tierces, and 14,000 barrels of Carolina rice, and over 400,000 bags of foreign rice; and, of unspecified provisions, 50 tons and 55,000 packages. There were also imported, among a variety of other articles, 67,600 cases of boots and shoes; 31,000 bales, 20,000 cases and boxes, and 6,000 packages, of dry goods; 80,000 tons of coal, and 550,000 packages of unspecified merchandise. Likewise, whiskey equal to 20,000 barrels, and 400 barrels of rum; 9,000 casks, hogsheads and pipes, 13,000 barrels, 2,600 kegs and 6,000 cases, of brandy; 34,000 baskets of champagne; and, of other wines, 9,150 hogsheads and casks, 2,500 barrels, 1,800 kegs and 156,000 cases. To complete the long list of "drinks," there were also imported, of beer, 24,000 casks and hogsheads, 13,000 barrels, and 23,000 cases and boxes; and of "unspecified liquors," 5,000 pipes and casks, 6,000 barrels, 5,000 kegs, 8,000 cases and 1,600 packages. These importations were to supply the wants of fewer than four hundred thousand persons, resident in California and Oregon, and some of them in the Sandwich Islands. The total imports of the year were about 745,000 tons of goods, and were valued at upwards of $35,000,000; or, on an average, two tons, and about $100 for every person in the State of California and Territory of Oregon. The freights to vessels coming into San Francisco during the year were $11,752,084; and the duties collected at the custom house were $2,581,975. The only exports worthy of notice were about $65,000,000 of gold dust (part only of which was manifested), and 18,800 flasks of quicksilver, valued at $683,189.

The arrivals of the year were 1028 vessels, of 558,755 tons (though carrying about one-third more), and the departures were 1653 vessels, of 640,072 tons. Of the entrances, 634 vessels, of 428,914 tons, were American, and 394 vessels, of 126,880 tons,

were foreign. The difference between the statements of the entrances and departures arises chiefly from the circumstance that the many vessels engaged in the Californian coasting trade were cleared, but not entered in the custom house. The quickest passages of the year were made by the *Flying Fish* and the *John Gilpin*, both "clipper ships." These were from New York, and arrived on the 31st January, and 2d February, in 92 and 97 days respectively. At the close of the year, there were 72 square rigged sailing vessels in the port, consisting of 21 ships, 36 barques, and 15 brigs. A few weeks, and sometimes a few days only, were now sufficient to discharge the largest vessels, and fit them ready to depart again for sea. Besides the vessels mentioned as being in port, there was also there a proportion of the large ocean steamers and those that plied along the coast, and in the bay and tributaries. Many old "forty-niners" and other vessels that had arrived in various late years, served as storeships, or lay dismantled and neglected in various parts of the harbor.

CHAPTER XXVIII.

1853.

Prosperity of San Francisco.—Business activity.—Fortunes rapidly made.—Disputes concerning titles to real estate.—Real property commanding extravagantly high prices.—Social, moral and intellectual characteristics.—Gambling.—Vice less concealed in San Francisco than in other cities.—The female population.—Expenses of house-keeping.—Foreign population.—The marvellous progress of the city during the past few years.

MANY of the observations regarding San Francisco and its citizens made in the reviews of the several years since 1849, and in the chronological order of the proper "Annals," may be fitly applied in describing the place and people at the present time. Cities change neither their moral nor physical nature in a twelvemonth. The same broad characteristics that marked the first great increase in the number of inhabitants are still visible. At the beginning of 1854, the citizens are as remarkable, as in 1849 they were, for energy for good and evil, and the power of overcoming physical obstacles, and creating mighty material changes. Every where in the city is the workman busy at his trade. Laborers of various kinds are still hewing down the rocky hills, excavating the streets, grading and planking them; they are levelling building lots, and rearing mammoth hotels, hospitals, stores, and other edifices; they are piling and capping water lots, and raising a new town upon the deep; gas and water works are forming; sand hills are being continually shifted, and cast, piecemeal, into the bay. The wharves are constantly lined with clipper and other ships, the discharge of whose cargoes gives employment to an army of sailors and boatmen, stevedores and 'longshoremen. The streets are crowded with wagons and vehicles of every description, bearing goods to and from the huge stores and warehouses. The merchant and his clerk are busily

buying and selling, bartering and delivering; and fleets of steamers in the bay and rivers are conveying the greater part of the goods disposed of to the interior towns and mining districts. The ocean is covered with a multitude of ships that bear all manner of luxuries and necessaries to San Francisco. *Seven hundred and forty-five thousand tons of the most valuable goods were brought into port in one year.* All the inhabitants of the city are in some measure engaged in commerce, or in those manufactures and trades that directly enable it to be profitably carried on, or in supplying the wants, the necessities and extravagances of the proper commercial community. The gold of the mines pays for every thing, and it all passes through San Francisco. Elsewhere we have talked of the high ordinary prices of labor, and the assurance of employment to the earnest workman, who is not above turning his hand to any kind of work, however severe and irksome it may be.

Numerous fortunes were rapidly made in the early days of San Francisco, when the golden gains were shared among a few long-headed speculators, who fattened on the public means, or who took advantage of peculiar circumstances, or who had fortune absolutely thrust upon them by lucky accident. The ordinary rates of profit in all kinds of business were very great, and unless the recipients squandered their gains in gambling, debauchery, and extravagance, they were certain in a very short time to grow rich. Capital, when lent, gave at all times a return of from thirty to sixty *per cent. per annum*, with the best real security that the country and the times could afford. In two years' space, the financier doubled his capital, without risk or trouble to himself; and the accumulation went on in geometrical progression. But chiefly it was the holders of real estate that made the greatest fortunes. The possession of a small piece of building ground in or about the centre of business was a fortune in itself. Those lucky people who held lots from the times before the discovery of gold, or who shortly afterwards managed to secure them, were suddenly enriched, beyond their first most sanguine hopes. The enormous rents paid for the use of ground and temporary buildings in 1849 made all men covetous of real estate. By far the greater part had originally belonged to the

city, formerly the so-called pueblo, or village of Yerba Buena; but the guardians of its interests, from the conquest downwards, liberally helped themselves and their friends to all the choice lots. In later years, the unappropriated lots were more remote from the centre of business, although the gradual increase of population was constantly adding to their value. Numerous attempts were then made to filch from the city its more distant tracts of land, and these were often successful. Meanwhile, the legal title of the city itself to all its original estate was disputed, and hosts of rival claimants started up. Conflicting decisions on the subject were given in the courts of law, and all was uncertainty and confusion, violence, ending sometimes in death to the parties, and interminable litigation. The great value of the coveted grounds led to reckless squatterism, and titles by opposite claimants, three or four deep, were pretended to almost every single lot within the municipal bounds. Those who had really made permanent improvements, or who held actual and lucrative possession, might defy the squatter; but the multitude of unimproved land and water lots, and the large tracts around the business part of the city, upon which as yet there was not even a fence, were fair spoils to the resolute invader. No matter what previous title was alleged; all titles were doubtful—except possession perhaps, which was the best. We have, under different dates, noticed at length the speculations of the city guardians in real estate, the Colton grants, Peter Smith sales, and squatter outrages.

The temptation to perpetrate any trick, crime, or violence, to acquire real estate, seemed to be irresistible, when the great returns drawn from it were considered. The reader in the Atlantic States, who may think of the usual cheapness of land in new towns, can scarcely realize the enormous prices chargeable in San Francisco for the most paltry accommodation. We have seen the excessive rents paid in 1849. Four years later, they were nearly as high. The commonest shops, or counting-rooms, in ordinary situations, would rent at from $200 to $400 per month, while larger ones would readily bring $500 and $600. Capacious and handsome stores, auctioneers' halls, and the like, in desirable localities, would often be held at $1000 per month, or more.

The rents of the larger hotels, of the restaurants, coffee saloons, gambling and billiard rooms, and of the finer stores and warehouses, would appear almost incredible to the distant reader. Ordinary stores, offices, and dwelling-houses were rented at equally extravagant sums. One paid away a moderate fortune as a year's rent for but a sorry possession. The profits of general business were so great that large rents, before they became quite so enormous, were readily given. Capitalists built more and handsomer houses, which were tenanted as soon as ready for occupation. In a couple of years, the building speculator in real estate had all his outlay (which, since labor and materials were so very high, was exceedingly great) returned to him in the shape of rents. Henceforward his property was a very mine of wealth. As rents rose, so did the prices of such property. The richest men in San Francisco have made the best portion of their wealth by the possession of real estate.

For several years, rents and the marketable value of real estate had been slowly, though steadily rising. Towards the close of 1853, they were at the highest. At that period, and generally over a great part of the year named, trade and commerce in San Francisco were unprofitable, and in many cases conducted at a serious loss. An excessive importation of goods, far exceeding the wants of California, and which arose doubtless from the large profits obtained by shippers during the previous year, led to a general fall in prices, and occasionally to a complete stagnation in trade. Then it was found that the whole business of the city seemed to be carried on merely to pay rents. A serious fall in these, and in the price of real estate, more especially of unimproved land, followed this discovery, some notice of which will be given in a subsequent chapter.

As we have said, during 1853, most of the moral, intellectual, and social characteristics of the inhabitants of San Francisco were nearly as already described in the reviews of previous years. There was still the old reckless energy, the old love of pleasure, the fast making and fast spending of money, the old hard labor and wild delights, jobberies and official and political corruption, thefts, robberies and violent assaults, murders, duels and suicides, gambling, drinking, and general extravagance and

dissipation. The material city was immensely improved in magnificence, and its people generally had an unswerving faith in its glorious future. Most of them were removed from social trammels, and all from the salutary checks of a high moral public opinion. They had wealth at command, and all the passions of youth were burning within them. They often, therefore, outraged public decency; yet somehow the oldest residenters and the very family men loved the place, with all its brave wickedness and splendid folly.



Interior of the El Dorado.

In previous chapters we have dwelt so fully upon the general practice of gambling in San Francisco, that it seems unnecessary to do more than merely allude to it in this portion of the "Annals." The city has been long made notorious abroad for this vice. Though not now practised to the large extent of former years, gambling is still very prevalent among many classes of the

inhabitants. The large public saloons, so numerous in 1849, and immediately succeeding years, have become few in number at the date of writing (April, 1854). The chief of them are the "El Dorado," on the plaza, and the "Arcade" and "Polka," in Commercial street. These places still exhibit the old lascivious pictures on the walls, while orchestral music, excellently performed, continues to allure the idle, the homeless and familyless, as to a place of enjoyment, where their earnings are foolishly spent. The cards are often still dealt out and the wheels turned, or dice thrown, by beautiful women, well skilled in the arts calculated to allure, betray and ruin the unfortunate men who become their too willing victims. About the wharves, and in various inferior streets, there are other public gaming tables, of a lower description, where the miner particularly is duly fleeced of his bags of dust. There are also some half a dozen noted houses, of a semi-public character, where play is largely carried on by the higher order of citizens. In these places, sumptuous refreshments are provided gratuitously for visitors. The keepers are wealthy men, and move in the better social circles of the town. At their "banks," single stakes are quite frequently made as high as a thousand dollars, and even five thousand dollars are often deposited upon one hazard. The "bankers," however, are not too proud to accept a single dollar stake. The game played is faro. At such places, very large sums are lost and won; and many fine fellows have been ruined there, as well in mind as in pocket. In strictly private circles, there is likewise a great deal of play carried on, involving large sums. The good old game of "long whist" is ridiculously slow and scientific for the financial operations of the true gambler, and the seducing "poker" is what is generally preferred. All these things unhappily harmonize but too well with the general speculative spirit that marks the people of San Francisco.

Though there be much vice in San Francisco, one virtue—though perhaps a negative one, the citizens at least have. They are not hypocrites, who pretend to high qualities which they do not possess. In great cities of the old world, or it may be even in those of the pseudo-righteous New England States, there may be quite as much crime and vice committed as in San Francisco,

only the customs of the former places throw a decent shade over the grosser, viler aspects. The criminal, the fool, and the voluptuary are not allowed to boast, directly or indirectly, of their bad, base, or foolish deeds, as is so often done in California. Yet these deeds are none the less blamable on that account, nor perhaps are our citizens to be more blamed because they often seek not to disguise their faults. Many things that are considered morally and socially wrong by others at a distance, are not so viewed by San Franciscans when done among themselves. It is the hurt done to a man's own conscience that often constitutes the chief harm of an improper action; and if San Franciscans conscientiously think that, after all, their wild and pleasant life is not so very, very wrong, neither is it so really and truly wrong as the puritanic and affectedly virtuous people of Maine-liquor-prohibition, and of foreign lands would fain believe.

There was a small, though steady increase, during the year in the number of female immigrants. New domestic circles were formed, and the happy homes of old countries were growing more numerous. Yet while there are very many beautiful, modest, and virtuous women in San Francisco, fit friends and companions to honest men, it may be said that numbers of the sex have fallen very readily into the evil ways of the place. Perhaps the more "lovely" they were, the more readily they "stooped to folly." It is difficult for any woman, however pure, to preserve an unblemished reputation in a community like San Francisco, where there is so great a majority of men, and where so many are unprincipled in mind and debauchees by inclination. Not all women are unchaste whom voluptuaries and scandal-mongers may wish to think such. The wives and daughters of respectable citizens must be held pure and worthy. Their presence here confers inestimable blessings upon society. There are known mistresses and common prostitutes enough left to bring disgrace upon the place. By the laws of California divorces are readily obtainable by both husband and wife, one of whom may think him or herself injured by the unfaithful or cruel conduct of the other, and who, perhaps, disliking his or her mate, or loving another, may wish to break the bonds of wedlock. Divorces are accordingly growing very numerous here, and have helped to

raise a general calumny against the sex. Some of the newspapers now regularly give, without comment, these "matrimonial



San Francisco Beauties—the Celestial, the Señora, and Madame.

jars" as pieces of news in their columns, facetiously placing "divorces" between the ordinary lists of "marriages" and "deaths." Like the male inhabitants, the females of San Francisco are among the finest specimens, physically, of the sex, that can anywhere be seen.

The subject of females naturally introduces that of housekeeping; and we accordingly take occasion here to mention a few items regarding the expenses of a family in San Francisco at the beginning of 1854. The wages of female servants are from fifty to seventy-five dollars per month. Wood costs fifteen dollars per cord; coal, per hundred-pound sack, three dollars; and the same, per ton, delivered, fifty dollars. At market, the best cuts of beef, pork, and mutton, are thirty-seven and a half cents per pound; venison is thirty-one cents; salmon, twenty-five cents;

best fresh butter, one dollar; second quality of the same, seventy-five cents; Goshen butter, fifty cents; fresh eggs, one dollar and twenty-five cents per dozen; Boston eggs, seventy-five cents per dozen; turkeys, six to ten dollars each; wild geese, or ducks, one dollar each; chickens, two dollars and fifty cents to three dollars each; quails, six dollars per dozen; potatoes, two to three cents per pound; cabbages, twenty-five cents a head; cauliflowers, thirty-seven to fifty cents each; turnips, parsnips, and beets, one dollar per dozen; milk, twenty-five cents per quart. Rents of dwelling-houses vary from fifteen or twenty dollars per month, for a single small apartment, up to five hundred dollars per month, or what more one will, if a stylish mansion must be had.

The multitude of foreign races in San Francisco, French, Germans, and Hispano-Americans, with all their different complexions, tongues, modes of dressing, amusements, manner of living, and occupations, so different from those of the Americans, and the numerous half-helot tribes of Chinese, Lascars, and negroes, who are still more unlike our people in their natural and acquired characteristics,—all make the city the most curious Babel of a place imaginable. There are many less, though still considerable shades of difference existing among Americans themselves, who are drawn from all corners of the Union, and between them and the various distinctive natives of the British Isles. Again, there are numerous individuals from European countries, not yet named, such as Italians, Spaniards, Greeks, Dutch, Danes, Swedes, and others. All these peoples, differing in language, blood, and religion, in color and other physical marks, in dress and personal manners, mental habits, hopes, joys, fears, and pursuits, and in a multitude of nice particulars, stamp upon San Francisco a peculiarly striking and motley character. The traveller and the student of mankind will meet here with specimens of nearly every race upon earth, whether they be red, yellow, black, or white. Many of them are still seen in their national state, or at least with the broadest traces of their native qualities. In some respects, however, perhaps most of them have been deeply impressed by the genius of the place. Such show the peculiar mark of Young America on

the Pacific—the Californian, and especially the San Franciscan "go-ahead" disposition. Let the immigrant be from what country and of what personal temperament and character he may, a short residence here will make him a shrewder and more energetic man, who works harder, lives faster, and enjoys more of both intellectual and sensuous existence than he would be



Colored population—Greaser, Chinaman, and Negro.

able to do in any other land. On any occasion of public excitement, such as a fire, a fight, an indignation or filibustering meeting, or the like, there is gathered together a multitude, which cannot be paralleled in any other place, of stalwart, bearded men, most of whom are in the early prime of life, fine, healthy, handsome fellows. The variety and confusion of tongues and personal characteristics, the evident physical strength, reckless bravery, and intelligence of the crowd, make a *tout ensemble* that is very awful to contemplate. Turn these men into an angry mob, armed, as at all times most of them secretly

are, with revolvers and bowie-knives, and a legion of drilled soldiers could scarcely stand before them. These youthful giants are the working spirits of San Francisco, that have given it a world-wide fame for good and evil.

When the early California pioneer wandered through the city, and contrasted the lofty structures which he saw on all sides; the broad, level, and bustling streets, the chief of them formed where once rolled the long swell of the sea; the great fire-proof warehouses and stores, filled with the most valuable products of all lands; the wharves, crowded with the largest and finest vessels in the world; the banks, hotels, theatres, gambling saloons, billiard-rooms and ball-rooms, churches, hospitals and schools, gin palaces and brick palaces; the imposing shops, within whose plate-glass windows were displayed the richest assortment of articles of refined taste and luxury; the vast amount of coined money incessantly circulating from hand to hand; the lively and brilliant array of horse and carriage riders; the trains of lovely women, and the crowds of well-dressed, eager men, natives of every country on the globe, most of whom were in the flower of life, and many were very models of manly or of feminine beauty—for the cripple, the hunchback, the maimed and deformed find not their way hither—when the veteran immigrant contrasted these things with what had been only a few years before, he could scarcely persuade himself that all the wonders he saw and heard were aught but a dream. The humble adobes, and paltry wooden sheds; the bleak sand hills, thinly dotted with miserable shrubs; the careless, unlettered, ignorant, yet somewhat gallant Californians; the few ragged Indians and fewer free white men; the trifling trade and gentle stir of the recently founded settlement of Yerba Buena, where coin was a curiosity; the great mud flat of the cove with its half dozen smacks or fishing boats, canted half over at low tide, and perhaps a mile farther out, a solitary square-rigged ship, the peaceful aspect of the *village* of the olden time—all flashed across the gazer's memory. Before one hair had turned gray, ere almost the sucking babe had learned his letters, the magic change had been accomplished. Plutus rattled his money bags, and straightway the world ran to gather the falling pieces. The meanest yet

most powerful of gods waved his golden wand, and lo! the desert became a great city. This is an age of marvels; and we have seen and mingled in them. Let the pioneer rub his eyes: it is no *mirage*, no Aladdin's palace that he sees—but real, substantial tenements—real men and women—an enduring, magnificent city.

When the later pioneer took *his* sentimental stroll, memory only recalled the frantic scenes of the memorable '49—a period that never can be forgotton by those who saw and shared in its glorious confusion. The lottery of life that then existed; the wild business and wilder amusements; the boundless hopes; the ingenious, desperate speculations; the fortunes made in a day and lost or squandered nearly as quickly; the insatiable spirit of play; the midnight orgies; the reckless daring of all things; the miserable shanties and tents; the half-savage, crime and poverty-stained, joyous multitudes, who had hastened from the remotest parts of the earth, to run a terrible career, to win a new name, fortune and happiness, or perish in the struggle; the commingling of races, of all ranks and conditions of society; the incessant rains and deep sloughs in the streets, with their layers, fourteen feet deep, of hams, hardware, and boxes of tobacco, where among clamorous and reckless crowds people *achieved* the dangerous passage; the physical discomforts; the sickness, desertion, despair and death of old, heart-broken shipmates and boyhood companions, whom remorse could not bring again to life, nor soothe the penitent for his cruel neglect; the rotting, abandoned fleets in the bay; the crime, violence, vice, folly, brutal desires and ruinous habits; the general *hell* (not to talk profanely) of the place and people—these things, and many of a like saddening or triumphant nature, filled the mind of the moralizing "forty-niner."

If these pioneers—and like them every later adventurer to California may think and feel, for all have contributed something to the work—lent themselves to the enthusiasm and fancy of the moment, they might be tempted with the Eastern king to proudly exclaim, and as truly: *Is not this great Babylon that I have built, for the house of the kingdom, by the might of my power, and for the honor of my majesty?* Many obstacles, both

of a physical and moral nature, have been encountered and gradually overcome before the grand result was obtained. Hills were removed and the deep sea filled up. Town after town was built, only to be consumed. Great fires destroyed in one hour the labor of months and years. Commercial crises and stagnation in trade came to crush individuals. The vagabonds and scoundrels of foreign lands, and those too of the federal Union, were loosed upon the city. Robbers, incendiaries and murderers, political plunderers, faithless "fathers" and officials, lawless squatters, daring and organized criminals of every description, all the worst moral elements of other societies, were concentrated here, to retard, and if possible finally destroy the prosperity of the place. All were successively mastered. Yet the excesses of the "Hounds," the scenes of the great fires, the action of the "Vigilance Committee," and the crimes that created it, the multitude of indignation meetings and times of popular strife, the squatter riots, and the daily occurrence of every kind of violent outrage—whatever was most terrible in the history of the city, will ever be remembered by the early citizens. Some of the worst of these things will never again occur; and others are being yearly modified, and deprived of much of their old frightful character. For the honest, industrious and peaceable man, San Francisco is now as safe a residence as he can find in any other large city. For the rowdy and "shoulder-striker," the drunkard, the insolent, foul-mouthed speaker, the quarrelsome, desperate politician and calumnious writer, the gambler, the daring speculator in strange ways of business, it is a dangerous place to dwell in. There are many of such characters here, and it is principally their excesses and quarrels that make our sad daily record of murders, duels, and suicides.

CHAPTER XXIX.

1854.

Meeting of citizens regarding the State Revenue Act.—Run on Adams & Co.—Banking and banking-houses.—The Express Building.—Weather unusually cold.—Effects of the weather upon the interests of the country.—Le Count & Strong's Directory for 1854.—Loss of the clipper ship San Francisco.—The city lighted with gas.—Riot at the Mercantile Hotel.

JANUARY 9th.—Large public meeting held, of parties chiefly interested, at the Merchants' Exchange, to consider the effect of certain late decisions by the Supreme Court, which had established the constitutionality of the State Revenue Act of 15th May, 1853. Many of the provisions in this Act, such as the heavy license duties laid upon auctioneers and others; the duty of one *per cent.* chargeable on goods and real estate exposed to auction; that of "ten cents upon each one hundred dollars of business estimated to be transacted" by bankers, and dealers in exchanges, stocks, gold dust, and similar occupations; and particularly the tax of sixty cents *per* one hundred dollars laid upon "consigned goods," were considered to be unequal, oppressive and unconstitutional in their operation. The following were declared to be "consigned goods" within the meaning and intent of the Act: "All goods, wares, merchandise, provisions, or any other property whatsoever, brought or received within this State (California) from any other State, or from any foreign country, to be sold in this State, owned by any person or persons not domiciled in this State." It was estimated, that if the tax upon "consigned goods" were enforced, an annual burden of $300,000 would be laid upon shippers to the port. In like manner, the tax upon the sales of personal property, to say nothing of those of real estate, would form a burden of $125,000 annually; while the duties leviable upon the banking class would be so monstrous



LITH. OF BARON & Co. N. York

SAN FRANCISCO IN 1854.

FROM THE HEAD OF SACRAMENTO ST.

that their business could not be carried on. The parties against whom these duties were leviable, refused to pay them; and accordingly actions had been raised by the proper officials on the part of the State to try their legality. The Supreme Court of California had just established that point in favor of the State, but those who were affected by the obnoxious provisions of the Revenue Act still refused to acknowledge their validity.

At the meeting above mentioned (Alfred Dewitt, *chairman*), resolutions were unanimously passed—condemning the objectionable parts of the Revenue Act as "flagrantly oppressive and unjust"—declaring that they never would be submitted to, until "all lawful and proper methods of redress should be exhausted"—instructing counsel to move for a rehearing of the case before the Supreme Court, and to prosecute all appeals that could be made to the Supreme Court of the United States—that a memorial should be prepared and laid before the Legislature praying for a repeal of the Act complained of—and that various committees should be appointed to collect subscriptions from the citizens and carry out the views expressed in the resolutions. Such committees were accordingly chosen, and the meeting separated.

While we write, the matters complained of remain in an unsatisfactory and unsettled state. The law has not been enforced and there is considerable doubt whether it ever can or will be. The subject is one of great importance to the prosperity of San Francisco, and has added strength and bitterness to the charges often made against the Legislature, that it consults in its proceedings more the interests of the mining and agricultural than of the commercial portion of the State.

JANUARY 18th.—Run upon Adams & Co., bankers. This commenced on the evening of the 17th, and continued all next day. It arose from the circumstance that the name of Adams & Co. did not appear among the published list of those who had exported gold by the semi-monthly steamers. The firm named had actually shipped their usual quantity of specie, but this fact was not known to the public. Upwards of a thousand of the smaller depositors took the alarm, and hastened to withdraw their money. The house, whose solvency was undoubted by large capitalists, was well able to meet the unexpected demand, and,

by the close of business on the 18th, had paid out $416,000. In a short time afterwards, their old customers gladly re-deposited the sums so hastily drawn. We take this opportunity to make a few remarks upon banking in San Francisco.

There are no chartered banks in California. By the Constitution, no corporation for banking purposes can exist in the State, nor is any species of paper circulation admitted. The first regular banking house in San Francisco was established on the 9th day of January, 1849, under the firm of Naglee & Sinton. Their "Exchange and Deposit Office" was on Kearny street, fronting the plaza, in the building known as the Parker House, and on the site of the present City Hall. Mr. Sinton soon retired from the firm. The business was then continued by Mr. Naglee until the run already noticed, on the bank, in September 1850, when he closed. Prior to the opening of this office, deposits were made with the different mercantile houses having safes, such as Ward & Co.; W. H. Davis; Mellus, Howard & Co.; Dewitt & Harrison; Cross & Co.; Macondray & Co., and others. This was not only the case at San Francisco, but at places in the interior. At Sutter's Fort, and afterwards at Sacramento City, the principal houses of deposit were S. Brannan & Co.; Hensley, Reading & Co.; and Priest, Lee & Co.

As the population increased, the work of receiving and paying out deposits became so great, that the necessity of houses devoted especially to the business began to be felt; and these accordingly were soon established. At the close of 1849, the following houses were in operation:

Henry M. Naglee	established	January 9th, 1849.
Burgoyne & Co	do	June 5th "
B. Davidson	do	about September "
Thomas G. Wells (afterwards Wells & Co)	do	do October "
James King of William	do	December 5th, "

Previous to the discovery of gold and the consequent rapid influx of population, there was but very little coin in the country, and that little mostly in the towns of Monterey, San Francisco, San Diego and Los Angeles. Payments throughout the country were frequently made in cattle, hides, &c. The gentleman,—an eminent banker in San Francisco,—from whom we have ob-

tained these and the following facts upon banking, has seen an account, credited, "*by two cows in full,*" for a physician's bill of $20. This was in 1847, and near Los Angeles. After the discovery of gold, that substance in its natural state became the currency, and passed in all business operations at $16 per ounce. The scarcity of coin was so great about and for some time after that period, and the demand for it to pay custom-house duties so urgent, that gold dust was frequently offered at $8 and $10 per ounce. This was particularly the case in the months of November and December, 1848. During the same months in 1849, the bankers' rates were as follows : for grain dust, $15.50 to $15.75 per ounce ; and for quicksilver dust, $14.50 to $14.75 per ounce. This was when coin was paid out for the dust. When the bankers received it in deposit, they valued it at $16 per ounce and repaid it at the same rate.

D. J. Tallant (now Tallant & Wilde), opened his banking house in February, 1850 ; and Page, Bacon & Co., and F. Argenti & Co., theirs in June of the same year. Subsequently several others were established. At this date (April, 1854), the following houses are in operation :—Burgoyne & Co., established June 5th, 1849 ; B. Davidson, September, 1849 ; James King of Wm., December 5th, 1849 ; Tallant & Wilde, February, 1850 ; Page, Bacon & Co., June, 1850 ; Adams & Co. (first as express agents, now express and banking house) ; Palmer, Cook & Co. ; Drexel, Sather & Church ; Robinson & Co. (savings bank) ; Sanders & Brenham ; Carothers, Anderson & Co. ; Lucas, Turner & Co.

JANUARY 20th.—The "Express Building," north-east corner of Montgomery and California streets, completed, the foundations having been laid in September, 1853. This is another of Mr. Samuel Brannan's magnificent street improvements. The building is seventy-five feet high, having four stories and a basement, and has a front on Montgomery street of sixty-eight feet, and on California street, of sixty-two and a half feet, and cost, exclusive of the land, $180,000. The lot is valued at $100,000. Wells, Fargo & Co., bankers and express agents, and Pollard & Co., real estate and money brokers, occupy the lower floor. In the fourth story the society of California Pioneers have their hall

and secretary's office. The remainder of the building is used for a variety of business purposes.



Express Building.

An unusual degree of cold was experienced in San Francisco for several days about this time, exceeding any thing that "the oldest inhabitant" recollected. To-day, ice, in some places an inch thick, was formed in the streets. Within doors, the water in pitchers was generally frozen. At two o'clock P. M., icicles a foot in length hung from the roofs of houses on which the sun had been shining all day. The small lagoons around the city were frozen over, and excellent skating was had

on ponds near the mission. The hills in Contra Costa and near the mission had their summits covered with snow.

There is a whimsical notion among native Californians, that the coming of "these Yankee devils" has completely changed the character of the seasons here, the winter months especially being, it is believed, now wetter and colder than before the American advent. The excessive rains of the winters of 1849-50, and 1852-53, lent some fanciful support to the Californian faith. The frosts and snows of January, 1854, seemed to corroborate it. The winter of 1850-51 on the other hand, was warm, dry and agreeable, to a degree seldom experienced even in the usually mild climate of California.

We have alluded here particularly to these facts, from the circumstance that San Francisco is peculiarly dependent on the weather, inasmuch as the character of the latter materially affects the production of gold in the mining regions. Too much water or too little, at particular seasons of the year, will equally prevent mining from being very successful. In summer, the miners are generally engaged at what are called the "wet diggings," in or beside the beds of rivers, when these are low. There, unexpected rains and consequent floods would ruin all their prospects. At other periods of the year, when the rivers are full, the miners work upon the "dry diggings," upon plains, uplands, and in ravines, which are often at a considerable distance from any stream. As, however, large quantities of water are required for the purpose of washing the auriferous earth, rains then become necessary. In many districts at certain seasons, rich "dry diggings" have been prematurely deserted for want of sufficient supplies of water. To rectify this want, large rivers have been turned, at great labor and expense, from their course, and their waters led by artificial channels to whatever places they may be in demand, those persons using the water paying certain rates for the privilege. The water companies, many of which possess large capitals, form peculiar features of the mining districts. They, however, can assist but a small portion of the whole number of "dry diggings," and copious rains are indispensable for the rest. The rains in the early part of the winter of 1853-54 had been very slight; and great inconvenience was expe-

rienced at the mines for want of the usual supplies of water. The rivers were too full for "wet diggings," and the plains and hill sides too dry for "dry diggings." The production of gold was therefore materially lessened, and this fact, joined with a glut of imported goods, and heavy charges upon business, particularly the enormous rents, had produced much commercial distress about this period in San Francisco. In the spring of 1854, abundant rains fell, which set the miners all busy at profitable work, and it was expected by many that commerce would consequently revive. Other circumstances, however, prevented that desirable event, which shall be noticed in the next chapter.

FEBRUARY.—Publication of the San Francisco Directory for 1854. This is only noticed from the circumstance of its being much the fullest and most reliable directory that had appeared here. It contained the names and addresses of about twelve thousand persons; and, in an Appendix, a very great deal of useful and curious information about the city. The canvasser and compiler was Frank Rivers. It was published by LeCount & Strong.

FEBRUARY 8th.—Loss of the clipper ship *San Francisco*, from New York to this port. This was a fine new ship of large tonnage, whose cargo was valued at $400,000. In beating through the entrance to the bay, she missed stays and struck the rocks on the north side, opposite Fort Point. This was nearly at the spot where the English outward-bound ship *Jenny Lind*, from the same cause, was wrecked a few months before. The "Golden Gate" is narrow, but the channel is deep and perfectly safe, if only its peculiarities be known and attended to. The loss of the ships named was supposed to be more attributable to the ignorance or neglect of their pilots than to any natural dangers in the place at the time. If it were obligatory on masters of sailing vessels, not small coasters, to employ steam-tugs to bring their ships from outside the Heads into the harbor, such accidents as these could not occur. It appears that twenty-three large vessels have either been wrecked, stranded, or seriously injured in San Francisco Bay since 1850. This number is exclusive of any accidents occurring to vessels at anchor in the roadsteads, or lying

at the wharves. The total losses in the harbor, since 1850, are estimated to have exceeded a million and a half dollars.

The wreck of the San Francisco was attended by circumstances very discreditable to some of the people in and around the city. So soon as the occurrence was known, a multitude of plunderers hastened to the wreck, and proceeded to help themselves from the ship's hold. It was in vain that the owners or their agents attempted to drive them away. Some two hundred dare-devil Americans, nearly all armed with the usual weapons, five or six-shooters and bowie knives, were not to be frightened by big words. They stood their ground, and continued to take and rob as they pleased, plundering from each other as well as from the ship. It was said that even some of the soldiers from the presidio crossed the strait, and became wreckers themselves. Then a storm came, and scattered and capsized the deep-laden boats that were bearing the spoil away. Some were carried out to sea, and were lost ; others were swamped close beside the wreck and a few of their passengers were drowned. The number of lives lost could not be exactly ascertained, although it was supposed that, at least, a dozen persons must have perished in the midst of their unhallowed occupation. There were no lives lost of those connected with the *San Francisco*. She was sold after the wreck, as she lay, her contents included, for $12,000. A short time afterwards, and when some of the lighter parts of the cargo had been removed, the ship went to pieces, as had been the case with the *Jenny Lind*, before her.

FEBRUARY 11th.—The city was first lighted with coal gas on the evening of this day. The occasion was celebrated by several hundred citizens at a banquet given by the trustees of the "San Francisco Gas Company," in the Oriental Hotel. Already about three miles of pipes were laid in the streets, to be increased as the public accommodation required. At first, only a few of the principal streets and some of the leading hotels and large mercantile establishments were lighted with gas ; but every day the number is increasing. The "Metropolitan" theatre, a few weeks after this date, adopted the new light. It will, of course, soon become general, and prove a great benefit to the city. When in addition to gas, the leading street-grades are completed, the streets them-

selves properly paved with stone, and fresh water introduced by the "Mountain Lake Water Company," San Francisco will present an appearance equally agreeable and striking to those who recollect the dangers and troubles of traversing its old swampy paths on dark nights. The price charged by the company for the gas was $15 per thousand feet. In regard to this rate, J. M. Moss, the president of the company, remarked at the entertainment above alluded to, that, considering that in San Francisco the price of coal was $36 to $40 *per* ton—money, 36 *per cent. per annum*—labor, $6 to $7 *per* day—gas was furnished here 50 *per cent.* lower than in New Orleans, and about 20 *per cent.* lower than in New York. The San Francisco Gas Company was incorporated with a capital of $450,000, and their works were commenced in November, 1852. These are situated on Front street, one hundred and thirty-seven and a half feet, extending from Howard to Fremont street, along which streets they have a depth of two hundred and seventy-five feet. The company was organized with the following officers :—*President*—Beverley C. Sanders ; *Vice-President*—J. Mora Moss ; *Secretary*—John Crane ; *Trustees*—B. C. Sanders, J. M. Moss, James Donahue, John H. Saunders, John Crane.

The first street lamps in San Francisco were erected in Merchant street, by Mr. James B. M. Crooks, in October, 1850. They were lighted with oil, and to be paid for by private subscription. The same gentleman had also completed the erection of ninety lamps, on the 20th of February, 1852, on Montgomery, Clay, Washington and Commercial streets, to be paid for in a similar manner. These, with the exception of four posts, were all destroyed by the fire of the 4th of May following. In the autumn of 1852, the common council contracted with Mr. Crooks to light the city within the limits of Battery, Kearny, Jackson and California streets. This contract was carried out until the introduction of gas as above related, by a contract made with Mr. James Donahue for the "San Francisco Gas Company."

FEBRUARY 17th.—A serious riot took place this afternoon at the Mercantile Hotel, when the policemen in their endeavors to perform their duty by apprehending the rioters, were maltreated by them, and severely injured.

CHAPTER XXX.

1854.

Commercial depression.—Decrease in the value of real estate and merchandise.—Combination of the steamboat owners.—Rates of freight and passage on river steamers.—Duels and duelling.—Sale of "government reserve" town lots.—Celebration of St. Patrick's day.—Conviction of filibusters —Opening of the San Francisco branch mint.—The Pacific railroad.—Falling of the U. S. bonded-warehouse.—Explosion of the boiler of the steamboat "Secretary."—Arrival of Chinese immigrants.—Quick passage of the clipper ship "Flying Cloud."—Wreck of the "Golden Fleece."

MARCH.—San Francisco is passing through a time of much mercantile distress. For many months before this period, commercial business had been unprofitable to those conducting it. We have already alluded to the circumstance that an excessive quantity of goods had arrived during the latter part of 1853. In the spring of 1854, importations continued very large. The market was completely glutted, and prices of the great staples of commerce fell day by day. Several bankruptcies ensued, and the whole commercial community were suffering severe losses. The clipper ship *Bald Eagle*, and some other vessels, were fully freighted to New York and other eastern ports with goods similar to those they had recently brought from thence. Besides the general lack of business and low prices of merchandise, one great cause of commercial losses here was the high rents charged for stores and general business premises. During 1853, an unusually large number of expensive fire-proof buildings had been erected, which at first were in great demand at much increased rates. When sales and prices of goods fell off, dealers could no longer afford to pay the raised rents. It was found, at the same time, that builders had been largely anticipating the natural demand for business accommodation, and had erected far more houses than could be profitably occupied. Soon the large number of empty stores forced owners of house property to reduce rents from

twenty to thirty *per cent.*; at which reduction not many more tenements were occupied than before.

All this while, as building was briskly going on and rents were rising, the marketable value of all kinds of real estate was greatly enhanced. Unimproved lots, within a wide circle round the settled portions of the city, became suddenly in demand, at many times their recent price. Speculation in real estate was rife, and holders who had the prudence timeously to sell out, realized large sums. Many people thought that surely the advance could not last, but it did; and prices still continued to rise. Had trade been good, it is hard to say how high and how long the increased prices,—great part of which was certainly without just cause,—would have gone on; although doubtless the reaction would have come by and by. The bad condition of commercial affairs, and the reduction in store rents, hastened the downfall. About the close of December, 1853, at the time of the great sales of water lots, prices of real estate were about the highest. Two months later, unimproved town lots were almost unsalable at any price, while house property suffered a fall corresponding to the reduction in rents. This led to the failure of a few speculators in real estate. Looking, disinterestedly, at the great extent of ground around the city still unbuilt upon, the number of empty stores, the acknowledged overdoing of commercial business, and, above all, the comparatively slow rate at which, of late, the population of the State and city is increasing, it appears to us highly probable that many years will pass before the recent high prices be again witnessed. Most likely, the present reduced prices for all kinds of real estate, but more particularly for unimproved lots, will continue, for some months, to fall lower. When the population of the State, and by consequence that of its great port, are materially increased, prices of real estate in San Francisco may be expected to rise far above the present or even the recent high rates.

While there seemed not much hope for any rise in the value of real estate for a long period, prices of merchandise in the latter part of this month began slightly to improve. The prospects of a general European war, and the expected diminution of shipments from other ports to San Francisco, as well as the increasing

production of gold at the mines, led to the belief that before long the commercial market would, at last, become again profitable to merchants. All mercantile communities are subject to occasional depression, but these in the end work their own cure. In the instance before us, the chief loss would fall, not upon the general inhabitants of San Francisco,—who only got their merchandise cheaper,—nor even on its many commission merchants; but on the foreign shippers who wilfully and recklessly continued to flood our market with goods that were not wanted at the time.

About this time, a combination was formed among the owners of the various steamboats plying on the bay and interior waters. The capital of this great joint-stock association, called the "California Steam Navigation Company," was declared to be $2,500,000; divided into shares of $1000. It was provided that the partnership should exist for *fifty years* after the 22d day of February, 1854,—that being the date of incorporation. Merchants and others, both in San Francisco and the large interior towns, considered that their interests would be prejudicially affected by this combination, which would, for a time at least, effectually hinder all competition. Very soon, the people of Marysville and Sacramento began to call public meetings, and agitate the question of no monopoly. Preliminary arrangements, while we write, are being undertaken to form companies to start opposition boats.

The rates of freight and passage established by the old combined companies are as follows:—From San Francisco to Sacramento; passage, $10 cabin, and $7 deck; freight, $8 *per* ton. From San Francisco to Marysville; passage, $12 cabin, and $10 deck; freight, $15 *per* ton, and $12 measurement. From San Francisco to Stockton; passage, $10 cabin, and $7 deck; freight, $6 *per* ton.

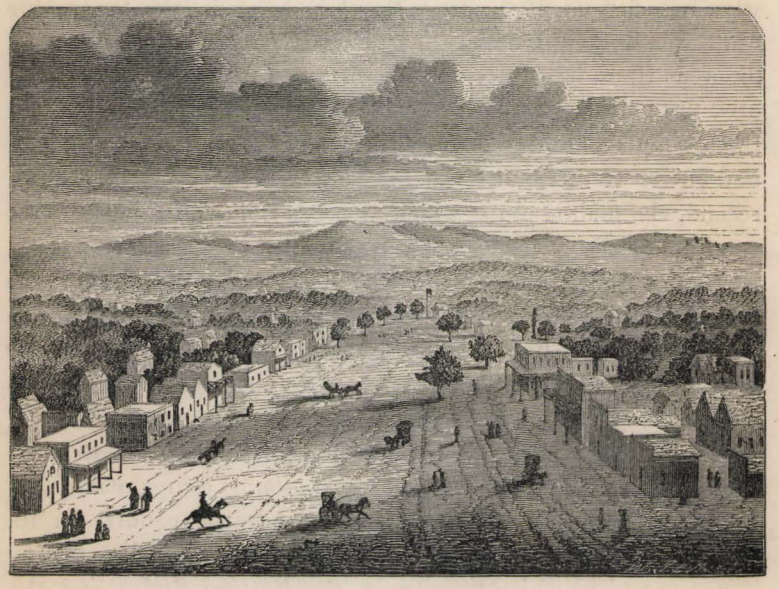
March 9th.—Much excitement was caused by a duel which took place this day between Mr. Philip W. Thomas, district attorney for Placer County, and Dr. James P. Dickson, of the State Marine Hospital at San Francisco. Mr. Thomas had been challenged by another party for certain derogatory remarks he had made upon the character of the challenger, but had refused to fight a duel with the latter, on some such ground as that he was

"no gentleman." Dr. Dickson, a friend of the challenger, thereupon took the quarrel on himself, and in his own name challenged Mr. Thomas. The parties met at Oak Grove, near Sacramento, close by the spot where the fatal duel between Gilbert and Denver had taken place, in August, 1852. On this occasion, the weapons were duelling pistols, and the distance fifteen paces. At the first fire, Dr. Dickson fell mortally wounded. He was shot through the body, and died the same evening. His death was much regretted by a numerous body of friends.

The practice of duelling seemed to be on the increase about this time, and much attention was drawn to the subject. It was admitted to be a barbarous custom, and many suggestions were made as to how it could best be put down. Perhaps a Cervantes or a Butler may hereafter arise to laugh it out of fashion. "Courts of honor," if only patronized by the leading politicians, who are usually here compelled to be great "fire-eaters," might have much influence in banishing the vice from among us. Newspaper editors in California have long been particularly exposed not merely to the literary raking fire of antagonists but to their literal fire. Their professional motto should surely be *tam Marte quam Minerva*—by pen and rifle to do business. Shortly after the Dickson duel, rival editors of the *Alta California* and *Times and Transcript*, of San Francisco, thought fit to afford each other a long shot. Rifles, and forty paces, were of course the weapons and distance. At the third fire, one of the combatants had a good hat spoiled by a ball which passed through it, within an inch of the head that was in it. At the *fifth* fire, the same party received a bullet in his body, and was "satisfied." Only about a hundred persons were witnesses of the occurrence. Usually there is a much larger number of spectators on such occasions. Of course, the duellists and their friends were not molested by the civil authorities. Why should they have been? No legal evidence could be obtained on the subject; and, if it could, no jury would convict. Several other duels were fought during this month; and some others that were feared, or hoped for, were happily nipped in the bud. The excitement, which ran high for a time on the general subject of duelling, and led to

April 10th.—Lecture given by Gov. Isaac J. Stevens, of Washington Territory, in Musical Hall, to a large and respectable audience, on the subject of the great Inter-oceanic Railway. It is evident that the agricultural and other resources of California can never be fairly developed, until some cheaper, more expeditious, and less hazardous and painful mode of reaching the country be provided, than the present overland way across the great plains, or the Isthmus, or round by Cape Horn. What California wants is population ; an industrious, active, intelligent population. If the long talked of Atlantic and Pacific Railroad were once formed, the western terminus being in the State, this want would soon be remedied. Three general routes have at different times been proposed for this great undertaking. These are : first, the southern route, which proceeds from Texas through the Mesilla Valley, in the northern part of the Mexican territories, and enters California at the southern extremity of the State ; second, the middle route, which proceeds from the State of Missouri across the plains to Utah, and from thence across the Sierra Nevada to some point on the Sacramento River ; and third, the northern route, which would connect the basin of the St. Lawrence with Puget Sound, passing along the lines of the Upper Missouri and the Colombia Rivers. This last route lies considerably to the north of California. Gov. Stevens, in his lecture, dwelt much on the advantages which the extreme northern route possessed over all other proposed routes—on its comparatively low levels, its freedom from deep snows, the fertile country in its course, &c. In the present thinly peopled condition of the immense regions which lie between the Eastern States and the Pacific coast, it is probable that no more than one through railway will be made for a great length of time. It is therefore of the utmost consequence to San Francisco, and to California, that that railway should terminate within the bounds of the State, and if possible at its chief city. It should never be forgotten, that Puget Sound offers commercial advantages nearly as many and as great as the Bay of San Francisco presents, for the establishment of a great maritime city upon its shores. If the western terminus of the Inter-oceanic Railway be made at the former great inlet of the sea, immigration will be prematurely

diverted from California, and turned directly, and chiefly, to the advantage of a far northern territory. The people of San Francisco and of California, if they study their own interest, will take care that a rival State and city do not suddenly arise to overshadow their own greatness. The best way to maintain the supremacy of the former is to make sure, by all and whatever means, that the *first* great Inter-oceanic Railroad terminate at San Francisco. Later through lines may terminate where they will; only let our city have the first one.



City of Oakland, Contra Costa.

April 10th.—Oakland, on the eastern side of the bay directly opposite San Francisco, is to the latter, something like what Brooklyn is to New York. Between the two former places there are frequent daily opportunities of communication by steamers. Many people who carry on business during the day in San Francisco, have their dwellings and families at Oakland. The latter is one of the sweetest and most beautiful places on the bay. It is a great excursion quarter for holiday folk from San Francisco. As its name implies, Oakland is celebrated for

its trees, of the live-oak kind, which give at all times a peculiarly cheerful and refreshing character to the place. Recently a small village, then a thriving town, it has now assumed the name, if not all the pretensions of a city, although the inhabitants number only two or three thousand. Of this date, the first election under the city charter took place, when Mr. Horace W. Carpentier was chosen mayor.

April 12th.—A portion of the U. S. Bonded Warehouse, at the corner of Battery and Union streets, fell. This was only one of several accidents of a like nature which happened about this time. Public attention on this occasion was strongly drawn to the generally inferior character of building materials used in San Francisco, and to the supposed frail condition of many of the most elegant and apparently substantial structures in the city. Not only is the greater part of the materials—such as brick, lime and timber, employed in building, of an inferior quality, but the sites on which the houses have been erected are of a shifting and treacherous nature. Nearly all the edifices situated below the line of Montgomery street have been built on what was only a few years ago the bed of the sea. The mud bottom of Yerba Buena Cove, on which dry sand has been loosely heaped, to form the foundations of these edifices, could scarcely be expected to be very secure. Accordingly, by the unequal sinking of the walls, many fine houses have been, or will soon be, totally ruined. The tides are also continually washing out particles of the loose sand, and thus still more danger is threatened to the stability of many buildings. It seems absolutely necessary for the protection of the lower part of the city, that a great sea wall, on the outer front of the harbor, be soon constructed. Until, however, the various schemes which are being continually hatched, for extending the water front are for ever settled, one way or another, and the really *permanent* water front fixed, nothing can be done regarding a sea wall. If, in addition to such a breastwork against the waves on one side and the rolling sands on the other, the foundations of the larger and more important buildings, to be erected on the "beach and water lots," were deeply and closely piled, much farther security would be obtained for the structures.

April 15th.—Explosion of the boiler of the steamer *Secretary*, while midway between San Francisco and Petaluma. Out of between fifty and sixty persons on board at the time of the accident, upwards of one-half were killed, and nearly all the rest were more or less severely wounded.

April 19th.—The *Lord Warriston* arrived from China with 780 Chinese passengers, 200 of whom were females. About this time, there was a very large immigration of Chinese, and it was understood that many thousand more of these people were only waiting for ships to embark in from the ports of their country for San Francisco. The State and city press discussed at much length the propriety of excluding the race altogether from California, or at all events of only admitting it to labor under certain specified restrictions, particularly reserving the gold mines to the white population. It was admitted on all sides, that the Chinese were naturally an inferior race, both mentally and corporeally, while their personal habits and manner of living were peculiarly repulsive to Americans. It would be out of place in a work of this nature to discuss the general Chinese question, which promises to give much debatable ground for philosophers, statesmen, politicians, and mere laborers in California, for many years to come.

April 20th.—The clipper ship *Flying Cloud* arrived at San Francisco from New York, having accomplished the voyage in eighty-nine days, eight hours. This is the quickest passage recorded as having been made by a sailing vessel between the ports named. On a former occasion, the *Flying Cloud* made the same voyage in eighty-nine days, twenty-one hours.

April 22d.—The *Golden Fleece* was wrecked at Fort Point, on leaving the harbor.

CHAPTER XXXI.

1854.

Trial of the Mexican consul.—Arrest of the French consul.—Chinese newspaper established.—German May-feast at Russ's Garden.—The Hoadley street grades.—Indictment by the Grand Jury of Sonora filibusters.—Dedication of the Lone Mountain Cemetery.—Extensive Conflagration.—Report of the funded debt commissioners.—Squatter difficulties.—Sale of public property.—Captain Adams arrived with the Japan treaty.—Alderman elected.

APRIL 28th.—Conclusion in the U. S. District Court of the trial of the Mexican consul at San Francisco, Don Luis del Valle, for a breach of the neutrality laws. This was only one of a series of important events, connected with the subject, which took place about this time. It appeared that the Mexican consul, some two months before this date, had received instructions from his government, to enlist, or select, a body of emigrants, chiefly of French or German origin, who were to proceed (at the cost of the Mexican Government,) to the province of Sonora. There, after a year's service, they were each to receive a grant of a certain portion of land. The particular service which these emigrants were to render was not exactly known, either by the emigrants themselves or by the federal authorities in San Francisco of the United States, although the latter presumed it was service of a military description. The attention of the federal authorities had been recently attracted to the filibustering movements of Col. Walker and his associates upon Lower California and Sonora. It was understood that the governmental instructions of Gen. John E. Wool, the chief military officer on the Pacific coast, bore particular reference to the necessity of putting down all filibustering schemes whatever. In furtherance of his duty, Gen. Wool took occasion to narrowly watch the proceedings of the Mexican consul in regard to the expedition which he was fitting out for Sonora. The British ship *Challenge*, on board of which five or six hundred of the expeditionists were

embarked, was seized, on 29th March, for a violation of the revenue laws; and, under various unusual pretences, was prevented from sailing, until the federal authorities could make up their mind what next to do. On 1st April, the *Challenge* was formally allowed to leave, and on the morning of the following day she sailed. Gen. Wool, just before this time, was of opinion, it was said, that the men in the vessel named, who were bound for Sonora, were proceeding thither only as "colonists." But before the *Challenge* actually sailed, it seemed that the general found reason to change his ideas as to the supposed object of the expedition. Without troubling himself farther with the expeditionists,—the true filibusters, if there had been any filibusterism in the matter,—Gen. Wool immediately caused the necessary steps to be taken to arrest the Mexican consul. The arrest was made on 31st March. The charge against the consul was, his having violated the second section of the law of 1848, which forbids the enlistment, within the territories of the United States, of soldiers to serve under a foreign power.

During the trial, the United States (the prosecutors) found it necessary for their case to procure the testimony of Mons. Patrice Dillon, the French consul in San Francisco. By a consular convention, recently entered into between France and America, it appeared, that consuls of either nation could not be compelled to appear in courts of justice to give evidence, but that they could only be "invited" to do so. Two "invitations," in terms of the convention, were forthwith transmitted to M. Dillon by the court, at the desire of the district attorney. Both of these M. Dillon politely declined. Judge Hoffman, of the U. S. District Court, now held, that he could not, under the circumstances, compel the attendance of the French consul, as a witness for the prosecution.

Señor Del Valle, the defendant in the cause, on the broad constitutional principle, that a party accused is entitled to be confronted with witnesses to prove his innocence, next applied to the court for compulsory process to bring forward M. Dillon. It was not, however, generally supposed that the Mexican consul really wished the presence of his brother consul in court as a witness either for or against him. It was only imagined that the former,

or his counsel, believed that they would fail to enforce the attendance of the French consul; and that being the case, and having appeared to consider M. Dillon as a witness most material to the defence, it was expected, that either the district attorney would abandon the process against the Mexican consul, or that the court would dismiss it, or that the jury would return a verdict in his favor, on the ground that he had sustained a constitutional wrong by being deprived of the testimony of a witness said to be essential to the defence. M. Dillon was accordingly cited, in the usual manner, as a witness in the cause for the defendant; but, as had been anticipated, he made no appearance. Judge Hoffman, therefore, issued a writ of *subpœna*, and M. Dillon was forcibly brought into court in custody of the United States marshal. It was now found that some irregularity had taken place in the technical order of proceedings, and the issuing of the warrant was held to be premature. By consent of parties, the pleadings proceeded on the assumption that the warrant of apprehension had not yet been issued. After elaborate pleadings on both sides, where the great question seemed at first to be whether, as the consular convention and the constitution seemed to conflict, the one or the other should yield, Judge Hoffman decided, that they did not conflict, but that virtually, under the consular convention, the French consul must be held to be in this country only in his consular capacity—his true domicile, in the eyes of the law, being France; and that, therefore, he could not legally be compelled to appear in court as a witness. French consuls were thus declared to have some of the most sacred privileges of ambassadors. The decision implied that the defendant, Sr. Del Valle, in the particular case, by not being able to procure the testimony of M. Dillon, suffered no more constitutional wrong, than he would have suffered by not being able to procure the evidence of any witness, alleged to be material to his cause, who might be residing in a foreign country, and therefore not naturally amenable to the jurisdiction of the U. S. District Court. In consequence of this decision, all the rights and privileges which the French consul had claimed at the commencement of the proceedings against him were allowed. Much evil, however, had been done, by the premature and unlaw-

ful step of his actual apprehension. M. Dillon had chosen to take high ground in the matter; had presented long protests denying the jurisdiction of the court, and had struck his national flag, considering that the French nation had been insulted in his person, by the proceedings above alluded to. Considerable excitement existed among the French inhabitants of San Francisco on the subject.

In the mean time, the trial of the Mexican consul proceeded, and he was, in the end, found guilty of the offence charged in the indictment. The jury recommended him "to the kind consideration and mercy of the court." The evidence having showed that the French consul had been closely mixed up with the unlawful transactions, M. Dillon was accordingly next arrested, and charged with having "aided and abetted" Sr. Del Valle in the commission of a breach of the neutrality laws. In defence, the French consul, like his Mexican brother, pleaded, *inter alia*, that instead of the expedition by the *Challenge* having been a filibustering one, it was an expedition of the very reverse character. It had been chiefly, if not solely, projected to break up true filibusterism, particularly the schemes of Count Raousset de Boulbon, who had been long notorious for his hostile designs on Sonora. The passengers on board the *Challenge* were chiefly people who had been previously connected with and were attached to Count Boulbon; and who, by the bribe of a free passage to Sonora and the offer of a grant of land there, had been persuaded to desert their former leader and to serve under, and for the Mexican Government, in place of serving against it. In opposition to this argument, it was contended by the prosecution, that, even admitting that the expedition was really of the nature alleged, still it was unlawful under the express terms of the statute. But further, in the case of the French consul, the prosecution maintained, that M. Dillon had only been using Sr. Del Valle as an unconscious tool; and that, while the former pretended only to be aiding the latter in putting down the filibustering projects of Count Boulbon, he, M. Dillon, for purposes of his own or his government, was secretly working in concert with and for the benefit of the count, and with the intention of counteracting the plans of him whom he was pro-

fessedly assisting but really thwarting—the blind and simple Sr. Del Valle.

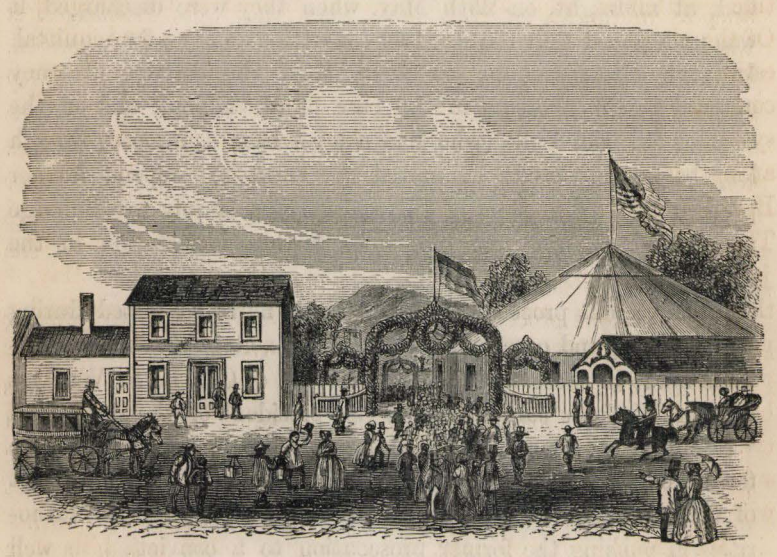
After nearly the same evidence had been adduced in the case of the French consul that had been led in the case of the Mexican consul, the jury in the case of the former could not agree, and were discharged. They had been six hours in deliberation, and, at midnight, on 25th May, when they were discharged, it was understood that ten stood for conviction and two for acquittal. In such circumstances, on 29th May, the district attorney entered a *nolle prosequi* in the case of M. Dillon; and in the case of Sr. Del Valle (who had not yet been sentenced, though long before convicted), he moved the court to suspend further proceedings. The effect of this motion was simply to discharge the defendant, and free him from further molestation in the suit.

The various proceedings briefly above narrated lasted during many weeks, and occasioned much local excitement. The revelations made in these trials and in the trial of Col. H. P. Watkins (one of Walker's party), the *ex*-vice-president of the short-lived "Republic of Sonora," showed unmistakably the general loose feeling of society in San Francisco and California on the subject of filibusterism. The imputed motives of certain federal authorities in pushing the former prosecution to a conviction, as well as the supposed guilt or innocence of the accused, with all the mixed character of the expedition and the suspected and attributed opposite reasons of the Mexican and French consuls for being connected with it, were much discussed in private circles and by the public press. Many offensive personal charges were made on both sides. Hearing altogether different statements from opposite counsel, neither of which seemed to be fully established by evidence, an impartial observer could scarcely know what to think of the subject. The consequences of the trials, being of a purely political nature, will fall to be adjusted by the governments of the respective countries involved.

April 29th.—The first number of a Chinese newspaper, called "The Gold Hills' News," appeared to-day. It was a small sheet of four pages, wholly printed in Chinese characters. "Gold Hills" is the Chinese name for San Francisco. There

were now English, French, German, Spanish, and Chinese journals published in San Francisco.

MAY 7th.—The German inhabitants observed in grand style their annual May-feast during this and the following day, at the gardens of Mr. Christian Russ, on the Mission road. Between two and three thousand persons shared in the entertainment.



Celebration at Russ's Garden.

The conductors of the arrangements were the members of the German Turn-verein, or Gymnast Union. These performed a variety of gymnastical feats and much vocal and instrumental music. As we have previously mentioned at some length the annual May festivities of the Germans in San Francisco, we think it unnecessary to do more than merely allude to them on this occasion.

On the 29th of April of this year, the children attending the various public schools of the city held their annual May festival in Musical Hall.

MAY 12th.—The subject of the street grades had long been a vexatious one. We have already alluded to the grievous loss and injury occasioned to many private citizens by the adoption of the "official," or, as they were commonly called, the "Hoad-

ley grades." As these grades were being carried out, and it was seen that they involved an enormous amount of excavations and the partial destruction of Telegraph Hill, and the other hills to the west of the city, public dissatisfaction was much increased on the subject. In the end, the common council referred the whole matter to the consideration of a committee of three scientific gentlemen, who had no personal interest in the question. Of the above date, these gentlemen presented a long and interesting report to the common council, in which they strongly recommended the abandonment of the "official" or "Hoadley" system of grades. This report was printed for circulation among property holders. Afterwards, an answer by Mr. Miles Hoadley, the city surveyor, was likewise printed and circulated. The boards of aldermen and assistant aldermen then met in joint convention to discuss the subject. On the 26th of May, they referred the report and answer, the remonstrances and petitions of citizens, both for and against the existing and the proposed systems of grades, and generally the whole question, back to the committee already alluded to, for further consideration. While we write, no further action has been taken on the subject. It is probable, however, that material modifications will be made upon the existing "official grades."

MAY 24th.—Of this date, the grand jury found true bills of indictment against William Walker, Howard A. Snow, and John M. Jarnigan. These were severally the president, the secretary of naval affairs, and the secretary of war, of the "Republic of Sonora." The formal conclusion, therefore, of Col. Walker's filibustering expedition against Lower California and Sonora is close at hand. For some months back, the expeditionists had suffered much distress in the lower country. Without sufficient arms or ammunition, or supplies of any kind, and with the Mexican natives bitterly enraged against them, the few filibusters left, who were through necessity, or choice, faithful to each other, only sought safely to leave the country they had invaded, to fly to some neutral soil. As this, however, seemed scarcely practicable, Col. Walker and his party crossed the boundary line, below San Diego, which separated Mexico from the United States, and surrendered themselves prisoners to the

federal troops, who were in waiting to receive them. On arriving at San Francisco, on May 15th, the greater number of the prisoners were discharged upon their simple parole. The chief parties were then indicted, as Col. Watkins and Maj. Emory had recently been. The trials of the former have not been set down for hearing at the time of writing this notice. Col. Walker was



Lone Mountain Cemetery.

cited as a witness for the prosecution in the case of the United States *vs.* M. Dillon, referred to above; but he declined to give evidence, on the ground that his doing so might implicate himself.

May 30th.—The "Lone Mountain Cemetery" was solemnly dedicated to-day, when many interesting ceremonies were performed on the ground before a large assemblage of ladies and gentlemen. Col. E. D. Baker delivered an occasional address, Mr. F. B. Austin an ode, Mr. Frank Soulé a poem, Bishop Kip the dedication address, and the Rev. F. T. Gray the closing ad-

dress. Appropriate hymns and prayers hallowed the new "city of the dead." Herr Mengis, and the singers of the German Turn-verein, performed the musical pieces.

When noticing the projection of this cemetery, under date *November*, 1853, we said, that the tract of land to be used for burial purposes was three hundred and twenty acres in extent, and included the hill, or "mountain," from which it took its name. That was the original intention of the projectors. Subsequently, it was found that one hundred and sixty would form a sufficiently large cemetery, and to that extent the limits of the ground have meanwhile been reduced. The "Lone Mountain" is not situated within the restricted boundaries, but adjoins them on the south. The present mode of access to the cemetery is by a circuitous route, nearly four miles in length, by way of Pacific street and the presidio. When the western extension of Bush street is graded and planked, which is proposed to be done during the summer of 1854, the distance from the plaza to the magnificent gateway of the cemetery, about to be erected at the termination of that extension, will be about two miles.

MAY 31st.—Fire broke out this morning between two and three o'clock in a grocery, on the east side of Dupont street, between Broadway and Vallejo street. Notwithstanding the efforts of the fire companies, the conflagration raged for two hours, and consumed more than one-half of the entire buildings on the block. Property was destroyed to the estimated value of $50,000. The buildings were all of frame, and some of them were little better than mere shanties. They were tenanted chiefly by Mexicans, French and Germans. The wind was blowing fresh at the time from the south-west. Had it been a little stronger, and its direction from the north-west, from whence it usually blows at this season, a great part of the city might have been laid in ashes. Notwithstanding the great and daily increase of fire-proof buildings in the city, there still exists an immense number of wooden edifices, which may supply fuel for some terrible conflagration to come. About this period of the year, those high winds fairly set in, which fan flames to their height and suddenly communicate them to new materials across wide empty spaces and streets, notwithstanding all the unwearied

exertions of perhaps the bravest and most skilful set of firemen in the world. During this month large portions of two important towns in the State were destroyed by fire, when the dreadful summer winds mightily increased the loss and danger. Marysville sustained loss to the amount of $200,000, and Yreka to the amount of $150,000, by the fires alluded to.

MAY 31st.—The Board of Commissioners of the Funded Debt (now consisting of Messrs. P. A. Morse, D. J. Tallant, Wm. Hooper and Smyth Clark,) present their yearly report. The total amount of bonds issued by the Board, for debts of the city contracted prior to May 1st, 1854, was $1,635,600, of which $126,100 have been redeemed, leaving as the balance of outstanding debt of San Francisco, $1,509,500 ; which, bearing ten *per cent.* interest, requires annually $150,950 to meet that sum. The high price which this stock bears in the Atlantic cities and in Europe, renders it improbable that any more will be offered for redemption, and hence this item of interest may be considered an annual requisition on the city treasury, until the Sinking Fund, under the management of the Board, shall have accumulated sufficient to meet the final payment of the bonds.

JUNE 5th.—The occurrences of the last few weeks have shown the futility of the hope that the recent decisions of the Supreme Court would be sufficient to settle the numerous disputes concerning land titles. Squatters, in the face of law and the decisions of the land commissioners and judges, are endeavoring to maintain their assumptions by force. Much distress has been the result of these proceedings, since every member of the community is liable to become a victim of the robberies of these outlaws—the poor man who owns a single lot, as well as the wealthy proprietor of acres of land. Capt. Joseph L. Folsom, one of the most extensive landholders in the city, has been the principal sufferer by the squatting rascality, but many owners of single spots of ground have been no less unjustly treated ; and one aggravated case particularly has just occurred, in which a poor woman, who owned a solitary house on a small lot, had her house burned down, the land fenced in and herself turned into the street to starve, without even the means to live, and of course unable to resort to a twelvemonth lawsuit in such a place

of problematic uncertainties as San Francisco. The evil was unchecked by the authorities; riot followed on riot; the squatters armed themselves and threatened to kill whoever should attempt to dispossess them; and finally executed their threat by murdering Mr. George Dillon Smith, one of Capt. Folsom's party, who were attempting to dislodge a set of squatters on his property in Howard street. Undismayed, squatters on some of Folsom's neighboring lots, fortified their tenements and prepared for resistance. A few days after this affair, a terrible fight on Green street resulted in the fatal wounding of a Mrs. Murphy by a party of squatters, who had attacked her husband's house.

Property-holders at last became seriously alarmed at the progress of these dissensions, and held a meeting, this evening, at the office of Theo. Payne & Co. (Dr. Samuel Merritt, *chairman*), at which Messrs. S. W. Park, Theodore Payne, Dr. Samuel Merritt, T. K. Stevens, Wm. Sharron, Louis McLane, jr., F. A. Woodworth, Jas. C. Ward and Thos. O. Larkin were appointed a committee to draft a plan of organization of a *special police* for the protection of their own property, and to issue a call for a general meeting of citizens to act upon such a plan. On Tuesday (6th inst.), this meeting was held at the Musical Hall, and the report of the committee unanimously adopted by a large body of citizens, who formed themselves into an *Association for the Protection of Property and the Maintenance of Order*, adopting a series of appropriate rules for their government. On the next day the meeting reassembled at the Merchants' Exchange, and completed the organization by electing the following officers:

President.—Col. David S. Turner.
Vice-Presidents.—Benjamin Haywood, G. B. Post, Henry M. Naglee.
Secretary.—Chas. R. Bond.
Treasurer.—Dr. Samuel Merritt.
Executive Committee.—G. B. Post, John Sime, E. J. Hassler, Wilson Flint, F. A. Woodworth, J. P. Manrow, Jas. George. Edward Vischer, Louis Cohen, John C. Maynard, Chas. L. Case. James F. Curtis. Henry M. Naglee, John Perry, jr.

After a general expression of views and intentions the association adjourned, subject to the call of the president. About *one thousand* citizens had enrolled themselves as its members,

who were ready at all hazard to defend one another in their rightful possessions. It was not designed, however, like the Vigilance Committee of old, to oppose in any way the legal authorities, although the police had more than once sided rather obviously with the squatters. It was rather hoped that the moral effect of the decided and united action of so many reputable citizens would be sufficient to check any further disturbances, and incite the authorities to something like action. They had had ample premonition that some such rencontres would occur, and were repeatedly told that owners of land would not suffer themselves to be tamely plundered of their property. Promptness and energy on their part could have prevented every outbreak. As we close, inquests are being held over the murdered bodies, and various rioters are detained for trial in the hospitals and prison.

JUNE 6th.—Interest of the State in twenty-two lots in the square bounded by Pacific street and Broadway, Davis and Front streets, sold for over $100,000.

JUNE 8th.—Capt. Adams, U. S. N., arrived *en route* for Washington with the treaty concluded between Com. Perry and the Empire of Japan.

JUNE 12th.—Dr. J. W. Van Zandt was elected Alderman of the Third Ward, to fill the vacancy occasioned by the resignation of R. M. Jessup, Esq.

CHAPTER XXXII.

1854.

Commercial depression.—Reduction of prices of merchandise and real estate.—Fall in rents.—Improved character of the buildings.—The plaza being improved.—Government fortifications of the harbor commenced.—Immigration and emigration.—The population.—Yield of the gold mines.—Labor profitable in California.—The quicksilver mines.—Agricultural resources.—Fisheries.—Telegraphs and railroads.—Ship-building.—Foreign relations.—Ice and coal trade.—Mail steamers between San Francisco and Shanghae.—The international railway.—San Francisco water front extension.—The proposed new city charter.—Claim of the city to pueblo lands.—Increase of sources of domestic comfort.—Immoralities continue to prevail.—Duels and duelling.—Theatrical entertainments.—Daily newspapers.—Means of moral and educational improvement.

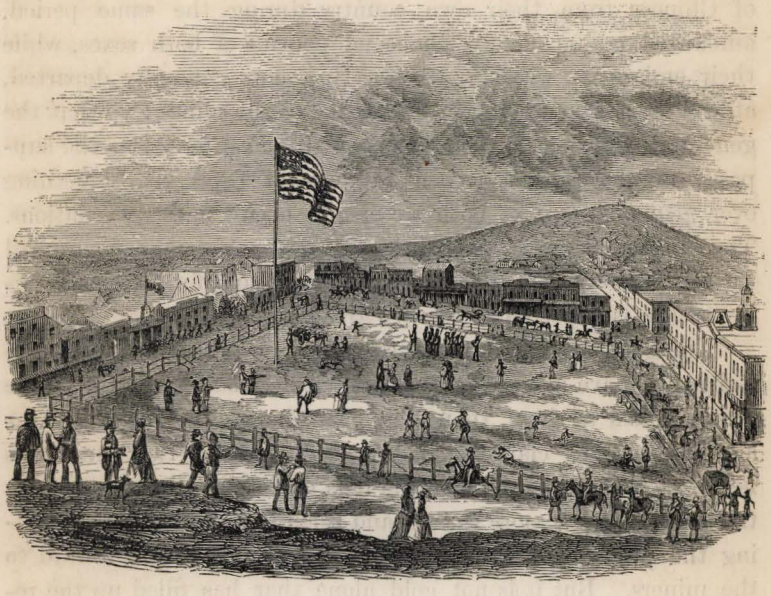
JULY.—It is not very necessary to say much more upon the general physical and moral aspect of San Francisco, than has already been said in reviewing its appearance and characteristics at the close of the year 1853. During the six months immediately preceding the date of the present notice, the city passed through a period of great commercial depression. At this time, the extreme mercantile distress is beginning slowly to disappear; and the best judges hope that soon again prosperity will visit commerce and all connected with it in San Francisco.

The prices of real estate may, in some few instances, have rallied, but generally they continue much below those readily obtainable at the close of 1853. Many years must pass, and our population be much increased, before those high rates can again be witnessed. While prices of real estate have fallen from twenty to fifty *per cent.*, and in some cases still lower, rents, particularly in the lower or business part of the city, have likewise been considerably reduced. Rents may, perhaps, continue to fall for some time, and yet a fair profit will be left to the owners of house property. The wages of such classes as are employed in building, and the cost of building materials, have both been materially reduced; so that houses can now be erected at much less expense than formerly.

Arising no doubt partly from this circumstance, and notwithstanding the continued and steady fall in rents and the prices of real estate, a great deal of fire-proof and costly building has been carried on since the beginning of the current year. In Stockton, Montgomery, California, Battery and many other principal streets, the old buildings of frame are being gradually pulled down, and magnificent granite and brick structures are rapidly rising in their stead. Vacant lots in the line of streets over all the business part of the city are being covered with substantial buildings. The new Merchants' Exchange and new U. S. Custom House will be massive and beautiful public edifices. These material improvements are particularly observable upon the northern extremity of Montgomery and Battery streets, at the base of Telegraph Hill. The great depth of water at the wharves in the neighborhood of Clark's Point, which depth, from the character of the shore and tides, will probably long, if not always, exist, will necessarily make that quarter a peculiarly shipping and mercantile part of the city. Accordingly huge hotels and stores, of the most beautiful and substantial character, are rising up in all parts of the district.

At the same time the spirit of improvement is visible over all the other parts of the city. Many new and elegant buildings of brick and stone, within the fire-limits, and chiefly of frame beyond them, are continually being constructed. New streets are being graded and planked, and new public cisterns formed for the use of the fire department. Even the plaza, the long-neglected, miserable plaza, the standing reproach and mockery to the boasted "progress" of our world-renowned city, is being at last, after many years of public agitation, just a little "improved" by its unkind guardians, the city fathers. While we write, it is being graded, and is about to have an iron fence erected around it. The wondrous fabrics of iron and glass, which were to have turned it, as assuredly they would, if properly designed, into a Crystal Palace, or rather into a veritable "Palais Royal," the centre of Californian taste, luxury, fashion and folly, have been all left to the next generation, or perhaps only to the still hopeful projectors and the speculative common council of the next year.

The long-desired fortification of the harbor of San Francisco has been at last commenced by the government. The system proposed consists of two lines of batteries inside the entrance to



The Plaza, or Portsmouth Square, June, 1854.

the harbor. Works are already in process of construction on Fort Point and Alcatraz Island. Point San José and Angel Island will, probably, be selected to complete the line of defence. The fortress at Fort Point, which will be the strongest position, will present one hundred and fifteen guns of eight and ten inch calibre, in four tiers. Directly opposite, on Lime Rock Point, a battery of one hundred guns will complete the outer line. The second point of fortification on the inner line is on Alcatraz Island. The shipping battery here will consist of about fifty guns, with batteries on other points yet to be selected. Majors Barnard and Turner, Capt. Whiting and Lieut. Prince are directing the works, which are estimated to cost not less than two millions of dollars. Much doubt is expressed by officers of high rank as to the sufficiency of water defence—many believing that

an invading army could readily land any where between San Francisco and Monterey.

The arrivals for the last six months from the Isthmus, exceeded the departures by several thousands. The immigration of Chinese from their own country during the same period, amounted perhaps to five thousand persons of both sexes, while their emigration was slight. The incomers generally departed, after a short sojourn in San Francisco, to the mines; so that the general population of the city may still be estimated at the supposed number inhabiting it at the close of 1853, viz., something over *fifty thousand* of both sexes and of all ages and nations. The bulk of the great overland immigration does not appear till the fall of the year. The immigration by land for the approaching season is expected to be very great.

The gold mines, the prime source of prosperity and wealth to California, have not for many years yielded better returns to the labor applied to them, than they have done during 1854, so far as the year has elapsed. Every day new and rich auriferous fields are being discovered, while it is found that the old ones, by the application of more careful and scientific methods of extracting the precious metal, continue to supply an ample reward to the miners. But it is not gold alone that has filled up the replete coffers of the State. The quicksilver mines of Alameda County are the largest yielding and most profitable in the world. The only ones that at all compare with them, are those of Almaden in Spain, and Idria in Austria—the latter, one of the old monuments of Roman revenue.

But if the success of the miner has been great, how shall we term the unexampled prosperity of the less romantic tiller of the soil. Crops, throughout the State, have been immense, and have had the effect to reduce the prices of articles of food to a very low figure—far lower than they at present are on the Atlantic. The splendid agricultural resources of the country are only beginning to be understood. A new and equally profitable source of employment has been found in the fisheries on the Sacramento and its tributaries. Salmon, sturgeon, pike, perch, dake, chub, suckers, hard-heads, narrow-tails, &c., are being caught in large quantities. The salmon fisheries are the most important—the

fish being far over the average size in the East and ranging from twenty to fifty pounds weight. This business must ere long be one of the most considerable items of the commercial resources of California. Who can tell the limit of the capabilities of this State? All it has accomplished is but preparatory to new exhibitions of power and wealth. Its career lies yet before it. The telegraph has already furnished nerves to the land, by which the impulses of its distant parts are communicated to its great *sensorium commune*—its brain at San Francisco. Railroads, too, those great arteries by which vivifying nourishment is carried to and from the remotest members of its body, soon will be completed. The Sacramento Valley Railroad from Sacramento to Mormon Island, now projected, will be the pioneer of this improvement. All these facts, together with the extensive shipbuilding carried on at Happy Valley and the Rincon, are preparing the State, and San Francisco particularly, for the great part she has yet to play. Into the past six years, have been crowded the most remarkable and important events that have occurred to our country since its revolutionary birth; and the great pole to which they have all tended is San Francisco. California henceforth will no longer direct her energies on herself. She has attained her majority and donned her freedom-suit, ready to start upon the field of adventure. Foreign relations are engaging the thoughts of citizens and government; hence the ease with which such expeditions as those of the Count de Boulbon and President Walker are fitted up, and the apparent official countenance bestowed on them. Vessels are already departing for Japan, and numerous companies are being formed for foreign traffic. Two of these are in the full tide of success,—one for the importation of ice from Russian America, and the other for the mining of coal in Bellingham Bay, Puget Sound, Washington Territory. The establishment by Congress of the line of mail steamers between San Francisco and Shanghae, and the great treaty with Japan, come fortuitously to meet and give a field for this new and longing spirit. The Pacific between this country and Asia has at last been bridged over: California, the Sandwich Islands, Japan and China are the great piers—white sails, and great steamers in continuous lines, will span the intervals. Let the Interoceanic

Railway now be built, and San Francisco will then be the great *entrepôt* of America,—the Tyre of the Pacific,—and California, the most populous, enlightened, and civilized country in the world.

The project of extending the water-front of the city (already noticed at length), was revived in the Legislature this year. However, political disputes among its supposed patrons, and the parties pecuniarily interested in the scheme, as well as clamant remonstrances of all San Francisco—collectively, in boards, associations and committees; and individually, by public-meetings and signed petitions—had the effect of causing this unnecessary, unjust, and perhaps "infamous" project, to be abandoned. The new city charter was likewise lost in the Legislature. On the expediency of passing this charter as a whole, public opinion was divided, although many of its provisions were generally admitted to be improvements on the existing charter. Many other bills, introduced in the legislative chambers, and which were peculiarly obnoxious to large classes of the citizens, were likewise lost. While we write, the claim of San Francisco is being pleaded before the Board of Land Commissioners, established by the United States, to settle disputed titles in California to four square leagues of land around the city, in virtue of its being, as alleged, a Mexican "*pueblo.*" Whatever be the result of the claim, many private titles to lots within the municipal bounds will be deeply affected by the decision, and for a time "confusion, worse confounded," will reign among property-holders. Pending the discussion, many parties are busy over all the four square leagues in question, selecting convenient and desirable "claims;" and outrages of a daring description are continually taking place between the old settlers and the new squatters, in consequence of these lawless proceedings.

San Franciscans can now ask for nothing more on the score of domestic comforts. Their streets and houses are well lighted by a beautiful gas-light; they dwell in elegant and handsomely-furnished houses; their tables are largely supplied with fish, flesh, and fowl from the mountains, rivers and valleys of their teeming land; they have pure and limpid water for drink and cleanliness, in no stinted measures; and, finally, they have discov-

ered, near at home, a boundless supply of excellent stone-coal, sufficient to satisfy all their demands for fuel, in cooking their meals, melting their gold, driving their steam-engines and drying their houses in their wet seasons. Bellingham Bay now furnishes the great demand of the city. Hitherto, all the coal used was brought, at great expense, partly from Vancouver's



Charcoal-vender.

Island and Chili, but chiefly from such immense distances as Philadelphia, Liverpool, and other foreign parts. In 1849 and 1850, the townspeople were furnished with fuel by men, chiefly of the lower class of Hispano-Americans, who cut it from the little gnarled oaks and thick brushwood grown on the low sand-hills bordering the town—not a stump of which is now to be seen. Wood and charcoal were brought into the city either on the backs of these men, or in panniers carried by asses, and two dollars were paid for as much as a man could carry in his arms. The charcoal men are yet features of the place. They an-

nounce their coming by the ringing of a small bell, and may be seen in every street offering their little bundles for sale.

The old round of business, pleasure, folly, vice and crime, still went merrily on. Cases of *divorce* were nearly as common as cases of drunkenness. Cases of political corruption, of party jobbery, of personal scandal, of ruin by debauchery and gambling, by duelling and suicide, of squatter violence, of robbery and burglary, of assault and murder—why, these were, as before, nearly "as plentiful as blackberries." It is unnecessary to single out particular cases for remark and reproach. Every day produced a new crop of moral weeds. Still San Francisco contrived to flourish, and its people, in their fashion, to enjoy life. To enforce some measure of outward decency, the common council passed a stringent ordinance regarding houses of ill-fame, making the keeping of them highly penal. This ordinance had the effect, for a time, of closing a few of the most notorious Mexican and Chinese brothels. But it was sought to be enforced against fashionable white Cyprians, who had money enough to employ able counsel to show the intrinsically illegal and tyrannous character of its particular provisions; and then it was found to be utterly impracticable in operation. It seemed all at once to be discovered, that the impurity which was hid by walls, could not be put down by mere legislation.

Duels appeared to be getting more numerous. In the months of May and June several fatal "affairs of honor" took place, and the performance with swords by a couple of Frenchmen varied the monotony of pistols and rifles, and introduced a new fashion for the benefit of future gladiators. Occasionally the death of some well-known citizen would rouse the press and the pulpit to a spasmodic burst of indignation and high-toned sentiment against the foolish and criminal practice of settling personal quarrels by mortal combat. The public looked wise, savage, and virtuous, and talked and drank; then it looked wiser, and so on, and talked and drank again. Still nothing was done, or perhaps could be done, in the matter. Grand juries occasionally offered a proper presentment on the subject, but their words fell dead. Men in California, who generally want the peaceful, endearing joys of home and family, which best

make life worth living for, set little value on existence, and in their hot rage will hazard it for the veriest trifle.

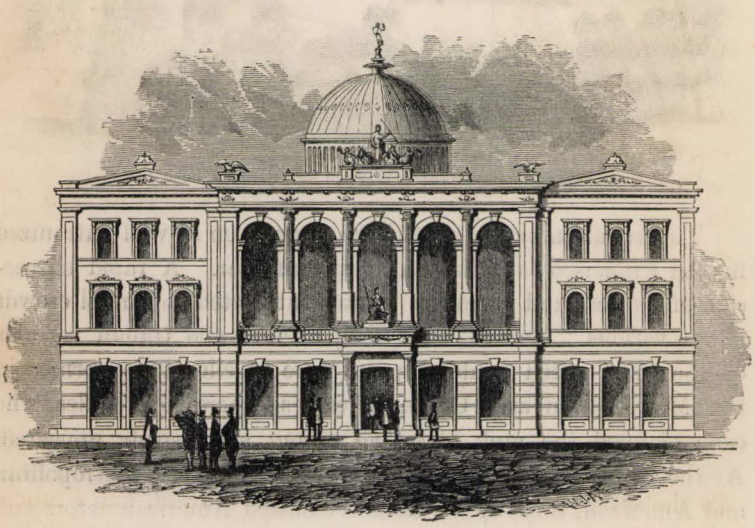


California Exchange, corner of Clay and Kearny streets, June, 1854.

Theatrical entertainments have never been so well patronized in San Francisco as during the past half year. A rapid succession of musical and dramatic "stars" attracted continual crowds to the various "houses." English, French and Italian versions of the most noted modern operas were excellently performed in the Metropolitan and Union Theatres, where four ladies, who each claimed the rank of *prima donna*, successively appeared. At the theatres named, though particularly at the Metropolitan and American, some of the most celebrated American actors and actresses made their regular nightly appearance. These, it is said, have reaped a large harvest from their professional visit to the land and the city of gold. The San Franciscans, truly, are no niggards with their wealth.

A few of the immense number of daily newspapers, existing at the beginning of 1854, have silently disappeared. In their stead have risen the "Pioneer," a monthly magazine of great typographical beauty and considerable literary merit; a Chinese

journal, and one or two weekly newspapers of fair pretension. The "Mercantile Library Association" has largely increased its stock of books and its members. Churches, schools, and charitable, and other good and laudable associations, flourished contemporaneously with the spread of ignorance, folly and vice, which they have been designed to counteract. A larger female population, and a few more years, and San Francisco may yet be as distinguished for its public and private morals, as it has long unhappily been for the reverse.



Merchants' Exchange, Battery street.



The Hounds.

PART THIRD.

THE HOUNDS.

In the spring and early summer months of 1849, San Francisco was afflicted with the presence and excesses of a parcel of the veriest rogues and ruffians that ever haunted a community. The first intelligence of the discovery of gold in California naturally sent thither the most daring and clever adventurers of blemished reputation from their own countries, who saw in this modern *Dorado* a fit theatre for the profitable repetition of those tricks and outrages, the exercise of which had rendered their native homes no longer lucrative or safe places to reside in.

Long before any great number of the general public had emigrated from the Atlantic States or from Europe, San Francisco was overrun with such men from the various countries and ports on the Pacific, and particularly from the west coast of the Americas. A little later came stray vagabonds from Australia, where had been collected the choice of the convicted felons of Great Britain. The regiment of New York volunteers, which some time before had been disbanded, and from which so much good had been expected in ultimately peopling the land with first-class settlers, had greatly disappointed the hopes of its projectors and friends. Many of the most noted blackguards of the country turned out to have been formerly soldiers in that corps; and perhaps these very men formed the nucleus and strength of the "hounds" themselves. The very earliest arrivals also from the eastern ports were largely composed of the rowdy and knavish class. They indeed had required no long time to make preparations for the voyage. Their baggage was on their backs, and their purse in every honest man's pocket. They stepped on board the first ship—and hey for California! These vagabonds never intended to follow a reputable calling there, but as sharpers, gamblers, and cheating adventurers in every variety of scheme, were prepared only to prey upon the community at large. Every thing in San Francisco encouraged them to think it was what their fellows would call a safe speculation. The municipal and State organizations were both still unformed, and the few local authorities were quite inadequate to cope with such a body of villainy as was shortly developed.

The "hounds" were the natural consequence of such a state of things. A party, calling themselves by that name, was first faintly heard of towards the close of 1848; but it was only in the spring of the following year that their depredations excited much notice. In the desire to make fortunes easily and in a hurry, the overtoiled people of San Francisco paid little attention to any thing but what immediately concerned themselves individually, and much crime was allowed to be committed with impunity, because nobody cared, or had time to think about it, or to interfere in the matter. Thus the "hounds" had perpetrated many outrages before public indignation was fully aroused.

These were directed chiefly against foreigners—Chilians, Peruvians and Mexicans, as being supposed less able to defend themselves, and who were likewise imagined to possess fewer sympathies from the community in their behalf. This class of the foreign population was generally of the lowest and most degraded character. Their habits were unclean and their manners base. The men seemed deceivers by nature, while the women (for there had been extensive speculators in their own country, who brought many females to San Francisco,) were immodest and impure to a shocking degree. These were washerwomen by day; by night—and, if a dollar could be earned, also by day,—they were only prostitutes. Both sexes lived almost promiscuously in large tents, scattered irregularly upon the hill sides. Their dwellings were dens of infamy, where drunkenness and whoredom, gambling, swindling, cursing and brawling, were constantly going on. Such were the common victims of the "hounds." It may at first sight seem hard to tell which were the worst members of the community.

We have seen that among the first immigrants to the mines were a multitude of foreigners of Spanish extraction, from the various republics and provinces on the Pacific shores of America. The presence of these people—many of whom seemed little better than slaves—in the pay and under the command of their own wealthier countrymen, was considered by the American miners to be unfair towards themselves, as natural lords of the soil, purchased by their own blood and treasure, and as tending to lower both the dignity and profits of gold digging. Many disputes, occasionally attended with bloodshed, had taken place in the mines between the people of the United States and these foreigners, the latter of whom were slowly but surely driven away from the mining districts they had selected, partly by violence, though principally by threats.

This state of matters in the mining districts, which was often not discountenanced, but was even openly approved of by many respectable citizens, as well as the low character of the class alluded to in San Francisco itself, mightily encouraged and lent a flimsy pretext to the criminal attacks by desperadoes in that city against the foreign population. The "hounds," who were a nu-

merous body of youths and men in the prime of life, professed themselves only an association for "mutual defence," but in reality were but a band of self-licensed robbers, who thought every Chileno was fair game for their plundering propensities. They organized themselves so far that they had a place of regular meeting, or *Head Quarters*, which they called *Tammany Hall*, in a large tent, near the City Hotel. Leaders were appointed to conduct operations, and afterwards apportion the spoil. To such a daring extent were matters carried that the body, proud of their strength and numbers, attempted a sort of military display, and on Sundays, armed with bludgeons and loaded revolvers, paraded the streets, in open daylight, with drum and fife playing, and banners flying. It was in the dead of night, however, when their outrages were done. There were then neither lights in the unformed streets, nor a police force to watch over the safety of the town. The well-disposed citizens, fearful of brawls, retired early to their dwellings, and the more noise and rioting they might hear at a distance the closer they crept into bed, or prepared their weapons for the defence alone of their own proper domiciles. At such times the "hounds" would march to the tents of known Chilenos, and tearing them down, rob and spoil the contents of value, and shamefully maltreat and even murder the inmates. At other times they would content themselves with extorting by threats large sums of money and gifts of jewels and articles of value from all classes of foreigners, and sometimes from Americans themselves, though it was seldom they meddled with the latter. A favorite sport was to intrude themselves, even in open day, in a numerous gang, upon taverns and hotels, and demand high priced drinks and food, which on receiving,—for people were too much afraid of their lives and property to refuse,—they would recklessly destroy the furniture nearest at hand, and forthwith decamp as boldly as they had entered, without troubling their heads as to who should pay for the damage or the articles consumed.

This state of things had continued for some months, when in one of their destructive expeditions upon the tents and chattels of the Chilenos, a young man by the name of Beatty, not properly one of themselves, but who happened to be among or near

the band at the time, received a fatal shot from one of the attacked foreigners. This roused the "hounds" to vengeance against the whole population of Spanish origin, and they became fiercer and more destructive in their excesses than ever. People now could not avoid taking notice of these lawless abuses; but public indignation was not yet full. About this time the "hounds" changed their name to "regulators," and had the impudence to profess themselves guardians of the community against the encroachments of Spanish foreigners. At the sound of the "assembly beat" on the drum, they would collect in great numbers at "Tammany Hall," ready to commit whatever violence their leaders might direct.

On the afternoon of Sunday, the 15th of July, a large band of the "hounds" or "regulators," returning from a marauding excursion to Contra Costa, determined to signalize the occasion by some new exploits. Armed with firearms and heavy sticks, and under the command of one dressed in regimentals, whom they called *Lieutenant*, they paraded through the town in their usual ridiculous fashion, and towards evening proceeded to attack various Chilian tents. These they violently tore down, plundering them of money and valuables, which they carried away, and totally destroying on the spot such articles as they did not think it worth while to seize. Without provocation, and in cold blood, they barbarously beat with sticks and stones, and cuffed and kicked the unoffending foreigners. Not content with that, they repeatedly and wantonly fired among the injured people, and amid the shrieks of terrified women and groans of wounded men, recklessly continued their terrible course in different quarters, wherever in fact malice or thirst for plunder led them. This was in broad daylight; but there were no individuals brave or foolhardy enough to resist the progress of such a savage mob, whose exact force was unknown, but who were believed to be both numerous and desperate.

On the following day, Monday, the 16th July, when the news of these last outrages were circulated among the citizens, the whole town rose in the greatest state of excitement. Alcalde Leavenworth, who was himself powerless to quell the disturbance, was waited upon by Captain Bezer Simmons and Mr.

Samuel Brannan, and urged by these gentlemen instantly to take some steps to organize the community to protect itself, and put down decidedly these disturbers of the public peace. Thus forced to some definite action, the alcalde the same day issued a proclamation, calling on the public instantly to assemble in Portsmouth Square. At three o'clock of that day, the whole honest part of the community seemed to turn out at the place appointed. Mr. W. D. M. Howard was chosen president of the meeting, and Dr. Victor J. Fourgeaud, secretary. Mr. Samuel Brannan then addressed the meeting, and denounced in forcible terms, the depredations and many crimes of the "hounds." Upon his motion, a subscription list was opened for relief of the sufferers by the riots of the previous evening. It was next suggested that the citizens should organize themselves into a police force to apprehend the criminals and drag them to justice. This was immediately done; and two hundred and thirty people of those present at the meeting enrolled themselves as special constables. The general command of the body was given to Mr. W. E. Spofford, while Messrs. Stevenson, Wadleigh, Simmons, Smith, Turk, Gillespie, Hughes, Priest, Webb and Stevens were appointed captains. They were armed with muskets, sixty of which were furnished gratuitously by Mr. Hiram Webb, now of the firm of Webb & Harris. This volunteer force exerted themselves so diligently, that, in spite of several attempts at open resistance by the "hounds," nearly twenty of the rioters were the same afternoon apprehended, examined and put in prison on board the United States ship "Warren," there being then no safe place on shore in which to keep them in custody. The leader, "Sam" Roberts, was also arrested on his way to Stockton. Mr. A. J. Ellis, who had been chosen to act as sheriff, took an effective part in making these arrests.

The same day another meeting of the citizens was held on Portsmouth Square, at which Dr. Wm. M. Gwin and James C. Ward were unanimously elected associate judges, to relieve from excessive responsibility the alcalde, and to aid him in trying the prisoners. Mr. Horace Hawes was then appointed district attorney, and Mr. Hall McAllister his associate counsel. The next day, Tuesday, a grand jury of twenty-four citizens met, and,

upon evidence, found a true bill against Samuel Roberts and other supposed members of the "hounds," to the number of nineteen, on the different charges of conspiracy, riot, robbery, and assault with intent to kill.

The following day, Wednesday, the trials began. All the usual judicial forms were observed, and there was no apparent desire to press harshly on the prisoners. Probably if they had been caught in their very acts of violence on the preceding Sunday, the enraged people would at once have executed popular justice on them; but now public indignation was somewhat calmed, and the trials proceeded with the greatest decorum and impartiality. Francis J. Lippitt, Horace Hawes, Hall McAllister, and Frank Turk appeared as counsel for the people; while P. Barry and Myron Norton were deputed to act for the accused. The judges were the alcalde, T. M. Leavenworth, and Messrs. Gwin and Ward. Counsel for the defence having waived all exceptions to the form of the indictment, a jury was impanelled, consisting of the following named gentlemen:—Thomas B. Winston, J. R. Curtis, J. V. Plume, A. De Witt, Clarence Livingston, Benjamin Reynolds, Z. Cheney, John Sime, William Hood, John W. Thompson, Francis Mellus and Frederick Teschemacker.

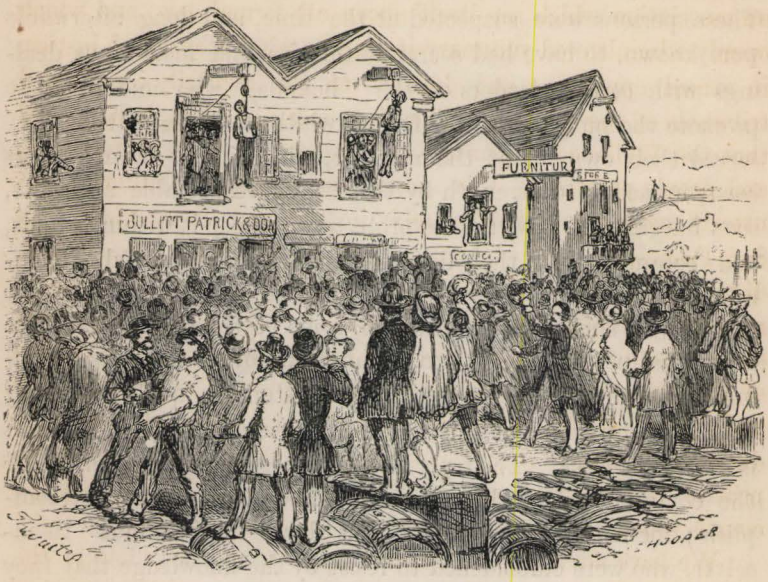
Witnesses were next called, on the part of the prosecution, who proved the existence of the association called the "hounds," its organization under leaders, its professed and imputed objects, and general violent proceedings. Other witnesses, among whom were one of the wounded Chilenos, then presumed to be in a dying state, and who subsequently died in consequence of his wounds, established the facts of the riots, assaults and robberies of the Sunday night preceding, and identified some of the prisoners as having been actors in the scene. After some observations by counsel for the defence, evidence was led by them, the drift of which seemed to be to confound the persons of the panels at the bar with those described by the witnesses for the prosecution as having been engaged in the occurrences of Sunday, and in some faint degree also to establish an *alibi*. After an impartial charge by the alcalde, the jury found Roberts, the leader of the gang, guilty of all the counts, and eight others guilty of one

or more of them. Roberts and Saunders (another of the more active "hounds,") were then sentenced to ten years imprisonment, with hard labor, in whatever penitentiary the governor of California might direct, and the remainder to imprisonment with hard labor for shorter periods, as well as most of them to considerable fines, some of them also being required to grant bonds for large sums to keep the peace for twelve months. From various circumstances these penalties were never inflicted; but the prisoners, some of whom were sent out of the country, were shortly afterwards set at liberty.

Thus ended the affair of the "hounds," which had alarmed the community so much, and which had compelled them, in the absence of a firm and regular judicature, to take the law into their own hands, and administer justice in a prompt and decisive manner. The early success and safety of the "hounds," for a long period afterwards led to still more daring and criminal excesses on the part of the desperadoes with whom the town continued to be haunted, and who were checked for only a little while in their crimes by the examples made of Roberts and his mates. On the other hand, the ease with which a number of respectable and determined men could thus put down a disorderly gang, afterwards encouraged the formation of the famous "Vigilance Committee" of the year 1851, when, what between theft and burglary, assault, murder and arson on the great scale, it became almost a life and death struggle for the honest citizen to preserve his property and inhabit the town in peace and personal safety. Some of the "hounds," who had escaped the due punishment of their crimes at this time, met it shortly afterwards at the mines, where several of them were unceremoniously hanged, at an hour's notice, by the enraged miners, upon whom they had attempted to try the tricks they had so long played with impunity in San Francisco.

Notwithstanding all that we have said, there is yet another phase of the "hounds" business, which may be just noticed. At that period, there happened to be influential parties in San Francisco, who were determined to make "political capital" for themselves, and who considered that a gentle course of public disturbance, while it might not conduce to any materially evil results,

could be employed, or at least its instruments, to facilitate the objects they had in view, and further their own personal interests. These persons were suspected at the time, and long afterwards were known, to have had secret intimacies and mysterious dealings with certain leaders of the "hounds," who undertook to promote the purposes of the former while at the same time they served their own. But the monster, which if not born, was, at least, nursed into strength by these very respectable aspirants, soon outgrew the power of its protectors to keep it within bounds, and became at last their disgrace and terror. Fearful of committing themselves by owning a former connection, however slight, with such a vile association, some of the richest and most influential people in the town calmly heard of all the abuses committed by their *protégés*, but took no steps to quell them. It would be imprudent at this time to mention names, but the fact is so nevertheless. The truly liberal, honest and brave portion of the community had therefore a doubly difficult task to accomplish; for not only had they to put down the "hounds" themselves, who were emboldened to resist by the knowledge that they had "friends at court," but they had also to overcome the unconcealed reluctance of many of their fellow-citizens to move at all in the matter, and to set aside the various obstacles which these factiously were enabled to throw in the way.



Hanging of Whittaker and McKenzie.

THE VIGILANCE COMMITTEE.

THERE is probably no portion of the history of San Francisco which has more excited the attention, the mingled wonder and applause, scorn and indignation of the civilized world, than the proceedings of the famous "Vigilance Committee." To law-loving, peaceable, worthy people in the Atlantic States and Europe, it did certainly seem surprising, that a city really of thirty thousand inhabitants,—though since the population was chiefly composed of male adults, of virtually the pretension, the riches, business and character of a city of twice that number,—should patiently submit to the improvised law and arbitrary will of a secret society among themselves, however numerous, honest and respectable the members might be reputed. Few people, abroad, who had been trained from infancy to revere "the majesty of the law," and who had never seen any crime but what their own strong legal institutions and efficient police

could detect and punish, could possibly conceive such a state of things as would justify the formation and independent action of an association which set itself above all formal law, and which openly administered summary justice, or what they called justice, in armed opposition and defiance to the regularly constituted tribunals of the country. Therefore, in other lands, it happened that the Vigilance Committee became often a term of reproach, and people pointed to it as a sign that society in California was utterly and perhaps irredeemably impure and disorganized. In San Francisco itself, while some citizens, it must be confessed, did condemn the proceedings of that body, by far the greater number cordially approved of them. The public press was almost unanimous in its support of the association. The officers of the law were often obliged to take cognizance of the existence and actions of the committee, and thought it a matter of public duty to denounce them; but many of even these parties, in private conversation, and still more in heart, applauded the course which had been adopted by their fellow-citizens.

We have already had occasion to mention the affair of the "hounds" in 1849. The summary measures taken at that period by the people had the effect, for a while, of keeping the blackguards who had been long infesting the city within some moderate bounds. But the great immigration in the fall of that year, and the confusion in San Francisco which followed, naturally encouraged new depredations, which in the bustle of the time and place were unnoticed and unfelt by any but the actual victims. Over all California it was the same. The inroad of nearly a hundred thousand *strangers*, who were likewise strangers to each other, scattered among a dozen newly established towns, and over the various mining districts, and who themselves knew not the laws of the land, and perhaps expected, as they could find, no protection from them, but trusted only to their own watchfulness and revolvers, produced a state of things which greatly favored the increase of crime. In 1850, a similar vast immigration took place. The legal institutions and executive, that just before had served the needs of a population of twenty or thirty thousand, now failed to secure safety to a quarter of a million, in which number were some of the most daring and

clever rascals in the world. Among the immigrants were many of the same stamp with the older criminals of the country, and who readily aided in the lawless exploits of the latter. When the towns, or any particular localities, became too hot to hold them, the mining regions, over a length of seven hundred miles, were ready to receive and shelter the fugitives. After a few months, under a new garb and name, the rascals would boldly return to their former haunts, and with impunity commit new crimes. Society was every where continually changing; while disguised in every imaginable way, by dress and an *alias*, and not least by the growth and trimming of the beard, it was almost impossible that the old offenders could be recognized. The natural migration of honest diggers from mine to mine, often far distant from each other, and to the greater towns to spend their gains or recruit their health, was so great, that no notice could be taken, by the really few permanent residents in any place, of the arrival and departure of strangers, or of those traits in their behavior which might have seemed strange and suspicious, if witnessed by idle, inquisitive people of long settled lands. While this constant immigration favored the freedom of criminals from arrest, it also helped to extend their acquaintance among kindred rogues. Wherever they went, they knew there were one, two, or half a dozen noted haunts for fellows like themselves, upon whose aid they could always rely, to execute new outrages, to swear an *alibi*, or give any kind of false testimony that might be wished; to fee counsel or offer straw-bail, or to plan an escape from pursuit or prison of themselves, or some hotly pressed associate in crime. Thus there was gradually formed a secret combination among the chief thieves, burglars and murderers of the country, minute ramifications of which extended down to the pettiest pilferers. To occasionally cut off a single member of this class would do little good, so long as the grand gang was at large and in full operation. Nothing less than the complete extirpation of the whole body of miscreants, with their numerous supporters and sympathizers, aids and abettors, would relieve society from the fearful incubus that now oppressed it.

America no doubt supplied a number of these plunderers, while the different countries of Europe likewise contributed a

proportion. But the most daring, and probably the most numerous class had come from Van Dieman's Land and New South Wales, whither England had sent shiploads of her convicted felons. The voyage from Sydney to San Francisco was neither a very tedious nor an expensive one ; and great numbers of "ticket-of-leave" men and old convicts who had "served their time," early contrived to sail for California. There the field seemed so rich and safe for a resumption of their quondam pranks, that they yielded to the temptation, and forthwith began to execute villanies that in magnitude and violent character far exceeded those for which they had been originally convicted. Callous in conscience, they feared nothing save the gallows. But that they had little reason to dread in merciful, gentle, careless California, where prosecutors and witnesses were few, or too busy to attend to the calls of justice ; where jurors, not knowing the law and eager to be at money-making again, were apt to take hasty charges from the bench as their sole rule of conduct ; where judges, chosen by popular election, were either grossly ignorant of law, or too timid or careless, corrupt or incapable, to measure out the full punishment of crime ; and where the laws themselves had not yet been methodically laid down, and the forms and procedure of legal tribunals digested into a plain, unerring system. These "Sydney coves" therefore were comparatively safe in their attacks on society. They lost not the opportunity ; and, unchecked, during the fall of 1849, the whole of 1850, and the early part of 1851, reaped a large harvest.

There was a district of San Francisco that was noted as being the rendezvous of the numerous rascals we have been describing ; and from which perhaps at this time emanated as much villainy as at any period the "Seven Dials" or the "Five Points" produced. This quarter lay around Clark's Point, in Broadway, Pacific street, and the immediate vicinity. It was the notorious Sydney-town of San Francisco. Low drinking and dancing houses, lodging and gambling houses of the same mean class, the constant scenes of lewdness, drunkenness and strife, abounded in the quarter mentioned. The daily and nightly occupants of these vile abodes had every one, more or less, been addicted to crime ; and many of them were at all times ready, for the most

trifling consideration, to kill a man or fire a town. During the early hours of night, when the Alsatia was in revel, it was dangerous in the highest degree for a single person to venture within its bounds. Even the police hardly dared to enter there; and if they attempted to apprehend some known individuals, it was always in a numerous, strongly-armed company. Seldom, however, were arrests made. The lawless inhabitants of the place united to save their luckless brothers, and generally managed to drive the assailants away. When the different fires took place in San Francisco, bands of plunderers issued from this great haunt of dissipation, to help themselves to whatever money or valuables lay in their way, or which they could possibly secure. With these they retreated to their dens, and defied detection or apprehension. Many of these fires were believed to have been raised by incendiaries, solely for the opportunity which they afforded for plundering. Persons were repeatedly seen in the act of kindling loose inflammable materials in out-houses and secret places; while the subsequent confessions of convicted criminals left no doubt of the fact, that not only had frequent attempts been made to fire the city, but that some of these had unfortunately been successful. Fire, however, was only one means of attaining their ends. The most daring burglaries were committed, and houses and persons rifled of their valuables. Where resistance was made, the bowie-knife or the revolver settled matters, and left the robber unmolested. Midnight assaults, ending in murder, were common. And not only were these deeds perpetrated under the shade of night; but even in daylight, in the highways and byways of the country, in the streets of the town, in crowded bars, gambling saloons and lodging houses, crimes of an equally glaring character were of constant occurrence. People at that period generally carried during all hours, and wherever they happened to be, loaded firearms about their persons; but these weapons availed nothing against the sudden stroke of the "slung shot," the plunge and rip of the knife, or the secret aiming of the pistol. No decent man was in safety to walk the streets after dark; while at all hours, both of night and day, his property was jeopardized by incendiarism and burglary.

All this while, the law, whose supposed "majesty" is so awful

in other countries, was here only a matter for ridicule. The police were few in number, and poorly as well as irregularly paid. Some of them were in league with the criminals themselves, and assisted these at all times to elude justice. Subsequent confessions of criminals on the eve of execution, implicated a considerable number of people in various high and low departments of the executive. Bail was readily accepted in the most serious cases, where the security tendered was absolutely worthless; and where, whenever necessary, both principal and cautioner quietly disappeared. The prisons likewise were small and insecure; and though filled to overflowing, could no longer contain the crowds of apprehended offenders. When these were ultimately brought to trial, seldom could a conviction be obtained. From technical errors on the part of the prosecutors, laws ill understood and worse applied, false swearing of the witnesses for the prisoners, absence often of the chief evidence for the prosecution, dishonesty of jurors, incapacity, weakness, or venality of the judge, and from many other causes, the cases generally broke down and the prisoners were freed. *Not one criminal had yet been executed.* Yet it was notorious, that, at this period, at least one hundred murders had been committed within the space of a few months; while innumerable were the instances of arson, and of theft, robbery, burglary, and assault with intent to kill. It was evident that the offenders defied and laughed at all the puny efforts of the authorities to control them. The tedious processes of legal tribunals had no terrors for them. As yet every thing had been pleasant and safe, and they saw no reason why it should not always be so. San Francisco had been just destroyed, a fifth time, by conflagration. The cities of Stockton and Nevada had likewise shared the same fate. That part of it was the doing of incendiaries no one doubted; and too, no one doubted but that this terrible state of things would continue, and grow worse, until a new and very different executive from the legally-constituted one should rise up in vengeance against those pests that worried and preyed upon the vitals of society. It was at this fearful time that the Vigilance Committee was organized. They knew they had no ordinary duty to perform. They foresaw not merely much time, labor, expense, and actual

danger occasioned to themselves—these were trifles—but also grievous responsibility, and perhaps much misconception and undeserved personal obloquy thrown upon their motives and conduct. They were prepared for all; for what will not a man suffer to save life, limb, and property? They knew they might possibly open a gate to insubordination and general anarchy, thereby periling all future law, peace and happiness; but they did not think that a probable case, and at any rate the risk must be run. The chances were all calculated beforehand; and the result showed only a clear winning game.

The law of nature, which is the foundation of, and is superior to, all civil law, justifies every means for self-preservation. An individual or a community attacked has a right to defend itself; and where that attack cannot be otherwise resisted, then is extermination of the offender proper. Where the constituted tribunals of a country fail to accomplish the ends for which they were created, society becomes resolved into its first elements, and some new method must be adopted to preserve its very existence. Opinions may differ as to the particular instant of time when formal law and legal courts become inoperative, and sanction a community in resorting to new and extraordinary measures for its own safety; but in regard to the general principle, all history, and what is better, common sense and moral feeling, abundantly establish it. The people of San Francisco,—and they of all the world could alone know their own troubles,—believed that the unhappy point of time had been reached; and they accordingly seized the occasion to make some terrible experiments, by which to check the growth of those crimes that were so rapidly surrounding them.

In the case of Stuart *alias* Burdue, in February, 1851, the want of organization and previous arrangements on the part of the people, had been severely felt. As the popular demonstration of that period had failed to strike criminals with terror or lessen crime, a number of the leading citizens organized themselves into the Vigilance Committee. This was in June, 1851. The constitution of the association was as follows:—

"WHEREAS, it has become apparent to the citizens of San Francisco, that there is no security for life and property, either under the regulations of society

as it at present exists, or under the law as now administered; *Therefore*, the citizens, whose names are hereunto attached, do unite themselves into an association for the maintenance of the peace and good order of society, and the preservation of the lives and property of the citizens of San Francisco, and do bind ourselves, each unto the other, to do and perform every lawful act for the maintenance of law and order, and to sustain the laws when faithfully and properly administered; but we are determined that no thief, burglar, incendiary or assassin, shall escape punishment, either by the quibbles of the law, the insecurity of prisons, the carelessness or corruption of the police, or a laxity of those who pretend to administer justice. And to secure the objects of this association we do hereby agree:

"1. That the name and style of the association shall be the COMMITTEE OF VIGILANCE, for the protection of the lives and property of the citizens and residents of the city of San Francisco.

"2. That there shall be a room selected for the meeting and deliberation of the committee, at which there shall be one or more members of the committee, appointed for that purpose, in constant attendance, at all hours of the day and night, to receive the report of any member of the association, or of any other person or persons whatsoever, of any act of violence done to the person or property of any citizen of San Francisco; and if in the judgment of the member or members of the committee present, it be such an act as justifies the interference of the committee, either in aiding in the execution of the laws, or the prompt and summary punishment of the offender, the committee shall be at once assembled for the purpose of taking such action as a majority of the committee when assembled shall determine upon.

"3. That it shall be the duty of any member or members of the committee on duty at the committee room, whenever a general assemblage of the committee is deemed necessary, to cause a call to be made by two strokes upon a bell, which shall be repeated with a pause of one minute between each alarm. The alarm to be struck until ordered to be stopped.

"4. That when the committee have assembled for action, the decision of a majority present shall be binding upon the whole committee, and that those members of the committee whose names are hereunto attached, do pledge their honor, and hereby bind themselves to defend and sustain each other in carrying out the determined action of this committee at the hazard of their lives and their fortunes.

"5. That there shall be chosen monthly a president, secretary and treasurer, and it shall be the duty of the secretary to detail the members required to be in daily attendance at the committee room. A sergeant-at-arms shall be appointed, whose duty it shall be to notify such members of their details for duty. The sergeant-at-arms shall reside at and be in constant attendance at the committee room. There shall be a standing committee of finance, and qualification, consisting of five each, and no person shall be admitted a member of this association unless he be a respectable citizen, and approved of by the committee on qualification before admission."

An occasion soon happened to test the character and uses of this most extraordinary association. On the evening of the 10th of June, 1851, a person of the name of John Jenkins feloniously entered a store on Long Wharf, and stole a safe. He was subsequently seen with a large burden slung across his back, and, an alarm being raised, was pursued. He then got into a boat, and sculled out into the bay, followed by a dozen other boats in keen pursuit. The fugitive was soon overtaken; but before his captors reached him he was seen to throw the burden into the water. This was soon drawn up, and proved to be the stolen safe. The prisoner was next taken to the rooms of the Vigilance Committee, in Battery street, near the corner of Pine street. About ten o'clock of the same night, a signal was given on the bell of the Monumental Engine Company; and shortly afterwards about eighty members of the committee hurried to the appointed place, and on giving the secret password were admitted. Meanwhile, knots of people, some of whom knew and all suspected what was going on, gathered about the premises, and impatiently awaited the farther progress of events. For two long hours, the committee were closely occupied in examining evidence; and soon they had no reason to doubt the prisoner's guilt—though this he denied to the last. At midnight, the bell of the California Engine House was tolled, as sentence of death by hanging was passed upon the wretched man. The solemn sounds at that unusual hour filled the anxious crowds with awe. The condemned at this time was asked if he had any thing to say for himself, when he answered: "No, I have nothing to say, only I wish to have a cigar." This was handed to him, and afterwards, at his request, a little brandy and water. He was perfectly cool, and seemingly careless, confidently expecting, it was believed, a rescue, up to the last moment.

A little before one o'clock, Mr. S. Brannan came out of the committee rooms, and ascending a mound of sand to the east of the Rassette House, addressed the people. He had been deputed he said, by the committee, to inform them that the prisoner's case had been fairly tried, that he had been proved guilty, and was condemned to be hanged; and that the sentence would be executed within one hour upon the plaza. He then asked the

people if they approved of the action of the committee, when great shouts of *Ay! Ay!* burst forth, mingled with a few cries of *No!* In the interval a clergyman had been sent for, who administered the last consolations of religion to the condemned.

Shortly before two o'clock, the committee issued from the building, bearing the prisoner (who had his arms tightly pinioned) along with them. The committee were all armed, and closely clustered around the culprit to prevent any possible chance of rescue. A procession was formed; and the whole party, followed by the crowd, proceeded to the plaza, through Sansome, California, Montgomery and Clay streets. Arrived at the flagstaff, some thoughtlessly suggested that it might serve to hang the condemned upon, but the proposal was indignantly overruled, as desecrating the liberty pole. Those in charge of the execution then proceeded to the south end of the adobe building, which then stood on the north-west corner of the plaza. The opposite end of the rope which was already about the neck of the victim was hastily thrown over a projecting beam. Some of the authorities attempted at this stage of affairs to interfere, but their efforts were unavailing. They were civilly desired to stand back, and not delay what was still to be done. The crowd, which numbered upwards of a thousand, were perfectly quiescent, or only applauded by look, gesture, and subdued voice the action of the committee. Before the prisoner had reached the building, a score of persons seized the loose end of the rope and ran backwards, dragging the wretch along the ground and raising him to the beam. Thus they held him till he was dead. Nor did they let the body go until some hours afterwards, new volunteers relieving those who were tired holding the rope. Little noise or confusion took place. Muttered whispers among the spectators guided their movements or betrayed their feelings. The prisoner had not spoken a word, either upon the march or during the rapid preparations for his execution. At the end he was perhaps strung up almost before he was aware of what was so immediately coming. He was a strong-built, healthy man, and his struggles, when hanging, were very violent for a few minutes.

This Jenkins was one of the notorious "Sydney coves," and was believed to be a man of desperate and crime-stained charac-

ter. The committee who tried him were generally people of respectability in San Francisco. Stern necessity had led them to make this first terrible example, and their conduct was almost unanimously applauded by the citizens. The public press, with one exception, likewise gave a hearty approval of their proceedings. That the execution was conducted during the dead of night, was simply owing to the fact that the criminal had been apprehended only late in the preceding evening. The crime, apprehension, trial, sentence and execution, all took place within a few consecutive hours. The latter steps were managed as swiftly as convenient to the ends of justice. If the crime had been committed in the morning, the result would have been the same, and the condemned would then only have been hanged in open day. That the trial took place in secret was owing to the constitution of the committee, which was devised to prevent the excesses and turbulence of a mere mob sitting in judgment upon offenders.

A coroner's inquest was held, the 11th of June, upon the body of the hanged man. To illustrate further the constitution, real objects, and spirit of the Vigilance Committee, we give a portion of the testimony of Mr. Brannan before the jury on this occasion. After declining to answer some questions on the ground that his statements might implicate himself, the witness said :

"I believe the man had a fair and impartial trial. He was tried before from sixty to eighty men. I believe the verdict of guilty was unanimous, and they came to the conclusion unanimously to hang him. I don't know how the jury was empanelled ; think they empanelled themselves. The jury consisted of the Committee of Vigilance ; they were all citizens of the town. I don't know that the committee has by-laws. The declared object of the committee was to consider themselves constantly on duty, to protect the lives and property of their fellow-citizens ; to see that they are not troubled by burglars, and incendiaries, and murderers ; and to arrest and punish promptly parties caught in the act. The man was executed in accordance with the finding of the committee. I understood a record was kept of the evidence adduced on the trial ; six or eight witnesses were examined. The prisoner had the privilege of bringing in evidence in his behalf. He said he had but one witness, who came and testified that he did not know him. There was no counsel assigned him. I don't know whether the man's witness saw him. He said he did not know any such man before he reached the house. Don't know that the witnesses were put under oath. I did not make any motion that the man should have a new trial. Don't know whether any other persons than those

of the committee were in the room. A man is admitted to the committee on a motion by a friend who vouches for his character, and that he will devote a portion of his time to watching for burglars and other scoundrels. I don't know of any other secrecy than that of an honest man. There is no oath used. The object is to assist the law and administer justice. I do not believe the prisoner would have been hanged if the committee had not found him guilty. The committee are good citizens, and of good standing in society. I saw the prisoner's witness out of doors; heard him say he did not know any such man as Jenkins; don't know whether he went inside; did not see him; could not give the names of any of the witnesses. I object to give the names of any of the committee. I have understood that threats have been made against their property and lives; have heard threats made; have heard it said that my own house would be burned; threats have come to me from the prisoners in the county prison that I should not live ninety days. I know of nothing done by the Vigilance Committee that they would conceal from the officers of the law under proper circumstances. The avowed object of the committee is to protect the city, and punish crime. I know of no other purpose for which they are organized. I believe it was through the instrumentality of the committee that the man was hanged."

Upon the above and much other evidence of a like nature, the jury on the 12th June, returned the following verdict :—

"We, the Jurors of a Jury of Inquest, empanelled by the Coroner of the County of San Francisco, to inquire into the death of one John Jenkins, *alias* Simpton, do find upon our oaths that the said Jenkins, *alias* Simpton, came to his death on the morning of the 11th of June, between the hours of two and three o'clock, by violent means, by strangulation, caused by being suspended by the neck, with a rope attached to the end of the adobe building on the plaza, at the hands of, and in pursuance of a preconcerted action on the part of an association of citizens, styling themselves a Committee of Vigilance, of whom the following members are implicated by direct testimony, to wit: Captain Edgar Wakeman, William H. Jones, James C. Ward, Edward A. King, T. K. Battelle, Benjamin Reynolds, John S. Eagan, J. C. Derby and Samuel Brannan; and the following members by their voluntary avowal of participation in the act." [Here followed a list of the members of the Vigilance Committee.]

In consequence of this verdict (which, it may be just said in passing, was never attempted to be followed up by the authorities), the Vigilance Committee held a meeting on the 13th June, when a unanimous resolution to the following effect was passed, and ordered to be published. As the names appended to this resolution make a pretty complete roll of the original, or more prominent members of the Vigilance Committee, many of whom still reside in San Francisco and move among the most respecta-

ble circles, we give them at length. The curious and scandal-loving may spell over the list at their leisure, and discover some of the chief bankers, merchants and real estate proprietors now flourishing in this city. There is, however, a better reason for the present republication of these names, albeit some feebler-minded folk may fervently wish that their "unco guid" friends *at a distance* may never hear of their graceless connection with the Vigilance Committee. Since common fairness compelled the disclosure in 1851, to give moral support to the parties singled out by the verdict of the coroner's jury; therefore, so long as these gentlemen continue well known, and while they must be specially designated in any history pretending to be full and accurate of the proceedings, the same spirit of fairness enforces the publication now. It would be doing gross injustice to a dozen worthy men, if the full list were omitted in the "Annals of San Francisco." At the same time, there is no reason why any one of the whole number should be ashamed of his appearance in the list.

"*Resolved*, That we, members of the *Vigilance Committee*, remark with surprise the invidious verdict rendered by the coroner's jury, after their inquest upon the body of Jenkins, *alias* Simpton, after we have all notified to the said jury and the public that we were all participators in the trial and execution of said Jenkins. We desire that the public will understand that Capt. E. Wakeman, W. H. Jones, James C. Ward, Edward A. King, T. K. Battelle, Benjamin Reynolds, J. S. Eagan, J. C. Derby and Samuel Brannan, have been unnecessarily picked from our numbers, as the coroner's jury have had full evidence of the fact, that all the undersigned have been equally implicated, and are equally responsible with their above-named associates."

S. E. Woodworth,	Jesse Southam,	James Shinaler,	A. Wheelwright,
Fred. A. Woodworth,	T. H. Robinson,	J. W. Rickman,	C. F. Fourgeaud,
Francis E. Webster,	George R. Ward,	W. S. Bromley,	A. Jackson McDuffie,
Wm. N. Thompson,	C. L. Wilson,	A. Ottenheimer,	P. D. Headley,
Clinton Winton,	W. H. Taber,	B. H. Davis,	S. B. Marshall,
James B. Huie,	Isaac Bluxome, jr.,	P. Frothingham,	H. Hazeltine,
B. Frank Hillard,	Lathrop L. Bullock,	E. E. Schenck,	W. Iken,
S. W. Haight,	John W. Rider,	Geo. Austinworn,	George D. Lambert,
George H. Howard,	Theodore Kuhlman,	E Botcher,	John P. Half,
Caleb Hyatt,	Joseph E. Dale,	Samuel Marx,	Joseph T. Harmer,
Samuel R. Curwen,	Julius D. Shultz,	Daniel J. Thomas, jr.,	J. Seligman,
James F. Curtis,	J. P. Stevens,	J. E. Farwell,	H. F. Von Lenyerk,
L. Hulsemann,	Thomas McCahill,	Jacob P. Leese,	J. E. Derby,
A. G. Randall,	Wm. Peake,	Edgar Wakeman,	T. J. West,
S. Brannan,	Jonas Minturn,	A. Markwell,	Wm. T. Coleman,
George J. Oakes,	Lloyd Minturn,	Samuel A. Sloane,	J. S. Clark,
R. D. W. Davis,	F. O. Wakeman,	W. B. Lucas,	C. H. Clark,
Wm. H. Jones,	Wm. Forst,	Henry M. Naglee,	Herman R. Haste,
Edward A. King,	John W. Jackson,	J. Thompson Huie,	H. F. Teschemacker,

William A. Howard,
Henry Dreshchfeldt,
James Ryan,
Wm. Browne,
Robert Wells,
H. D. Evans,
John J. Bryant,
E. Kirtus,
Thos. N. Deblois,
E. Gorham,
Frank S. Mahoney,
James C. Ward,
R. S. Watson,
George Mellus,
J. D. Stevenson,
Chas. R. Bond,
B. B. Arrowsmith,
S. E. Teschemacker,
C. H. Brinley,
J. W. Salmon,
Benjamin Reynolds,
A. W. Macpherson,
John S. Eagan,
J. C. L. Wadsworth,
William Hart,
George M. Garwood,
R. S. Lanot,
A. C. Tubbs,
J. R. Curtis,
A. H. Hill,
Wm. H. Graham,
B. E. Babcock,
J. A. Fisher,
Hartford Joy,
Joshua Hilton,
John F. Osgood,
James Pratt,
E. Kemp,
Wm. G. Badger,
J. Mead Huxley
S. J. Stabler,
Geo. Clifford,
Charles Soulé, jr.,
Robert H. Belden,
N. Smith,
Randolph M. Cooley,
Chas. H. Hill,
J. Neal, jr.,
F. A. Atkinson,
Charles Miller,
John O. Earle,
N. T. Thompson,
N. Reynolds Davis,
Gabriel Winter,
Otis P. Sawyer,
Wm. Meyer,
W. N. Hostin,
John G. McKaraher,
Eugene Hart,
John Raynes,
J. C. Treadwell,
John H. Watson,
Wm. Burling,
F. Quincey Coale,
Thomas N. Cazneau,
Geo. W. Douglass,
Wm. C. Graham,
Chas. H. Vail,
Charles Minturn,
Howard Cunningham,
Charles L. Case,
Charles Moore,
James R. Duff,
E. M. Earle,
J. L. Van Bokkelen,
George N. Blake,
Dewitt Brown,
Edward F. Baker,
F. Argenti,
Stephen Payran,
C. Spring,
Wm. J. Sherwood,
W. L. Hobson,
E. W. Travers,
W. H. Tillinghast,
Wm. Langerman,
J. F. Hutton,
Thos. K. Battelle,
Horace Morrison,
Augustus Belknap,
F. L. Dana,
Horatio S. Gates,
O. P. Sutton,
Jer. Spalding,
A. J. Ellis,
John M. Coughlin,
Samuel Moss, jr.,
C. O. Brewster,
Charles L. Wood,
William Tell,
James Dow,
E. W. Crowell,
A. H. Gildemeester,
Samuel S. Philipps,
Chas. Del Vecchio,
Joseph Post,
Jas. King of William.

These were signatures of some of the richest, most influential, orderly and respectable citizens of San Francisco. They show, however, only a small portion of the people who subsequently joined the Vigilance Committee, since every day was increasing its numbers by the accession of the best inhabitants of the place. At the time when the above resolution was formed and published the committee likewise put forth the following by-laws, as an address to the people :—

"WHEREAS, The citizens of San Francisco, convinced that there exists within its limits a band of robbers and incendiaries, who have, several times, burned and attempted to burn their city, who nightly attack their persons and break into their buildings, destroy their quiet, jeopardize their lives and property, and generally disturb the natural order of society; AND WHEREAS many of those taken by the police have succeeded in escaping from their prisons by carelessness, by connivance, or from want of proper means or force to secure their confinement, *therefore* be it

"RESOLVED, That the citizens of this place be made aware that the *Committee of Vigilance* will be ever ready to receive information as to the whereabouts of any disorderly or suspicious person or persons, as well as the persons themselves when suspected of crime.

"That as it is the conviction of a large portion of our citizens, that there exists in this city a nucleus of convicts and disorderly persons, around which cluster those who have seriously disturbed the peace and affected the best

interests of our city—such as are known to the police of the city, or to the members of the Committee of Vigilance, as felons by conduct or association, be notified to leave this port within five days from this date; and at the expiration of which time they shall be compelled to depart, if they have not done so voluntarily within the time specified.

"RESOLVED, That a safety committee of thirty persons be appointed, whose sacred duty it shall be to visit every vessel arriving with notorious or suspicious characters on board, and unless they can present to said committee evidences of good character and honesty, they shall be re-shipped to the places from whence they came, and not be permitted to pollute our soil.

"RESOLVED, That all good citizens be invited to join and assist the Committee of Vigilance in carrying out the above measures so necessary for the perfect restoration of the peace, safety, and good order of our community."

These sweeping resolutions were not suffered to lie dormant; but were instantly and effectively acted upon. The terrible example made of Jenkins, and the announcement of farther steps by the committee, had already succeeded in frightening many of the more fearful rogues away. The steamers to Sacramento and Stockton were crowded with the flying rascals. But such a partial exodus was not enough. The more desperate characters were left, and unless the work was thoroughly done, the city would be in as bad a state as before. An old Mexican law really forbade the immigration into California of such persons as had been convicted of crime in other countries; but this law, in the confusion of the vast immigration of 1849 and succeeding years had been disregarded. The committee, however, now proceeded to render it of use, and give a somewhat wider scope to its operation. So notices were forthwith served on all such persons as were known or reputed to be vicious characters, upon the different "Sydney Coves," and upon all who harbored or kept close companionship with them, that they instantly leave the city, on pain of being forcibly expelled, and shipped to the place from whence they had last come. These notices were served always in presence of three members of the committee, and after due inquiry, although a secret one, had been made on the subject. If the party warned considered himself an innocent or ill-used person, he was at liberty to appeal to the committee, and have his cause reheard. He could produce all evidence within his power in regard to general character or to rebut specific charges; and upon that, or its absence, the committee altered or confirmed their for-

mer judgment. Repeated cases of rehearing took place; and where the parties appealing were "white-washed," or turned out really "good citizens," generally no malice was manifested by them against the committee; because they, like their judges, considered that the whole proceedings had been conducted in good faith and for the public benefit. A few actions of damages for false imprisonment and defamation of character were about this time and subsequently raised against members of the Vigilance Committee, by parties who considered themselves aggrieved by their proceedings. In the end, however, these actions were either quashed, nominal damages only awarded by the jury, or the plaintiffs indemnified. Meanwhile, the committee pursued "the even tenor of their way," nowise daunted by the reproaches and threats of offended individuals, nor by the continual opposing action of mortified officials. When some of the warned were contumacious, and refused to depart, they were seized by force, in spite of their appeals to the courts of law, and imprisoned on board a safe ship in the bay until arrangements could be made for their transportation abroad. The legal authorities, with numerous practising lawyers in their train, meanwhile "fretted and fumed" at thus losing their own proper business; and denounced in angry language the sweeping action of the committee. Those personages did not deny the good result of this action, nor did they disguise the alarming increase of crime and the inability of the regular tribunals to cope with it; but still they harped upon the illegality,—the illegality of the whole proceedings. *Illegality* truly! People were abused, robbed and murdered on all sides, their houses set in flames, and their goods consumed or stolen, and yet they were to be forbidden the only remedy in their power, because *form* was to be observed, while the criminals escaped! The reproaches of mere lawyers were disregarded, and the work of purification went on.

Some individuals having chosen to throw obstacles in the way of the Vigilance Committee's action, that body issued the following notice to the public. It is here given to show the spirit of their proceedings, and the ceaseless watchfulness with which they were conducted. Not a word need be said as to their *illegality;* that is confessed by all.

"VIGILANCE COMMITTEE ROOM:—It having become necessary to the peace and quiet of this community that all criminals and abettors in crime should be driven from among us, no good citizen, having the welfare of San Francisco at heart, will deny the Committee of Vigilance such information as will enable them to carry out the above object. Nor will they interfere with said committee when they may deem it best to search any premises for suspicious characters or stolen property. *Therefore*,

"RESOLVED, That we the Vigilance Committee do CLAIM to ourselves the right to enter any person or persons' premises where we have good reason to believe that we shall find evidence to substantiate and carry out the object of this body; And further, deeming ourselves engaged in a good and just cause—WE INTEND TO MAINTAIN IT.

"By order of

"THE COMMITTEE OF VIGILANCE,

No. 67, *Secretary.*"

"*San Francisco, July* 5, 1851."

The next striking occasion when the Vigilance Committee exercised its power was on the 11th of July following. A person of the name of James Stuart—the real party of that name, and for whom Burdue had been mistaken in the affair of the 19th of February preceding, had been for some days in the hands of the committee upon various charges. He had been regularly and fairly tried, found guilty, and was sentenced to be hanged. Subsequently he made a full confession of his crimes, and acknowledged the justice of his punishment. He was an Englishman, and had many years before been transported from Great Britain to Australia for forgery. At that time he was only sixteen years of age. His whole life afterwards was one continued tissue of the most daring crimes. After wandering about various parts of the Pacific, he lighted at last upon California, and during his short residence there was supposed to have perpetrated more murders, burglaries, and other crimes of every dark and desperate description, than any other villain in California. His confession revealed an extraordinary state of social impurity, and showed, clearly and minutely, the alarming mass of villany which existed among the community, and the support it received from the lax and culpable behavior of the executive. This confession was immediately published, and the people warned against the many persons whom it named and implicated in the crimes acknowledged.

About nine o'clock on the morning of the 11th, the customary taps on the bell of the Monumental Engine House, which showed

that a matter of life and death was under consideration, summoned together the Vigilance Committee. Immediately a numerous assemblage of members convened at their rooms, and proceeded to try the prisoner. Evidence was duly led and considered, and Stuart's guilt being fully established, he was sentenced by a unanimous voice, to immediate death by hanging. Before the execution, Col. J. D. Stevenson went forth to the crowd of people waiting outside, and addressing them, stated the facts of the case briefly, as established by evidence, the subsequent confession of the prisoner himself, and the proposed judgment of the committee. He then inquired whether the people approved of their proceedings, and would confirm the sentence. A loud shout in the affirmative from a great crowd answered his inquiry, against which there were only several voices in the negative. During this time the committee were in consultation as to their further proceedings, while the prisoner remained manacled in an adjoining room. He appeared quite reckless of his fate, and only at times said that the business was "d——d tiresome." He begged a piece of tobacco from one of the members, which he continued to chew until he heard his doom. When sentence was delivered, he was permitted to have a delay of two hours, to frame his mind to the solemnity of the occasion ; and to that end the assistance of a clergyman was given, although the prisoner seemed very indifferent about religious duties. This clergyman, the Rev. Mr. Mines, was closeted with the condemned during the time granted. In the interval, the members present of the committee —some four hundred in number, sat grimly on their seats, silent and determined. They felt the responsibility and unpleasant nature of the task before them ; but they did not hesitate. It was for the good of the community and their own safety that they had been laboring, and while conscience approved of their proceedings, they did not so much court, as they hoped and expected the confidence and applause of their fellow-citizens. The silence in that chamber of judgment was profound ; a pin could have been heard to fall on the floor.

After the two hours' grace, the condemned was led forth, still manacled, and closely surrounded by those who had the direct charge of watching over him. The rest of the committee formed

in a line behind. They were all well armed, and prepared to resist any attempted rescue, either by the prisoner's friends, or the authorities themselves. In this order they marched, two by two, as in funeral procession, after Stuart and his guards, along Battery street to Market street wharf, down which they proceeded to its extremity. A great crowd of citizens followed.



Hanging of James Stuart.

Hitherto the prisoner had preserved much coolness, but towards the close, fear was beginning to overcome him, and he was at last obliged to be supported by two of his guards. At the end of the wharf every thing had been hastily arranged for the execution. So soon as the procession reached the spot, the fatal rope was fastened, and the condemned quickly hoisted up with a jerk upon a derrick. He did not struggle much. After hanging a few seconds his hat fell off, and a slight breeze stirred and gently waved his hair. This was a sorry spectacle—a human being dying like a dog, while thousands of erring mortals, whose wicked-

ness only had not yet been found out, looked on and applauded! But necessity, which dared not trust itself to feelings of compassion, commanded the deed, and unprofitable sentiment sunk abashed. Reason loudly declared—*So perish every villain who would hurt his neighbor!* and all the people said *Amen!*

About twenty-five minutes afterwards, when life was supposed to have fled, the body was lowered, and possession allowed to be taken on the part of the authorities. These had, previous to the execution, made some attempts to recover the person of the deceased; but were resolutely opposed, though no overt act of violence took place. The verdict of the coroner's jury was as follows:—"We, the jury, find that the deceased came to his death by strangulation by hanging, at the hands of a body of men styling themselves the Vigilance Committee of San Francisco." It is, perhaps, unnecessary to say that the authorities took no legal action on this verdict. The grand jury empanelled for the special July term by the court of sessions, towards the close of a long report on the state of crime in San Francisco, and in which they had made allusion to the Vigilance Committee, took occasion to say:—

"When we recall the delays and the inefficient, and we believe that with truth it may be said, the corrupt administration of the law, the incapacity and indifference of those who are its sworn guardians and ministers, the frequent and unnecessary postponement of important trials in the District Court, the disregard of duty and impatience while attending to perform it manifested by *some* of our judges, having criminal jurisdiction, the many notorious villains who have gone unwhipped of justice, lead us to believe, that the members of that association have been governed by a feeling of opposition to the manner in which the law has been administered and those who have administered it, rather than a determination to disregard the law itself.

"Under institutions so eminently popular as those under which we live, the power of correcting all these abuses is with the people themselves. If our officers are unfit for the stations they occupy, if the laws are not faithfully executed, if an arraigned criminal procures his own friends to be placed on the jury that tries him, where is the fault, and where the remedy? If those of our citizens who are most interested in having good and wholesome laws, and in seeing them well and purely administered, will not give sufficient attention to our elections to secure proper and sober legislators, judicial and other officers, and neglect to obey the mandates of our courts when summoned as jurors and witnesses, as has been too often the case, can they expect to see justice prevail or crime punished? And is it not in the neglect of their duties in these important particulars, that they may find the true fountains from

whence have sprung many of the evils we have suffered? The Grand Jurors, believing, whilst they deplore their acts, that the association styling themselves the 'Vigilance Committee,' at a great personal sacrifice to themselves, have been influenced in their actions by no personal or private malice, but for the best interest of the whole, and at a time too when all other means of preventing crime and bringing criminals to direct punishment had failed, here dismiss the matter, as among those peculiar results of circumstances that sometimes startle communities, which they can neither justify, or by a presentment effect any benefit to individuals or the country; and with the assurance that there is a determination on the part of all well-disposed citizens to correct the abuses referred to by selecting proper officers to take the place of those who have violated their trusts, and by performing each his part in the administration of the laws. When this is done, the axe will have been laid at the root of the tree—the proper remedy applied for the correction of the grievous evils our city and country have so long suffered, and there will be no necessity for the further action of that committee. To them we are indebted for much valuable information and many important witnesses."

The above testimony to the purity of motives and prudence of conduct in the Vigilance Committee is highly important; and shows the estimation in which they were held by some of the most enlightened members of the community, who themselves had a *legal* duty to perform respecting crime in the district. The public press, excepting as before, continued to give cordial and effective aid, and even from the pulpit was heard a sound of applause. As for the commonalty, it was almost unanimously in favor of the committee. In consequence of the examples made of Jenkins and Stuart, crime was now fast diminishing in San Francisco, and the number of notorious criminals was much reduced.

The next great occasion on which the committee figured was in August following. They had had in their custody for some time back, two persons of the names of Samuel Whittaker and Robert McKenzie, who were charged with the various crimes of burglary, robbery and arson. These persons had been fairly tried, had confessed their guilt, and were sentenced to be hanged. The particular time for the execution had not yet been fixed, although a rumor spread abroad, on the evening of the 20th August, that it would take place next day.

Meanwhile the governor of the State, the Hon. John McDougal, issued (on the 20th August,) a proclamation to the people in the County of San Francisco, directed against the Vigi-

lance Committee by name, and which called upon "all good citizens of said county to unite for the purpose of sustaining public law and tranquillity, to aid the public officers in the discharge of their duty, and by all lawful means to discountenance any and every attempt which may be made to substitute the despotic control of a self-constituted association, unknown and acting in defiance of the laws, in the place of the regularly organized government of the country." To this proclamation the following strange certificate was published in answer :—

"*San Francisco, August 20th*, 1851.

"We, the undersigned, do hereby aver, that the present governor, McDougal, asked to be introduced to the Executive Committee of the Committee of Vigilance, which was allowed, and an hour fixed. The governor, upon being introduced, stated that he approved the acts of the committee, and that much good had taken place. He hoped that they would go on, and endeavor to act in concert with the authorities, and in case any judge was guilty of mal-administration, to hang him, and he would appoint others," &c.

Comment upon the above document is unnecessary. It shows that although the governor, in prosecuting the duties of his office, felt bound to oppose the proceedings of the Vigilance Committee on the ground of their illegality, as an individual, he was willing to acknowledge their beneficial effects. Indeed, the *private* opinion and well-wishes of the "good citizens" upon whom he called for aid against the actions of the committee, were nearly unanimous in their favor.

On the morning of the 21st, before dawn, the sheriff, Col. John C. Hayes, holding a warrant of *habeas corpus*, procured upon the affidavit of Governor McDougal himself, went with one of his deputies to the rooms of the committee, which he entered without experiencing any resistance. A party of policemen followed behind, to be ready in case of need. There were a sufficient number of the committee at hand to have forcibly and successfully resisted the authorities; but, taken by surprise, and unwilling to proceed to actual blows and bloodshed, they suffered the prisoners to be removed. Some of the committee, however, hastening from the apartment, immediately began to ring the bell of the California Engine House. This soon aroused the numerous members of the committee from slumber, and sent

them quickly to the scene of action. By the time they arrived the sheriff had left with the prisoners. There was something strange and unexpected in the whole affair, and treachery on the part of some of the prisoners' guards was suspected. The authorities had known for weeks that Whittaker and McKenzie had been in the hands of the committee, and during that time they had made no effort to procure their release. It was generally believed indeed that the authorities, knowing the good the committee had done in diminishing crime, took ready advantage of their situation in protesting that feebleness alone kept them quiet. Yet now they were perilling all the benefits that had already resulted from the action of the committee. The latter deeply deplored the hasty conduct of the officials, but resolved to be cool and proceed cautiously in their farther steps. Villany meanwhile looked stealthily on, and began to breathe more freely. The old tribunals, and old delays—perjury—quibbles and technical errors—corrupt and bribed prosecutors—ignorance and corruption among the jury—misunderstood and misapplied laws —ay, life itself, and freedom again to run a long course of rapine and murder, all were suddenly opened, by this *legal* stroke of the executive, to the astonished and delighted criminal! As for the authorities themselves, they were wonderstruck at, and almost afraid of their own boldness and success; and many could scarcely believe that they had managed, at last, to circumvent the formidable Vigilance Committee. So they made preparations to resist any attempt that might be tried to rescue the prisoners; while fear and trembling, arising from many different causes, filled the hearts of all "good citizens."

About half-past two o'clock, on the afternoon of Sunday, the 24th of August, an armed party, consisting of thirty-six members of the Vigilance Committee, forcibly broke into the jail, at a time when the Rev. Mr. Williams happened to be engaged at devotional exercises with the prisoners, among whom were Whittaker and McKenzie. The slight defence of the jailers and guards was of no avail. The persons named were seized, and hurried to and placed within a coach, that had been kept in readiness a few steps from the prison. The carriage instantly was driven off at full speed, and nearly at the same moment the

ominous bell of the Monumental Engine Company rapidly and loudly tolled for the immediate assemblage of the committee and the knell itself of the doomed. The whole population leaped with excitement at the sound; and immense crowds from the remotest quarter hurried to Battery street. There blocks, with the necessary tackle, had been hastily fastened to two beams which projected over the windows of the great hall of the committee. Within seventeen minutes after the arrival of the prisoners, they were both dangling by the neck from these beams. The loose extremities of the halters being taken within the building itself and forcibly held by members of the committee. Full six thousand people were present, who kept an awful silence during the short time these preparations lasted. But so soon as the wretches were swung off, one tremendous shout of satisfaction burst from the excited multitude; and then there was silence again.

After the bodies had hung about half an hour, the people were addressed by Mr. Brannan, Dr. Robinson and Mr. Peyran; and shortly afterwards they slowly dispersed. In the course of an hour later, the bodies were delivered over to the authorities, and the same evening a coroner's jury returned the following verdict:—"In accordance with the foregoing testimony, the jury, after deliberate consideration, have come to the conclusion, and accordingly render their verdict, that Samuel Whittaker and Robert McKenzie came to their death by being hanged by the neck, thereby producing strangulation, by the act of a body of citizens styling themselves the 'Vigilance Committee of San Francisco,' on the afternoon of Sunday, August 24th, instant, at about three o'clock, in front of the Vigilance Committee Rooms, on Battery street, near California street, from the second story thereof." As heretofore, no steps were taken by the authorities to implement the verdict of the jury.

This was the last time the committee took or found occasion to exercise their functions. Henceforward the administration of justice might be safely left in the hands of the usual officials. The city now was pretty well cleansed of crime. The fate of Jenkins, Stuart, Whittaker and McKenzie showed that rogues and roguery, of whatever kind, could no longer expect to find a

safe lurking-place in San Francisco. Many of the suspected, and such as were warned off by the committee, had departed, and gone, some to other lands, and some into the mining regions and towns of the interior. Those, however, who still clung to California, found no refuge any where in the State. Previously, different cases of Lynch Law had occurred in the gold districts, but these were solitary instances which had been caused by the atrocity of particular crimes. When, however, the Vigilance Committee of San Francisco had started up, fully organized, and began their great work, Sacramento, Stockton, San José, as well as other towns and the more thickly peopled mining quarters, likewise formed their committees of vigilance and safety, and pounced upon all the rascals within their bounds. These associations interchanged information with each other as to the movements of the suspected; and all, with the hundred eyes of an Argus and the hundred arms of a Briareus, watched, pursued, harassed, and finally caught the worst desperadoes of the country. Like Cain, a murderer and wanderer, as most of them were, they bore a mark on the brow, by which they were known. Some were hanged at various places, some were lashed and branded, but the greater number were simply ordered to leave the country, within a limited time, under penalty of immediate death if found after a stated period within its limits. Justice was no longer blind or leaden-heeled. With the perseverance and speed of a bloodhound, she tracked criminals to their lair, and smote them where they lay.

Thus by almost a universal—a national effort, was our beautiful country, which had so long contained and been defiled by the sweepings from the prisons and the thieves'-alleys of other lands, once more made pure, sweet and safe. Hercules did no greater labor when he cleansed the Augean stable by turning a river through it. The people of California, and more particularly the people of San Francisco, had turned the great stream of justice, from its former slow, devious and uncertain course, and sent its waters headlong to overwhelm criminals and wash society clean from the stains that crime had left. For a long time afterwards, the whole of California remained comparatively free from outrages against person and property.

From all the evidence that can be obtained, it is not supposed that a single instance occurred in which a really innocent man suffered the extreme penalty of death. Those who were executed generally confessed their guilt, and admitted the punishment to have been merited. We have seen that it was so in the case of three of those hanged at San Francisco.

The Vigilance Committee has long ceased to act, but the association has never been formally dissolved. The original members are doubtless ready, if ever sad occasion should require, again to assert the right of self-preservation, and the supremacy of natural law over defective civil rules, tedious if not corrupt tribunals, mastery of scoundrels and the quirks of professional tricksters, if thereby the substantial ends of justice can be best or alone obtained, and society relieved from the horrors of unchecked and triumphant villany. Let rogues then beware! It is, however, to be sincerely hoped, that never again shall there need to be revived those terrible times of 1851. California is perhaps not yet quite so subject to the influence and strength of LAW as most of the Atlantic States or the more civilized countries in Europe; but she is fast being gently and securely broken in to its majestic and salutary sway. Her career has been unlike that of any other modern nation, and the many anomalies in her history must be peculiarly and leniently judged. GOD SAVE CALIFORNIA!



Yerba Buena Cemetery

DEATHS AND BURIALS.

THIS is a melancholy subject for a chapter in our "Annals." The approaches of death are terrible every where, but especially in places like San Francisco. In his native land and own home, the sinking invalid is cheered by the sweet, loving attentions of the woman,—it may be mother, wife, sister, or daughter,—that is dearest to him, and the kind inquiries, visits and discourse of the friends of his youth or ripened years. He thinks that death has lost its chief terrors when he sees only gentle faces, hears soft and soothing tones, and knows that his worldly affairs are arranged, and that those dearest to his heart will be protected when he has gone. Few of such consolations attend the dying in San Francisco. It is so still; but that was more particularly the case in the times of the great immigration of 1849, 1850, and 1851. It is to these years, and especially to the first named, that the chief interest of the city attaches; and we are naturally inclined to dwell more upon the events of that strange time.

Although the climate of San Francisco is admitted to be un-

usually salubrious, the mortality which prevailed in the years mentioned was very great. Most of the immigrants had arrived in a state of body which was far from sound. The majority came by sea, and had been subjected to all the ills which a voyage of five or six months' duration usually induces. The ships were generally small, old and inconvenient, having never been properly fitted to carry passengers; while all were crowded to excess. The provisions were in many cases scarcely fit to be eaten; and in all there was naturally a deficiency of fresh vegetables and meats. The general diet was of course quite unlike that to which the passengers had been accustomed. Salt, dry and stale food, bad water, want of exercise, and confinement for many hours daily in close, unaired cabins; all these things within half a year's time impaired the strongest constitution, and afflicted many with scurvy and kindred diseases. When such people landed at San Francisco those who were least sick thought they were well enough, for hope at the moment was strong and buoyant. Those, again, who were confessedly unwell, found there was no suitable accommodation or sanitary treatment to be had. Both classes, while they now had fresh, and perhaps better food than before, had much worse habitations than when they lived on shipboard. Canvas-covered tents, with the bare earth for flooring, were miserable lodgings for sick people at any season, but when the heavy winter rains set in, they became only the abodes of disease and death. As if previous sickness, change of diet, bad lodging, exposure to excessive damp, and sometimes personal dissipation, were not enough to kill, disappointed hopes came in the end to blast the principle of life, and put an end to further misery.

While this was often the case with the newly arrived, the immigrant of a few months' older standing had perhaps gone to the mines. There he had been unsuccessful, or his already enfeebled constitution was finally broken down by the excessive fatigues of gold digging—and none but those who have tried that kind of labor know or can guess its severity; and he hastily returned to San Francisco, to mourn his crushed hopes, seek in vain for medical relief, and die. Even those who had gleaned a fortune at the mines, when they came to town to spend their

gains, soon fell victims to over-excitement and continued debauchery. Gambling and intemperance slew many fine youthful spirits, that in their native land had promised to be great and good men, but who, left to themselves, quickly fell before the temptations and vices of San Francisco. The chief fatal diseases of the time were dysentery and inflammation of the lungs. Brain fevers were also common, induced by excessive excitement. Great numbers, particularly of the new-comers, had ulcerated bowels, as was shown on dissection of the bodies of many of those that died in the public hospital.

In early days, when the inhabitants knew or professed no faith but that of old Mother Church, when Yerba Buena had a civil existence, and San Francisco was still but young, the dead of these places were buried in the church-yard of the mission. Death then came seldom, for the population was scanty; and the loss of half a day was of little consequence at any time to the survivors. But when the great rush of immigrants happened, time became money, and deaths were numerous. Few men would then spare as much leisure as sufficed to accompany the corpse of a stranger—nay, even of a friend, to a grave in the mission burial ground; that is, if the deceased were a Catholic, or, if of any other faith, to the public cemetery then established. The distance was considered great—a mile, or two, perhaps—and the way was difficult, and sometimes almost impassable. The usual custom of interring in consecrated ground was soon, therefore, unheeded, and the bodies of the dead were hastily put any where out of sight. There was no record of deaths kept by the authorities, and no examination, inquest, or inquiry whatsoever, was made by them. In the bustle of the place, and continual change of the population, the dead man was not missed, and nobody dreamed of seeking for the absent. He perhaps had gone into the interior, or home, or to the mines,—any loose rumor satisfied the few inquisitive acquaintances of the deceased. Perhaps it might sometimes flash across their minds that their old mate had made a stranger journey still, one "to that bourne from whence no traveller returns;" then they would shrug their shoulders, mutter a "poor fellow" phrase, and apply to the more pressing affairs of the moment that engrossed all their

thoughts. Friends at the distance of many thousand miles might write dozens of letters, but who could give them information of the missing, unheard of, unseen, unknown emigrant? To look for any individual among the motley, changing crowds of San Francisco, was fruitless labor. Nobody knew, nobody paid any heed to the dying, save the inmates of his own tent; or if perhaps he dwelt alone in some small shanty, the dweller in the next adjacent.

As a rule, the immigrants were comparatively poor, and could not afford to pay the extravagant fees charged for medical aid; while the dying, disappointed, returned miner, had often no funds to purchase even the daily necessaries of life. There were several private establishments for the sick, but their charges were enormous, and put it beyond the power of ordinary folk to gain admission. The city paid four dollars a day for each patient in their public hospital, and to be received there cost trouble and the aid of friends. At the same time, there was naturally a strong feeling of repugnance to enter such a place. By the majority its door was regarded as the certain gate of death, and not altogether without reason. Notwithstanding, the city hospital was filled to overflowing, and was the scene of much loathsomeness and misery. But most of the deaths happened in private places. Often the corpse of some unknown was discovered lying in a retired spot, behind some thicker bush than usual, perhaps, or in a remote tent, or at dawn in the public streets. How he had died, whether slain by his own hand or by that of another,—whether struck down by sheer hunger, exposure, or disease, could often be scarcely ascertained. The man was dead; and that fact was generally enough for the most curious. It might be said, that almost in every case the hapless sufferer was neglected and alone; and so he breathed his last. The nature of his latest lament, his pangs of mind and body, his horror and despair, faith, fear, and hope of a hereafter, few had opportunities of learning. His fellow-lodgers, in the tent at night,—for during day most such dwellings were deserted,—or the nearest neighbors, or first noticers of the corpse, to rid themselves of a nuisance, dug a hole in the ground behind, or near the tent, or where it happened to be found, and there they

buried the body. Coffins and shrouds were luxuries which the dead needed not, and the living could not spare. Sometimes the more intimate acquaintances of the deceased, with a lingering regard for his remains, would bear the corpse up to Russian Hill, on the summit of which was a small unenclosed space that many years before had been made use of as a burying ground by the Russian settlers of the town and bay. Or, if they happened to be closer to Clark's Point, they would inter the body on the rising slope of Telegraph Hill, in a dreary spot, which, by common tacit consent, had been set apart for such purposes. A thin, flat piece of board, painted white, with a few black letters on it, or a rude wooden cross, stuck in the ground, alone marked the place where the body was deposited; and even these memorials were of rare occurrence. Generally, however, the deceased was buried near the place where he died; and when the dry, sandy soil, that covered the tomb was levelled by the winds and rains, no monument told what lay beneath.

During this period a piece of ground near the North Beach was used as a regular graveyard. No permission had been granted by the authorities for that purpose; but after one funeral had taken place, another and another quickly followed to the same quarter, until gradually it began to be considered a public cemetery. It was unenclosed, and to the eye seemed only a bleak and dreary common. Here the same rude style of interment was observed as elsewhere over the bounds of the great encampment forming the city; with perhaps this difference, that the small painted grave-boards and wooden crosses might be a little more common. But all this while occasional burials in different portions of the city were continuing. People could not be troubled to walk slowly and reverently half a mile, in those busy times, to inter a dead stranger. A shallow hole in the nearest open space served the purpose just as well as the grandest mausoleum would have done. In grading the streets, sinking wells and digging the foundations of houses in after years, the bones of such as had been buried in this fashion have been repeatedly brought to light. In vain may the loving mother and fond sister, the tender wife, affectionate children, and dear friends, on both sides of the distant Atlantic, be still mourning the absence, and continued, unaccount-

able, cruel silence of the long-gone adventurer; in vain they may patiently wait and tearfully hope for his return with the treasure for which he had perilled ease and life. Like the mother of Sisera, who had gone forth to conquer, they may sit watchfully at the window, and moan aloud—*Have the chariot wheels ceased to turn? And why tarry the fleet steeds? Has he not sped and divided the prey?* Alas! the proud, hopeful wanderer has fallen. The secret of his death, its time, place, manner, and all its bitter circumstances, will never be revealed!

In February, 1850, the ayuntamiento set aside a large tract of land situated nearly midway between the town and the mission, for the purpose of a public burial place, which was called "*Yerba Buena Cemetery*;" but the distance, the approaching rainy season, and other causes, hindered this piece of ground from being used immediately to any great extent for the ends to which it had been appropriated. For a while, people preferred the other irregular places we have mentioned for burying the dead. But at last the property near North Beach became desirable for building purposes, and the bodies there buried were exhumed and removed. A proper feeling of reverence for the remains of human beings began to revive. Gradually therefore the irregular interments ceased, and most of the dead were now laid in the public cemetery of Yerba Buena, which began to fill up with a rapidity almost incredible.

At this time a majority of those who died were actual paupers, and their remains had to be taken charge of by the authorities, who bestowed the scantiest possible care upon the interment. Still the cheapest rate at which the city contrived to bury was from fifty to one hundred dollars for each body. A coffin, or box, of thin rough boards alone cost twenty dollars. A cart was engaged to take these boxes or coffins to the public cemetery, and on occasions several were taken at a single load, and when these were tumbled out of the vehicle the driver hastened back for others. Rows of graves were dug a few feet deep in the loose sand, and there the coffins were laid as they were brought, without care, or reverence, or in the presence of a single mourner. The names of the deceased might possibly be known, and their ages and country guessed at; but the particular place of their

birth and their history was generally a blank. The only funerals that were attended with any great regard to decency and becoming solemnity were such as were bestowed upon members of Free-Masons' and Odd-Fellows' lodges, or where the dead had happily possessed a large circle of friends, and might perchance have been old residents of the place, that is, of one or two years' standing. Sometimes also a train of Chinese mourners might be seen burning bits of paper over the graves of their departed countrymen, or performing similar antic ceremonies.

For some years Yerba Buena Cemetery remained an unenclosed waste. It lies in a hollow among miserable looking sand-hills, which are scantily covered with stunted trees, worthless shrubs, and tufted weeds. It extends over a large space of ground, and is still among the most dreary and melancholy spots that surround the city. In 1850, there was nothing visible, below and around, but the loose barren sand-hills, with their scattered patches of wild bushes, while above was the boundless, pitiless firmament. The din of the city could not penetrate there. The only sound sometimes heard was the mournful requiem of the distant waters of the bay, when stirred to solemn music by a gale. The dead needed no lullaby, and cared not for picturesque and pleasing scenery; but to the living visitor, who feels only his own emotions, which he attributes to insensible clay, the aspect of the place was sad and desolate in the extreme. Since that period it has been enclosed by a wooden fence, and a portion of the ground is now thickly covered with simple tablets and some highly-decorated monuments to the departed. Many of the tombs are formed in the modern Parisian style, and in their trim flower-beds, neat rails, crosses and tablets, imitate the sepulchres of Père La Chaise. It is a most interesting though melancholy task to walk over the place, and mark the inscriptions on the tombs. The years of the dead had been so few, and the places of their birth were so diverse! People from all parts of the world lie buried there; and especially natives from every State in the American Union. Their race, language, religion, their age, personal character and manners, actions, thoughts, passions, hopes and dreams, had been all different in earlier days. At last they came from the remotest quarters to work as rivals

together in California, and win the dangerous gift of gold. Now they sleep cordially side by side in Yerba Buena Cemetery. What avail now their doting visions of wealth, fame and influence, the actual heaps of the precious metal? American and European, Asiatic and African are now the same filthy substance. In life, the white man prided himself that his veins held not the blood of yellow, red or black races; the man of "progress," that he was not like the slothful, ignorant, slavish native of warm climates: now, in Yerba Buena Cemetery there is none better, none worse in all human respects.

A mile farther to the west lies the burial-place of the mission, densely packed with the bodies of such good Catholics as preferred being buried in ground consecrated by their own church; and who left money and friends to carry their wishes into effect. Those interred here were chiefly natives of the country or Europeans. The space is small, but the graves are numerous. Scarcely can one find the inscriptions on two adjoining tablets in the same language. Here one is Spanish; the next may be Italian, French, German, Portuguese or English.

The things we have mentioned exhibit in a striking manner the strange mixed population of which San Francisco is composed. To show that, and one general wild and mournful phase of the place and people, is the object of these remarks. It may be proper to add here, the following statistics of burials to the 1st of January, 1854. No record of interments previous to July, 1850, is now in existence; the imperfect register that had been kept having been destroyed by fire in 1851. An approximate knowledge of the number can only be arrived at by the exhumation of bodies at the principal places of burial, and the graves still discernible in Happy Valley and on Russian Hill. The number of interments prior to 1850, is thus estimated :—

At North Beach burial ground.....	840
In the vicinity of Happy Valley.....	75
On the hill rising from Clark's Point.....	30
On Russian Hill.....	25
Total.....	970

From the beginning of 1850, to June 1st, 1854 :—

At Yerba Buena Cemetery	4,450
At the Catholic ground (Mission Dolores)	300
At the Jewish Cemetery	50
Total	4,800
Total burials to January 1st, 1854	5,770

From the register of deaths kept for three and a half years by the city undertaker, we obtain the following :—

Interments from July, 1850, to July, 1851	1,475
" " July, 1851, to July, 1852	1,005
" " July, 1852, to July, 1853	1,575
" " July, 1853, to Jan'y, 1854	620
Total during 3½ years	4,675

It will be seen that the number of burials in 1850–51 far exceeds that of the last half year of 1853, when the pupulation was perhaps nearly three times as great. This remarkable disparity may be accounted for, in the removal of the causes of deaths we have already named. The long passages around Cape Horn, in small and badly provisioned ships, as well as the toilsome and debilitating journeys across the plains, are now comparatively few in number ; while the immigrants, however they may have travelled, are sure to find wholesome provisions and comfortable accommodations upon their arrival. People are no longer compelled to live in wretched tents, exposed to every variety of weather, sleeping upon the hard ground, and eating food unfit for brutes. The immigrants reach San Francisco after short passages in well provided steamships ; and all the necessary requirements, in dwellings and in food, are furnished for the entire population. The healthy and fortunate have time and means to care for the sick and indigent ; and the hospitals have so greatly improved in regard to accommodations, cleanliness, attention, and medical assistance, as no longer to be considered, as they formerly were, the certain gates of death.

A more suitable cemetery than "Yerba Buena" has recently been laid out in a beautiful tract of land lying between the presidio and the mission, some three or four miles west of Portsmouth Square, and in the immediate vicinity of the "Lone

Mountain," from which its name has been derived. The grounds embrace one hundred and sixty acres, inclosed with a handsome fence. There are many beautiful spots within this space. Delightful dells, scooped out among the hills, with the evergreen oaks bordering and fringing their quiet beauty; valleys smiling all over with flowers, of every hue, and knolls covered with shrubs, rejoicing in their crowns of white lilac. The views are as various and sudden as the avenues and their turnings. There are portions full of hidden springs, and, in a word, the spot is capable of being made one of the most delightful in California. More than twenty miles of avenues have been laid out, cleared, and sufficiently graded. These are as serpentine and zigzag as nature herself could dictate. Sweeping round the hill-sides, running through the vales and dingles, suddenly turning at acute or obtuse angles, now in a straight line, now a curve, all of the grounds, when completed, will form one of the most curious and beautiful diagrams imaginable. It is intended to give each avenue the name of one of the cemeteries in the Eastern States, for instance: Laurel Hill, Mount Auburn, Greenwood, Oak Hill, Cypress Grove. By the side of many of these avenues, the evergreen vales and various charming shrubs and flowers, some of them in full bloom, extend like an artificial fringe, and form a quiet shade over the spaces destined for a last still repose.



Fire of June 22d, 1851.

THE GREAT FIRES.

THE first "great" fire occurred on the 24th of December, 1849. Some such calamity had been dreaded through the months of high winds, by all who took into consideration the exceedingly inflammable nature of the buildings. Thin boards, cloth, and paint, were tempting inviters of the destroyer. When it did come, it spread like a pestilence; and although the windy season had passed, it consumed completely the most flourishing portion of the city. Dennison's Exchange, in which the fire originated, was ceiled with cotton cloth, and that was painted. Instantly this was on fire, and the whole building was burning before the neighborhood was aroused, it being not yet quite six o'clock in the morning. Scarcely a breath of wind was stirring to fan the fiery flame. At once the citizens crowded to the scene. Then the din of a thousand voices arose amid the crash of falling frames, the jingling of battered windows, the sharp sound of

axes; and, above all this, the roar of the devouring element, which now surged wildly round the Parker House, from the windows and doors of which, at both ends, dense clouds of smoke rolled forth. Just then the cry of "stored powder" was raised, and a general *stampede* of five or six thousand persons ensued. So rapidly spread the flames, that the conflagration was at once like a lion broke loose, defying all control. On, and still onward, it went and spread—water, labor, powder, every thing seemed powerless to stay it. Glutted at last, when half the square was in ashes, nothing but smoke from burning cinders, like the breath from the red nostrils of a dying monster, was to be seen, where so recently had stood the works of human skill and labor. More than a million of dollars had been destroyed in the property thus turned to ashes.

But those who had suffered did not wait for the embers to grow dim, and the cinders to disappear, before applying anew their native energy. At once new buildings were in process of erection—built—occupied, and the business of the section again travelling its former course almost before the smoke had sped away from sight. Four months rolled away, the city had revived, and prosperity smiled in all her streets. Even the blackened district, blasted by the fire of December, had put on a glow of health. Just then, on the morning of the 4th of May, 1850, the second great fire commenced, almost on the very site of the previous one, and within a few hours swept away three entire blocks, destroying property to the estimated amount of four millions of dollars. But, again, with more than former energy, the people went ahead, and within ten days from the time of the fire, more than half the burnt district was covered with new buildings.

This enterprise and energy were doomed not long to press onward unchecked. Already the fire-fiend felt again the cravings of hunger, and hovered around, preparatory to his third dreadful meal. Ashes had been hidden by new structures. Timber and brick had followed close upon the track of the devastator, charred timbers had given place to beautiful dwellings, and streets filled with active men took the place of those so lately swept by the living flames. But change is the order of

life, of nations, and of cities. The 14th of June, 1850, came, and with it the third of those dreadful devastations which seemed sent, like the serpent of old, to destroy the young Hercules in its cradle. This fire has been so fully spoken of elsewhere in this book, that it may be only necessary here to say, that it exceeded in extent and loss both of those which had preceded it. Like those, it was frightful, as well from its rapidity as from the completeness of the destruction. It was in a different location from the fires already noticed, being more to the south, and reaching to the bay. As before, efforts to check it availed not. The same causes aided the spread of the flames, and, besides, the summer sea-breezes were at full blast. So it devoured until satisfied. When the fiery meal was done, the citizens, like lively waiters at the fire-king's board, cleared away the rubbish, and set a new meal, more tempting than before. The appetite and digestion of the consumer seems to have been unimpaired by these repasts. Not yet glutted, he did not long endure the pangs of hunger, but once more sat down to breakfast at public expense.

At about four o'clock on the morning of the 17th of September, 1850, the startling cry of "*Fire! fire!*" alarmed the wakeful, and aroused the sleeping, with a suddenness and terror that an earthquake could not have produced. Perhaps in no other place in the wide world could that fearful cry create at once such general alarm and terror, and throw every individual of the community into such sudden and overwhelming excitement. So many whirlwinds of destruction had swept over the devoted city at short intervals, and with such fearful strides, that the whole community was as excitable as if they had stood on the brink of a crater. In a few minutes the streets were full of people, and the fire companies were on a full run for the scene. But so rapidly did the flames spread, that for a long time all efforts to arrest them seemed utterly vain.

At first the atmosphere was perfectly calm, but the winds increased as rapidly as the flames, whirling the black masses of smoke, the lurid sheets of fire, and immense quantities of blazing cinders aloft, and in all directions. The conflagration spread on every side. From the "Philadelphia House," on the north side

of Jackson street, where the fire commenced, it extended instantly in all directions, notwithstanding several buildings were at once torn down. The speed of the terrible courser was too rapid for those who contested the field with him. Of the entire square, bounded by Jackson, Kearny, Pacific, and Dupont streets, the "Polka" was the only building saved. On the south side of Jackson street every thing was swept away up to the plaza, and east to Kearny street, leaving between the latter and Dupont street only the "Alta California" office, the California, Lafayette, and Excellent restaurants, and two dwelling-houses.

Below Kearny street, the whole row on the east side was destroyed, with the exception of the Verandah. About one hundred and twenty-five buildings were consumed. The entire loss could not be ascertained with any degree of accuracy. It was far less in proportion to the space burned over than at any of the previous fires, from the fact that a large portion of the buildings destroyed were of one story, and small. The total loss was estimated at amounts varying from two hundred and fifty thousand to one million of dollars. Probably three hundred thousand dollars would have been a fair estimate. That the buildings cost more, vastly, than they were worth at the time of the fire, is undoubtedly a fact. Many of them were mere shanties, and were easily replaced, and at a cost much less than that for which the first ones had been erected.

To those who had leisure, and a position suitable to take a view of the whole sea of flame, and who could divest themselves of the sensations of pain incident to the occasion, it was a grand, a sublime sight. The entire city was illuminated with a fierce glow of light, and the surrounding hills sent back again its reflective brilliancy, accompanied by ten thousand echoes of crackling timbers, rushing flames, the quick strokes of the engines, rattling of carts and wagons, the wrenching of falling houses, the roar and the tumult of thousands upon thousands struggling almost hopelessly against their dread enemy, which swayed to and fro in terrible mockery of human effort. The greedy flames shot forth their dry, forked, snake-like tongues, lapping at every thing within their reach, as if conscious of their own malignity

and power; licking at the windows and walls and house-tops; darting out horizontally through jaws of black smoke and teeth of sparkling cinders; rushing across alleys and streets and vacant lots; twisting or writhing in agony or delight, anon, as if bearing an expression of their joy and mighty vengeance, shooting upwards to the stars, those clear eyes which looked down so quietly from their azure thrones.

Soon came the broad light of day, giving a still more strange and gorgeous mantle to the hill-sides, crowded with busy, or gazing, or shocked human beings, and mingling its heavenly rays with those that held their revel dance amid the halls and household gods, and wrapped themselves about the works of labor and genius, like so many scarlet mantles. Through a sea of blood the sun seemed to rise and gaze upon the work, his great Titan eye glowering down upon the devoted city as if red with anger and offended majesty. Yet few saw it. The little things about, and near and dear to the brave struggling hearts, were of much greater importance than the great ones far away.

When at length dwellings and chattels were in the dust, and smoking embers, and ashes, and occasional jets of not yet glutted flame alone indicated the sites of recent homes and busy marts, it was painful to see the ejected sufferers, men, women, and children, sad and tearful, clinging to the relics of late fortunes and firesides. The public square was literally crowded with whatever could be snatched from the hungry fire. Up to a late hour at night many persons were still there with the few remnants left from their former property and comforts.

But the enterprise which had built the city from a barren waste, had smoothed its hills of sand, and filled up the valleys between, and covered with habitations the places where so long and so recently had prowled the Indian, and the cayote had howled, now rose up, as the flames had risen, mighty and effective, and begun re-creating what these had destroyed. The patience which had endured a weary trip around Cape Horn; the perseverance that had pushed its way over the plains between Missouri and the land of gold, plains dreadful in their desolation of wild sage; the daring which had traversed the hills, mountains, and valleys of Mexico, undaunted by thirst, hunger, the

pitiless thrust of the cactus, the chapparal's thorn, the stealthy wile of the Apache, and the fierce wrath of the Camanche; these were not consumed with the cloth partitions and iron warehouses, but arose with new energy, as they had before done, from the bivouac or the hammock.

So the rejuvenated giant grew and progressed. Above the ashes new dwellings arose. Where the flames had scarce ceased crackling, the hammer and the saw were heard, answering back to the stone-cutter's chisel and the earnest ring of the mason's trowel. Like the structures of the coral insect, the islands which rise from the ocean's depths, San Francisco grew upwards from her own ashes, supplanting the frosts of destruction with a crop of success. Fine buildings succeeded piles of rubbish, charred wood, and tottering walls. The appearance of the conflagration passed away, commerce spread her white wings, and came and went like the eagles; trade changed and exchanged its commodities; gold dust flowed like a river from its mountain homes when the spring sun shines and the snows melt; immigration grew to a great wave, and rolled in a rapid population; and prosperity smiled in all the streets.

But amid all this there lingered in the minds and memories of the people a feverishness and sensitive chord of apprehension that thrilled at the slightest alarm, like a spider's web when struck by an insect. The sound of the first stroke of a fire-bell was enough to clear church or theatre, or drowsy bed, in an instant. The dreadful scenes witnessed had inscribed their history deep and dark, and could not be erased. This proclivity to alarm had soon an ample cause of new exercise. The anniversary of the fire of May 4th, 1850, approached. Threats had been made, it was said, that it was to be signalized by a similar spectacle. These rumors existed, whether the threats had been made or not. They were discussed upon the streets, and in places of business and pleasure. The infamous gang, which infested the city, was known to be desperate, and wicked enough to do this, or any other heinous thing.

The sun had gone down over the western hills, and the dying sea-breeze wasted its last breath against the brow of night. The curtain had fallen upon the last scene of the last play, the lec-

turer had retired from the stand, the clergyman from the pulpit. The lawyer was dozing over his brief, and weary limbs had laid down on the sleeper's couch. The editor had put the last period to his leader, and turned from his flagging duties to tremble at the shrill outcry of "*Fire!*" That dreadful word in a moment found an echo on a hundred tongues, and the pealing bells and rushing engines answered back to the sound. It was nearly midnight on the eve of May 4th, 1851. The flame when first seen was in a paint-shop, on the south side of the plaza, and was not larger than a man's hand; but in five minutes, the whole upper story was one entire blaze.

At first, the wind was but a breath; but it had scarcely lapped the flames, ere, like a tiger, after his first taste of blood, its whole nature awoke to the fiery carnival, and became an avenging and malicious spirit. It caught the black clouds of smoke and the flashing streams of flame, and with a living skill twisted them into wreaths and festoons fit to adorn the brow of crumbling Sodom. As if its prison-bars had snapped with the first flame, and the doors of its cells had burst open, from every point of the compass its dread ministers poured forth, and joined the banquet in one general whirlwind, turning hotel and store, office and dwelling, into a fiery and dizzying waltz of conflagration. Nothing could stay the fury and progress of the united wind and flame. On, and still onward, through the hours of that dreadful night, it marched and rushed, and devoured, greedy and remorseless, while food could be found for the gnawing hunger of the destroyer. Over the marts of commerce and trade, over the altars of home, the desk, the bar, the bench; over the white bed of the maiden and the crimson couch of the creature; over the parlor and the public hall; the mart of luxury and the dépôt of comforts, it rolled its red tongues, licking up to the very cinders every thing which had been brought or made to sustain, to embellish, or to beautify. There are occasionally events in the history of our lives, so unexpected and appalling in their nature, that the heart almost ceases its functions, and the brain, confused and stupefied, makes thought and expression difficult and uncertain. Such was the condition of the citizens of San Francisco as this dreadful conflagration broke in all its

terrors upon their view, and the smoke from two-thirds of the city's foundations dimmed the light of hope as it veiled with black the bright face of heaven.

The tornado of fire in its devouring path over the city, furnished a scene of more grandeur, terror and sublimity, and, devoid of one's sympathies, of more beauty, than any other event which had transpired in our nation during the present century. And yet all of one's sensibilities were inevitably interested, and were necessary in order that this awful exhibition of nature in her wildest and most pitiless mood, should duly and perhaps profitably affect man through his more kindly qualities. The commencement of the fire was like the flash of gunpowder, so almost instantaneous was its spread. For a few moments, hope, fear and dread balanced upon the brakes of the engines. As those gallant philanthropists, the firemen, bent every thought, and strained each muscle, in a death contest with the common enemy, hope for an instant spoke of triumph. But physical exertions and prayers were equally unavailing—the city's doom had come.

Many persons inhabiting or owning buildings which appeared to be out of the possible range of destruction, looked upon its commencement without a thought of themselves, actuated only by their sympathies for others. How suddenly ended their dreams of security! In a few hours, or minutes, they too were wanderers in the streets, houseless, homeless, hopeless, stripped of every thing. As the first faint hope of stopping the flames at the place of origin, died out, the city's terrible impending fate became more and more manifest. And yet no one could anticipate to its full extent the scope and completeness of the eventual ruin. The winds from the north-west soon increased to whirlwinds around the flaming piles; the heated air, loaded with smoke, cinders and flames, rushed up towards heaven, crackling and roaring like a tornado, while fresh gusts and gales came rushing in from every side to fill the melting vacuum with new ministers of destruction.

The sight was sad, afflictive, awful. Great masses of smoke ascended and rolled away, loaded with the wealth of men, the rewards of toil and danger, bearing far above the crumbling city

great flocks and sheets of burning cinders, and forming huge clouds touched with every tint, from clear white light to the darkness of night. Frame houses faded away like frost work. Brick structures became batteries of flame, and poured forth immense jets from their windows and doors. Iron and zinc curled up like scorched leaves, and sent forth their brilliant flames of green, blue and yellow tints, mingling with, and modifying the glare of the great red tongues of fire which flashed upwards from a thousand burning houses. The hill-sides were lighted as if the sun were above the eastern mountains, and their trees, shrubs, herbage, houses and people were as distinguishable in the bright light, as if it were noon. But darkness hung over a large portion of the shipping, where the broad and heavy ocean of smoke lay down in impenetrable gloom over the bay.

People became paralyzed. Many removed their stocks of goods four or five times, and had them overtaken and destroyed by the flames at last. The streets were crammed with masses of human beings and rushing teams, only giving way before the advance of the elements, as the smoke, and heat, and crashing walls pushed them back. Men became mad. Some rushed headlong into the flames. Weeping women and prattling infancy were wandering amid ashes and destruction. Every few moments the earth and air trembled, as great buildings were torn into fragments by explosions of gunpowder, and the atmosphere was filled with shattered timbers, bricks and mortar. The multitude hung upon the borders of this "vast sea of flame," few, comparatively, knowing what were the dangers and exertions of those who were within the range of the stifling smoke and scorching heat. In less than nine hours from the beginning, more than twenty squares existed only in memory, and in the ascending columns of smoke and flame which covered the site of the city.

The Union Hotel burned like a furnace until the woodwork was nearly destroyed, when the huge walls, five stories high, pitched headlong into the street, and over the wrecks of neighboring dwellings, long before they reached the earth, completely lost in the flames and smoke which ascended from below. So intense was the heat that jets of water poured from the hose became instantly converted into steam, or were licked up by the

thirsty flames. Nothing less than a river of water could have quenched them. But the saddest sight of all was the destruction of brave but bewildered men, who, finding themselves suddenly surrounded by fire, rushed, staggering and uncertain, from flame to flame, in hopeless efforts to escape, until strangled and scorched, they withered and fell in full view of thousands who were entirely powerless to save them. Others, after battling the remorseless demon inside of what they considered fire-proofs, finding their efforts to save the buildings vain, endeavored to escape, but too late. The doors and window blinds were red hot, and in some instances could not be opened, and the last chance of safety failed. The sensations excited by gazing upon the blackened remains of poor humanity, as they burned amid the coals in the cellars, the next day after the fire, still beyond the reach of all who viewed them, are indescribable, and such as none could desire to experience for the second time.

People could not speak their thoughts. Feeling predominated over thought. Within eighteen months, they had seen the finest part of the city sink away four times before the destroying angel, leaving only ashes behind. But with all the experience which they had given, the people were not prepared for the fifth terrific visitation which laid the city once more in the dust. The grandeur of the scene was beyond belief. Descriptions by the pen would be but dark lines, and the painter has not found the colors, nor the light and shade which could do it justice. The result, when a few hours had passed, was before all eyes, except those which the dreadful devastation had burned into silence for ever, amid the cinders, rubbish and smouldering heaps of broken walls. The dead alone were blind to the desolation which reigned where joyousness had so lately run riot. A few hours before, the moon and stars had looked down from their tranquil heaven upon beautiful edifices and thronging men, upon gorgeous saloons and hopeful occupants, brilliantly illuminated resorts of bright faces and happy hearts. Now, the wreaths of smoke rising upwards from cinders and dust, told wealth had turned to rubbish, and hope to ashes. It was a terrible blow upon the city. Its progress seemed stopped, its prosperity paralyzed. The destruction had been greater than that of all the previous fires combined.

Immense amounts of goods were destroyed, and many anticipated that for years the effects would be painfully apparent. But even then there were those who thought differently, and they were of the majority. One thus expressed the general sentiment the day after the fire: "So great is our confidence in the natural location and advantages of this place, and in the recuperating energies of our fellow citizens, that we do not for a moment hesitate to say that San Francisco will rise again and occupy the position which nature evidently intended her to fill and adorn. Our recovery will not be as rapid as heretofore, perhaps, *but it will be.* Of this fact, neither our own citizens nor our friends abroad need doubt. There is hope enough, energy enough, determination enough among us to do it. California possesses in her resources the inherent ability, and San Francisco has in her position, that which, aided by the labor and indomitable perseverance of the American people, will bring her out of even this last and most crippling misfortune. It will take time and energy, bold hearts and willing hands, hopefulness and patience to do it, but it will be done." The spirit which could exist and speak thus after twenty squares of a city which was not two years old were but a mass of smoking ruins, and those squares constituting nearly all the settled portion of the city, was equal to any contingency. And it proved itself so, and fully substantiated the confidence and expression of the writer.

As a complete calamity there was scarcely a parallel. There had probably never been another so entire a destruction of a city since the burning of Moscow. More than three quarters of it had been blotted out. The destruction of property, the loss of life, the suffering, the privation, the ruin—complete a picture of so much misery as makes the heart ache to think of it. The loss could scarcely be exaggerated. One had to speak of millions. It was the greatest by far of any which had visited the city, and it was the more disheartening because of its following so closely upon the track of the others. Almost the entire city had been the product of Californian industry. Very little foreign capital had been employed in erecting the buildings and improving the streets. It was the result of labor performed in one shape or another within the country itself. And it was a painful and

disheartening circumstance to have all this blotted out in a single night.

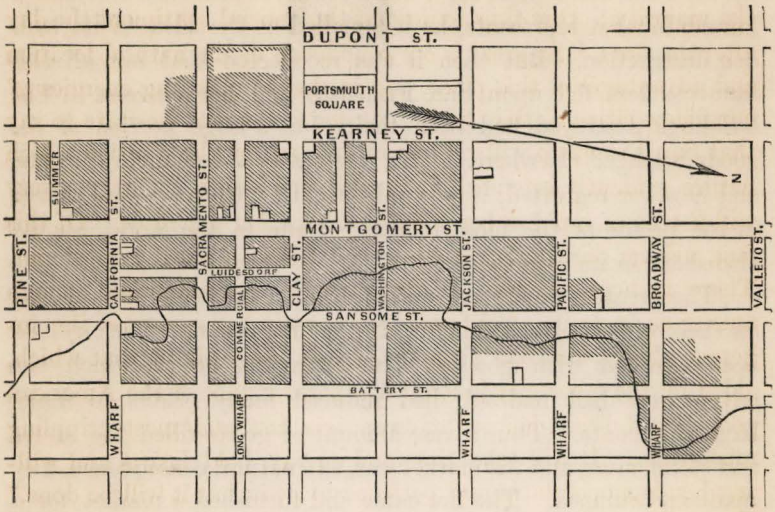


Diagram of the burnt district, May 4th, 1851.

The rewards of such patient industry, of such active enterprise, of such unremitting toil, had been accumulated within the short space of three years. San Francisco had been the world's wonder. There is no similar instance, perhaps, in the history of civilized society where so much had been accomplished, in so short a space of time. But the same causes which existed in the beginning were existent still. There were the same rich and exhaustless mines, and the same trade which had made San Francisco, in consequence of the gold, what she had been. So when the people reflected that human labor had done all this in three years, they were not cast down, but, like the apostle, thanked God, and took courage. It required even a greater calamity to defeat the progress of the city. It postponed, but did not prevent her commercial importance.

Her citizens met the disaster like men. The first shock naturally seemed to paralyze and drive them almost to despair. But when they reflected upon the causes which had made them, and remembered that they still existed, they resolved, and at once, to meet the calamity with fortitude, and to remedy it.

True, there was something paralyzing in the array of twelve millions of dollars destroyed in one night. When one reckons up the columns of that sum, and reflects what a vast amount of human labor it represents, he is appalled at the idea of its sudden destruction. But then it was recollected that not all this immense loss fell upon San Francisco and her citizens. The buildings destroyed had been theirs, but a large portion of the goods belonged elsewhere. This was one of the chances of trade, and however regretted, it was only just that they who had shared in the profits of the most lucrative trade in the world, should also share in its reverses.

The greatest misfortunes often bring a breath of consolation on their wings. So of this dreadful conflagration. The city had been crowded with goods. The enormous profits which the adventurers had realized, had induced many others to make large shipments. Thus a vast amount of goods filled the stores and storehouses, and the market was, as a natural consequence, dormant and ruinous. The fire came and furnished a market for a great portion of the stock, and although the returns for it made no very flattering balance in the ledger, still the enhanced value of what remained partially compensated for what had been lost. Consequently, business soon revived. Some had been ruined, many had lost every thing. But generally each one again buckled on his armor, and commenced the battle anew. And soon the city once more commenced arising from ashes and dust.

Within ten days, between two and three hundred buildings had been completed, or were in a fair state of progression, within the burnt district. About fifteen hundred buildings had been destroyed within ten hours. At nine o'clock, on the morning of May 4th, the last of that number was a bed of ruins; but, by the 14th of the same month, fully one-fifth of the whole number destroyed was again fit for habitation and business, or were fast approaching that condition. Such determination, energy and perseverance soon swept out nearly all traces of the fire from the face of the city. And people with buoyant hearts hoped and trusted that the city had passed through her last great affliction. But another trial still awaited her and them. Still another fire anniversary approached. The 14th of June of the previous year

had been signalized by a very disastrous conflagration, and the citizens feared a repetition of the frightful anniversary of the 4th of the preceding May.

Again it was whispered that the lawless gang of desperadoes who still infested the city had threatened to keep the anniversary of the fire of June 14th, 1850, in a manner suitable to the scenes of that day, and their own sentiments of hatred and revenge. Two days before, one of their number—Jenkins—had been hanged on the plaza by the enraged populace; and that class of villains to which he belonged, it was said, had sworn vengeance. But great vigilance prevented the consummation of the fiendish attempt, if such was intended. However, this state of security was not to last long. Sunday, June 22d, came, with its winning call to peace, quiet and devotion. The bells were ringing out their invitation to prayer and praise, and the streets were filled with people on their way to public worship. Just then the bells changed their tone, and terror succeeded all feelings of devotion. The *sixth* great fire had commenced, and the buildings of nearly fifteen squares had felt the sun's light for the last time. People forgot the church and rushed to the scene of conflagration on the corner of Pacific and Powell streets. The prayer-book, the altar and the Bible, psalm, hymn and sermon, passed by unheeded, and the dreaded devastator's court took precedence of pew and pulpit, prayer and exhortation. An immense crowd was at once at the scene of disaster. The firemen were there, too, but no reservoirs were near, and the element had its will. Like Hercules it rose superior to all opposition. The flames were too rapid, and the heat in a short time became so intense that every person was driven from the vicinity. Buildings were blown up, but that availed nothing. The shattered wreck was soon in a blaze, and burned with all the more intensity. Men contended with the flames until they could not breathe, and then left their offices and dwellings, and rushed into the streets, or upon the plaza. There, most melancholy sights met the view. Large portions of the goods removed there for safety, caught fire and were totally consumed. But the most horrible sight of all was that of two or three corpses, one of a man who, being sick, was removed in his bed to the plaza, and there died

while the fire was raging. Another was the trunk of a man burned to death, and partly consumed. The scene here was singular and terrific. Goods had been moved to it from all parts of the city, but they caught fire from the intense heat and cinders, and a third part of them were destroyed. Patients from the hospital, women and children, were gathered there, or hurried thence as from certain destruction.

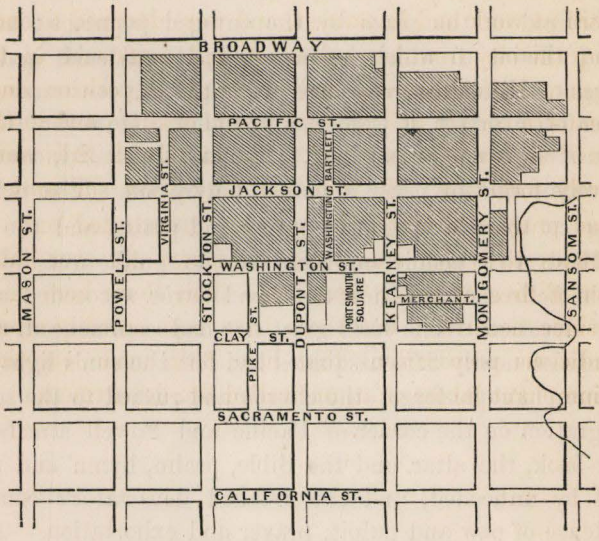


Diagram of the burnt district, June 22d, 1851.

There was no doubt that the fire was the work of an incendiary. No fire had been used about the house in which it commenced for any purpose whatever. As it progressed, the flames would suddenly start up in advance, and in one or more instances persons were detected in applying fire. It was any thing rather than a consoling thought that three or four millions of dollars should be destroyed, and thousands of people turned houseless into the streets, merely to gratify the hatred or love of robbery of a few scoundrels. In three or four hours all this sad work was done. Calculations, plans, comforts, hopes, people, were all sent a-begging. The burden, although it did not so much affect the mercantile portion of the community, fell heavily upon the middle classes and poor, and drove them in great numbers from the city. Some

went to the mines, others to the interior cities, while some embraced the first opportunity of leaving the country for Australia, the Eastern States, or other places.

There seemed so little security that many who were unable to erect any thing more expensive than wooden buildings, preferred not to risk the little which they had, in such structures. But others were of different means and metal. With them all was progress and hope. Energy, perseverance and determination were still at work and in earnest, and were destined to once more build up the city from her ruins. A full confidence in the advantages of her commercial and geographical position impressed the idea of a certain and glorious future destiny, and in the confidence of such a hope and belief, the six terrible fires were comparatively forgotten. So from her fiery grave she arose again, and has progressed until the present, interrupted only by the vicissitudes to which trade and commerce are ever liable. A number of fires of lesser magnitude than those here described, have since occurred; but these have been speedily arrested by the judicious preparations that have been made, together with the triumphant labors of an unrivalled fire department.



San Francisco Firemen.

THE FIRE DEPARTMENT.

WERE the Mediterranean as great an ocean as the Pacific, no more striking resemblance could be added to the many already existing between Constantinople and San Francisco—chief among which is the number of tremendous conflagrations to which both have been liable. Neither, properly considered, have grown as great cities grow. House by house have not slowly replaced one another after years of crumbling and decay, as the atoms of a living being, gradually renewed and multiplied, cause it to increase in size and beauty. Both are embodiments of the fabled phœnix—new creations have successively had their seed in the ashes of the old—armed warriors rose from the graves of peasants. Every change was a death—the fire-cry was the call of the dread angel, at whose sound men's hearts sank, and a

whole people mourned. The resurrections soon dispelled sorrow; but who could say which would be the final death? Even the phœnix will cease to reproduce. The reader of the history of this great city must by this time have identified it with these occurrences, though all that can be said will fail to impress him with the full sense of the awful horrors that those dread alarums created in its citizens. The three years of prosperous and healthy growth that have made San Francisco a well-formed and comely place,—and not a stunted and scarred piece of patchwork,—have been brought about by other causes than the improved style of architecture. The torch has been repeatedly lighted since June, 1851, and there have been the same high winds to fan the flames to greater fury; but, except in isolated cases, the damage done has been but trifling. More—aye, *every thing*, is due in this connection to the unrivalled "Fire Department." Firemen in other cities are immensely useful in restraining conflagrations to which they are all liable; but the fire-brigade of San Francisco enters on a service of terrific danger. The enemy they have to encounter might fright a dozen armies. They are forlorn hopes, that have to storm the very batteries of the fire-fiend. Their hard-fought battles, their many victories, and the able defence and guard they exercise over their precious charge, have gained them, better than laurel or gold, the sincerest thanks and warmest attachment of their fellow-citizens. San Franciscans would laugh were it said that we flattered the fire department. Does a man praise his right arm for performing its wonderful functions? Yet the fire department is the right arm of San Francisco. At the ring of the alarm-bell, it is not alone the errand-boy, the counter clerk, or the rowdy corner loafer that start for a scene of temporary excitement. But the merchant-millionnaire springs from his cushioned seat; the judge leaves court and cases; the industrious mechanic drops his tools; editors, lawyers and doctors abandon quills, briefs and pills, and with pallid cheek but nervous sinews hurry their engines to the threatened spot. They are playing for a fearful stake. Men must be daring gamblers to foil the enemy they deal with. Honor to whom honor is due. Give it freely to the fire department, and when to it, to the whole body of enlightened, public-

spirited and prominent citizens. These are men prouder of their leathern capes than though they were bedecked with the toddery uniform of a militia general—men who have poured out their means with no stinting hand in the formation of the department. The volunteer system need not be abandoned for a *paid* fire organization. Nothing could replace the loss of an institution so highly valued. San Franciscans might get along without government—dispense with churches—abolish drinking houses and places of amusement—cease soldiering—give over reading newspapers—or see without regret their gambling saloons vanish in the clouds. Pleasures are easily done without; but home—bread—years of toil—life itself, are not coolly and calmly to be tossed into the flames.

The first steps taken towards establishing a fire department, date from Christmas, 1849, the day after the first great fire. Meetings for that purpose were held by numerous influential citizens, who had been old Atlantic firemen, among whom were Frederick D. Kohler, David C. Broderick, George H. Hossefros, George W. Green, William McKibben, Benjamin Ray, Charles W. Cornell, John A. McGlynn, and others. In January, 1850, the councils first moved, by appointing F. D. Kohler chief engineer, with instructions to proceed to permanently organize a suitable fire department. At that time, three engines were all the machinery that was to be found in the city, and those not properly provided with hose. Three companies, known as the *San Francisco*, *Empire* and *Protection*, were soon formed for each of these and brought into active service in the fires of May and June following. Before the last was well burned out, public notice was given for meetings to be held that very evening, to take measures properly to organize fire companies. It was evident that such conflagrations might be momentarily anticipated—and what could three imperfectly provided companies do to arrest them? As a result of these actions, the fire department was regularly organized by ordinance of councils, passed July 1st.

The government of the department was intrusted to a chief engineer and assistants, and a board of delegates, to consist of two representatives from each company, which officers were to be elected by the members. Appropriations were at the same time

ordered for the construction of cisterns and the purchase of apparatus. The first election under this ordinance was held in September, and F. D. Kohler chosen Chief Engineer ; Edward A.. Ebbets and Thomas K. Battelle, Assistant Engineers. The companies enrolled were the *Empire*, *Protection*, *Eureka*, *Howard*, *Monumental* and *California* engine companies ; *St. Francis*, *Howard* and *Sansome* hook and ladder companies. Under this government things began to assume a proper form, and so great an interest was excited in behalf of the department, that the councils were induced to expend the city funds liberally in procuring apparatus and locating reservoirs. From this date a regular system has prevailed in governing the department, based on that of New York.

The disasters of September, 1850, and May and June, 1851, called for the utmost exertions of the whole department, and seemed to demonstrate to puritanic folks, by their unchecked progress, that the hand of man was of little avail in protecting the doomed city. The true cause of the inefficiency of the department, was in the want of water. The few cisterns were speedily exhausted—the tide was out—and the houses built upon piles in the bay were consumed with the platforms upon which they stood, leaving only great black spaces of slime and mud. The chief attention of the officers henceforth was directed to the remedying of this deficiency.

In August, 1851, Mr. Kohler retired from his position as chief engineer, and first assistant Mr. Ebbets, being absent from the city, Mr. T. K. Battelle, the second, served as chief until the annual election, held November 3d, at which Mr. F. E. R. Whitney was elected chief engineer ; Charles L. Case, first assistant ; Wm. McKibbin, second assistant ; and R. R. Harris, third assistant. On the 17th of the same month, Mr. Whitney was compelled to resign by ill health, and on December 6th, Mr. George H. Hossefros was chosen for the office, the duties of which he performed to the complete satisfaction and great advantage of the department. On the 7th February, 1852, Messrs. Case and Harris also resigned, in consequence of which Mr. McKibbin became first assistant, and Messrs. James A. Huntsman and Gardiner P. Kingsland were elected second and third. All of these

officers devoted much time to the proper development of the system, and succeeded in raising it to its present standard.

The calamities of 1851 stimulated the department to greater exertions, and induced the councils to pass numerous ordinances for its benefit. In May, 1852, they created a board of fire wardens, consisting of the three assistants and the secretary of the board of delegates, and superintended by the chief engineer, with such police jurisdiction over the respective fire districts, as to allow them to examine all places in which fires are used, ascertain whether danger is to be apprehended from any of them, and discover and have punished any violation of the various ordinances for the prevention of future conflagrations.

At the annual election of December 6th, 1852, Mr. Hossefros was re-elected chief by a handsome majority, and Messrs. Charles P. Duane, A. R. Simons and E. A. Ebbets chosen assistants. Business calling Mr. Hossefros to the Atlantic States, he resigned his office, and as if an evidence of their regard for him was needed, every fireman and each company vied to do him honor, and present him tokens of respect on the day of his departure, with an enthusiasm seldom ever equalled. Mr. Charles P. Duane was elected chief at the ensuing election of December 5th, 1853; Messrs. Edward A. Ebbets, first assistant, Joseph Capprise, second, and Charles S. Simpson, third assistant, all of whom are yet in office.

No one any longer apprehends any danger from fire to San Francisco. With fifty large public cisterns already constructed, others under way, and numerous others built by private individuals; with thirteen powerful and well supplied engines, and three hook and ladder companies, under the control of an average of nine hundred and fifty certificate members (who are by statute exempt from jury duty while members, and after five years' service, exempt for life), the most dangerous fire can be subdued.

In 1852, the department organized a charitable fund, which at this time exceeds $26,000, invested at good interest, and which has already afforded much relief to those who had need of its interference. It will be in place here to give a succinct history of each company.

Empire Engine Company, No. 1.—This company was one of

those that took part in the organization of the department directly after the first great fire; but does not date its regular existence until June 4th, 1850. The citizens most influential in its origin were Messrs. D. C. Broderick, F. D. Kohler, Wm. McKibbin, Geo. W. Green, C. W. Cornell and John A. McGlynn. D. C. Broderick was elected the first foreman; G. W. Green, assistant; Wm. McKibbin, secretary; and James Grant, treasurer. The Empire has continued in the spirit of its motto, "onward," a fine company, to the present date, always having a full roll, and doing active service on every regular occasion. The apparatus is a beautifully decorated New York side-lever engine, and is located on Kearny street between Sacramento and California streets. The members, early in 1851, organized a target company in the New York fashion, which parades one hundred and twenty-five muskets.

Manhattan Engine Company, No. 2, was organized very recently (January, 1854), through the exertions of Messrs. David L. Beck, D. B. Arrowsmith, and other gentlemen, who felt a lively interest in the department. Their number, which they had obtained, because it was left blank, at the date of their formation, had been previously assigned to two companies, viz.: the *Protection*, 1852, and the *Lady Washington*, both having been disbanded, the latter very recently. The Manhattan, though young, has given proof of its strength and usefulness, and now numbers over fifty good members—all permanent citizens. The apparatus is a New York side-lever engine, with hose cart, and is located on Montgomery street, adjoining the Metropolitan theatre.

Howard Engine Company, No. 3.—This is one of the old companies that has nobly stood the test of time. It was organized June 14th, 1850, by various citizens, who had been old Boston firemen. The prime movers in the enterprise were Messrs. Franklin E. R. Whitney, John S. Eagan, Thomas K. Battelle, and G. Lewis Cook. A few days after their organization they were placed in possession of a fine Hunaman engine, which had arrived from Boston in the ship Windsor Fay, having been ordered early in 1849, on private account, by the well-known and public-spirited citizen, William D. M. Howard, who without de-

lay placed the engine in the possession of this company. As a compliment to this gentleman, who had been exceedingly liberal in the expenditure of money in the formation of the department, the company resolved to adopt the name of "Howard." Their efficiency has been repeatedly proven. The engine has no superior in the city, and is very beautifully painted. Its house, a fine brick building with stone front, is in Merchant street, between Montgomery and Sansome streets. The lower floor is appropriated as the engine room; the meeting room is in the upper story, and is very elegantly and tastefully furnished.

California Engine Company, No. 4, was organized October 10th, 1850, principally by citizens residing in Happy Valley, prominent among whom were Messrs. Moses G. Leonard, George N. Shaw, W. Neely Thompson, George J. Oakes, George M. Garwood, Caleb Hyatt, R. S. Lamott, George Endicott, and others, of whom Mr. Garwood was elected foreman. They were supplied with the old San Francisco engine, the early cotemporary of the Empire and Protection, which was, however, destroyed by the fire of May, 1851. In June, 1852, the company ordered from Boston a new Hunaman-build engine, of the same class as the Howard, at a cost of $3,750, now in their possession and in active service, with a large company to run it. It occupies a fine two-story building on Market square, opposite the Oriental Hotel; and possesses a belfry and bell, which latter has often replied to the summons given from the Monumental bell, in the days of the Vigilance Committee.

Knickerbocker Engine Company, No. 5, was organized October 17th, 1850, through the exertions of James H. Cutter, Charles E. Buckingham, John Wilson, R. R. Harris, and others, and on October 25th, procured, at a cost of $3,000, a small size, piano-box engine, Van Ness make. The first officers elected were James H. Cutter, foreman; John Wilson, assistant foreman; and Charles E. Buckingham, secretary. The company have improved daily, and are on hand at the first tap of the bell, and have no superior in ability to work at fires. The house originally occupied by the Knickerbocker, in Merchant street, was destroyed by fire on the night of November 9th, 1852. The present engine building is a two-story cut-stone edifice, in

Sacramento street, between Sansome and Leidesdorff streets, begun in March, 1853, and completed in July, at a cost of $8000. It was furnished for the occupancy of the company by October 15th, at a further expense of $2,000. The very handsome mahogany piano-box engine, now in use, is of the first class, Smith's make, and was procured December 8th, 1852, at a cost of $3,250.

Monumental Engine Companies, Nos. 6 and 7.—These companies were organized in June, 1850, consisting of three engines, on the plan of the Baltimore fire department, as an independent association. They procured the three pieces known in Baltimore as the Mechanical, Union and Franklin, which had been shipped to this city. The principal parties in this association were Messrs. George H. Hossefros, Wm. Divier, John S. Weathred, Joseph Capprise, Robert B. Hampton, W. H. Silverthorn, J. H. Ruddach, and other old Baltimorean firemen. As the city councils could not recognize independent companies, they refused to appropriate any moneys to their use. The companies hesitated to comply with their ordinance until 13th of September, when they joined the general organization as three companies and received the numbers 6, 7, and 8; thus by their delay being numbered higher than companies which had been formed later. They have always done good duty, and have as high as three hundred enrolled members. The first officers of the association under its old rules were, William Divier, president; R. H. Bennett and W. L. Bromley, vice-presidents; George H. Hossefros, chief engineer; W. H. Silverthorn and —— Austin, assistant engineers; W. Lippincott, secretary; and R. B. Hampton, treasurer. In January, 1853, they resigned the number of 8, and ran two companies, 6 and 7; and at this date, April 1, 1854, they have resolved themselves into one number, 6, for the purpose of properly working a new piece of apparatus, of the largest class, built by Messrs. Rogers, of Baltimore, and shipped in February. This will be the largest engine on the Pacific, and will require a large force to work it. Mr. George H. Hossefros, late chief engineer for two years, has been elected foreman of the consolidated Monumental Company, No. 6. Their house is located in Brenham Place, facing Portsmouth Square, and is surmounted with

a bell—not merely a bell, but "the bell" of San Francisco—for who is conversant with the history of this city in 1851, that does not remember the awful tones of this bell, as it gave the signal for the assembling of the Vigilance Committee, and tolled the death-knells of four of the most accomplished villains that ever disgraced California? It was the first bell for public purposes ever raised in the city; weighs only one hundred and eighty pounds, and cost one dollar per pound. For clearness of sound it cannot be excelled, and even now competes with the city bell.

Pacific Engine Company, No. 8, was organized September 9th, 1853, to take the number left blank from the Monumental No. 8. Benjamin Oakley, jr., Frank Gray, D. O. Brown, and other citizens in the vicinity of Pacific wharf and Broadway, were instrumental in forming it. It is located in Front street, between Jackson and Pacific streets. The company, though laboring under many disadvantages from location and want of apparatus, have done fair service, and are now making efforts to procure a proper house and engine—so much needed in that portion of the city.

Vigilant Engine Company, No. 9, was organized April 8, 1852, by Messrs. Martin R. Roberts, W. H. Bovee, J. D. Bluxome, C. S. Biden, D. L. Beck, and others. The apparatus is a New York side-lever engine, housed in a brick building on Stockton street, between Broadway and Pacific streets. At this date the company are making arrangements for the erection of a fine stone building, and have ordered a first-class engine from New York, which is expected to arrive in July.

Crescent Engine Company, No. 10, was organized November 4th, 1852, by Messrs. James P. Casey, Charles Bachman, L. M. Byrne, J. Hawes Davis, and others, and is located in Ohio street, between Pacific street and Broadway. They possess a New York engine, and for celerity and efficiency at fires cannot be excelled. In the ranks are very many old Atlantic firemen. The city is now providing for the construction of a fine building for No. 10.

Columbian Engine Company, No. 11, was organized November 4th, 1852, by Messrs. T. W. Brennan, J. Kimbal, J. D. Brower, J. H. Shepeard, Daniel N. Tucker, and others, and has

proved a good company in every respect, having now a full roll of sixty-five members. The house is located in Bush street, above Kearny, and the engine is Van Ness make, piano-box style, handsomely polished and finished, with patent running gear. They work two streams of water, and at late fires have done great service.

Pennsylvania Engine Company, No. 12.—This active company was organized November 4th, 1852, by Messrs. Robert B. Quayle, P. E. Garvin, John V. McElwee, John Hanna, George R. Gluyas, H. S. Brown, E. T. Batturs, and others. The house is located in Jackson street, between Kearny and Dupont streets. The engine, known as the old Franklin, of Philadelphia, is at present in their possession. They have had built in the latter city, by Agnew, a magnificent first-class Philadelphia engine, which is expected to arrive in August, and will be a competitor of the new engine, building for the Monumental, in Baltimore. This company has been on a steady increase since its organization, and is one of the best governed in the department. Their uniforms are of the Philadelphia style, from which city many of its members have brought the spirit of enthusiasm which has so long characterized its own fire department. As an instance of the liberality of the San Franciscans towards the perfection of their department, we may add an anecdote told in Philadelphia, in connection with this very engine. The company had sent in advance $5,000 to pay for the construction of a magnificent engine, and not deeming that sum sufficient, shortly afterwards forwarded another instalment. The economic Philadelphia artisan, already at a loss how to expend upon his work the first apparently enormous sum, now applied for information as regarded the use to be made of the second amount, alleging his inability to do otherwise than pocket it. "Convert it into silver or gold and stick it on any where," replied the members. And this same generous spirit is actuating all the companies in their desire to obtain unrivalled apparatus. An immense sum of money has been expended in New York on an engine recently constructed by order from San Francisco.

Young America Engine Company, No. 13, was the last organized, on the 1st of January, 1854, by citizens living at the Mission Dolores, for the protection of property in that neighbor-

hood, which is between two and three miles from Portsmouth Square. Being so young, we can say no more concerning this company than to express a hope that their future will be characterized by the energy implied in the name they have chosen.

St. Francis Hook and Ladder Company, No. 1, was organized on the 14th of June, 1850, chiefly by Messrs. E. V. Joice, Samuel H. Ward, J. C. Palmer, C. P. Duane, W. A. Woodruff, George W. Gibbs, B. G. Davis, and others. This is one of the original companies of the permanent organization, and has always maintained its position in the department. In the years 1850, '51 and '52, the principal work at conflagrations fell on the hook and ladder companies, owing to the impossibility of obtaining water for the engines. This company is located in Dupont street, between Clay and Sacramento streets, and has a fine brick building under contract for its future occupancy.

LaFayette Hook and Ladder Company, No. 2, was organized in September 19th, 1853, by Messrs. H. A. Cobb, E. Grisar, and a number of the French citizens of San Francisco. Their number formerly belonged to the Howard Hook and Ladder Company, which was organized in 1850, but disbanded in 1852. The LaFayette is established on the principle of the Parisian fire companies, and is the first on this plan in the United States. In the ranks are many old French firemen. They drill regularly and have become very perfect in their routine of duty. They are good firemen, and under the government of their present foreman, Mr. Cobb, have rendered good service at recent fires.

Sansome Hook and Ladder Company, No. 3, was organized June 14th, 1850, by Messrs. A. DeWitt, Florence Mahoney, C. L. Case, E. A. Ebbets, J. L. Van Bokkelen, George A. Hudson, William Adrain, H. A. Harrison, W. H. Hoffman, Wm. Greene, F. A. Bartlett, R. L. Van Burnt, and others, residing in Sansome street and its vicinity,—adopting the name of that street as their own,—for the protection of the property on which they had chiefly organized. The truck used by this company is the largest in the State, and carries fifty-feet ladders. The company is one of the best organized in the city, and has intrusted to its charge the powder magazine, intended for blowing up buildings at fires in time of need, to use which none others are authorized.

The motto borne on the truck, in celebration of the admission of California into the Union, "Though last not least," has been well sustained. William Greene was first foreman, and was succeeded in the fall of 1850 by E. A. Ebbets, and on the appointment of the latter as assistant engineer of the department in the spring of 1851, J. L. Van Bokkelen was elected foreman, and has acted as such to this date. The company's house is located on Montgomery street, between Jackson and Pacific streets, and is constructed with carved stone front, brick walls, two stories high, with deep basement. The entire building cost $24,000; the lot is valued at $15,000; and the furniture, as magnificent as is to be found in any private dwelling, cost over $5,000,—making in all an expense of $44,000. A large library belongs to the company, which from the constant additions it is receiving, will doubtless be as extensive as any in the city.

The Sansome Hall, and the other handsome structures, which are already completed or in course of erection for the various companies, show how even a fireman's duties may be combined with pleasure and comfort. The fire department is always one of the chief features in public processions, and yearly celebrates its own anniversary by a general turn-out on the 22d of February. The universal prosperity and harmony between the various associations, are evidences enough of the excellence of the present government and laws of the department.



Departure of a Steamship.

STEAMER-DAY.

ONCE a fortnight, at the beginning and middle of every month, San Francisco, which is never without some feverish excitement, gets gradually worked up to a crisis. Different places have also their occasional periods of intense interest. What in other countries may be the annual fair to a village belle, a great saint's day of obligation to devout Roman Catholics, the solitary "cheap pleasure trip" to the artisan who has toiled and moiled unceasingly for a twelvemonth, the last day of grace to a tottering merchant who must meet his bill—but what need is there of comparisons? STEAMER-DAY in San Francisco stands alone; it is *sui generis*. Every body, man, woman, and child, native and foreigner, merchant and miner, general dealer, laborer, and nondescript adventurer, old resident, and recent immigrant—*every body* is deeply interested in this day. Mails in the Atlantic cities start oftener, and affect only particular sections of the com-

munity; but the great eastern mails that leave San Francisco depart at long intervals, while they directly concern all classes. The people who live here are not yet independent, either in business or in home and affectionate feelings, of the connections of their native countries. Hence, an immense amount of correspondence is written and forwarded every two weeks.

Some days before the 1st or the 16th of the month, the merchant, who must send returns for the goods he has received, and perhaps sold, begins to consider how best he can "raise the wind." He is not a Prospero, who, by waving his wand, consulting his book, and muttering a few conjurations, can command the elements; but he summons his "faithful Ariel," his managing clerk, and the two take a long *spell* of a different description. Daily, hourly, obstinate debtors are dunned; and are alternately beseeched, wheedled and bullied, to come down with the *dust*—the one precious product and export of California. One's own funds are failing, and money every where has suddenly and alarmingly become scarce. Debtors are doubtful, and no credit is given the unfortunate cash-hunter himself. Yet money must be had for steamer-day. This is essential to the merchant's honor and his continuance in business. Cash bargains are therefore hurried through at any sacrifice, and temporary loans effected, upon tangible security always, at usurious rates—from four to five, up to ten or twelve *per cent.* per month. Every means is taken to collect a given sum. While the merciless creditor assails his shuffling debtor, he himself turns a dull ear to reproaches, entreaties and threats of his own creditors and dunners. Every man for himself in such matters. All the businessmen in San Francisco are bustling about; every body is abusing another for dilatoriness in making payments. What should have been paid before last steamer-day not yet forthcoming!—what was a *cash* transaction two days ago not yet settled for! Why, it was shameful, unbusiness-like, atrocious conduct! Where did such people expect to go to when they died? So the angry dunner says to one neighbor, and so another speaks to the poor enraged man a few minutes afterwards. The agony and the "hope deferred" of making up the required sum continue to grow in intensity until the last moment that bank, post, and

express arrangements permit the remittance to be made. When the gun of the departing steamer is heard, the merchant feels once more at ease. His excited nervous system becomes relaxed; and for another week, or ten days, he cares not though he receives not a cent. He smiles again on his delinquent debtor; they drink lovingly together, and exchange segars, and chat and joke, in the most friendly manner, of their individual troubles and throes in providing for the dread steamer-day. There is little business done the day before the mail leaves, and none on the forenoon of the day of its departure. Not only is time consumed in attending to the indispensable remittances, but numerous business letters must be answered, the state of the markets described, account sales made out, suggestions given to foreign merchants for particular shipments, and new orders sent on one's personal account. The business letters alone of an extensive mercantile house must closely occupy the time of the heads of the firm for at least a whole day before the mail is closed.

The purely business letters may be the most urgent and pecuniarily important communications, but those between the mere resident and his friends *at home* are the most interesting. Many residing here have left wives and families in far distant countries. To such the opportunity is invaluable of telling of their various movements, of their speculations, hopes and fears, their health and comforts, and to express all their affectionate wishes and love towards those most dear to them. But besides the married and family man, all have more or fewer acquaintances and dear friends whom they wish should know of their "whereabouts." When emigrants leave home to settle permanently in a new land, they very soon cease to feel interest in their native place and old friends, and gradually give up the first habit of communicating by letter with them. But many of the San Franciscans have the surety of speedily rejoining the friends and country they had left, whilst most of them hope and expect that they will be enabled to do so in a few years at farthest. Hence, all these find it their interest, as they feel it their pleasure, to keep up a familiar correspondence with the mother country. The answers that will appear by and by to

their several communications will be eagerly looked for, and perused over and over again. To continue to receive such interesting epistles, they must be faithfully acknowledged. Replies and other letters are accordingly multiplied for each mail. With many people, the entire day before the sailing of the steamer is consumed in writing these. No wonder that the occasion is looked forward to with much interest.

But it is not merely epistolary communications and the necessity of remitting that give lifelike interest and excitement to steamer-day. Always two, and often three, large vessels leave upon that occasion, conveying together from a thousand to sometimes nearly two thousand persons. That alone is an immense body of people, who are naturally very much excited by thoughts of the long passage, and the peculiar circumstances attending their departure. Besides these it may be supposed that at least thrice the same number of persons are directly interested as the nearest friends of the actual passengers, while the whole city entertains some kind of curiosity as to who are leaving and a general feeling of interest on the subject. Numbers have come from the mines and interior towns to take their departure from San Francisco ; and these crowd the hotels and boarding-houses for a few days until the steamer sails. From every large lodging-house there is somebody departing, while in almost every house there are companions and confidants of those leaving. These must commune and prepare ; they must drink, smoke and palaver ; buy and interchange gifts, and make solemn promises of future communications. All is eagerness and excitement, on both sides, until steamer-day has come and gone.

Follow the crowd on the eventful day. The merchant has dispatched his letters, his expresses, his remittances, and has now a little leisure. So he takes a stroll down to the pier-head to see some old friends off. The mail-bags are closed, and the anxious correspondent with home may now begin to count the weary weeks and days before he receives fond answers. He also can spare an hour, and dreamily wends his way to mark the noble ship set sail that bears the mail, *his* letters included. The express wagons that bear two millions of treasure are on their way. The loafer and the compulsorily idle man likewise attend,

because they are fond of a show and have nothing else to do. General business is in some measure suspended, or lazily conducted until the steamer is actually gone. The baggage of the passengers, which is seldom very much, is being conveyed on board. Some adieus have already taken place; but most are to be made upon the wharf or on the ship's deck. The mail boat for Panama starts from Pacific street wharf; the opposition vessel, for San Juan del Sud (Nicaragua route), from the wharf at Jackson street. Let us take our stand on the latter. As it happens, the ship is neither the largest nor the finest of the line, yet it is an excellent boat notwithstanding, and we have a friend on board who is leaving for the east.

The "Brother Jonathan" is already beginning to be crowded. Above and below, passengers with flushed faces and scarcely steady steps are prowling among the heaps of packages and boxes, searching for their own. They bustle about, and after some thick speechifying and unnecessary gestures discover their "bunks," and secure their "traps" as closely as possible. All is confusion. Something is sure to be forgotten at the last moment; something of the utmost consequence is still to be done. There is neither time nor fit person to do the thing needful; and the unhappy passenger dare not leave the ship for an instant, lest she sail without him. There is, however, no real danger of that, though there is so much fear. One half of the passengers are still on the wharf, talking fast and hurriedly with friends, and preparing to take the last farewells. On board, a majority of the people are those who have only come to see the emigrant off. Small groups cluster wherever there is standing room on the different decks. The bottle is produced, and the last drop taken; champagne freely flows among the state-cabin nobs, and rum or ready-mixed bottled cocktails among the snobs over all the ship. But we forget—in California happily all are equal and independent, and there can be neither the pure snob nor nob, where originally all came alike penniless, and nearly all who make money do it "by the sweat of their brow." Well, some continue poor, and some wax wealthy. Some have been industrious and thrifty, enterprising and successful: these soon grow rich. Others have been lazy and idle, perhaps weak, sick or in-

capable, or they have spent their gains in intemperance, gaming or debauchery ; and these will never make or long keep a fortune in any country. Among them all, some can and do pay for state-cabins ; others can, but will not ; a considerable number ought not, but do ; while the most cannot, and consequently do not. All, however, are rejoiced to hold their friends to the last, and seek to show their joy in various ways—in cheerful discourse and in drinks, in a warm shake of the hand, a half-stifled sigh and a heartfelt look.

Near the forecastle there is a group of shaggy-haired and bronzed-faced though good-looking fellows. These are going home with the profits of a successful trip to the mines. They still wear the old red or blue woollen shirt, the battered hat and the belt of the digger. Somewhere hidden about their persons are certain little bags with fifty or a hundred ounces of the "dust," ay, or perhaps five hundred ounces, for aught that a stranger could tell. They conceal likewise a five or six-shooter, or a brace of pistols, capped and loaded with ball, or it may be a formidable blade that makes the blood run cold to touch. Sometimes indeed these weapons are openly displayed. Such men shall not be robbed of their hard won treasure without making some effort to save it, or they will have dire revenge at all events for their loss. There may not be much risk, once on board, and on the fair way to a law-protected land ; but habit is a second nature, and still they bear the old faithful companions of their toils and dangers. These determined "b'hoys" are the fortunate and careful miners. Beside them are others of a different stamp. The hollow cheek, sunken eye and feeble gait tell of broken constitutions. Sickness seized the hapless adventurer at the mines, just when the foundation of his "pile" was being laid famously. There was a struggle for a little while between avarice and the longing for health and life. Disease threatened the latter in unmistakable symptoms. The patient was unwillingly forced to relinquish his best hopes, and drag himself to town for advice and aid. He continued weak, and was becoming poor—for doctors' bills are heavy in California. So while he could still muster strength and pay his passage, he resolved to go home, to see old friends, his mother and the sweet-

heart he had been betrothed to, and then "go sleep with his fathers."

The mining class form a large portion of the fore-cabin and steerage passengers. Many of these, since their first coming to



Miners homeward bound.

California, had visited "the States" on previous occasions. They took *seasons* of working at the mines, and passed the intervals in making jaunts home and enjoying themselves with their families and friends. When the annual period came round, like regular birds of passage, they migrated once more to the foot-hills and valleys of the Sierra Nevada, to labor lustily for so many months, accumulate another nice little "heap," then descend upon San Francisco, to leave it shortly afterwards upon steamer-day.

There are numerous enfeebled, dispirited-looking passengers in the fore part of the vessel. These are the disappointed. They came to California, mistaking the country and miscalculating their own powers and the opposition before them. Per-

haps they were without the physical qualifications for work, or some nicety of disposition or false pride prevented them from doing what their most successful neighbors had had to do at a pinch —turn their hand to any supposed mean occupation for a bare living. These sad and often seedy-looking mortals had, it might be, visited the mining country; they looked on for a time— wrought a day or two, perhaps only an hour, till their bones ached and their backs seemed breaking. Then they roared a curse against the *mirage* of gold, and set off to San Francisco. They had still a little money remaining of their first capital; but billiard rooms and bars, and the numerous other places for extracting cash from the idle and foolish, were rapidly reducing the amount. They made application for situations of different kinds, but they showed little energy even in that, and somehow they were unsuccessful. They had not the courage to offer to make, or to carry, bricks, or lime, to break up the French monopoly and blacken boots or hawk coals, keep a stall, slaughter a cow, or feed pigs, help to lighten a ship's hold, serve as waiter at an eating-house, or start into the interior and learn to plough, sow and reap, set and dig potatoes, or herd cattle. Some of these honest though supposed inferior occupations may always be depended upon by the truly industrious in San Francisco, while nobody need *long* remain in the despised situation, if his real abilities, energy and good conduct deserve promotion to a better. Our good-for-nothing fellows, however, would descend to nothing so "low." *Low*, indeed! as if they were the porcelain of the old world, and their nearest neighbors were only common delf. Well, time and their money were silently and rapidly disappearing. At last, a more vigorous effort than usual made them resolve to "shake the dust from their feet," and go home, with the faintest possible hope of having the "fatted calf" slain on their reappearance there. Importunities had probably coaxed or forced a few dollars from an old friend who was "doing well" in San Francisco, and these, with the scanty sum left of their own means, just paid up the reduced amount of passage money. Such unfortunates carry away a poor impression of the country; but their spiteful tales serve only to make themselves ridiculous among those who know the miserable character of the teller.

The thriving artisan who is paid so liberally for his services, and all other classes in turn occasionally visit "the States." Health or business, pleasure or personal duty and love to the dear absent, lead most of the more respectable people to leave the city for a few months, once in every two years, or so. There is likewise always a moderate number of officials, either of the city or State, or of the general government, who must occasionally pay a visit to the eastern capitals. Then sometimes comedians and other public performers, "stars" in their way, and a few "swells" and sharpers of the "Sydney-cove" school, a company of Uncle Sam's soldiers, a clique of filibustering speculators, bound ultimately for God knows what unprotected country, and many other curious characters book themselves for berths. A continued migration, backwards and forwards, is taking place. Of all those leaving probably one-third are sure to return within a few months. The voyage is long and inconvenient, with its own dangers too; but the voyager and the friends he is about to leave do not imagine that their separation will be eternal. There are only some contingencies in the way which tend to give their parting the slightest dash of melancholy. This, however, is usually mixed and disguised by a deal of gleesome envy and banter on the part of him that stays, and much eager, joyous hope in him that goes. Generally there are a few ladies among the passengers, though they are nearly lost to sight among the dark crowd of the "lords of creation." The female passengers have commonly a few friends of their own sex who sometimes attend and see them fairly off.

A considerable number of the passengers are foreigners; and while most of these first visit the Eastern States, they intend to travel much farther. In New York and the Atlantic ports, they will find abundant and cheap opportunities of reaching their "Beautiful France," or "Dear Father-land," or "Old England." They generally bear away a fair share of the golden spoil, and it is doubtful whether many of them will ever return. Boon companions and tried old mates of their own country witness their departure, and cheerfully congratulate them on the prospect of being soon again in a peaceful, happy home with "the old familiar faces."

But leviathan begins to blow and heave uneasily, eager to be off. The escape steam-pipe seems too narrow a throat for the angry breath of the monster, and loudly threatens to burst, and the mighty hulk quivers at the sound. The clamor strengthens on deck. The mate begins to move about and shout, and the men leap to obey his orders. The chief engineer and his aids are at their posts, awaiting the word of command from the captain, who at last condescends to enter on the scene of action. A rapid shuffling of feet is heard, baggage is unceremoniously tumbled aside, sailors handle the hawsers, and laggers rush hastily to the wharf. The last drop has been drank, the last good-bye given. The wharf is densely crowded with spectators, while the voyagers every where occupy the different decks of the magnificent ship. There are a few turns ahead of the paddle-wheels, and then a few turns astern; the creature is lazily stretching its gigantic limbs before it begins serious work. The cables are cast loose, and leviathan yawns, and slowly drags its ponderous length half round.

There is meanwhile a general stillness observed by the spectators both on board and on the wharf. Their kind wishes, remembrances, orders, farewells had all been given; and the heart was too full, or the eye too busily engaged with the ever attractive scene, to permit further active demonstrations. Only a few unsentimental wretches will persist in bawling an untimeous coarse witticism, and shout still more "God-bless-ye-s" between the ship and the wharf. Perhaps a passenger, already "half seas over," in the delirium of his joy and drink, will toss his hat to a friend whom he is sorrowfully leaving, as a token of his last affection; or the deserted crony will throw his own "tile" towards the "bosom friend" of many tipsy hours. Three to one, these last fond memorials drop short into the water. Sometimes quite a brisk fire will be thus kept up for a quarter of an hour, while the ship is getting under way; and oranges, hats, sometimes coats even, last notes and packets, jokes and repartees, will fly from man to man across the widening space that separates the parties. Such noisy salutations and gifts, however, are in the end confined to a few. During the last ten minutes the passengers are forming into a close line, and lean across the rails.

Occasionally they appear to whisper to each other about the incidents passing a few yards off. Now one, and then another, bows to some friend in the crowd, whose eye he could not resist catching once again, while a faint, half joyous, half melancholy smile plays upon his face. The friend answers the familiar nod, and seeks to avoid meeting any more the gaze of the departing.

Slowly and heavily, leviathan plashes and plunges; it moves round the outer end of the pier till its head is clear of the farther wharf. Then the great heart ceases for a moment to beat, mustering its energies for the coming race. The excitement among all increases. Now the ponderous iron beams lazily rise and fall. For a moment there is no perceptible motion of the ship. The excitement is intense. Then one sharp eye, and next another, discovers and proclaims loudly that the large hulk is really moving. Onward—slowly, slowly—a little faster, though still but slowly—then moderately—a little more quickly—then faster, proudly, triumphantly, with a continually accelerating speed! Oh, it is a beautiful, a grand sight, such a majestic vessel exerting its enormous power, and growing momently in strength and swiftness! So soon as the ship is seen to be really moving ahead the interest of the spectators is at the height. Hats, caps, handkerchiefs, hands, are eagerly waved, and a multitude of cheerful voices bid a long farewell. The travellers gaily show like demonstrations of interest and friendship. A few tears moisten the eyes of the more sensitive. With one general impulse, three hearty cheers are given by the forsaken, which the departing as heartily return. As the loud huzzas die away, and the sullen crash of the paddles is beginning to be distinguished, smoke is observed near the bow of the ship, and at almost the same instant the boom of a cannon-shot is heard, which thunders and re-thunders among the cliffs of Clark's Point—and the steamer has fairly started. For a few minutes afterwards the eager crowds can mark the tall masts and the fluttering pennant, till the ship gradually bends oceanward, and Telegraph Hill hides her farther progress through the Golden Gate. Then with a long-drawn breath—a genuine sigh, or a laugh, the multitude bustle and hurry off to their proper kinds of business, to forget all about

the event and their emotions, until some subsequent steamer-day recalls these to mind, by circumstances of a similar nature.

The arrival of the steamer bearing the eastern mails is likewise an occasion of much excitement—not so much in respect of there being possibly some six or eight hundred passengers on board, as because there are fifty thousand letters and newspapers coming from home. The telegraph has some hours before announced that the "Golden Gate" is approaching the Heads. The glad tidings soon spread through the town. Those who expect to find friends hasten to spy and welcome them before even the vessel touches the wharf. Draymen and cabmen speed with their wagons and coaches to secure a job. A multitude of persons attend for the novelty and excitement of the scene. There are nearly as many persons on the broad wharf as on the occasion of the steamer departing. On sweeps the "Golden Gate"—a magnificent specimen of the first-class ocean steamer. Her decks are crowded with human beings. Dense masses cluster on the highest plank that can afford them footing, and cling high to the rails and rigging. The passengers are chiefly fresh immigrants, who have sought the land of gold and marvels, to make or recover a fortune. *And this is San Francisco!* they say to each other, as they mark the forest of masts, and the hill-sides covered with buildings. *Well! it exceeds all my expectations!* But we have not space, Asmodeus-like, to uncover the chambers of their brain, and tell the various thoughts, fancies, hopes, ambitions, of the sanguine immigrants. Among them are those who must and shall succeed, and also those who will surely be disappointed and lamentably fail. Among the last are a large proportion of medical men, political place-hunters, lawyers, and such as would fain live more by their wits than by rude manual labor. The most of these men,—many of whom are highly educated in classic and polite literature,—must forget their refined associations, and submit to corporeal drudgery, if they would thrive in San Francisco. If they cheerfully do *that*, there is hope and fortune in store for them.

For a few days such as intend to betake themselves to gold-digging remain in town, and with staring, greedy eyes, look about them, while they recruit their strength. Thus many a

lank, awkward, budding Hercules may often be seen dreamily wondering, while he wanders through the streets. Or if there be a good demand for laborers in San Francisco, some may take a few weeks spell at town work, to earn a "slug" or two, to help them to travel farther. The finances of the newly-come immigrant are commonly but scanty. Many skilled mechanics and tradesmen are among the number; and these generally find instant employment, if they diligently seek it, in their various occupations. If the particular kind of business, however, which they wish, and are best fitted for, cannot be obtained, then, as they have hands, and eyes, and feet, and may have willing spirits not above *coarse* work, they may always find *something* to do, to keep soul and body together and save a little money to wait till their better time comes, when they may have a choice of employment. But gradually many of the fresh immigrants swarm off to Sacramento, and others to Stockton, as the first stages to the mining regions. A considerable number of the passengers, particularly those in the cabin, are only returned Californians, such as had gone off some months before. These are gladly coming back to speculations and hard work, to feverish passion, wild delights and all the dear, wicked, *fast* life of San Francisco. The austerities of New England, the dull proprieties of the Quaker City, and the general monotony of society over most parts of the East, have only sharpened the appetites of the old settlers for the delightful excitement that ever reigns in the noble city which they themselves have helped to create.

The expresses hurry off their packages, mails are landed, decks are cleared, and the passengers have all found a temporary lodging. The post-office establishment is meanwhile as busy as possible, arranging the letters for delivery. Merchants open their private boxes and find the all-important missives they looked for. Anxious crowds gather at the windows and with beating hearts ask for the longed-for, half-expected letters. The reader may readily imagine their mingled hopes and fears as the clerk answers their inquiries. He who is blessed with news from home tremblingly unfolds the precious epistle in the street, and devours, as it were, with gloating eyes, the substantial words. The disappointed seeker turns ruefully away, to hope for success next mail.



Oriental Hotel, corner of Battery and Bush streets.

HOTELS, RESTAURANTS AND BOARDING-HOUSES.

In 1849 and the two or three subsequent years, although the population had swelled to a large number, there were few *families* in San Francisco, and consequently, as has already been observed, there were no *homes* for the great mass of the inhabitants. Men lived as they were never accustomed to live in any other portion of the world. Many, who previous to emigrating here, were in the enjoyment of all the pleasures and luxuries of refined civilized life, were now without even its most ordinary comforts. Numbers lodged in mean, inhospitable tents, that were pitched everywhere upon the hills, in the valleys, and among the bushes; and still more, perhaps, in wretched and filthy shanties, where from one to three score would occupy a single large room, sleeping upon the floor, on benches, boxes, tables, or trunks, or in narrow contracted bunks fastened to the weather-boards. The majority of those who possessed places of business, passed their hours of

slumber upon or under the counters of their stores, or mayhap on cots, matresses, or settees with which their offices were furnished. A clean and comfortable bed was a rare article at the time, and few even aspired to the privilege of its enjoyment. Thus people lived at night, or during such portions of the night that were not passed in drinking saloons, gambling rooms, or other places of public entertainment; while their meals were taken at eating-houses, of which there was an immense number in every portion of the town. These were of every description, good, bad and indifferent, and kept by every variety of people. There were the American *dining-rooms*, the English *lunch-houses*, the French *cabarets*, the Spanish *fondas*, the German *wirthchafts*, the Italian *osterie*, the Chinese *chow-chows*, and so on to the end of a very long chapter. There were cooks, too, from every country; American, English, French, German, Dutch, Chinese, Chileno, Kanaka, Italian, Peruvian, Mexican, Negro, and what not. Hence people of any nation might have choice of a place of the kind, kept by their own countrymen, and where dishes were served in styles to suit their accustomed and peculiar appetites and fancies. There was an endless variety, too, in the character of the provisions furnished; for besides the common products of the country, importations were constantly arriving from all sections of the globe. Of game no other market ever furnished so great an abundance or so general an assortment. Bears, elks, deer, antelopes, hares, rabbits, squirrels, geese, ducks, quails, snipe, plovers, curlew, of a hundred species, came in from all parts of the country and covered the walls, floors and stalls of the market-houses. Vegetables indeed were scarce, but the ranches furnished no small amount of cattle; and bottled and canned fruits, fowl, meats and oysters came in immense quantities from abroad. The bay and rivers produced fish of many sorts, and the shipping brought large quantities of every kind of salt provision. Still the demand was great, and the expense of preparation for the table enormous, so that the prices of living were necessarily extravagant. At such establishments as Delmonico's, the Sutter, Irving, Jackson, Franklin or Lafayette house, a gentleman for his dinner and wine would be taxed from five to a dozen dollars; while at the meanest eating-rooms a very

ordinary meal would cost from one to three dollars. At most restaurants the prices were graduated according to the quantity and quality of the food eaten ; and a bill of fare with the charge for each item was placed before the visitor. A roast duck would cost five dollars ; a broiled quail, two dollars ; a dozen canned oysters, one dollar ; a small piece of pork or mutton, seventy-five cents ; beef, the cheapest meat of the time, fifty cents ; a fresh egg, one dollar ; a potato, the size of a walnut, twenty-five cents ; bread, butter, vegetables, coffee, and other necessary articles to complete a meal, were charged for in proportion. At first potatoes were rare articles, and it was no uncommon thing to see posted at the door of an eating-house, as an inducement for the hungry to enter, the announcement, "Potatoes to-day," or "Potatoes at every meal." It can readily be discerned, that, from want of the necessary apparatus and room for cooking, the inexperienced and indifferent character of the men employed as cooks, and the immense number of persons daily to be served in the most of these places, the greatest cleanliness was not generally observed, and that very many devoured food of the precise character of which it was quite as well that they were kept in ignorance.

Besides the common eating-houses or restaurants, there were a number of fashionable saloons, where a délicate meal of small game or oysters could be obtained at exorbitant prices. These, too, were drinking-houses, and the resort in the evenings of those who had abundant means at their disposal, and were especially fond of luxurious living. They were generally kept by dashing females, or such were employed at high wages to decoy and entertain customers. Particular regard was paid to beauty and other attractions in their selection, and those who possessed the rarest charms to please, drew the most patronage and received the heaviest wages. Women were scarce in those days, and men were frequently willing to pay largely for the slight privilege of addressing one even in the way of business. Many, therefore, were attracted to these saloons more by a graceful figure and charming face, than the viands to be procured. It was quite a luxury to be spoken to and waited upon by a pretty girl. Not a few became the victims of these fascinating creatures, who were

never slow in learning the value attached to their charms, or how to bring these to the most profitable market. The dupes were not always inexperienced young men, nor debauched old bachelors. Many a man possessing an amiable wife and interesting children in the home from which he was temporarily separated, had his brains addled by the skilful management of these artful women. Money was foolishly squandered upon them in presents of jewelry and dress, and the reward of the giver in most instances was the gratification of an occasional deceitful word or smile, and the deep mortification of discovering at last that he had been outwitted, jilted and fooled. This sort of business was carried on to some considerable extent, and more than one saloon girl, who managed well their parts, have contrived to amass considerable sums of money, by worming it out of the pockets of their vain and admiring dupes.

There was still another and far better class of establishments of the latter kind, the habitual visitors to which were people of a different character. Clayton's well known saloon, which still exists on Commercial street, was one of the first of these. Here the most respectable citizens repaired, to take their glass of punch or ale, a broiled quail or oyster stew, a cup of coffee, or whatever delicacy they might require. Here they would meet, undisturbed by any thing offensive to the most refined habits and tastes, to talk over the affairs of the times, and spend an evening in a quiet and rational way. Still greater improvements were made in this line of business by that indefatigable and industrious caterer, Mr. M. L. Winn. His "Fountain Head" became celebrated for its gentility and cleanliness, and more especially by the entire exclusion of all spirituous and intoxicating drinks; while his "Branch" at the corner of Washington and Montgomery streets, would be a creditable establishment in the oldest and best regulated cities. This is a refectory of the highest order. It is a large saloon, and furnished in the most tasteful and elegant manner. It is also conducted on the strictest temperance principles. No inebriating drinks are sold. Ice-creams, jellies, cakes, and other delicate refreshments are served, and the visitors embrace the most respectable ladies as well as gentlemen of the country.

The history of the enterprising proprietor of these establishments would make an interesting chapter in these "Annals," which



Winn's Branch.

want of room will prevent our giving. The following account, however, of the extent of business transacted at the "Fountain Head" and "Branch," which we copy from the San Francisco "Commercial Advertiser" of 6th April, 1854, is too curious and important to be omitted :—

"The famous 'Fountain Head,' was started in July, 1851, after the proprietor had been burned out twice, and losing every thing he owned in the world. The 'Branch,' at the corner of Washington and Montgomery streets, was first opened in January, 1853. We learn from Mr. Winn, that the average number of persons entering his two establishments daily, to satisfy the cravings of hunger, are 3,000. He has 100 *attachés* to the two houses, at an average salary of $90 per month and boarded. The meat bill, per month, is $8,000 ; flour bill, $4,000; milk, $2,000; sugar, $3,000; butter, $200; other items necessary to carry on the two establishments, $5,000 ; rents in both places for one year, $54,000; improvements in both places during the last year, $31,000 ; can seat in both places 450 persons at one time; paid for ice and eggs last season, in five months, $28,000, more than has ever been paid in same length of time before or since; has sold in one day 1,500 glasses ice cream. This

was on July 4th, last year. Keeps 80 lights burning in both places every night; oil bill, $500 per month; 1,000 flour barrels used to pack soda crackers to be sent into the country; manufactures and sends into the country about 600 fifty pound boxes of candies; packs from 200 to 300 boxes of crackers for country and city trade; takes every city and country newspaper in the State; has paid in one month $1,600 for advertising and printing; carpenter's bill has averaged $9,000 during the last twelve months; printer's bill in same time, about $3,000; has often fed 5,000 persons in one day; upholsterer's bill for the last twelve months has been about $6,000; employs two draymen constantly; had an agent in New York to ship stores, until they got so low here that it was found to be cheaper to buy them in California. Last year consumed daily about one hundred and twenty-five dozen of eggs; sells about $50 worth of oysters a day; manufactures 100 gallons of Winn's golden syrup per month—not furnished to any but private families. Receipts at both houses average $57,000 per month, or a little short of $2,000 per day; artesian well lately dug at the Fountain Head; has paid before $200 per month for water; is selling confectionaries to go to all parts of the world, and occasionally packs a few boxes as specimens to New York and London; has sold as high as 6,000 pounds of buckwheat in a month, made into cakes; has paid one man in his employ for 17 months' services $17,000 and board; receives less custom on Sundays than week days; bill for crockery and glassware for the last year, has been about $10,000; consumed $1,500 worth of coal in one month; has paid as high as $3,000 for potatoes in one month. Ice bill in one month has amounted to $2,000. All the above prices should be taken as the largest expenses in any one month; sometimes they have been two-thirds less—for instance: has paid $5,000 per month for eggs, and as low as $1,000—other articles the same. Paid last year for taxes and licenses, $1,500.

"In addition to the above we are enabled to state that Mr. Winn has made very extensive donations for charitable purposes. Each day his expenses for feeding poor and hungry applicants in both of his establishments, amounts to $20. His known kindness in these matters sends crowds to him, from whom he never asks a dime. The sufferers by the Sacramento fire, and by the Independence, and by every public calamity, have been the recipients of his bounty. He has paid away in the last year, independent of the above, $7,000 for the support of ministers and churches.'

Mr. Winn, the conductor and proprietor of the "Fountain Head" and "Branch," arrived in San Francisco in 1849, without one cent in his pocket, and obtained his landing from the ship in which he sailed from Panama, by borrowing money for that purpose from a friend. He commenced business, by manufacturing candy with his own hands, and carrying it through the streets upon a tray, supported over his shoulders by a pair of old suspenders. Many of the inhabitants in the fall of 1849, will

remember his traversing the streets, with his stock in trade, crying at the top of his humorous voice: "Here is your own California candy! It has neither come round the Horn, nor across the Isthmus—but is made in your own city; and none but WINN can make it. Here it is!—buy it!—taste it, and try it!" Thus Mr. Winn began business. He soon acquired sufficient means to pay off old debts, and open a small store. This, with all his capital, was destroyed by fire; but he persevered, and in despite of succeeding accidents and difficulties, is now doing a large and flourishing business. He has now a successor, or imitator in his early trade, in the person of a Frenchman, or the Turk, as he is called, who with tray and clapper, vends sweetmeats and candies through the streets, the accompanying illustration of whom will be readily recognized by every citizen.



Turk with sweetmeats.

No place in the world contains any thing like the number of mere drinking-houses in proportion to the population, as San Francisco. This, perhaps, is the worst feature of the city. The quantity of ardent spirits daily consumed is almost frightful. It is peddled out in every gambling-room, on the wharves, at almost every corner, and in some streets, in almost every house. Many of the taverns are of the lowest possible description—filthy dens of vice and crime, disease and wretchedness. Drunken men and women, with bloated bodies and soiled garments, crowd them at night, making the hours hideous with their bacchanalian revels. Americans and Europeans, Mexicans and South-Americans, Chinese and even negroes, mingle and dissipate together, furnishing

a large amount of business for the police department and the recorder's court. Bad spirits are swallowed at from one to two shillings per glass, and the motley assembly sing, dance, quarrel, fight, gamble, pick pockets, and indulge in every manner of vulgarity, lewdness and obscenity, to the music of a broken tambourine, a cracked fiddle, or a tuneless organ. From these pitiful dens there is a gradual ascent, through every variety of grade of liquor-selling establishments, to houses of a highly respectable order. The Dutchman has his lager-bier cellar, the Frenchman his wine-room, the Englishman his pot-house, the politician his head-quarters, &c. The most of these drinking places, however, were but indifferently kept until, in March, 1852, Messrs. Barry & Patten opened a house in Mr. Brannan's fire-proof block on Montgomery street. This concern differed materially from all others of the kind in the city. The rooms were fitted up in the most superb and costly manner. Gambling was entirely excluded, and no lewd paintings decorated the walls. The lower floor was occupied as a bar-room and cigar stand. This was ornamented with chaste oil paintings, water-color pictures, and fine engravings in rich gilt frames. Splendid lamps and chandeliers lighted the saloon. The furniture generally was neat and handsome. Large mirrors were behind the bar, which was abundantly furnished with rich cut-glass and silver ware. The finest and most delicate wines and liquors only were kept, and all the fancy beverages that were ever conceived were here concocted, while an inviting free lunch was daily set upon the table. In no other city could be found a more attractive place of the kind. The second floor was a spacious billiard-room, containing a number of Thurston's celebrated English slate-bed tables. This house immediately became the resort of the most respectable gentlemen of San Francisco. The proprietors were gentlemen themselves, and their place was remarkable for its gentility. The expenses of this concern were enormous. The single article of ice alone, a small item, cost from fifty cents to a dollar a pound, and an immense quantity was consumed. Their rent was sixty dollars per day, and other expenses, exclusive of stock consumed in business, amounted to about one hundred dollars more. Still the conductors thrived and made money. Their house continues

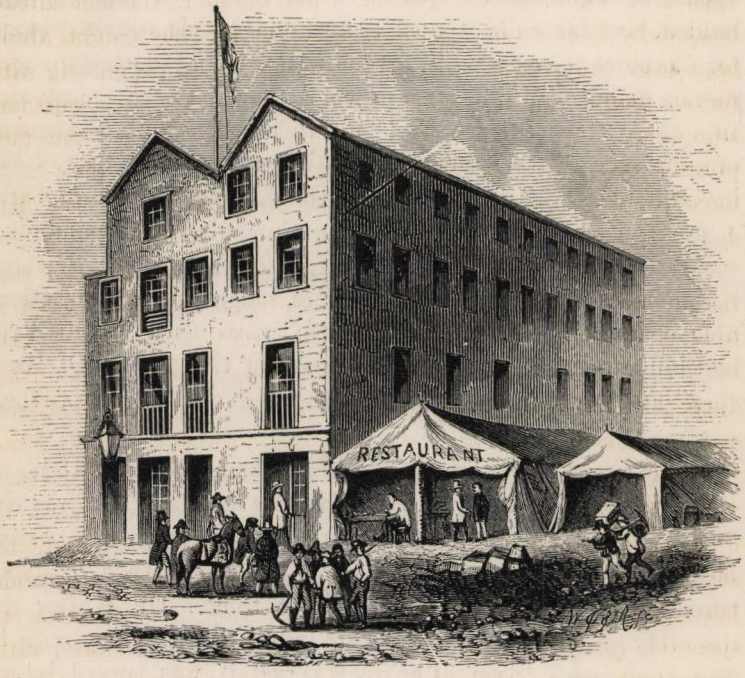
to be among the most popular and respectable in the country. We notice it thus especially, because it was the *pioneer* establishment of the kind. Many others of a like character, among which are the Bank Exchange, Allen & Parker's, Fisk & Patten's, &c., &c., have since sprung into existence.

San Francisco may be especially noticed for its numerous places of amusement. This is attributable to the fact already named, that homes here were scarce, and people sought abroad for pleasures to compensate for the want of that domestic satisfaction and social intercourse to which they had been accustomed in a different condition of society. Indeed, constant excitement of some sort or other seemed essential to the endurance of life in California. Hence, the extensive patronage given to balls, concerts, operas, and theatrical entertainments. The gambling-rooms were formerly the chief places of resort; but as these became disreputable, other places were sought, of less objectionable character. Ten-pin alleys were consequently constructed, and billiard-tables set up in every part of the town. Of these there are now an immense number, and the extent of their patronage is astonishing.

The first *Hotel* deserving the name was erected in 1846, at the south-west corner of Clay and Kearny streets. This was the "City Hotel," a view of which is given on page 346 of this book. It was a long, one-story adobe building, with a verandah running along the entire Kearny street front. Until after the discovery of gold, this was the only public-house of any note in San Francisco. Soon after that period it was turned into a gambling-house, and became a famous place of resort for miners and others visiting the city. It was subsequently divided into many apartments, which were rented for offices, stores, drinking-rooms, barber-shops, and similar purposes. It was destroyed, much to the regret of the early inhabitants,—who desired to have it preserved as one of the relics of the olden time,—by the fourth great fire that swept over San Francisco.

In 1849, many hotels were opened; but they were mostly of an inferior class, being little else than mere restaurants and lodging-houses. In this year the "Saint Francis," south-west corner of Clay and Dupont streets, was partially built, sundry

improvements being added in the following year. This was a singular specimen of architecture, the lofty structure being formed from some dozen or a score of small houses originally intended for cottages. This was the *fashionable* house of the day. Here the *élite* of the city either boarded, or were accustomed to congregate, and it became the theatre of many rare and amusing



St. Francis Hotel, corner of Dupont and Clay streets.

scenes. The chambers were separated by the thinnest sort of board partitions, without either lath or plaster, and consequently but little privacy could be enjoyed by the lodgers. These by whispering too loudly, or talking too plain, frequently and unconsciously gave their neighbors intimations of facts which it was not intended, and, indeed, which it was quite improper should be known abroad. Hence, the house soon became as remarkable for stories of laughable incidents, and even tales of scandal, as for its ridiculous aristocratic pretensions. The building, though one of the loftiest and most inflammable in the city, escaped all

the great conflagrations; but was at length partially destroyed by fire, on the morning of October 22d, 1853. On this occasion the firemen of San Francisco performed great feats of daring, and accomplished an astonishing triumph. The entire upper portion of the house was in flames when the fire was discovered, but the alarm was scarcely given before the firemen with their apparatus were on the ground. By means of ladders, and headed by their chief, Mr. Charles P. Duane, they carried their hose into the second story, and succeeded in preventing the furious flames from descending below, or communicating with the adjoining wooden structures. So rapid, however, did this fire progress in its destructive work, that several of the lodgers were forced to jump from the third story windows, while one man, Mr. J. C. Coleman, was burned to death.

The first really substantial and elegant hotel of the city was the "Union." This was a four-story brick building, with a front of twenty-nine feet on the east side of Kearny street, between Clay and Washington streets, and a depth of one hundred and sixty feet. It was constructed, arranged, furnished, and conducted as well as any similar establishment at that time in the United States. The cost of the building and furniture was $250,000. Messrs. John Middleton, A. A. Selover and E. V. Joice, were the enterprising projectors, builders and owners of this superb concern. The tables were supplied with every imaginable luxury, and the boarders were of the wealthiest and most respectable inhabitants and visitors of the city. This house, with its contents, was destroyed in the fire of May 3d, 1851, and although it has been rebuilt several times, after repeated conflagrations, it never resumed its original character. It is now occupied below as an extensive billiard-room and drinking-saloon, while the upper stories are divided into comfortable lodging apartments. It is a celebrated resort for all classes of politicians, and most of the schemes affecting the interests of the State and city are here concocted.

The Union was followed by several other "first-class" hotels, the principal of which were "Jones's," at the corner of Sansome and California streets, and the "Oriental," at the corner of Bush and Battery streets. The former of these had but a

brief existence. It was soon converted into the "Tehama House," the rooms of which are rented to lodgers, who obtain their meals at "Alden's Branch" (a restaurant on the lower floor), or wherever they may prefer. The "Oriental" and



The Tehama House, corner of Sansome and California streets.

"Wilson's Exchange," on Sansome street, near Sacramento, are prominent hotels of the city. The "Rassette House" was also a large and good hotel, at the corner of Bush and Sansome streets. This was destroyed by fire May 2d, 1853. It has been reconstructed of brick, and is one of the most imposing edifices of the city. Early in 1854, an elegant hotel, the "International," was opened on Jackson street, between Montgomery and Kearny streets, under the proprietorship of Messrs. E. S. Peck and Henry Fisher. This is located in a central part of the city, and is quite convenient to the several steamboat landings. It is kept on the European plan, rooms being rented by the day or week to the boarders, who obtain their meals at a restaurant on

the premises. On the principal floor is a ladies' ordinary. The building is five stories in height, fire-proof, and admirably adapted in all respects to the purposes for which it has been constructed. When completed, it will contain two hundred and

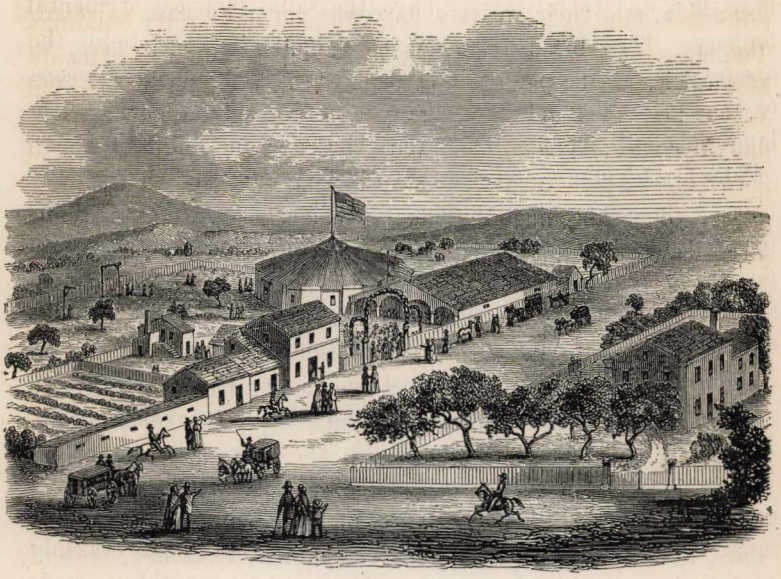


International Hotel, Jackson street.

fifty comfortable and well furnished rooms. A still larger hotel is about to be erected at the corner of Battery street and Broadway, which is intended to cover an entire fifty-vara lot. Among the ordinary hotels of San Francisco at this time, are the "Portsmouth House," the "Franklin House," the "Mansion House," the "Niantic," the "Crescent," &c.; besides which there are very many of inferior character, where living is obtained at cheaper rates. The prices of hotel boarding have varied but lit-

tle since 1849, having constantly ranged from about two to ten dollars per day.

Vast improvements have been made in late days to the general manner of living in San Francisco. The comfortless tents and shanties have given place to neat and pretty buildings. The cheapest lodging-houses are divided into small apartments. Men no longer huddle together by scores in a single room, but every person with moderate means can obtain an apartment to himself. There are also numerous private boarding-houses, kept mostly by respectable ladies, which have all the qualities of desirable homes for single gentlemen and small families ; besides which, the vast immigration of the wives of old settlers and new comers have caused the erection and occupancy of beautiful cottages and elegant mansions, which every where exist upon the outskirts of the town. Comfortable and delightful homes are becoming numerous, and domestic enjoyment and happiness increase in proportion to the arrival of respectable females and the growing prosperity of the town.



Russ's Garden.

PUBLIC AMUSEMENTS.

EVER since all Greece gathered to witness the quadrennial contests of the Olympic sports, and the maidens of Rome wafted kisses to victorious gladiators; or rather, since Thespis, thus made immortal, drove about his cart-load of histrionic pioneers to the delight of gazing Athens, mankind have refused to imitate their primeval ancestors, who, tending their flocks by day, and their families by night, suffered neither from *ennui* nor *atrabilis*—but require what they call amusements, to make life tolerable. The theatre, and its derivatives, the opera, ballet, circus and hippodrome, have been called the great instruments of social progress. Whether they deserve this high claim or not, it is at least certain that their advance has been co-ordinate with that of civilization, and that such exhibitions have become essential in the present

day. The mind, like the body, refuses to return to its original nakedness after it has been adorned with the laced trappings of ingenious art. The homespun, the broadcloth, the silk and satin, and the royal purple, have supplanted the fig-leaf and the bear-skin, and their wearers have the same increase of mental foppery. The bloody rantings of the melo-dramatic hero, the absurdities of the pantomimic display, the far-fetched witticisms of the low farce, and the vulgar jibes of a drunken clown furnish laughter and diversion, and excite the envy and emulation of the gawk of the plough and the soap-locked rowdy of the city suburbs. The screechings, yellings, howlings of operatic automatons in sibilant Italian, guttural German, or nasal French, elicit muffled taps from gloved hands of popinjays, counter-jumpers and aristocrats; while the sublime thoughts and moral teachings of great dramatic historians, are palatable and healthful food for men of genius, talent, and education. For the affected pious, and would-be godly-minded, who shun the evil associations of the theatre, and are disgusted with the necessarily public and hence indecent exposure of female artistes, there are lectures, exhibitions, panoramas, and the like—*rational* amusements—fairs, where the ladies of a church, publicly stationed, brazenly (not indecently) extort unreasonable prices for worthless goods by sale; where stately Pecksniffs playfully, by lottery (not gambling), amuse themselves by gathering money for a pastor's gift. There are museums, too, where quiet, demure quakeresses may unblushingly gaze at the "Dream of Taglioni," christened "Temperance Dance," or the "Pas de Quatre Nations," styled a "Missionary Jubilee."

San Francisco was, and yet is, the very antipode of patriarchal simplicity. Its flocks wore "golden fleece," and dwelt among the mountain streams of the Nevada; its tents had neither wives nor children,—only rough, rugged, savage men. But that guardian angel "self," who follows every one through life, and who had given each of this new race his worldly wealth, had endowed him with the desire, necessity, and means of unlimited enjoyment. At first each sought gayety and pleasure for himself, in wine, women, and the green cloth; but the mind that does not degenerate soon satiates with solitary enjoyments. Public amusements

become necessary, if for no other reason than that people like to go where they can see and be seen; and hence, long before the corporated history of this place, rude efforts were made to revive the dramatic exhibitions of other countries. Early in 1849 and in 1850 respectively, two circuses were established as the pioneers of popular amusements. One of these was on Kearny street above Clay, under the control of a Mr. Rowe, who subsequently converted it into a theatre. The other, of a few months' later date, was owned by Mr. Foley, and was located on Montgomery street below California. A short time subsequent to these, another was opened on the western side of Portsmouth Square. These were mere tent structures, where, on rude benches, congregated crowds of easily satisfied and deeply interested spectators, and where spring-boards bounced men of various sizes successively over one, two, and three horses; and daring riders, on broad wooden saddles, jumped through hoops and over ropes, most fearfully to look at. Nowhere else were to be had the materials for more legitimate displays, and the little-exacting populace were forced to content themselves with what they could get—paying without a murmur, their $3 for pit seats, $5 for box places, and $55 for the princely luxury of a private stall.

On Monday evening, June 22d, 1849, a concert of vocal music was performed at the old school-room on the south-west corner of the plaza, and this may properly be regarded as first among the regular amusements of San Francisco. It was given, entirely unassisted, by Mr. Stephen C. Massett, at the suggestion of many of his New York friends. The little room was crowded to suffocation, the proceeds yielding the vocalist over five hundred dollars. The following is the programme, a curiosity well worthy of preservation, printed at the office of the "Alta California," then the only paper in the city. "Front seats," it will be observed, were reserved for ladies, of whom there were but *four* present. The piano used (we believe there was only *one* in the country) upon the occasion, was loaned by Mr. E. Harrison, the collector of the port, and sixteen dollars were paid for removing it from the custom-house to the school-room, situated on opposite sides of Portsmouth Square.

"ON MONDAY EVENING NEXT,

A CONCERT

Will be given at the Court-house, Portsmouth Square,

BY MR. STEPHEN C. MASSETT,

Composer of 'When the Moon on the Lake is Beaming,' and other popular ballads.

PROGRAMME.

PART I.

1. SONG.—'When the Moon on the Lake.' Words and Music by S. C. Massett.
2. RECITATION.—Mr. Massett: The Frenchman, the Exquisite, and the Yankee in Richard III.
3. SONG.—Mr. Massett: 'My Boyhood's Home,' from Opera of *Amilie*.
4. AN IMITATION of Madame Anna Bishop, in her Song of '*The Banks of Guadalquiver*.'
5. SONG.—'When a child I roamed.' Words and Music by S. C. Massett.
6. AN IMITATION of an elderly lady and German girl, who applied for the situation of soprano and alto singers in one of the churches in Massachusetts. S. C. Massett.

PART II.

1. SONG.—Mr Massett: 'When time hath bereft thee,' from Gustavus III.
2. Mr. Massett: 'Loss of the Steamship President,' by Epes Sargent.
3. Mr. Massett: 'I'm sitting on the stile, Mary,' by W. R. Dempster.
4. AN IMITATION of the N. Y. Razor Strop Man, John Smith.
5. BALLAD.—'She wore a Wreath of Roses.' (Mr. Massett.) J. P. Knight.
6. BALLAD.—"List while I sing." Composed by Stephen C. Massett.
7. YANKEE IMITATION.—'Deacon Jones and Seth Slope.' S. C. Massett.
8. To conclude with the celebrated

'YANKEE TOWN MEETING;'

In which Mr. Massett will give imitations of seven different persons, who had assembled for the purpose of 'suppressing the press.'

Tickets $3 each, to be had at Dr. Robinson's, *Chemist* and *Druggist*, on the plaza; at the 'Parker House,' of Mr. Massett; at the office of Col J. D. Stevenson, and at the door on the night of the performance.

N. B. Front seats reserved for ladies!"

The first theatrical performance in San Francisco was a representation of "*The Wife*" and "*Charles the 2d*," by a small company, under the control of Messrs. Atwater & Madison, who had been some time organizing a theatre, in January, 1850, in the second story of a building at the rear of the old "Alta California" office (then located on Washington street, about midway of the plaza), known as Washington Hall. The most that can be said of the exhibition is, that the performance was poor and the room well filled. The genuine good taste of the people, however, could not long remain satisfied with such impositions. San Francisco was leaving its embryo existence. Its population of talent and education ceased their menial occupations, emerged from their filthy lodgings, and doffed their coarse red shirts for Chesterfieldian apparel. All their wants now had to be of the same luxuriant kind. The circuses no longer drew



Engraved by H.B.Hall from a Crystalotype by McClees & Germon, Philadelphia.

Alzina F. Baker.

New York D.Appleton & Co. 346 & 348 Broadway

their crowds, and hence Rowe fitted his establishment on Kearny street, between Clay and Sacramento streets, for stage performances. A company of English actors of undoubted merit, opened the theatre, including Mr. and Mrs. Hambleton, Mr. and Mrs. Batters, Mr. and Mrs. McCron and others. Mrs. Stark, then Mrs. Kirby, soon after arrived, and appeared at this place.

In Sacramento the stage had taken the lead. Shortly after the Washington Hall was opened at San Francisco, the "Eagle Theatre" on Front street, was erected and continued for several months. It was speedily surpassed, however, by the "Tehama Theatre," under the management of Mrs. J. H. Kirby, an accomplished and talented actress, whose early exertions have done much to advance the profession to its present stand in the country. Mesdames Bingham, Hambleton, Kirby and Mestayer; and Messrs. Atwater, Bingham, Byers, Downie, McClosky, Stark, Vinson and Zabriskie have successively appeared upon its boards. The "Tehama" drew large houses until the following winter, when the "Pacific" and "American" divided with it the patronage of the people of Sacramento.

Meanwhile, in April, 1850, a neat little theatre (which was soon after destroyed by fire) had been established in San Francisco, on Washington street near Montgomery, where, a portion of the time, an amusing French *vaudeville* company performed; and on the 4th of July after, Messrs. Robinson & Evrard, gave the first performance at their "Dramatic Museum" on California street near Montgomery, with rather an interesting company of amateur performers. In September following, the original "Jenny Lind" was opened over Maguire's Parker House Saloon, Kearny street near Washington. These houses were well patronized and had better stock companies than are usually found in older cities. At the latter, Mr. Stark, an actor of much ability, and Mrs. Kirby, played a very deservedly successful engagement. During the fall or winter, another small theatre was opened on Clay street, near Montgomery, which, for a time, was under the management of Mr. Bingham. This never became very popular. This theatre, together with the "Jenny Lind" and "Dramatic Museum," were destroyed by the fire of May, 1851. The latter was rebuilt and again soon after burned. A wooden building

was also erected on the site of the "Jenny Lind," which was also reduced to ashes by the fire of 22d June, following.

Mr. Maguire then constructed the large stone "Jenny Lind Theatre," now the City Hall, and opened it, October 4th, 1851. Before this date the "Adelphi," a French theatre, was erected on Dupont street near Clay, and in successful operation, under the control of Messrs. Robinson & Wiesenthal. It still exists under the management of M. Paul. The building of the "American Theatre," on Sansome street, between Sacramento and California streets, was commenced in September, 1851, and opened on the 20th October, since which time it has continued to give an uninterrupted series of dramatic representations.

On the 14th February, 1852, Mr. and Mrs. Lewis Baker, who had reached San Francisco from Philadelphia the preceding week, commenced an engagement at the "Jenny Lind," appearing as *Master Walter* and *Julia*, in the *Hunchback*, and played twenty-one nights to crowded and enthusiastic audiences. After a sojourn of three weeks at Sacramento, they again performed for thirty consecutive nights more, during all of which time, they, and particularly Mrs. Baker, formerly Miss Alexina Fisher, was the chief and only attraction, the company generally being poor, and inefficiently conducted. After a second engagement at Sacramento, Mr. Baker collected a small company, and performed at Nevada, Grass Valley and Placerville, and returning to San Francisco early in August, assumed the management of the "Adelphi." During nine months Mrs. Baker played every evening, except Sundays, and May, 9th, 1853, closed a season which had profited the management $30,000, being all that time the chief support of the theatre, and drawing crowded houses, notwithstanding the opposition of the other theatres and the very successful careers of Signora Elisa Biscaccianti and Miss Catharine Hayes. On the 12th May, Mr. Baker took charge of the "American," and for five months, with intervals from other stars, his interesting and talented wife regularly appeared, yet the great centre of attraction. It had been no trifling task, at this period, to restore order out of the chaotic confusion of the theatre in San Francisco. The drama drooped from the want of industry and tact in its managers and the absence of proper

discipline among their *employés*, the former regarding neither reason nor interest, while the latter defied submission or control; and the neglect of the one to provide proper accessories, was fully equalled by the imperfection of the others in the text of the plays presented. This decadence in worthy attraction was necessarily followed by a great diminution in the number and character of the audiences. With the advent of Mr. and Mrs Baker, however, commenced a new era in the California drama. The generous enthusiasm which greeted the latter upon her first appearance, increased with each successive performance. To her was confided the task of developing the rich resources from the golden mines of the old dramatists, and of enriching the Pacific stage with the brightest gems of histrionic ability.

Mr. Lewis Baker, having assumed managerial duties, labored with unceasing and praiseworthy assiduity to reform existing abuses. He introduced a strict and severe discipline, had careful rehearsals, and paid all needful attention to the necessary accessories of the stage. Under such auspices, the citizens were presented with entertainments of a refined character, and in a style of excellence fully equalled to those of the best theatres in New York or Philadelphia. Some idea may be formed of the managerial responsibilities assumed by Mr. Baker, from the following statement of the expenses involved in the conducting of a San Francisco theatre :—The rent alone amounted to $30,000 a year ; the salary list, including artists, musicians, painters, carpenters, &c., varied from $3,200 to $3,600 a week, without estimating the large amount paid to *stars*, which has sometimes exceeded $6,000 for six successive performances. The additional expenses for lighting, printing, advertising, supernumeraries, dresses, &c., make up an amount sufficiently large to deter any one from entering rashly upon such an enterprise.

On the 2d of January, 1854, Mr. and Mrs. Baker took farewell of the California public, having succeeded in elevating the character of theatrical representations from the low and confused condition in which inexperienced management had kept it reduced. During the eighteen months of Mr. Baker's control of the "Adelphi" and "American," the improvement in the style of entertainment was such as to secure for him the sincere thanks and hearty

support of the public. He was a young man—almost a tyro in years—when he came to San Francisco. Very early in life he had manifested a yearning for the theatrical profession, and when his family removed to Texas, had originated a theatre at Galveston. On the breaking out of the Mexican war, he was connected with the two theatres at Corpus Christi, where Gen. Taylor's division was stationed. He subsequently performed in the northern cities, and, like his wife, had already earned a well-merited reputation. As a reward for their exertions, Mr. and Mrs. Baker acquired a competency in California, and are now living in Philadelphia, among old friends, and enjoying life amid the most pleasing associations of their youth.

In the fall of 1853, the "Metropolitan," the most magnificent temple of histrionic art in America, was built, and opened on December 24th, by Mrs. Catherine N. Sinclair. On the 26th, two evenings later, at the old "American," now eclipsed by the grandeur of its greater rival, and on the point of closing, there appeared one, who came friendless and unannounced to the shores of the Pacific, but who was destined to play an important part in theatrical affairs at this place, Miss Matilda Heron. This young lady had left Philadelphia for San Francisco in company with Mr. George W. Lewis, her agent (a gentleman long and extensively known among theatrical people), who having died on the route, she accordingly landed unknowing and unknown. Several gentlemen, however, having heard of her coming, and being informed of her attainments, actively interested themselves in her behalf, and succeeded in filling the old theatre on the night of her appearance, despite the attraction of the "Metropolitan," with its new scenery and decorations, and the personal appearance of its gifted proprietress, aided by Mr. James E. Murdock, of Philadelphia (who had obtained great popularity in California), and a very excellent stock company. Miss Heron appeared as *Bianca*, supported by Mr. Baker, as *Fazio*, and was greeted and sustained throughout the performance with an enthusiasm almost unequalled. Her success was unrivalled, and her whole engagement, and a succeeding one at the "Metropolitan," won for her an enviable reputation as an actress. The San Franciscans claim the development of her rare talents. Two



Engraved by H.B.Hall. from a Daguerreotype by J.M.Ford. San Francisco.

Matilda Heron

New York, D. Appleton & Co. 346 & 348, Broadway.

years before she had appeared in Philadelphia, a pupil of Mr. Peter Richings, and had since played various satisfactory engagements in the Atlantic cities, but without creating the sensation her merits deserved, to which merits alone she owed her success in the far west. Performers appearing here need expect little aid from *claquerism.* Intelligent audiences are prepared to reward the meritorious, and as surely condemn the upstart. The press is untrammelled ; editors are men of superior literary attainment, who are not accustomed to prostitute their pens for tempting rewards. Hence, theatrical criticisms are distinguished in San Francisco journals for their unbiassed justice, and may be relied on as the expression of opinion of those competent to decide. By such a test was Miss Heron tried and lauded. Her chief merit was found in her perfect naturalness of manner ; the total absence of those screamings, rantings, and gesticulations which have grown up rank and deep-rooted weeds on the dramatic field. It is this feature that causes the superficial looker-on to regard her efforts with indifference ; that failed to gain for her a merited *éclat* from the less critical people of the East ; that excited the admiration of the Californians. It is a human being that performs—not an unnatural contortion ; the characters represented appear before you—the author's ideas, interpreted and embellished by the *artiste's* genius. Miss Heron has thus been an eminent reformer of the California stage. Actors and actresses have subdued their rantings under her influence, and adopted a more life-like style of performing. Hence, the vast improvement in theatrical representations in this city, even in mediocre players. Audiences have something at which to listen ; attention is riveted on the play. The peanut eaters of the upper circles, and the gentlemanly loafers of the *parquet,* have been subdued into gentility ; the quiet decorum of the parlor has supplanted the noisy bustle of the circus ; even riotous applause is regarded as inappropriate. For several months Miss Heron followed up her brilliantly successful career, and left in June on a temporary visit to her home in Philadelphia, loaded with the most substantial evidences of the sincere affections of a host of admiring friends, and a discriminating and generous public. San Franciscans regard her triumph as their

own, since through them alone her merits were discovered, acknowledged, and rewarded.

Other theatres have grown up in this city. The "San Francisco Hall," a neat little temple, was erected in Washington street, above and near Montgomery street, early in 1853, was conducted by Mrs. Sinclair, and has had some talented performers on its boards. The "Olympic," another small theatre, now closed, was opened in the Armory Hall building, at the corner of Washington and Sansome streets, in the fall of the same year. This had but a very brief and sickly existence. The French population have likewise another theatre, the "Union," in Commercial street above Kearny, which for a short time was devoted exclusively to the performances of that class of people. It was subsequently opened by Miss Laura Keene, who is now (July, 1854) giving popular entertainments there with a very good American stock company. The Germans and Chinese have each likewise had places where entertainments adapted to their respective national tastes have been furnished. The Orientals particularly have been very liberal in their support of their countrymen's enterprise. Opera troupes and ballet companies, Italian, German, Spanish, Mexican, French, and English have at various times claimed and obtained a liberal share of the public patronage.

It is not our design to go more minutely into the history of the *corps dramatique*. The exalted rank and large patronage attending the legitimate drama in San Francisco, have deserved the account we have given. In its theatres, the greatest talent of the world now regularly appear, to enumerate whom, would no longer belong to the characteristic features of the place, to which we seek to confine ourselves. It remains, merely to mention, in addition to those whose names have already occurred, a few of the many eminent performers and dramatic pioneers in the city. Among the "stars" that have visited San Francisco are Mesdames Anna Bishop, Anna Thillon, Elisa Biscaccianti, Lola Montez, and Misses Catherine Hayes, Susan and Kate Dennin, the Rousset sisters, and Laura Keene; Messrs. J. B. Booth, James E. Murdock, and J. Hudson. The prominent stock performers have been Mesdames Chapman, Evrard, Burrill, Proctor, Robinson, Thorne, Waller, Booth, Celeste, Claughley,

Duprez, Hambleton, Judah, Mansfield, Montague, Pelby and Woodward; Misses Carpenter, Chapman, Coad, Edmunds, Oceana Fisher, Kate Gray and Julia Gould; Messrs. Baker, Barry, J. B. Booth, jr., Edwin Booth, Chapman, Collins, Coad, Evrard, Hambleton, Haywood, Kent, King, McGowan, Maryatt, Samuel Murdock, Proctor, Robinson, Ryer, Thorne, Thompson, Venua, Waller and Wilder.

The gay populace of San Francisco, however, have found other sources of popular diversion than those just mentioned. During 1849, '50 and '51, the *toreos*—bull-bates,—at the mission, were largely attended. Now, in the same vicinity are two race-courses, probably not surpassed by any in the world, where, especially on Sundays, the day usually selected for all these exhibitions, the most celebrated of the fleet steeds of California are matched against each other, to the delight of interested multitudes.

Russ's Garden, a short distance from the thickly-populated portion of the city, between the Mission Road and the South Beach, also affords the weary citizens an opportunity of relaxation away from the scene of their toil. This is one of the most beautiful spots and popular places of resort in the vicinity. Hither celebrations, excursions, and the like rejoicings, are held by societies and coteries on their various anniversaries and *fête*-days; while continually gay carriage loads or cavalcades, or solitary individuals, mounted or on foot, wend their way thither and amuse themselves about the pleasant grounds with games, athletic feats, or merry feasting. In the spacious amphitheatre at this place, sundry interesting public exhibitions are occasionally given to amuse the crowds that here assemble.

In 1850, a company of *model artists* exhibited at the Parker House with very poor success; and even Dr. Collyer's company, who opened rooms on a greater scale in Commercial street, received no better patronage,—showing that the public taste was not so vitiated as was supposed.

Balls by the various races of inhabitants, carried on according to their peculiar customs, have been of constant occurrence, and are now so frequent as to interest only their respective participants. The German *Turnvereins* amuse themselves at their gymnasia—while in Battery street, between California and Pine streets, a

similar establishment, kept by Mr. Frank Wheeler, is provided for general subscribers. A large Music Hall has been erected in Bush street, near the corner of Montgomery, by Mr. Henry Meiggs, and here quiet folk are entertained with concerts, oratorios, lectures, fairs, and the like. The "Mercantile Library Company," "Young Men's Christian Association," and other societies, at various seasons every year, afford the literary public opportunities of listening to scientific, moral and other instructive discourses by eminent speakers.

Thus do the people of San Francisco employ their leisure hours. Possessed of so many opportunities of gaining wealth, they freely use it in the purchase of those enjoyments which relieve their minds and bodies from the harassing toil to which they have been subjected in its acquirement. Thus, notwithstanding the immense wear and tear of such unexampled energy as is here required in any occupation, the unstinted and universal use of reasonable relaxation and pleasure, enables them to retain their vigor, and lead far more agreeable and useful lives than do the miserable hoarders of slowly-gotten gains in other countries.



Fancy Ball, California Exchange.

SOME PHASES OF SAN FRANCISCO "LIFE."

PERHAPS never before in the world's history has there been exhibited such a variety and mixture of life-scenes within the same extent and among an equal number of people, as in San Francisco for the two or three years succeeding the discovery of gold. Created by a sudden appeal to the covetousness of human nature, and thus having drawn together a promiscuous crowd from nearly all nations, it represented a new school in the wild pine-woods, where all the scholars were strangers to each other, and each was a pupil to all the rest, and none were teachers except by example; or a mixed camp of an army of allies, amid the army-chests of the enemy, friendly relations maintained by an armed neutrality. Jack Tar, after the termination of a long cruise, with his prize-money in hand, never was more determined upon a lark, than was a large portion of the sojourning multitude of the city. Away from law, away from public opinion, away

from the restraints of home, half wild with the possession of sudden and unaccustomed wealth, "On with the dance, let joy be unconfined," seemed the motto best suited to the conduct of a large portion of the people. The puritan became a gambler; the boy taught to consider dancing a sin, soon found his way to masked balls; *monte* became as familiar as the communion, and the catechism was forgotten, while the champagne popped, sparkled, and excited. At first it was a society composed almost exclusively of males, and as a natural and inevitable consequence, men deteriorated. Excitement was sought in such sources as could be found. The gaming-table, with its cards and dice; the bar, with its brandy-smashes and intoxication,—these occupied the wild and reckless, while those whose ideas of wealth stopped not with the first buckskin bag of dust, sold goods at a hundred times their cost, got grants of land for a song, soon to be worth thousands uncounted, and spread out all their hands to take in all the shore.

But soon woman began to join the anomalous crowd. Then a new phase of society appeared. Then reason tottered, and passion run riot. The allurements of the Cyprian contested the sceptre with the faro bank; champagne at ten dollars a bottle sold as readily in certain localities, as did brandy at fifty cents a glass in the saloon. Men suddenly rich, squandered more in a night than until within a few months they had been able to earn, or to possess, in years. Dust was plentier than pleasure, pleasure more enticing than virtue. Fortune was the horse, youth in the saddle, dissipation the track, and desire the spur. Let none wonder that the time was the best ever made. Naturally enough masked balls soon came in the train of women, wine, and gold. Many of these ball-rooms were soon dedicated to the service of Terpsichore, Cupid and Momus; and it must be confessed, also, that Bacchus shared no trifling portion of their devotions. Imagine a vast hall, nearly one hundred feet square, with a bar of fifty feet in length, built with an eye to tasteful architecture, and with a hand in the pocket, glittering in front with gold-leaf, and in the rear supported by a battalion of cut-glass decanters, colored glass ornamental articles, a golden eagle perched above the stock of liquors and wines—the American cannot

drink a cock-tail comfortably unless the "star-spangled banner" float above, and the national eagle look with at least a glass-eye into his potation ;—in the centre a piece of machinery, exhibiting the sea in motion, tossing a laboring ship upon its bosom ; a water-mill in action ; a train of cars passing a bridge ; and a deer-chase, hounds, horsemen, and game, all in pursuit, or flight. Opposite, a full band, crowding every nook of the room with sweet echoes, marches, cotillions, mazourkas, gallopades, waltzes. On the third side, a cake and coffee-stand ; and behind it a fair face, limber tongue, busy hands, coining dust from thirst, gallantry, and dissipation.

It is dark, the hour nine ; the rain drizzles outside, and the quaker-grey out-doors, wet, chill, mud, gloom of the rainy season, drive the lonesome, the hilarious, and the dissipated to the door where the ticket-taker admits the pleasure-seeker, who has deposited his umbrella in the general depôt for those movable roofs, and been relieved by a policeman of any dangerous weapon—gold and silver excepted—which may accompany his person. By the private entrance come the maskers, male and female. The Spanish bandit, with his high tapering hat, ornamented with ribbons ; the gipsy, with her basket and cards ; the Bloomer, bountiful in short skirts and satin-covered extremities ; the ardent young *militaire*, with a borrowed uniform and sparse moustache, which requires, like swarming bees, the assistance of a clattering tin kettle to congregate the scattered portions ; the Swiss ballad-singers, with their hurdy-gurdy and tambourine ; the flaunting Cyprian, not veiled by domino or mask ; and the curious, but *respectable* lady, hidden by cloak and false visage. There is the Frenchman in a fantastical dress ; a Gallic count imitating the Yankee ; the Yankee affecting "Aunty Vermont ;" and men already feeling the force of their libations, affecting sobriety.

Now the band commences, the bow is drawn, the breath blown, and domino and mask are whisked about into the midst of the dizzy maze by the Turk who has forgotten his cimeter ; the Pole who has nothing of Kosciusco or Poniatowski except the tall cap *et cetera ;* the Vermonter imitating a courtier of Charles II., and a Red Republican affecting Silsbee or Dan

Marble. Away they whirl through the waltz, or dash along the mazourka, or crash away promiscuously in the gallopade. Where there are no masks exercise brings no new rose tint nor crimson to the soft cheek—the rouge or carmine is too thick for that. The music draws to a close and ends with a grand flourish. Off to the bar and coffee stand go the maskers, the gentlemen to treat, the others to be treated. So a few hours wear away. The potations begin to operate, the violent seek rencontres, old scores are to be settled, and new quarrels commenced. Jealousy's eyes take a greener tinge from the bottle imp, and woman, forgetting her last prerogative—gentleness—joins the ring and gives point and effect to feminine oaths by the use of feminine nails. Gradually the room is thinned, the first departing being careful to select the finest umbrellas. And when daylight comes, it finds the usual characteristics of such "banquet hall deserted." Such is a slight description of the "California Exchange" in the height of its ball-day glories, where in one night thousands of dollars were taken for tickets, and thousands at the bar for drinks.

Another scene. See yonder house. Its curtains are of the purest white lace embroidered, and crimson damask. Go in. All the fixtures are of a keeping, most expensive, most voluptuous, most gorgeous, the favorite ones with the same class of humanity, whose dress and decorations have made so significant ever since the name of their city and trade, "Babylon." It is a *soirée* night. The "lady" of the establishment has sent most polite invitations, got up on the finest and most beautifully embossed note paper, to all the principal gentlemen of the city, including collector of the port, mayor, aldermen, judges of the county, and members of the legislature. A splendid band of music is in attendance. Away over the Turkey or Brussels carpet whirls the politician with some sparkling beauty, as fair as frail; and the judge joins in and enjoys the dance in company with the beautiful but lost beings whom, to-morrow, he may send to the house of correction. Every thing is conducted with the utmost propriety. Not an unbecoming word is heard, not an objectionable action seen. The girls are on their good behavior, and are proud once more to move and act and appear as ladies. Did you not

know, you would not suspect that you were in one of those dreadful places so vividly described by Solomon, and were it not for the great proportion of beauty present, you might suppose yourself in a *salon* of upper tendom. But the dance is over; now for the supper table. Every thing within the bounds of the market and the skill of the cook and confectioner, is before you. Opposite and by your side, that which nor cook nor confectioner's skill have made what they are—cheeks where the ravages of dissipation have been skilfully hidden, and eyes with pristine brilliancy undimmed, or even heightened by the spirit of the recent champagne. And here the illusion fades. The champagne alone is paid for. The *soirée* has cost the mistress one thousand dollars, and at the supper and during the night she sells twelve dozen of champagne at ten dollars a bottle! This is a literal fact, not an idea being a draft upon the imagination, or decorated with the colors of fancy. No loafers present, but the male *ton;* vice hides herself for the occasion, and staid dignity bends from its position to twine a few flowers of social pleasure around the heads and hearts of these poor outcasts of society.

It is a dark, stormy, dismal evening of December, '49. Few places save the gambling saloons are comfortable. Scarce a fire or stove can be found elsewhere. The restaurant where you "feed" is at best but a skeleton frame of strips of board covered with "Lowells," through which the rain comes down in misty particles and aggregated streams. There is no fire save in the kitchen. Wood is forty dollars a cord, room is scarce, company is not very select, and you go any where else for change, for society, for comfort, for heat. Perhaps it is the night for your "chill," the restaurant is also a bar-room, its floor is a rush mat laid upon the ground, and on this in your bed of two blankets you are to sleep, after the last glass of liquor has been sold, not before. So you escape and go where there is at least heat, into the gambling saloon. Look on. See the fever as it rages. *Monte, faro, roulette,* these are its types, and the sleek, nimble-fingered gentry who sit at the centre of each side of the table, are the doctors who prescribe. Depletion is the prescription and human leeches the remedy. The diagnosis of a cool observer would undoubtedly be "golden lunacy."

Hear the ring of silver, the clinking of gold, the shuffling of cards, the rattling of dice, the call of the gambler at his table of *rouge et noir*, "Make your bets, gentlemen—the game is made —five—eleven—seventeen—twenty—twenty-four—twenty-nine —thirty-one—red wins;" hear the band discoursing exciting music, fit for better places and better company; breathe the oft-respired air which has passed through a thousand lungs, and is impregnated with a hundred diseases, the odors of villainous rum, and the effluvia of a furnace of cigars. See the reckless tempter of fortune pile down his coin and dust on some favorite card, and notice how adroitly another card is turned or dealt; how sum by sum passes from the belt and buckskin of the miner into the dealer's pile, until the earnings of months have left the laborer penniless. With empty pockets but a full heart, he drinks the potation ordered at the gambler's expense, and rising from the table walks away. To-morrow morning a dead body will be found on the hill side, upon which his own hand has inflicted the fatal blow. Do you ask whose is that poor senseless piece of mortal frailty? From an entrance into such a hell as the gambler's saloon, is it so far morally to pecuniary ruin, and from that to despair and suicide, that you cannot trace the course of him who thus goes step by step to destruction? That dead body sat last night at the gambling table, trusted the cards, dared fortune, drunk the draught of intoxication, grew wild with the dizzying fumes about him—*and there he is.*

Another picture. It is Sunday afternoon. Service is over at church and "meeting house." The Christian who went to worship, and the belle whose desire was to excite admiration, have returned home, the one to reflect or to read, and the other to calculate possible triumphs, or to coquette. The streets are full of pleasure-seekers, and lovers of nature and art, some all listlessness, feeling like him in the play, "there's nothing in it," others all attention, and finding interest in every thing. Suddenly from the piazza of an old adobe on the plaza arises the voice of one crying in the wilderness. He "raises" a hymn in a voice which would be dreadful in its power, were it not melodious. Hark! You may hear the words half a mile off. The city hall sends back the echo like a sounding board. You may

stand at the foot of Merchant street and distinguish every sentence :

"The chariot! the chariot! its wheels roll in fire!"

Had the vehicle spoken of really rolled over the planked streets of the city, it is doubtful if the tumult of its lumbering wheels could have drowned the voice of him who was thus describing in thunder-like music, its advent, and the supposed dust it would raise. Nothing short of the whistle of a railroad could expect to make head against that tornado of musical praise.

That voice at once arrests attention. The loiterer turns aside from his careless walk, stops, and listens. The miner in his slouched hat and high boots, hears the sounds of worship, recollects the day, thinks of the home and the dear ones far away, and of the hours when he too worshipped with them in the old church pew, in the country town, with the graves of the rude forefathers of the village visible from the spot where he sat ; the old elms bending gracefully beneath the weight of years and foliage over the dust of those who planted them ; and where he listened to the trembling words of the gray-haired old clergyman as he read, or spake from that old-fashioned pulpit, and he joins the motley crowd. The loafing Mexican arouses from his reverie and the smoke of his cigarette, gives an extra puff from his nostrils, throws his variegated *serape* over his left shoulder, leans against the fence, and listens to words which he does not understand, smokes the weed which he does understand, and thinks of some padre to whom he confessed a long, long time ago. John Chinaman passes along, and seeing books, and being of a literary turn, ceases to jabber in the language of Confucius, joins the outskirts of the company, and risks the integrity of his yard-long *queue* among the "outside barbarians." The Malay, with his red, pointed cap, stops a moment to wonder, and perhaps forgets awhile the well-known trade of piracy when listening to a gospel which he cannot comprehend. It is not long ere there is a sufficient audience. The singing has brought together the congregation. There is room enough for all. There are no cushioned pews, standing room is free, and the plaza fence is picketed by a continuous row of listeners. The worship progresses. Prayer, singing, reading of the Scriptures, text and sermon follow.

All can hear, all can see—there is no sexton nor usher, nor is one needed. It is a primitive service, very earnest, and by no means ridiculous.

There may be more than one opinion respecting street preaching in cities, and even in San Francisco many condemn it. But there can be but one opinion as to the sincerity of the Rev. Mr. Taylor; and probably there are few who will not admit that he has exerted a very great influence upon the wandering masses, recalling them often when they least expect it, to a recollection of the days when they worshipped in their native villages, when life was younger, and hope fresher, the thoughts purer, and the heart lighter, and thus putting before their downhill wheels a trig to save them from ruin.

Another scene. It is New Year's Day. God made this day —there can be no dispute upon that head. You might submit it to the city council, and they would not smother the remnant of their religion by a denial. The Legislature at Benicia would be truthful for once, and answer "aye." You might ask all San Francisco, and no chairman would be needed to put it to vote, no clerk to record the ballot. Nothing short of Divinity could have done it. The aroma of heaven in springtime comes floating upon the air. It is as bracing as the cool north-west winds which kiss the bright waters of Casco Bay, as mild as the Indian summer which lies like a silken mantle over the landscapes of Louisiana. Italy might breathe it with a deep and delightful respiration, and believe it that which visits Naples or the Tiber. Switzerland might feel stronger with its inspiration, and think it a zephyr coming down from the glaciers, warmed into tepidity by the genial plains, while basking in the smiles and warmth of spring.

There is nothing blue this day, save the skies, and every thing puts on a robe of golden beauty, colored in the sunlight, and bordered on the edges of the day with trimmings of stars. Nature's great face wears a smile as irresistible as that of the girl you love most dearly. One cannot but feel its influence, for it seems spread out every where. The lowlands are alive with glory. Over the hill tops the light comes and goes in flashes and streams of wondrous brilliance. The lazy breezes stoop down

to the laughing waters as they pass, and the amorous waves pout up their moist lips to the kisses of the wooer.

On goes the day in its joyousness, full of a gush of sentiment, as if the elements themselves sympathize with human hearts, and are determined to have a lark on New Year's Day. The sun smiles unusually cosy from every pore of his jolly face. The dull earth awakens like Eve from her first sleep, and is bathed in blushes to find herself so beautiful. The bay lies around the hem of our city's robe of beauty, like a spaniel at the foot of his master, and the ships, resting like swans on a sea of silver, swing leisurely with the tide, and like the ladies, await calls.

All maledom empties into the streets—all ladydom remains at home. It is a gala day, a holiday, a day for polishing anew the chain of friendship and interlocking the links of love. It is a practical New Year's Day, one set apart to repair any omission or error of the year which has passed. It is like the merry march with which the returning funeral band spirits off the sad thoughts which the recent burial excited. The old year has been laid with his white beard in the tomb, and every body is happy to enjoy the smiles of the new comer.

Oh ! it is a lovely babe—one upon which its parent may look with pride, satisfaction and hope. It seems a spark struck off from the great wheel of ages by the revolutions of time—one of the sands in his glass changed to gold. The streets are full of joy in the persons of splendidly dressed men on their tour of friendship, acquaintance, or love, who seem almost to forget the outdoor glories, in anticipations of those who preside over the domestic hospitalities. Bright and cheering as is the sunlight without, are the smiles within door, and soft as the balmy air are the words breathed by the festive board.

There is pleasure in the streets and on the hills ; there is happiness within the dwelling. Hearts swell more joyously—blood flows through artery and vein with a wilder delight. Friendship goes on foot, aristocracy on wheels, love on wings. Friendship smiles, love sighs, snob swells. 'Tis a good time, a grand time, a happy time. Old friendships grow nearer, love grows stronger, snob becomes a little less stately—all harmonizing by humanizing. There's nothing like association. It is the sand-paper

which rubs down nature's asperities, the burnisher which polishes the rough surface of society, the brush which applies the last varnish.

Therefore, long live the poetic and delightful custom of New Year's calls. There is not a spot on earth where it could be of greater service, not a region where the climate would so accord with the custom. Business eats up intercourse like a cancer, and isolation is to the character like salt water to the old iron of the wrecked ship, corroding and rusting it. A custom which causes pleasant associations and sympathies is like oil on the surface of steel, keeping it bright. 'Tis the stamp on the guinea of society, giving new beauty to its gold. Let New Year's Day, then, be our mint to coin anew pleasant feelings, and turn into double-eagles the rough bullion of life.



The old School-house on Portsmouth Square.

PUBLIC SCHOOLS.

THE surest guarantee of the continuance of any liberal government is the early and proper education of its youth. Mankind are prone to lose sight of the mutability of the human race, and to forget that adult life is but one of the seven stages in their brief career, for all of which the world exists alike; and that, after a short cycle, each, like the pieces on the chess-board, will have reached his highest post, whether he be pawn, bishop, knight or queen. Popular governments, unless sustained by an educated community, will change: hereditary monarchies require no firmer basis than the ignorant dependence on traditionary right, and the determination to endure and transmit that which had been endured and transmitted. The wisdom of our own successful system has recognized the necessity of a general diffusion of education, and our youth enter manhood not to be the blind followers of *parvenu* demagogues, but boldly and justly

to determine questions of right and polity within their senate-houses, and to practise those principles of politics and ethics that have been inculcated at their public schools. It is an essential element in the happiness of every man, of whatever station, to secure the welfare of his offspring, and to furnish them with better implements for the task they have before them, than he himself had ; and this duty the Anglo-Saxon observes beyond any other. Living less for the present, than the indolent dreamer of the tropics, or the ignorant northern barbarian ; with passions subservient to mind, and inclinations subordinate to will, he is energetic, every where looking to the social elevation of his race, and its continuance throughout the future. Even amid the wild, brigandic confusion reigning on the Pacific coast, where dazzling scenes and gorgeous changes embodied Aladdin's imagined splendors ; where excitement fevered every pulse, and made of men the genii doing the biddings of the mighty master ; where passion, avarice and cupidity were dominant, one of the earliest measures proposed, was the establishment of appropriate educational facilities. These attempts were at first imperfect, and possessed more of a private than a public character. Legislative action is always slow. However anxious and ardent men may be for reform, here as elsewhere, they seize the golden opportunity of power, and sacrifice mutual interests to individual aggrandizement. There were few children in the new State, but few wives or women, yet the community was composed of men, with more of greatness of mind and goodness of heart beneath the rugged coats of the miner or the shaggy-haired trader in ounces, than those whom the monkey-god of fashion had beautified in other lands. Hence, the progress of the school system towards perfection, in this city, has been unexampled, and its present successful practical workings are subjects of the highest pride and gratulation to its inhabitants. San Francisco has skipped through or over its colonial stage, and grown from hamlet to village, from village to town, and from town to city—from the little school-house in the forest to the brick village building with a bell, to the orderly, well arranged grammar-school, and the dignified and stately university. It has burst upon the world—a new star in the firmament of glories—the Adam of a new creation. Its history

has no centuries of toil: its stages were ephemeral. There was a fierce struggle of intellect with passion—three days of battle and pillage—and a glorious victory of man's high estate. Here, improvements, begun elsewhere, are perfected, and that done rapidly, which has been gained slowly. The schools here are not inferior to the world-renowned and years-old systems of Pennsylvania and the Eastern States. The minor details yet want much of completion; but the unanimous wish of the people has already been so decidedly spoken, and men of such acknowledged talents have devoted their energies to the task, that we need not fear that existing defects will continue to interfere with its success.

The first American school in San Francisco, and we believe in California, was a merely private enterprise. It was opened by a Mr. Marston from one of the Atlantic States, in April, 1847, in a small shanty which stood on the block between Broadway and Pacific street, west of Dupont street. There he collected some twenty or thirty pupils, whom he continued to teach for almost a whole year, his patrons paying for tuition. He was not remarkable for his education, and, indeed, possessed none of the qualifications requisite in one of his calling.

The people of the town at length saw the necessity of some public movement to secure to their children a fit education, and late in 1847, they built a school-house, a representation of which heads this article, on the south-west corner of Portsmouth Square, fronting on Clay street where it is now joined by Brenham Place. Insignificant as the building appears, it was destined to subserve more useful purposes than any other that has been erected in the city, and should have been preserved as one of its most valued relics. Its history was almost an epitome of that of the curious people who built it. Every new enterprise found here a heating oven to warm the egg into successful hatching. Here churches held their first meetings; and here the first public amusements were given. It was the assembly room of the early gatherings of Odd-Fellows and other benevolent associations; and a universal public hall for political, military, and almost every other description of meeting. It was dignified as a court-house under Judge Almond, designated as an institute at another period, and at length degraded to a police-office and a station-house.

Not a vestige, however, of the old relic now remains, and its site is only recognized by the thousand cherished associations that hover like spirits around its unmarked grave.

On the 21st February, 1848, a town meeting was called for the election of a board of school trustees, and Dr. F. Fourgeaud, Dr. J. Townsend, C. L. Ross, J. Serrine and Wm. H. Davis, Esqs. were chosen. On the 3d of April following, these trustees opened a school in the building just erected, under the charge of Mr. Thomas Douglas, A. M., a graduate of Yale College, and an experienced teacher, of high reputation. The board pledged him a salary of one thousand dollars per annum, and fixed a tariff of tuition to aid towards its payment; and the town council, afterwards, to make up any deficiency, "appropriated to the payment of the teacher of the public school in this place, two hundred dollars at the expiration of twelve months from the commencement of the school." Soon after this, Mr. Marston discontinued his private school, and Mr. Douglas collected some forty pupils. Prior to opening the school, the trustees had taken a census of the town, and ascertained that the population was something over eight hundred (including Indians), of which four hundred and seventy-three were males, one hundred and seventy-seven females, and sixty children of suitable ages for school; the remainder being youths over sixteen and infants under five years. Eight months previously the population numbered three hundred and seventy-five.

The public school prospered and increased for eight or ten weeks, when it received a sudden and unforeseen check. The accounts from the interior had lately been of the most favorable character. Rumors of immense and rapidly acquired fortunes, but above all, the exhibition of specimens of the precious *oro*, drove the whole population to such an intensity of excitement, that it resulted in a general stampede of men, women, and children for the "mines," leaving the teacher minus pupils, minus trustees and town council, and minus tuition and salary. He, therefore, locked the school-house, and shouldering his pick and pan, himself started for the "diggins." In the general scramble for gold, the school enterprise was for a time forgotten, and the education of the children, who were increasing in number by

immigration, was wholly neglected until April 23d, 1849, when Rev. Albert Williams, pastor of the First Presbyterian Church, obtained the use of the public school-house, and opened a private school, charging tuition. He gathered some twenty-five pupils, and continued teaching until September 20th, when, on account of the increased demand upon his ministerial services, the school was suspended.

Late in the autumn of 1849, Mr. J. C. Pelton arrived from Massachusetts, and on December 26th opened a school with three pupils in the Baptist Church, on Washington street, which was generously furnished to him by that society, free of rent. He fitted up the church with the necessary writing tables at his own expense, made no charge, but, for several months depended upon voluntary subscriptions and donations, and the profits on the sale of school books (a lot of which he had brought with him and which he furnished to the pupils), for his compensation, and that of Mrs. Pelton, who assisted him. In the spring of 1850, he applied to the city council for relief, and from that time until he closed his school late in the summer of 1851, his services and those of his wife were recompensed from the city treasury by a salary of $500 per month. This was at one time the only school in the city, and numbered one hundred and fifty pupils in regular attendance, and as it was chiefly supported from the public funds, was called a public school, although the city council had nothing to do with its organization or management. In 1850, the original public school-house on Portsmouth Square was Vandalised. The only monument of the early educational taste and enterprise of the *town* was demolished by order of the *city*, on the ground that the old building marred the beauty of the plaza, which, by the by, has to this day been used as a public *corral* for the accommodation and sale of cattle and horses.

In the mean time several other schools were started, among them Mr. Osborn's Select School, which was particularly patronized by the Presbyterian Church; Rev. Mr. Preveaux's San Francisco Academy, under the management of persons belonging to the Baptist Church; Dr. Ver Mehr's Episcopal Parish School; and several small primary schools in different portions of the city.

In June, 1850, Col. T. J. Nevins, then the agent of the American Tract Society for this coast, applied to Messrs. Mellus & Howard, and obtained the free use of a building in Happy Valley near where Mission and Second streets now intersect, for



Col. T. J. Nevins, first Superintendent of Public-Schools.

school purposes, employing Mr. Samuel Newton, from Connecticut, as teacher, who opened, July 13th, and conducted a school a few months, until he left for the east, when his place was, for a short time, supplied first by Mr. Lewellyn Rogers, a young gentleman, and subsequently by Mr. Cooley and Mr. Hyde, who took charge of it, until the spring or summer of 1851, at which time it was suspended. This school was originally supported chiefly by voluntary contributions, but near its close the common council voted an appropriation for the relief of the teachers. It was therefore called the "Happy Valley Public School." From a

small beginning it had increased to nearly two hundred pupils, and was the foundation of the school afterwards established in the same building, under the Free School Ordinance. In January, 1851, Col. Nevins procured a fifty-vara lot, at Spring Valley, on the Presidio Road, and erected, principally at private expense, a large and convenient building, employed a teacher, and opened a free school, which during the first quarter was sustained wholly by voluntary contribution. A small tuition fee was afterwards paid by the patrons of the school until the passage of the ordinance above referred to, when the house and lot was leased to the city for free school purposes, for ninety-nine years, for a rent of less than seven hundred dollars for the whole time, being about fifty-seven cents per month. The situation is delightful, being shaded by a grove of evergreens, on a magnificent road, and sufficiently removed from the noise and bustle of the living mass, to prevent their interference with useful study. Until the spring of 1854, it was the only school-house *owned* by the city. All the other buildings occupied for public educational purposes were subject to a ruinous monthly rent.

So soon as the city government had been fully organized and put in harmonious operation, measures were adopted for the establishment of a better system of popular instruction. In the summer of 1851, the boards of aldermen appointed a committee on education, at whose request Col. Nevins prepared a bill for "the establishment, regulation, and support of free common schools in the city," which without alteration, was passed by the common council, and became a law on the 25th of September following. This ordinance divides the city into seven school districts, and provides for the erection and establishment of a free school in each district, making these schools public and free to all children and youths between the ages of four and eighteen years, within the respective districts, and forbids in their control all sectarian influence or interference. It makes provision for raising a "Common School Fund," and for the proper employment of the same; for the annual election by the common council, of a board of education, to consist of one alderman, one assistant alderman, two citizens, and the mayor, who is *ex officio* a member and the president of the board; and for the regula-

tion of salaries and other expenditures. It gives to the board of education the whole charge of the public schools, and empowers them to elect a superintendent of the schools, and erect or purchase necessary buildings for school purposes; details the duties of the superintendent, who is the general executive officer and clerk of the board of education; constitutes the superintendent and any two members of the board, a committee for the examination of teachers, who cannot be employed until examined by such a committee; exacts a quarterly report from the superintendent to the board, and an annual report from the board to the common council, of the condition of the schools; and requires a quarterly meeting of the superintendent and teachers, to examine and discuss the best methods of imparting instruction and of conducting the schools to the greatest advantage.

In accordance with the school ordinance, of which the foregoing are a few of its many excellent provisions, the common council, early in October 1851, elected by joint ballot, a board of education, consisting of Hon. Charles J. Brenham, Alderman Charles L. Ross, Assistant Alderman Joseph F. Atwill, General John Wilson, and Henry E. Lincoln, Esq., who, on the 21st of October, appointed Colonel T. J. Nevins superintendent of the schools and clerk of the board.

At this time the city had no school-house accommodations on rent or otherwise. The first duty of the superintendent, therefore, was to procure and fit up buildings in suitable locations, an undertaking of great labor and difficulty. Every building was occupied, and no funds were provided for any expense beyond the rents, temporary accommodations and salaries. After considerable necessary delay, these obstacles were overcome, and schools opened to the public. The situations and number of schools, teachers, etc., at the close of the tenth quarter, May 1st, 1854, were as follows:—

District No. 1, *Rincon Point.*—Established January 8th, 1852. Located corner of First and Folsom streets. Comprising a Primary and Grammar School. Teachers:—Mr. J. Sweet and Miss Rebecca W. Foster.

District No. 2, *Happy Valley.*—November 17th, 1851. Corner of Bush and Stockton streets. Primary and Grammar. Teachers:—Mr. Jas. Denman, Miss Anna E. Sandford, Mrs. E. Wright, Mrs. J. A. Hazleton, and Miss Kennedy.

District No. 3, *Central.*—December 22d, 1852. Washington street, between Stockton and Dupont streets. Primary and Grammar. Teachers:—Mr. E. H. Holmes, Miss A. C. Park, Miss Harriet A. Hancke, and Miss Mary S. Haynes.

District No. 4, *Clark's Point.*—June 7th, 1852. Corner of Broadway and Montgomery street. Primary and Grammar. Teachers:—Mr. Ahira Holmes, Miss Sophronia Allyne, and Miss E. A. Pomeroy.

District No. 5, *North Beach.*—November 19th, 1851. Washington Square. Primary and Grammar. Teachers:—Mr. H. P. Carlton and Mrs. Olive P. Cudworth.

District No. 6, *Spring Valley.*—February 9th, 1852. Mixed School. Teacher:—Mr. Joseph C. Morrill.

District No. 7, *Mission Dolores.*—May 10th, 1852. Mixed. Teacher:—Miss Clara B. Walbridge.

The following teachers have been from time to time employed in the schools and left by resignation:—Miss Mary S. Libby, Miss I. H. Hudson, Mrs. S. A. Hazleton, Mrs. E. Hyde, Mr. Joel H. Tracey, Mr. F. E. Jones, Mrs. E. W. Baldwin, Miss Gertrude Brown, Mr. Silas Weston, Mr. W. H. O'Grady, Mr. Asa W. Cole, Mr. Alfred Rix, Miss Marietta Chadsey, Miss Helen M. Allyne, Miss E. Durgin, Dr. Stillman Holmes, Miss Marion Bain, Miss Clara M. Silsbee, Miss A. W. Milbury, and Señor José Parra, teacher of Spanish.

These schools have hitherto been supported solely by city taxation, and the whole expense incurred to the date (May 1854), independent of the cost of building new school-houses, has been about $75,000, which has been expended in rents, the fitting up of proper houses, salaries and incidental expenses. Male teachers receive $150 per month; females, $100. During the first year, the superintendent was paid $1200 per year, but since then his salary has been $2400.

On the 1st of February, 1852, the superintendent made his first quarterly report, from which it appeared that 485 pupils had attended the five schools then organized. Nine months afterwards, at the end of the first school year (Nov. 1st 1852), there were 791 at school, while the census stated the number residing in the city, between the ages of four and eighteen, to be 2050 By August 1st, 1853, the end of the seventh quarter, the pupils had increased to 1364, and at the end of the second year (Nov. 1st, 1853), there were 1399 at school, the whole number of children in the city being 2730. In the beginning of the ensuing year, the whole attendance at all the schools amounted only to 1178. This decrease was owing partly to its being the rainy

season, and partly to the want of rooms sufficiently large to accommodate the children. This latter difficulty is now being rapidly removed. Mr. William H. O'Grady, who succeeded Col. Nevins as superintendent in Oct. 1853, in his report of the ninth quarter, ending February 1st, 1854, gave the number of scholars to be 1453, while the number of children in the city of suitable ages for the schools had increased to more than 3000. At the close of the tenth quarter, May 1st, 1854, there were in actual attendance, 1574 scholars, of whom 901 were boys, and 673 girls, an increase of 120 over the last quarter.

In September, 1852, the superintendent selected and procured to be reserved by the commissioners of the funded debt, from auction sale of city property, the following school sites, which, November 4th following, were set apart by an ordinance of the common council for school purposes; viz., 100-vara lots, Nos. 128, corner of Market and Fifth streets; 174, corner of Harrison and Fourth streets; 258, corner of Harris and Folsom streets; and 50-vara lots Nos. 301, corner of Bush and Stockton streets; 345, corner of California and Mason streets; 462, corner of Kearny and Filbert streets; 663, corner of Taylor and Vallejo streets; 695, corner of Francisco and Stockton streets; and 732, corner of Harrison and Fremont streets.

On school lot No. 301 a fine two-story brick building, capable of seating three hundred and thirty pupils, has been erected at a cost of $21,000, and was formally dedicated, June 12th, 1854. This school was heretofore held in the house on Bush street between Montgomery and Sansome streets, and is, in fact, the continuance of the old Happy Valley School, which was made a part of the public school system in 1851, and of which Mr. Denman was the first and is yet the teacher. The foundation of a new and large school-house, capable of accommodating six hundred children, has been laid on Telegraph Hill, in the 4th district. Another has been commenced at the corner of Stockton and Francisco streets, on lot No. 695, in the 5th district; and it is intended to erect one on Rincon Point in the 1st district, one in the 3d district, and probably a second one in the 2d district midway between the Rincon and the school just completed. Ere long there will be no lack of well constructed and well situated buildings

for the children to meet in, and then a much larger attendance may be expected. Squatters on lots Nos. 663 and 301 have occasioned much trouble and perplexity, and it is probable that school sites for the other buildings will have to be purchased, owing to these incumbrances on the property originally granted by the city.

Besides the seven public schools, there are in San Francisco, twenty-seven private schools, with an attendance of 947 pupils, of whom 404 are boys, and 543 girls, and who are under the direction of 44 teachers. The aggregate number of schools in the city is now 34 ; the whole number of teachers 62, 20 being male, and 42 female ; and the total number of scholars, 1305 boys and 1216 girls, or in all 2521, about seventy per cent. of all the children over four years of age in the place. In five of these schools, the ancient and modern languages, higher mathematics, philosophy, etc., are taught. One of these was started three years ago by Mr. Prevaux, as the San Francisco Academy, with but two pupils, and now numbers sixty, and is called the English and Classical High School. In May, 1854, the friends of the school dedicated a new building, erected on the site of the old one, in Powell street, south of Jackson, which was the first substantial structure built in this city expressly for educational purposes. Mr. F. E. Prevaux, A. M., Prof. A. J. Segueria, Mrs. I. H. Purkitt, Miss H. R. Barlow, Miss S. L. Larkin, and Miss W. E. Stowe are its teachers.

In February, 1853, the board of education, at the superintendent's suggestion, adopted a resolution requesting the common council to provide for raising the sum of $100,000, by loan, to purchase additional school lots and erect and furnish the requisite number of convenient and substantial school-houses. Both boards passed the resolution in September following, and issued proposals for effecting the loan. The superintendent and board of education have at various times within the last two years, suggested to the common council the necessity of establishing a Central High School, with a Female Seminary department, for advanced pupils of either sex, and an asylum or House of Refuge for the vagrant boys that prowl about the streets. No legislative action has yet been taken ; but it is probable that the grow-

ing importance of the measure will soon secure the necessary movements of the council.

The floating character of the population has hitherto much embarrassed the public-school enterprise. But few pupils are now in attendance who belonged to the schools a year ago. Some have returned to their eastern homes; others have removed to the interior; and not a few have been sent abroad to complete their educations, for want of the high school or collegiate department here. Those who have steadily attended, have made rapid and commendable improvement. Their teachers are proficient, liberal, benevolent, zealous and indefatigable in the discharge of their duties. The climate is the most salubrious in the world, and well adapted for the highest mental exertion and proficiency. The school-bell now echoes through the streets of the busy city, and the astonished stranger meets groups of bright and smiling faces merrily trudging to their daily tasks, and ere long may listen to learned professors expounding to classes of intelligent students, art, literature and science as completely and perfectly as can be heard in the most time-honored institutions of the world.



First Presbyterian Church.

CHURCHES AND RELIGION.

We have gazed so long on the moral turpitude of the San Franciscans, that both eye and mind would turn away pained if they could dwell on no more pleasant sights. It would be a sad necessity to have to think that so much of exalted intellect, unexampled energy, and toilsome industry, had labored only to furnish the *pabulum* for voluptuous and unbridled passion; sadder that our country's fair fame should be marred by nourishing in the midst of her sister cities one so favored in beauty, and honored in rank, yet whose white bosom was crimsoned with crime. Happily, the long record of vice and immorality (the black pages of our diary) has a bright and noble counterpart, like the gold-dust among the muddy atoms of our own river-beds, that redeems our character from wholesale condemnation. Hitherto we have said but little concerning religious

enterprises or observances in this portion of the country since the missions of the Jesuits, which had gradually, and almost entirely, been neglected and discontinued, so that when the place subsequently became of note, there was little of good left to restrain those evil inclinations that spring up, a plentiful crop, wheresoever the god of wealth scatters his golden seed. Later still, when the adventurous flocked to the shrine of that deity, few could be expected among them who would tarry to listen to the teachings of a plainer and poorer master. Very early in its history, however, there were men in the community whose sterling worth and upright examples combatted the dangerous allurements surrounding them ; and ever since, the field has been filled with honest laborers in the good cause, who now are gladly reaping what they sowed with the sweat of their brows.

In October, 1848, Rev. T. Dwight Hunt, who until the summer previous had been in the service of the American Board of Commissioners for Foreign Missions, arrived in San Francisco from the Sandwich Islands, and was the first Protestant clergyman in California. The town had then an almost unenviable notoriety for wickedness, and its reputation at the Islands was such that any attempt at reforming it was deemed wild and foolish. Mr. Hunt was, however, welcomed with a cordiality that proved that all who dwelt on American soil had not forgotten, or lost sight of American institutions. Three days after his arrival, he was formally invited by the prominent citizens of the place, *of every religious persuasion*, to reside among them, and act as chaplain of the town for one year, dating from November 1st, 1848. A salary of $2500 was voted at the public meeting as compensation for such services, and was all promptly subscribed, and paid in quarterly instalments. Thus, at the very outset of religious enterprise on this coast was exhibited that generous liberality that has ever been a characteristic of its people. Mr. Hunt entered at once on his labors. The schoolhouse on the plaza was appropriated by the town as the place of public worship, and services were at once held in it at 11 o'clock, A. M., and 7½, P. M., of every Sabbath. The attendance at both hours was such on the very first meeting as afforded the most ample encouragement. Soon the accommodations were alto-

gether too limited. It was not a month before listeners stood at the doors and windows. The people eagerly testified their joy and gratitude at the presence of an ordained minister of the gospel among them, to perform those rites, which, except in the efforts of a few individuals, had been unheard since they left their far-off homes. Captain Thomas, of the English brig "Laura Ann," then in port, had for two or three Sabbaths been reading the service of the Episcopal church and a sermon to a few whom his example had induced to public worship. Previously, a Mr. Anthony, a Methodist, had once or twice addressed some of the people, who had been called together by public notice. A prayer-meeting had been held for several months before the discovery of the gold by two or three members of different churches, in the counting-house of a pious merchant, among whom was Mr. Thomas Douglas, of New London, Con., who subsequently taught the public-school on the plaza. But beyond these, and perhaps a missionary, who had touched here on his way to Oregon, or a chaplain of the army or navy, who may have once or twice held public service, there had been nothing of the kind prior to Mr. Hunt's arrival. One of the earliest results of this gentleman's labors was the more general observance of the Sabbath as a day of rest. Many who had opened their stores as on other days, closed them, and the example shamed some whom it did not otherwise influence. On the first Sunday in January, 1849, the first sacrament of the Lord's Supper was administered to twelve communicants of five or six different denominations. The scene was a rare and novel one. Men and women gathered together to do homage to their common Maker, and thought not of cavilling about creeds and forms; but forgot sectarian jealousies in the promptings of that innate spirit through which they sought to do what was right and consistent with those dictates of honor and justice that made them *men* above brutes. Despite all its vices, this city has one proud boast over more puritanic communities, that its people have always been ready to render unto every man his own, and to aid their suffering fellows, unasked, and unasking whether they be Christian or Jew, Catholic or Protestant, Pagan or Believer.

For about four months Mr. Hunt was alone in the State, until the steamship California,—which reached San Francisco February 28th, 1849,—brought four missionaries from New York, who soon seconded his endeavors; viz., Rev. O. C. Wheeler, a Baptist, who located in San Francisco, but is now at Sacramento; Rev. Sylvester Woodbridge, an old-school Presbyterian, who proceeded to and still resides at Benicia, where he organized the first church in the State; Rev. J. W. Douglass, new-school Presbyterian, who first resided at San José, but now edits and publishes "The Pacific," a religious paper, in San Francisco; and Rev. S. H. Willey, of the same persuasion as the latter, who landed at Monterey, and remained there a year and a half, having officiated as chaplain to the convention that framed the State Constitution. He was the second clergyman in the State, having left the steamer on the 23d of February.

During the ensuing spring and summer other ministers arrived. Rev. Albert Williams, who had reached the city in the steamship Oregon, on the 1st of April, 1849, after preaching a few times in the public school-house on the plaza, organized on the 20th of May the first Protestant ecclesiastical society in the city, and second in the State only to that at Benicia. This was the "First Presbyterian Church," and it had originally but six members; viz., W. W. Caldwell, from the Second Presbyterian Church, at Newburyport, Mass.; Dr. George F. Turner, of the Missionary Church, at Mackinaw, Mich.; Frederick Billings, of the First Congregational Church, at Woodstock, Vt.; Sarah B. Gillespie, of the Presbyterian Missionary Church, at Macao, China; Margaret A. Geary, of the Presbyterian Church, at Johnstown, Pa.; and Ann Hodghton, of the Missionary Church, at Valparaiso, Chili. The first named two were elders. Messrs. Bezer Simmons, Elihu Woodruff and Hiram Grimes were the first trustees.

This little congregation selected a lot as the site of their place of worship, on the west side of Dupont street, between Pacific street and Broadway, upon which they erected a large tent, which had been the marquee of a military company in Boston; and in it during the remainder of the dry season of 1849, they statedly held their meetings. It was plainly, but neatly furnished with matting, pulpit, seats and seraphine, and afforded

accommodations for about two hundred persons. In the summer of 1849, Mr. Alfred DeWitt, a member of the congregation, very generously, upon his personal responsibility, ordered for its use a church edifice from New York. The correspondents and



Presbyterian Church, destroyed by fire June 22d, 1851.

friends of Mr. DeWitt assumed the labor of procuring the plan and execution of the building; and by their own donations, jointly with an appropriation from the funds of the Church Extension Committee of the General Assembly, they forwarded it entire in its materials and work, including pulpit, seats, lamps, and a fine-toned bell, as a donation, exclusive of the freight, to the congregation. It was designed by J. Coleman Hart, architect, of New York, and was of the early Gothic style of architecture. It was thirty-five feet wide, by seventy-five feet in

depth, with a vestibule of eleven feet in front, and could seat eight hundred persons. Pending its arrival, a period of about one year, the congregation worshipped for the most part in its tent on Dupont street, and in the superior court-room (city-hall, corner of Pacific and Kearny streets), and the adjoining council-chamber, into which a communication had been opened to accommodate the increased number of members. On the arrival of the building, in the fall of 1850, the present site on the west side of Stockton street, near the corner of Broadway, was secured and the church erected; the whole expense, including lot and freight, being about sixteen thousand dollars.

On Sunday, January 19th, 1851, the church was dedicated in the presence of a crowded auditory, by Rev. Albert Williams, its pastor, assisted by Rev. Messrs. Prevaux and Hinds. A remarkable prosperity attended the society during the time of its occupancy of that church edifice; but five months only were permitted to the congregation to remain in "its holy and beautiful house." The sixth great fire, June 22d, 1851, totally destroyed the building; and in that sweeping desolation, which involved very many of the citizens in extreme losses, its members suffered heavily, and were much scattered by the overwhelming calamity. In this emergency they availed themselves of the best accommodations which could be had at the time, in the room occupied by the superior court, in the St. Francis Hotel, where they regularly worshipped until the present church, a plain and unpretending building, was erected and ready for use (Sunday, October 12th, 1851), on the site of the first edifice, and designed only as a temporary structure. The society has rapidly recovered its strength, and has enrolled at present one hundred and sixty-seven communicants; and the Sabbath-school, which from the time of its formation has been connected with it, numbers one hundred and fifty teachers and pupils in usual attendance.

Although this was the first society organized, it had not the first building erected in San Francisco for religious worship. Rev. O. C. Wheeler, one of the passengers in the "California," in February, 1849, organized on the 24th of June following, the "First Baptist Church" of the city; and shortly afterwards they erected a spacious and commodious building in Washington

street, between Dupont and Stockton streets. The society has grown as large and influential as any in the city, and has a numerously attended Sabbath-school and Bible-class attached to it. On the departure of its originator for Sacramento, Rev. B.



Present Presbyterian Church.

Brierly was appointed their pastor, and still conducts divine worship. A second church of this persuasion, and almost as numerously attended, has been established in Pine street, near Montgomery, under the pastoral charge of Rev. Wm. Rollinson.

Mr. Hunt, of whose early labors we have already spoken, completed the organization of a society, the "First Congregational Church," in July, 1849, which at present meets for divine service at the corner of Dupont and California streets. This was the third in point of date, and the fourth sprang into existence in the same month. The latter was the Trinity Church, Episcopalian, organized by the Rev. S. F. Mines, who subse-

quently died in 1852, the only clergyman who has ever deceased in this city. This society has lately increased in size, and ranks among the most prominent in the city. Its building is adjacent to the Second Baptist Church, in Pine street, between Montgomery and Kearny streets. Rev. Dr. Wyatt is the present pastor.

The next of the early religious pioneers, whose zealous labors have raised this city to the rank of a Christian community, was the Rev. Dr. Ver Mehr, the first missionary sent by the Protestant Episcopal Church to California. This gentleman arrived in San Francisco in September, 1849, and preached his first sermon in the American Hotel, now the State Marine Hospital, on Stockton street. During three months he officiated in Mr. Frank Ward's, afterwards Mr. George Plume's residence, at the corner of Greene and Stockton streets. Meanwhile, a subscription list had been filled to the amount of more than six thousand dollars for the erection of a chapel. A fifty-vara lot, for one year rent free, was given by Mr. James C. Ward, on which Grace Chapel was opened, Sunday, December 30th, 1849 (a very plain building, costing, however, eight thousand dollars), at the corner of Powell and John streets, which has since been converted into the private residence of Mr. H. B. Truett.

In April, 1850, at a meeting of the congregation presided over by Mr. W. Burgoyne, "Grace Parish" was regularly organized, Col. E. Bryant and Col. D. E. Turner being appointed first wardens. The missionary, Rev. Dr. Ver Mehr, was called to the rectorship. Towards the end of the same year, the congregation became too crowded, and it was contemplated to build a larger church. The whole fifty-vara lot was purchased, and a contract made with Mr. G. L. Murdock to erect a substantial building, which was progressing, when the fire of May, 1851, arrested further subscriptions. The church, however, was nearly completed, when the June fire swept away the whole neighborhood; and it was only saved with great difficulty and unusual exertions. Finally, July 19th, 1851, it was opened to a crowded congregation. To pay part of its indebtedness, a sacred concert was given in February, 1852, by the *Sänger-bund;* and a second one in the same year, by the talented Signora Elisa Biscaccianti,

who, in December, sang for the same object, the *Stabat Mater* of Rossini, which was the first *oratorio* ever performed in San Francisco. The debt was further discharged in 1853, by the sale of the remainder of the fifty-vara lot, not occupied by the church and parsonage. Dr. Ver Mehr, having established a female seminary at Sonoma, found it necessary, in February, 1854, to resign the principal charge of the church to the Right Rev. Bishop Kip, remaining himself as an assistant. A third Episcopal Church (Christ's Church) now worships in a room over the post-office, under guidance of Rev. John Morgan, rector.

The summer of 1849 had brought still others, who were no less ardent in their endeavors to reform the city. Among them were the Rev. J. A. Benton, Congregationalist, who located at Sacramento; and the Rev. William Taylor, Methodist, whose untiring exertions in behalf of the religious cause have accomplished much of the good that has been done. This gentleman is pastor of the "Seamen's Bethel," a Methodist Episcopal Church; but in addition to his labors there, he preaches regularly every Sabbath afternoon to large congregations that assemble in Portsmouth Square. These latter meetings are universally conducted with the utmost propriety, and their results have been exceedingly beneficial. Probably no man in modern times has followed up the practice of out-door preaching so successfully and to so great advantage, as Mr. Taylor, whose unremitting zeal and religious deportment have gained for him the esteem and admiration of the entire San Francisco community.

Early in 1850, a society of Unitarians held divine services every Sunday in Robinson & Evrard's Dramatic Museum, in California street; and on July 17th, 1853, the same denomination opened a very handsome church on Stockton street, between Clay and Sacramento streets, of which Rev. Dr. F. T. Gray was pastor, for about one year, when he removed to the Eastern States. At the dedication of this church, five ministers of three different denominations sat in the pulpit. How much better would it be if divines elsewhere should imitate the truly religious spirit that actuates ministers here in their practice and preaching of the gospel! Their freedom from sectarian rancor has contributed as much as any thing to their wonderful success. People

are more disposed to listen where they can hear something besides abuse of contrary beliefs.

The southern part of the city, in the beginning of 1850, attracted the attention of many Christian people as a field demanding religious effort. Along the beach, from the intersection of Market and First streets to the Rincon, numerous families were residing in temporary houses and tents. Many people were employed in this section of the city in various branches of business, and throughout the neighborhood there was a large number of children. Of the older population few went to any place of divine worship on the Sabbath, while the greater number, both old and young, passed the day in frivolous employments at



Vallejo street Catholic Church.

home, or in riding, walking, or hunting game among the hills. These facts, and the prospective growth of this portion of San Francisco, seemed to establish the necessity of erecting a church in the vicinity ; and, accordingly, after several preliminary meetings, the "Howard Street Presbyterian Church" was organized on the 15th of September, with six members ; and a temporary place for worship and Sabbath-school secured. Subsequently a lot was presented to the congregation by Mr. Wm. D. M. Howard, and a building capable of seating four hundred persons commenced in February, 1851 ; and dedicated on Sunday, June

15th, following. Its board of trustees consisted of Major A. B. Eaton, Henry Haight, Wm. H. Dow, Capt. W. A. Cheever, D. N. Nawley and J. S. Bacon. Its pastor was Rev. S. H. Willey, who had left Monterey, where we have already noticed his arrival as being that of the second Protestant minister in the State.

These were the earliest efforts made in San Francisco for the extension of a purer and holier philosophy over the riot rampant spirit that had so firmly seized upon the place. Now the city is full of societies, though as yet but few permanent structures have been erected. Still, it is a matter of gratulation that so much has been accomplished, and the self-sacrificing efforts of the clergymen who immigrated here cannot be too highly estimated. On the 9th of June, 1851 (the festival of the Pentecost), Rev. John Maginnis, curate of the diocese of Monterey, founded a Catholic church, and held divine service every Sunday for three months, in a house rented for the purpose, at the corner of Third and Jesse streets ; and on the first Sunday in September, the building, known as St. Patrick's Church, in Happy Valley, fronting on Market street, between Second and Third streets, was opened for worship. The congregation has increased so rapidly that a new building is already designed. Attached to it is a flourishing school and orphan asylum, under the charge of five Sisters of Charity (superintended by Sister Frances Assisium McEnnis), a branch of the house of St. Joseph, near Emmetsburg, Md. There are two other Catholic churches in the city ; one in Vallejo street, between Dupont and Stockton streets, in which services are conducted by the Rt. Rev. Archbishop Joseph Allemany and Father Liberea, vicar-general ; and one at the Mission de Dolores, of which Rev. E. O'Connell is pastor. All of these are largely attended. Services are held in English, French and Spanish. Before long they will have erected large and magnificent churches, which are already projected, of one of which, " St. Mary's," corner of Dupont and California streets, we give a representation. It will be principally constructed of brick, but will have a rough stone foundation, and mouldings of cut stone. The interior will be columned and arched, and the different parts of the edifice finished in the Gothic style of the

sixteenth century. The dimensions of the building are seventy-five by one hundred and thirty feet. It will have a spire two hundred feet in height. Altogether this building will be one of the architectural beauties of San Francisco.



St. Mary's Catholic Church.

Towards the close of 1853, the Universalists, comprising a large body of intelligent and respectable citizens, met and established a society, which, regularly every Sabbath evening, held meetings for divine worship in Meiggs' Concert Hall, on Bush street. They employed the Pacific Music Troupe as their choir,

and liberally paid two hundred and fifty dollars a night for the hall and orchestra. Subsequently they removed to the Superior Court room, which, we have already seen, had been frequently used for similar purposes, and attracted large and respectable congregations. Rev. John Upson officiated as pastor of this society.

On the 28th of August, 1853, a second Congregational society was organized, and a house of worship, capable of seating three hundred persons, erected in Greenwich street, between Dupont and Stockton streets. Its pastor, Rev. W. C. Pond, was supported at the inception of the enterprise by the American Home Missionary Society.

There are more Methodist Episcopal churches in San Francisco than of any other denomination. Beside that of Mr. Taylor, there is one in Powell street, near Washington, Rev. M. C. Briggs, pastor; the Wesley Chapel, at the corner of Bush and Dupont streets, Rev. Dr. Boring, pastor; the New Jerusalem society, which meets in the Superior Court room every Sabbath morning, and which has no permanent pastor; and a church for the colored population on Stockton street, of which Rev. James Moore is pastor.

In Spring Valley, a chapel has been erected, in which every Sunday afternoon, various clergymen, of all denominations, preach to the people of the vicinity. The Jewish citizens, very generally, observe their peculiar rites at their synagogues. The French and Spaniards have services in their own languages at the Catholic churches. In July, 1853, efforts were commenced to erect a chapel for the Chinese residents of the city, and so popular was the enterprise, that at a single lecture on the 21st of that month upwards of $8000 were subscribed for the erection of the building. This was finally completed on the corner of Sacramento and Stockton streets at a cost of $18,000, and opened by dedication on the 4th of June, 1854. Rev. Wm. Speer is the pastor; Messrs. Jas. B. Roberts, David S. Turner and H. C. Beals, are the trustees. The building is neat and resembles churches generally, except that its walls are hung with tablets inscribed with Chinese hieroglyphics.

Such an array of churches and societies are surely evidences enough of the sincerity, zeal and success of the early spirit of

moral reform. It has also established numerous benevolent institutions, and sought to excite sympathy and gratitude, by alleviating sorrow, softening the harsh blows of misfortune, and leading the erring by example and precept back to the road from which they had strayed, many of whom have shunned the chapel door, first through shame and then indifference. In all of these societies, the members of the various churches, as will be seen elsewhere, took prominent parts ; but there are others yet, which are more particularly of a religious character. We have already spoken of the public-school effort, and of the good accomplished through it, and we may remark now, that it has been ably seconded by the establishment, in almost all the churches, of Sabbath-schools and Bible-classes, which are extremely well attended.

On October 30th, 1849, a meeting of citizens friendly to the formation of a " Bible Society," was held at the Methodist Episcopal Church in Powell street, at which Rev. T. Dwight Hunt presided, and Mr. Frederick Billings acted as secretary. Addresses were delivered by F. Buel, agent of the " American Bible Society," Messrs. F. Billings and W. W. Caldwell ; and on motion of Mr. William R. Wadsworth, the " San Francisco Bible Society," auxiliary to the " American Bible Society," was organized, a constitution adopted, and the following officers chosen, whom we recognize as the early laborers on this field, and who, with characteristic real morality, frankly joined hands, irrespective of sect or denomination :—*President* :—John M. Findley ; *Vice Presidents* :—Rev. Dr. Ver Mehr, Rev. Albert Williams, and Rev. Wm. Taylor ; *Treasurer* :—W. W. Caldwell ; *Secretary* :—Frederick Buel.

Since its organization the society has been steadily engaged in its appropriate work of supplying the Scriptures to the citizens of the State, and has issued from its depository about ten thousand volumes, in the different languages spoken in the State and adjacent territories, the majority by sale and the remainder by donation to those unable to purchase. This institution has ably commended itself to the spirit of catholic Christianity, by the universal circulation of that book within which its doctrines are comprehended. Other societies for the same purpose, established

in the interior, have materially aided this object. The depository of the society was destroyed by fire on the morning of the 26th of April, 1853, in place of which a new fire-proof brick building has been erected on a lot belonging to the society, No. 376 Stockton street, between Union and Green streets. The officers for 1854, are, *President*:—Hon. D. O. Shattuck; *Vice Presidents*:—Rev. B. Brierly, Rev. M. C. Briggs, and Rev. S. H. Willey; *Secretary*:—F. Buel; *Treasurer*:—E. P. Flint; *Executive Committee*:—Col. D. S. Turner, Major A. B. Eaton, Nathaniel Gray, George Wyckoff, and R. P. Spier.

On the 24th of February, 1850, "The Pacific Tract Society" was organized for alike creditable objects, as indicated by the name. Maj. A. B. Eaton is the *President* of this extensive organization; Hon. R. H. Waller, Col. D. S. Turner, and Hon. E. J. Willis of Sacramento, are the *Vice Presidents*; D. L. Ross is *Treasurer*; Rev. A. F. White and Willard Leonard are *Secretaries*; while the *Board of Directors* embraces almost every clergyman in the State and many distinguished men from its various cities. From its depository in Clay street it has already distributed a great many useful and moral productions.

Another society of later birth, dating from July, 12th 1853, but of fast rising importance, is the "Young Men's Christian Association," intended particularly to improve the moral and mental condition of the young men of the city. A well stocked library and a reading-room, in the second story of the post-office building, at the corner of Clay and Kearny streets, and occasional lectures by clergymen and others, to the society, to which both strangers and residents are alike welcome, furnish rational means of enjoyment to the youth of the place, and effectually remove them from the tempting scenes of frivolity and dissipation, here so numerous.

We have said enough, we hope, to prove that not all, nor nigh all the citizens of San Francisco are lost to every thing but reckless dissipation. No city of equal size—few of ten times its age—can present such a list of men and institutions, who have accomplished so much *real* good, with so little of cant and hypocrisy.



Armory Hall.

INDEPENDENT MILITARY ORGANIZATIONS.

IMMEDIATELY after the excitement into which the town of San Francisco was thrown by the capture, trial, and expulsion of the notorious "Hounds," had in a measure subsided, some of the most prominent citizens, dreading a recurrence of like scenes, conceived the idea of organizing a permanent volunteer military company, to aid the legal officers in the maintenance of order and personal security. The proposal met a ready acquiescence, and in the early part of July, 1849, several preliminary meetings were held for that purpose in the "Institute," as the school-house on the plaza was designated, and on the 27th of the month, forty-one gentlemen signed the following Preamble, organizing an artillery corps to be known as the "First California Guard."

"We, the undersigned, do hereby form ourselves into an association under the name and style of the *First California Guard*, and for the good govern-

ment thereof, have adopted a Constitution and By-Laws, for the support of which we mutually pledge ourselves:—

H. M. Naglee,	W. E. Spoffard,	Joseph Hobson,	A. Priest,
J. P. Haven,	Hall McAllister,	R. H. Sinton,	E. H. Harrison,
W. H. Tillinghast,	Myron Norton,	Saml. Price,	W. C. Cleeman,
D. T. Bagley,	Wm. L. Hobson,	Rich. M. Sherman,	R. Julius Stevens,
W. D. M. Howard,	Eugene Musson,	James C. Ward,	Gustav Beck,
Wm. Sim,	Frank Turk,	Samuel Ward,	Wm. H. Davis,
S. Russell Gerry,	E. L. Sullivan,	Wm. Hooper,	E. Mickle,
C. Melhado,	W. L. Robinett,	A. G. Randall,	John Sime,
J. W. Austin,	H.F.Teschemacker,	Chas. H. Johnson,	A. G. Abell,
Hiram Grimes,	A. J. Ellis,	Benj. Reynolds,	Jas. Creighton,

Edward A. King."

Of these the following officers were chosen:—

Captain.—Henry M. Naglee.
First Lieutenants.—W. D. M. Howard, Myron Norton.
Second Lieutenants.—Hall McAllister, David T. Bagley.
Orderly Sergeant.—Richard H. Sinton.
Surgeon.—Samuel Russell Gerry, M. D.

At this time there was not a suitable room for an armory in the town, and the gentlemen who had organized the company, being all men of ample means, agreed to form a joint stock company (out of members of the guard only), whose income would be sufficient to defray all their military expenses and enable them to purchase a lot of land and erect a building with a hall adapted for drilling purposes. This scheme was soon carried into effect. The stock was divided into three hundred shares of one hundred dollars each, all of which were readily taken. A lot was purchased, situated on the north-east corner of Dupont and Jackson streets, and a two and a half story building, forty feet square, was erected in the course of the fall—the whole expense amounting to about $30,000. The company commenced occupying it in the latter part of 1849, and soon obtained arms and accoutrements sufficient for the drill, which was that of the infantry, though the company was organized as artillery. The Guard prospered, and received many new members. The 22d of February following was celebrated at their hall by the most *recherché* entertainment ever given in San Francisco, and on all similar subsequent occasions, public parades, etc., they have formed an essential and imposing portion of the body politic.

In August, 1850, their services were called into requisition for the first time, and the importance of the organization and its capacity to do all that had been expected in its formation, was made manifest. The squatters of Sacramento having armed themselves, had a bloody encounter with the legal authorities. Governor Burnett had ordered out General A. M. Winn, of the Second Brigade, First Division, California Volunteers, to the seat of difficulties, and Lieutenant-Governor McDougal, then at Sacramento, immediately requested Capt. Wm. D. M. Howard



Front street, Sacramento City.

(then commanding the Guards) to loan the authorities their muskets, which the company unanimously resolved to bear in person, and though only called together at 8 o'clock, A. M., were ready in two hours, "armed and equipped as the law directs." Simultaneously, Mayor Geary called on the people of San Francisco to volunteer in the aid of their sister city. The proclamation attracted a large crowd of citizens, who deserted their occupations, and proceeded, as elsewhere narrated, on board the steamboat "Senator" to the scene of action, along with the Guards, numbering eighty men, and the "Protection Fire Company, No. 2," who, to the number of fifty, had hastily equipped themselves with red shirts and

dark pantaloons, and muskets, under Capt. W. McCormick. On the voyage, the volunteers were drilled by Capt. F. J. Lippitt, a most excellent officer. Notwithstanding the troops were not called into actual service, the moral effect of their promptitude and universal action, showed the efficiency of the volunteer militia in defending law and order, and did as much as any thing else to prevent the repetition of similar outrages in other parts of the country.

In the latter part of 1850, a second military organization was completed under the name of the "Washington Guards," which remained in existence only a few months. During that time, however, it had an opportunity of usefully serving the city, on the occasion of the attempt of the mob to Lynch Burdue and Windred at the City Hall, in February, 1851, when under the command of Capt. A. Bartol, it resisted the effort of the people to wrest the prisoners from the hands of the municipal officers.

The "California Guard" continued to prosper, a large number of the first citizens had joined it, and remained in regular attendance. Every thing had been done to furnish the armory and meeting-room in a luxurious style, when the fire of 17th September, 1850, completely destroyed the whole property. This was a severe loss to the company; but an agreement was speedily entered into with Mr. John Sime, the builder of the first armory, to erect another of brick on the same site, which was completed in three months and occupied by the company, who had meanwhile removed to temporary quarters elsewhere. This building was supposed to be fire-proof, but in June 22d, 1851, it suffered the fate of every other for many blocks around. Not deterred by calamity, but with the phœnix-spirit of San Francisco, the Guard determined, at whatever expense, to perpetuate the organization, and they have succeeded so well, that at the present day it is still the most extensive company in the city. Fifty thousand dollars is a low estimate of what has been paid as contributions by the members for its support since its organization.

The Indian disturbances at San Diego in December, 1851, again called for the exhibition of the military spirit from the restless people of San Francisco, who, ever true to the American

propensity, are ready to fly to arms at the call of danger. The beleaguered inhabitants of the south had applied for aid to General Hitchcock, of the Pacific Division of the United States Army; but most of his command were operating under Colonel Casey against the Indians in the north, and he could dispatch them but fifty regulars under Lieutenant Frazer. In this emergency, the governor authorized the raising of two companies of mounted volunteers from the city of San Francisco, and Col. Geary, Judge J. G. Marvin, and Capt. Aldrich immediately issued a call for men. It needed no drum to summon the recruits together. Did one man, commissioned or non-commissioned, draw up a roll, hundreds were ready to sign it. A meeting was held in the California Exchange. Colonel John W. Geary was made president, and J. Martin Reese and Joseph C. Smith, Esqs., were chosen secretaries. Col. Geary enrolled one hundred and thirty men, soon increased to one hundred and seventy-five, three times the authorized number, who met at the armory of the California Guards, organized "The San Francisco Rangers," and elected the following officers:—John W. Geary, captain; George H. Haig, first lieutenant; John W. Rider, second lieutenant; Joseph C. Smith, third lieutenant; Charles J. Beebe, first sergeant; and Augustus Larrentree, second sergeant.

The second company met at the Parker House, and took the name of the "Aldrich Rangers," electing Daniel Aldrich, captain; William Mulligan, first lieutenant; Ira Cole, second lieutenant; David Hoag, third lieutenant; and J. R. Dunbar, first sergeant.

Both companies adopted a hasty uniform of blue shirts, and black pants and caps, and held themselves in readiness to proceed south under the command of the officers appointed by Governor McDougal, viz.: John C. Hayes, colonel commanding; Alexander Wells, adjutant general; A. H. Sibley, quarter-master general; H. J. Williams. commissary; and Samuel Purdy, aid-de-camp. The next vessel, however, brought the news of the settlement of the difficulties, and the batallion was dismissed. Fifty of them, whose military career was not thus to be so untimely terminated, organized a company under Captain Hoag, and persisted in sailing for San Pedro.

Until May, 1852, the "California Guards" existed alone in the

city, with the solitary exception of the "Washington Guards," and we might add, of the "Empire Guards," a target company, organized April 12th, 1851, for annual target excursions, out of the members of the Empire Fire Company, No. 1. The old Guard had increased largely in numbers, the members being principally picked young men who had but recently seen active service in the war with Mexico, each of whom was actuated by that *esprit du corps* which they had brought with them from their victorious battle-fields.

On the 14th of May, the "Marion Rifle Corps" was organized, and the following officers elected:—T. B. Schaeffer, captain; G. R. Davidson, first lieutenant; J. W. Rider and W. W. Hawks, second lieutenants; W. Neely Johnson, first sergeant. Shortly after this, June 25th, the "Eureka Light-Horse Guards," a fine cavalry corps, was formed; and these were succeeded by the "National Lancers," also cavalry, on July 4th, and on August 4th, by the "San Francisco Blues," infantry.

These five companies, joined by the "Sutter Rifles," of Sacramento City, formed in batallion on the 4th of July, 1853, and were reviewed by Major-General John A. Sutter, after which they proceeded to Russ's Garden, where they received a splendid ensign from Mrs. Catharine N. Sinclair, and celebrated the day appropriately with an entertainment and other jollities. The city companies (1854) are now proposing to form a batallion and elect a colonel and subordinate officers. According to the laws at present in force, every white male citizen, who refuses to perform militia duty, is liable to a tax of three dollars; but as the militia has not yet been properly organized, the law has been suffered to remain a dead letter on the statute book. As soon as the organization has been completed, the law will probably be enforced.

Until last fall, all of these volunteer companies supported themselves by contributions from their members, when the first encouragement ever received from the city was given by an ordinance passed, appropriating five hundred dollars per month for the rent of an armory to be used in common by all the volunteer companies of San Francisco. They now occupy a splendid hall as an armory and drill room in the fourth story of a new fire-

proof building, owned by Mr. S. Brannan, and appropriately called "Armory Hall," at the north-east corner of Sacramento and Montgomery streets. This elegant structure, occupying a front of sixty feet square, was commenced on 1st July, 1853, and completed November 15th following, at a cost of $225,000. Each company has a separate room in the third story for meeting and such purposes, and the use of the drill-room on its allotted evening once a week. All are flourishing. Their meetings and parades are well attended, and all justly regard the "First California Guard" as the pioneer corps of the State.



The San Francisco Orphan Asylum.

SOCIAL AND BENEVOLENT INSTITUTIONS

THE miserable condition of the sick and dying immigrants of 1849, for a long while met neither sympathy nor assistance. Individual aid at best could have accomplished little ; yet that little, men found neither time nor inclination to offer. Fortunately, however, the eminent usefulness of those great institutions, which like the arteries, veins and sinews of the living body, concentaneously ramify themselves throughout the minutest parts of our organization,—each subservient to its own great and distinct purpose, yet with the common object of the preservation of life, health and happiness,—was here practically demonstrated ; and chiefly through them, and subsequently through the more local associations, designed for a similar ultimate end, the great good was accomplished that residents of the time alone can appreciate. The success, efficiency, and permanency of these institutions, like our political existence, depending mainly upon their great national scheme of organization, a

complete history of each can only be sought in their own voluminous records, and must be studied there with all their relative parts—not here. The general character of the times has been fully discussed; the vast improvement in the present as contrasted with the past has been noted; and beyond a few dates and names, which would seem necessary to make our history complete in all that regards San Francisco, and identify with the finished structure, every nail, lath and brick that have built it, we cannot now pretend to go.

The fraternity of FREE AND ACCEPTED MASONS, though few in number, very early determined upon devising means to alleviate the distress and promote the comfort of the destitute of their brotherhood. In October, 1849, a convention assembled in San Francisco and organized a lodge under a charter, which on the preceding 9th of November, had been granted by the "Grand Lodge of the District of Columbia" to Messrs. Levi Stowell, Wm. Van Voorhies, and B. F. McDonald, that they might accomplish this object when they should arrive in California. This was entitled "California Lodge, No. 1," and consisted of about twenty members, whose first officers were:

Levi Stowell, Esq., of Washington City..... *Worshipful Master.*
A. Bartol, Esq., of Columbus, Ohio..... *Senior Warden.*
Col. Jno. W. Geary, of Westmoreland Co., Pa..... *Junior Warden.*
Dr. John H. Gihon, of Philadelphia..... *Secretary.*
A. A. Selover, Esq., of New York..... *Treasurer.*

They rented rooms for meeting in the third story of a house in Montgomery street, paying for their use, two hundred and fifty dollars per month. They immediately commenced work, eagerly sought out their destitute brethren, whom they conveyed to private boarding-houses or hospitals, and furnished with medical aid or whatever else their necessities demanded. Some of these recovered to bless the Order, and subsequently returned to their families after a successful business or mining career. Others died and received decent interment, and their friends were apprised of the circumstances. The first funerals of the city, after the discovery of gold, at which any number of persons attended, or which were conducted with any degree of propriety or solemnity, were those of the masonic fraternity. The expenses

attending these acts of benevolence were enormous. The board and attendance of a sick brother averaged from fifty to a hundred dollars per week, and the funeral of one deceased cost from one hundred to two hundred dollars.

On the 17th of April, 1850, a convention was called at Sacramento, of delegates from the California, Western Star, and Connecticut Lodges, by which a Grand Lodge was organized in due form under the following officers:

Col. Jonathan D. Stevenson,.....*M. W. Grand Master.*
John A. Tutt,.....*R. W. Deputy Grand Master.*
Caleb Fenner,..... " *Senior Grand Warden.*
Saschel Woods,..... " *Junior Grand Warden.*
John H. Gihon, M. D.,..... " *Grand Secretary.*
Levi Stowell,..... " *Grand Treasurer.*
B. D. Hyam,.....*W. Grand Senior Deacon.*
E. J. Willis,..... " *Grand Junior Deacon.*
Simon Greenwalt,..... " *Grand Steward.*
Aaron Greenwalt,..... " *Grand Steward.*
G. P. Gordon,..... " *Grand Marshal.*
Wm. Davenport, ... " *Grand Standard Bearer.*
B. B. Gore,..... " *Grand Sword Bearer.*
W. G. Deale,..... " *Grand Chaplain.*
Frederick A. Clark,..... " *Grand Tyler.*

Several lodges, then working "under dispensations" from other grand lodges, received charters, and at the first annual meeting after its institution, the "Grand Lodge of California" numbered more than a dozen flourishing lodges under its jurisdiction. The "Davy Crockett Lodge, No. 7," subsequently styled the "San Francisco Lodge," came into existence shortly after No. 1, and in the summer of the same year (1850), "San Francisco Royal Arch Chapter" was also established, under a charter from the "General Grand Chapter of the United States," of which Col. John W. Geary was first High Priest, and Dr. John H. Gihon, first Secretary. In May, 1851, the French residents of the city organized "La Parfaite Union Lodge, No. 17;" and in 1852, the "Occidental Lodge, No. 22," and the "Golden Gate Lodge, No. 30," were established, at which date there were thirteen chartered lodges and seven "under dispensation" represented in the Grand Lodge. In October, 1853, "Mount Moriah Lodge," and in January, 1854, "Lebanon Lodge" were opened for work

n San Francisco. Various lodges have been established over the whole State, to the number of about fifty, not only in the midst of the crowded cities, but amid the gulches and ravines of the sparsely-peopled mountains, and have enrolled among their members, the great portion of the most prominent public officials and business men of the country. In Sacramento, two lodges were established almost simultaneously with the organization of California Lodge; and a hospital was there founded by the Order in connection with the Order of Odd-Fellows, in the support of which about thirty thousand dollars were expended in little more than one year. In 1851, the brethren residing in Honolulu in Oahu of the Sandwich Islands, were, on due application, authorized to open a lodge in that city; and the success attending its operations has equalled the most sanguine expectations of its founders. At this date the king, the heir-apparent and brother, with several Hawaiian notables, have had an opportunity of joining it. In this year (1854), a number of masons residing at Valparaiso, solicited and received authority to establish a lodge in that place. This, however, has already withdrawn from the California jurisdiction. The "Knights Templars" opened an encampment, on the 20th of December, 1853, and a second "Royal Arch Chapter" is now working at Sacramento. The Grand Masters of the State have been successively, J. D. Stevenson, in 1850; J. A. Tutt, in 1851; B. D. Hyam, in 1852; Chas. M. Radcliff, in 1853; and Wm. H. Howard, now in office. The Order is in the most prosperous condition, embracing about four thousand members—all engaged actively in doing good. At the last session of the Grand Lodge, the education of orphans was one of the main features of their deliberations. Lands have been donated for a Masonic College, which will probably be commenced in the ensuing year, and trustees appointed to take charge of the property and receive donations.

The INDEPENDENT ORDER OF ODD FELLOWS dates its origin in this city from the same causes, for the same objects, and about the same time as the Masonic Order. In 1849, "California Lodge, No. 1," was established, and occupied the same third-story rooms in Montgomery street, paying the same sum for their use. Like the masons they extended their aid to the suffering members of their own Order, and like them accomplished an in-

credible amount of good. The Order now comprises twenty-one lodges,—five of which are located in San Francisco, one of these being composed principally of German residents,—embracing in all about one thousand members with over five thousand visiting brothers. On the 17th of May, 1853, the "R. W. Grand Lodge of California" was organized, with the following officers:

Samuel H. Parker, ... *M. W. Grand Master.*
J. F. Morse, ... *R. W. D. Grand Master.*
E. W. Colt, ... *R. W. Grand Warden.*
T. R. Johnson, ... *R. W. Grand Secretary.*
John M. Coughlin, ... *R. W. Grand Treasurer.*
Matthew Purden, ... *R. W. Grand Representative.*
J. Zacariah, ... *W. Grand Marshal.*
A. J. Lucas, ... *W. Grand Guardian.*
L. F. Zantzinger, ... *W. Grand Conductor.*

The Patriarchal branch of the Order is under the control of D. D. Grand Sire S. H. Parker, and comprises three subordinate encampments in San Francisco, Sacramento and Stockton, numbering about one hundred and seventy-five members. A Degree Lodge has been likewise established in each of these cities. The Grand Lodge, of which J. F. Morse is the second and present Grand Master, has alone donated for charitable purposes since its organization, over $20,000, and the whole amount of money expended in the State, and the number of families, brethren, widows and orphans relieved, is enormous. Mr. S. Brannan, a member of "Templar Lodge, No. 17," has presented the Order a valuable lot of ground on the Mission Road, for a cemetery.

Early in 1849, the Rev. T. D. Hunt organized a *Temperance Society* in San Francisco, which lived several months and accomplished some good by the dissemination of its peculiar doctrines, successfully relieving much of the distress of the times, by laying the axe to the root of the great producer of vice, poverty and wretchedness. During its existence, Mr. Hunt and others delivered a number of lectures, on which occasions some who needed the benefits of such an organization, were persuaded to sign the pledge of total abstinence. The work thus begun has since been more vigorously prosecuted by the Order of the SONS OF TEMPERANCE, of which there are almost forty subordinate divisions in successful operation in the State, scattered princi-

pally throughout its northern portion, the farthest south being at Santa Clara and Mariposa. On the 9th of September, 1851, the representatives of the divisions then existing met in San Francisco and organized the "Grand Division of California." There are four subordinate divisions in this city, embracing some five hundred members. In the entire State the roll of membership is not short of 2,500. Numerous branch organizations have likewise grown into successful operation in San Francisco and the other cities of California. There are two flourishing unions of the *Daughters of Temperance*, one at Sacramento and one here; of the *Templars of Honor* there are also two organizations at the same places; and there are eight sections of the *Cadets of Temperance*, consisting of lads of between twelve and seventeen years of age, who do good service. The section in this city numbers over forty members, though of very recent date. The temperance influence has been markedly and beneficially felt. Various hotels are conducted on strictly anti-intoxicating principles, and some of the great refreshment saloons have abolished the sale of stimulating draughts.

Distinct from these great Orders, branches of which exist in every hamlet of our mighty empire, there have arisen in San Francisco various local associations, whose objects have been more or less limited to peculiar sects or races, whom they have either sought to unite in closer social intimacy or to mutually aid and succor when they might become necessitous. The descendants of the Pilgrim Fathers, as early as September, 1850, organized the *New England Society* of San Francisco, for the first object. A meeting was held by a number of immigrants from the Eastern States, at the American House on Clay street, opposite the plaza; and the subsequent organization of the society was completed at the District Court-room in the old City Hall at the corner of Pacific and Kearny streets, and the following officers chosen:—

President.—Charles Gilman, of N. H.

Vice-Presidents.—J. C. Derby, of Mass., W. H. Clark, of Me., John A. Collins, of Vt., G. V. S. Gibbs, of R. I., and Theodore Dimond, of Ct.

Treasurer.—Geo. W. Gibbs. *Auditor.*—H. K. W. Clark. *Librarian.*—Wm. A. Dana. *Corresponding Secretary.*—Louis R. Lull. *Recording Secretary.*—Henry L. Dodge. *Executive Committee.*—J. P. Treadwell, Lucien Skinnett, J. Satterlee, C. D. Cushman, Robert Hopkins, and O. N. Bush.

In 1851, the society had made arrangements to furnish a library and reading-room for the use of the members. Rooms had been secured in a wooden building on the north side of Washington street, between Kearny and Montgomery streets, and a large collection of books, pamphlets and newspapers had been ordered from the Atlantic States, and a part of them were then on their way. The building in which were the society rooms, and all the books, records and papers in the hands of the officers were destroyed in the fire of May 3d and 4th of that year. General Wilson and Messrs. Satterlee, Clarke and Austin, prominent members of the association, were badly burned, and narrowly escaped with their lives. The society soon replaced its losses and resumed its prosperity. It has succeeded eminently in its objects; and its members, by constant intercourse, are in a measure reconciled to the want of homes and families, and made to feel less like isolated and uncared-for strangers. It celebrates its anniversary on the 22d of December annually by speeches, feasting, etc., and in 1853 a new feature was introduced by the presence of ladies, wives and relatives of the members.

The SOCIETY OF CALIFORNIA PIONEERS was instituted in August, 1850, as we have already fully described, for a somewhat similar object. It sought to bind together in social union the original founders of the great city of St. Francis, and to perpetuate the reminiscences of their days of toil, by collecting and preserving the early records of California history.

Numerous other exclusively charitable and benevolent associations have since been instituted. In 1851, the French citizens organized a society called the *French Benevolent Society*, designed to relieve the necessities of their sick and indigent countrymen. More recently the Germans have formed a *German Benevolent Society*, for similar purposes, and have enrolled almost three hundred members. The Jewish residents of the city have been equally mindful of the wants of those of their own persuasion by founding the *First Hebrew Benevolent Society*. The soldiers, who served in the *Mexican War*, and who are numerous among our citizens, have in May, 1854, organized a society among themselves, of which Gen. Wool is president, to perpetuate their old associations, and render mutual aid and succor to

those who may be destitute. On the 4th of August, 1853, the *San Francisco Ladies' Protection and Relief Society* was established, by the wives of numerous influential citizens, for the purpose of affording protection and assistance to women in need and distress, residents or strangers. Very many unfortunate females have been furnished, through the exertions of its members, with comfortable homes, and provided with situations in respectable families, where they are enabled to earn honest livelihoods. *Medical, Law, Library* and *Literary Associations*, with the various *Religious Societies* already noticed, are numerous, and most of them, besides their more special objects, have beneficial provisions for their needy and deserving members.

This much has been done for the adult sufferers of the dismal days of the gold hunt and the present beneficiaries of the land of wealth,—but there were also little children in San Francisco, though few in number, who had been left fatherless and motherless to be tossed about in the great *mælstrom* of passion—who knew not wherewith to feed their hunger, nor where to rest their wearied bodies, nor from whom to expect sympathy or assistance. Honor to the great young city, these were not forgotten! In February of 1851, a few ladies of the different congregations of the city, cordially met in the First Presbyterian Church, and, having buried the hatchet of sectarian jealousies, established the "*San Francisco Orphan Asylum*," under the following officers:—

President.—Mrs. Williams.

Vice-President.—Mrs. Wiley. *Treasurer.*—Mrs. Boring. *Secretary.*—Mrs. Warren. *Managers.*—Mesdames Waller, Taylor, Wheeler, E. V. Gillespie, Joyce and Dubbs. *Trustees.*—Messrs. Chas. Gilman, Stephen Franklin and Daniel L. Ross. *Matron.*—Mrs. Wilson.

This society commenced with eight orphans, and now has about thirty under its charge. Since it left the church it has occupied rent free the cottage of Mr. Halleck on Folsom street, but has now removed to the beautiful structure which has been built for its accommodation. The common council, April 4th, 1853, passed an ordinance conveying to the trustees all the interest had by the city in a lot of ground near Yerba Buena Cemetery, for the purpose of erecting on it a suitable building.

The right to the land was in dispute, but the parties adverse to the city's title had readily renounced their claim, and now the city did the same. The situation is a pleasant one, though retired, and the building erected is a handsome and commodious edifice. About $24,000 have been expended upon the building and grounds.

The Roman Catholic citizens of San Francisco have had a similar institution in connection with the St. Patrick's Catholic Church and school since 1852, in which there are now about fifty orphans, over whom five Sisters of Charity exercise their kind and matronly care. This asylum is situated in Happy Valley, and like the other is doing much good, and is very generously sustained.

In all these works of benevolence have been shown the finer parts of human nature,—even though their field has been only San Francisco,—and their gratifying results are as certain indices of the real merits of the place, as the hosts of crime are of the evils of unchecked passion and excitement. The good already gained is surely an earnest of what may yet be done.



Alcalde's Office, west side of Portsmouth Square.

JOHN W. GEARY,

LAST ALCALDE AND FIRST MAYOR OF SAN FRANCISCO

CERTAIN men in the histories of various countries, have, from different causes, acquired a universal hold upon the affections of the people. Such was the enthusiasm, which actuated every member of the Grande Armée,—noblesse and bourgeoisie,—in his life and death attachment to the Little Corporal ; such, the gratitude and reverence unanimously rendered to our First President ; and such the admiration and respect for the subject of our sketch, evinced by the heterogeneous population of the new city in the Occident. We can, without being accused of fulsome flattery, or without the fear of contradiction, employ terms of

high eulogy in speaking of one of the earliest and most vigorous of the pioneers, who have hewn for San Francisco a path to glory and greatness through dangers and difficulties unappreciated by any who did not share them. We have already, in our work, noticed the prominent part he has taken in numberless enterprises for the public good, and the various and multiform relations which he has filled in this country ; and through all, the approbation of his acts and the confidence in his integrity, were such as to make him a favorite of the people. The mass of mankind is ever ready to respect, honor and reward those virtues which itself has not ; but it is rare to discover a society without any, who refuse their sanction to what they know to be good, if only for envy's sake. Who then, would have expected to have found a community, so lawless and reckless, so passion-actuated and fancy-governed, so wild, desperate and daring, so pregnant with vices and so barren of virtues, as it was described in the history of nations, the first to exhibit to centuries of civilized life, a lesson of thankfulness for good done, of forbearance and sacrifice of personal desires, of zeal and earnestness in rewarding real merit ? Colonel Geary was not even a native of the place, nor a long resident of the country, nor an old associate of its inhabitants, but was left friendless on a strange shore, where a strange city saw and appreciated his pre-eminent qualities.

John W. Geary is a Pennsylvanian, born in Westmoreland County, and although but thirty-five years of age, he has won a lasting fame by his firm adherence to the cause of right and duty in the various parts of our country in which he has been placed in civil, military, judicial and executive positions. He has been rewarded by the prosperity and esteem that attends upright conduct and honorable actions, even though without the advantages of wealth and influential or numerous friends to gild life's troubles at the outset of his career and help him to position and renown.

His parents never had much pecuniary means, and very early in his life, his father was afflicted with a tardy attack of illness, during which he became much involved in debt, and died without leaving any thing to satisfy his creditors. Young Geary then became the sole stay of his mother, whom he supported by teaching school, and eventually through his praiseworthy and industrious

exertions, succeeded in defraying every dollar of his deceased parent's indebtedness. This at once gave him a high reputation in his native place. So honorable a return for a mother's tender rearing is unusual ; it is more uncommon,—indeed, it is never expected,—that a son should so nobly vindicate the memory of his father, by the generous gift of his hard earnings. The position of a school-teacher not being wholly consonant with his inclinations, he removed to Pittsburg, and accepted and filled for a short time only the situation of clerk to a wholesale establishment, quitting the business in disgust, in consequence of certain dishonorable requirements, exacted by his employer. Meanwhile his own efforts had given him a classical education, which he completed at Jefferson College, Canonsburg, Pa., creating life-long friends among professors and classmates, by the early exhibition of those same qualities that have since endeared him to so many others in public and in social life.

While at college his preference and pre-eminence were in the various departments of the mathematical chair, and accordingly he subsequently gratified his predilection and assumed the profession of a civil engineer, in the practice of which he went to Kentucky, partly in the employ of the Commonwealth and partly in that of the Green River Railroad Company, and was engaged in the survey of several very important branches of the public improvements of that State. After an experience with the Engineer Corps, in many of the States, he successively filled all the various offices from a clerkship to the superintendency of the Alleghany Portage Railroad, and during several years, discharged the duties of his responsible positions with complete satisfaction.

Actuated by his mathematical abilities, it is not strange he should, at a very early date, have exhibited a fondness for military tactics. He admired, and labored strenuously by the outlay of time and means to perfect our volunteer system. From a private in the ranks, he rose rapidly through all the grades to that of *Brigadier-General*, to which he was unanimously elected by the brigade, comprising Cambria and Somerset Counties.

The war with the Mexican States soon after this furnished an opportunity for the citizen soldier to do in earnest, what he had been doing in play—to temper and to test the steel he had

been making—to ascertain the practicability and the use, beyond a mere amusement, of all his music and marching, his gaudy colors and fatiguing drills. Mr. Geary responded among the first, to the call for volunteers, and was accepted to participate in the coming conflict, along with the "American Highlanders," whom he commanded. They were incorporated in the Second Pennsylvania Regiment, of which, on organization, Captain Geary was almost unanimously elected *Lieutenant-Colonel.* His regiment joined the army of General Scott at Vera Cruz, and served in the advance under the command and on the line of operations of that great chieftain through his brilliant campaign in Mexico. He was attached to General Quitman's division, and distinguished himself by his bravery and military skill in the battles of La Hoya, Chapultepec, Garita de Belen and the City of Mexico, and was so well appreciated and esteemed by his command, that on arriving at the capital of the Montezumas, their leader, Colonel Roberts, having died, he was elected *Colonel* by a vote of more than two-thirds of the regiment, and was the first American ever to receive a commission dated at that place. Such a compliment, at such a time, could not be regarded as the reward of friendship or political preference. It was the spontaneous and grateful gift of associates in arms—the men who had fought by his side, shared his privations, suffering and dangers, and served cheerfully under his command through the hazardous march across the country of a powerful enemy. It was the reward for his own gallantry from the hands of the gallant soldiers who had witnessed and best knew how to appreciate his merits. The Second Pennsylvania Regiment had done pre-eminent service in the Mexican war. They were foremost in many terrific strifes, enthusiastic, uncomplaining under fatigue, and anxious to lead any enterprise of danger and difficulty. They had stormed and taken the almost inaccessible heights of *Chapultepec* in the face of the enemy's batteries—and Geary, though wounded in the attack by a spent grape-shot, was with them in the victory; they had entered the fearful causeway of the *Garita de Belen,* under a terrific fire from every side, drenching with their blood every foot of the distance gained, and accomplishing a victory, despite even the intention of the commander-in-chief, who had believed

a mere feint and not an assault possible or feasible ; and lastly, in connection with the gallant Quitman's command, they had the honor assigned them of raising the ensign of their country over that of the fallen enemy, within the walls of the conquered city. In the appointments that followed the victory, Colonel Geary was made first commander of the great citadel of the City of Mexico in consideration of his valuable aid in the capture of the capital.

Colonel Geary has always been remarkable for his close attention to his duties and business industry. During the campaign, he exhibited, in a striking manner, this peculiarity of character. He had never in a single instance been known to have been negligent of duty. He daily visited in person every portion of the regiment, and inspected the police and condition of his men, examining the state of the hospitals, and relieving the sick either by personal care or explicit directions through others. His men always welcomed his appearance on such occasions, and hailed it with as much hope as that of the physician. He was nevertheless a strict disciplinarian, and was never slow properly to bring to punishment when detected, the idle or vicious.

The treaty of peace having closed the war, he returned to his native State, marching his whole regiment from the City of Mexico to the City of Pittsburg, three thousand miles, the season being the most sickly of the year, without losing a single individual from his command, numbering at that time nearly four hundred men. The regiment originally consisted of eleven hundred Pennsylvanians, embracing sterling men of all professions and branches of industry ; but of this number not two hundred and fifty are now living, the casualties of war and disease having swept away the most of them. Upon his arrival at Pittsburg, his troops being the first from the seat of war, the enthusiasm of their reception knew no bounds. The whole population, amounting to thousands upon thousands of people, turned out on the occasion. Cannon were fired, bells rung forth peals of joy, the roads were strewn with flowers, and triumphal arches erected at every hundred yards—and the shouts and huzzas of the populace rent the air. The Hon. William Wilkins, in a public speech, complimented the services of the gallant, weather-

beaten and war-worn troops, and their much honored leader. The excitement of the universal jubilee ran to the highest pitch. The whole country around likewise seemed crazy with joy ; and when he reached his western home, he was publicly and enthusiastically welcomed by every citizen of his native place.

On the 22d of January, 1849, President Polk, in return for his valuable services during the campaign in Mexico, appointed Colonel Geary postmaster of San Francisco, with powers to create post-offices, appoint postmasters, establish mail routes, and make contracts for carrying the mails throughout California. He thus unconsciously placed him in the way of all his subsequent success and popularity among the people of the Eureka State. It was all chance, cries one ; it was *tak-deer* (destiny), exclaims the Persian. Whatever it was, judging from the man as he had previously shown himself, we must suppose that even under other circumstances or in another place, his career would have been equally praiseworthy though doubtless less liberally rewarded.

Colonel Geary, with his customary energy, promptly returned from Washington, with his commission, to his home in Westmoreland County, where he expeditiously closed his business and sailed with his wife and child, on the 1st of February, from New York for Chagres in the steamer Falcon, on her second trip. Arrived at the Isthmus, he left Chagres in a small boat, accompanied, besides Mrs. Geary and child, by Captain Bezer Simmons and wife. At that time there was no accommodation for travellers attempting the transit. No provisions were to be had along the route. Wild beasts and alligators were numerous. The party in the boat became almost starved on the third day out ; but the inhabitants of the country, being at that time exceedingly hostile, refused to supply their wants. Col. Geary, at a bend in the river, went ashore and offered without success to purchase food. Not being able to buy, and observing chickens running about, he drew his revolver and shot two, throwing the owners a dollar in recompense. Three men instantly attacked him with clubs, supposing he had discharged all his loads, but desisted as soon as he informed them that he had four left for their service. He crossed to the opposite side of the peninsula, keeping his assailants at bay. Here he discovered a tent, and

obtaining rude utensils, prepared and cooked his chickens by the time the boat with his family and friends arrived. They took a hearty meal, and were no little revived in strength and spirits. They returned to their canoe, and at sunset were deserted by their guides and boatmen, and left to pass the night as they best could on the banks of the Chagres River, surrounded by wild beasts. The ladies slept in the boat, wrapped in blankets, and the colonel and captain alternately kept guard on shore. The night was terrible under their unprotected condition. The rain was pouring in torrents—the air was full of the strange cries of tropical beasts—while numerous amphibious animals, splashing and dashing through the water, added to the dismal sounds. We may here incidentally observe that, though on this occasion every danger was happily passed, Col. Geary and child are at present, the only surviving members of the party. In the morning, the route was resumed and Gorgona reached on the fourth day, at which place mules were obtained, and the party started for the City of Panama. Mrs. Geary was the first lady who ever made use of the side-saddle and rode in the American fashion on this journey, which was accomplished in six hours and a half, two entire days being frequently required. Here the necessity of waiting for the steamer Oregon, the second that had sailed for San Francisco, and which was making the voyage around Cape Horn, and intended stopping at Panama to take on board the Falcon's passengers, detained Col. Geary at this city about twenty-six days, during which he did not remain idle or inactive. At this time many of the passengers, by the Isthmus, suffered from privation and disease. They were crowded together, in a sickly neighborhood, without the hope of a speedy departure, comfortless, friendless and destitute. Col. Geary accordingly organized and presided first over a Masonic society, and subsequently over an association of Odd-Fellows, for the purpose of alleviating the sufferings and relieving the miserable condition of the unfortunate gold seekers. Both these societies are still in existence, and have accomplished much good; but the present travelling facilities have materially removed the necessity for any such interference. In connection with several other gentlemen, he contributed and assisted in the publication of the first Ameri-



Engraved by A.B. Walter Philad.ª from a Daguerreotype by M.A. Root.

Yours Respectfully

Jno. W. Geary

COL. JOHN W. GEARY.

LAST ALCALDE AND FIRST MAYOR OF SAN FRANCISCO.

can paper in the English language ever issued in the place, which also continues to exist.

About this time a singular and unprecedented adventure occurred to the colonel, and which was so remarkable that we take this opportunity of relating it. He had established his quarters in two or three rooms of the second story of a house on the north side of the plaza, near the jail, and in these apartments he had daily been in the habit of displaying his goods, to dry and air them. Three or four days after his arrival in the city, he discovered that he had been robbed, during the night, of a number of valuable articles, and about daylight went to the guard, consisting of a sergeant and twelve men, whose guard-house was in the jail building, to obtain information concerning the robbery. Here, though he addressed them in good Spanish, they pretended not to understand him, and directed indignant and insulting queries to him. The whole party gathered closely around, drew their side-arms and circled them about his head. One of them, finally, struck him on the ear, and being incensed at so gross an outrage, he knocked the fellow down. Hastily perceiving his error and observing his desperate position, he rushed between two men, tripping them, and knocking down a fourth, sprang into the guard-room. This was about thirty feet deep, and along the back wall the arms were arranged in a row. He seized a loaded musket from the rack, and placing his back to the remainder, threatened to shoot the first who should enter the door. Glancing his eyes around he recognized his perilous situation. The sides of the room were of rough logs, between the interstices of which peered at every corner the dark and desperate faces of the prisoners in the contiguous jail cells. Before him were thirteen armed and hostile men, anxious and determined to destroy him. On repeating his questions concerning the robbery, one of them threw himself on a pile of blankets and said that they had slept in that position all the night and had kept no watch. This man attempted, by rolling himself on the blankets, to seize the colonel by the leg and trip him, upon which the latter snatched the rascal's bayonet from its scabbard and placed it on the end of the musket in his hands. The fellow repeating his effort, the colonel stabbed him in the leg, and seizing him

with part of the blankets hurled him out of the door, and thus unexpectedly uncovered his stolen property. Having thus firmly fastened the evidence upon the men, the stolen goods being in sight, they immediately yielded, obeyed all his orders, and throwing their bayonets in a pile, and forming themselves into a line, carried the articles back to his quarters and placed them in the spot whence they had been taken. Before leaving the guard-room he took the precaution to knock out all the flints and remove the primings from the pans of the remaining arms. When he reached his quarters, he sent twelve of the men back, and knocking out the flint and priming and reversing the bayonet of the gun he had retained, gave it to the last man, whom he summarily kicked down stairs. During the day he called on the American consul and preferred charges against the men to the military commandante, who immediately ordered a trial, found them guilty of the theft, and sentenced them to be whipped with fifty lashes on the bare back in the public plaza, which was duly carried into effect on the same day. Ever afterwards the colonel was treated with the most abject humility by the military of the place—though a reputation for such daring bravery was too terribly earned to be desired.

The Oregon at last arrived, and Col. Geary and family reached San Francisco on the 1st of April. Having landed his trunks, of which he had a number, he endeavored to employ persons to carry them to a residence which he had previously secured ; but being charged five dollars for each trunk, and complaining of the exorbitant price, he was told by the man whom he had addressed that he would give him five dollars each to carry them himself. Taking the hint, he shouldered a trunk and soon succeeded in conveying them one after another to his quarters. Thus, he at least saved his originally intended outlay, though he never received the additional fee promised by the labor-despising Californian.

The colonel secured a room at the corner of Montgomery and Washington streets, about eight feet by ten, for post-office purposes, and commenced making preparations for distributing the mail, consisting of about five thousand letters. Having no boxes, he drew lines upon the floor, forming squares, which were duly

alphabeted, in which the letters were arranged. These he delivered through a hole in the window, made by the removal of a pane of glass. Col. Geary's labors were most arduous—he was constantly at the delivery window—assistants could only be employed at the high price of sixteen dollars a day, and their labors he was compelled to overlook and direct. It was not long, however, before he had made such vast improvements as to render the postal arrangements very complete. He removed the office to the north-east corner of Washington and Stockton streets, and thence to the south-west corner of Clay and Pike streets, where it remained for a considerable time. Scarcely was the office properly arranged, and in good working order, when Col. Geary learned that General Taylor had, on his induction into the presidency, appointed a successor. Too independent to retain it a day longer than necessary, he applied to Col. Allen, then mail agent for California, to release him from his contract with the general government. Col. Bryan temporarily discharged the duties of the office, until the arrival of Jacob B. Moore, Esq., on whom the administration had bestowed the position. A universal sentiment of regret prevailed on the reception of this intelligence. Col. Geary, by his promptness and incredible dispatch in reaching the city and opening his office, and the admirable manner in which he conducted it, had won the esteem and confidence of the people. Owing to his removal from office, and the impossibility of deciding upon his future course, but chiefly because of the disordered state of the city, occasioned by the outrages of the "Hounds," rendering it actually unsafe for any lady to reside there, Col. Geary determined to let his family remain no longer, but sent back to Pennsylvania, in company with long tried friends, his wife and her two babes, the youngest of whom had been born in April, and was the first male child of purely American parents that was born in San Francisco after the cession of California to the United States. He now formed a co-partnership with Messrs. Wm. Van Vorhees and O. P. Sutton, and entered into a general auction and commission business, under the name of Geary, Van Vorhees and Sutton.

The proclamation of General Riley, governor of California, having been issued a short time previous, the people began to

look around for candidates, and Col. Geary was selected for the office of First Alcalde. Notwithstanding he repeatedly and absolutely refused to be a candidate, his name was placed on every one of the ten different tickets, and in the ensuing election, he received every vote cast for the office, as is officially certified in the following document:

"To Hon. John W. Geary:—

"At a special election held in San Francisco, August 1st, 1849, to fill the vacancy existing in the office of First Alcalde of said town and district, you were elected by fifteen hundred and sixteen votes, being the whole number cast.

"FREDERICK BILLINGS,
"*Chairman Bd. Inspectors and Judges.*

"*San Francisco, August 2d*, 1849."

Col. Geary had vacated his postmastership in favor of Col. Bryan, who, on July 23d, assumed his duties, as soon as possible after hearing of Mr. Moore's appointment of April 15th. Eight days after, the entire population, by their flattering vote, had demonstrated their confidence in his abilities. In obedience to such a testimonial, the newly-elected alcalde entered on the duties of his position, after taking the oath of office and being duly commissioned by Governor Riley. The latter remarked in his address on the occasion, in the presence of Commodore Jones and others, that he was highly pleased at the result of the election, that he entertained the highest regard and esteem for the colonel, and was prepared to support him on all occasions, and if necessary call in the aid of the army; "and," remarked Commodore Jones, "add the navy, also." About this same time, Governor Riley personally placed in his hands the following appointment to the office of Judge of First Instance (*Juez de primera Instancia*).

"Know all men by these presents, that I, Bennet Riley, Brevet Brig. Genl. U. S. A., and Governor of California, by virtue of authority in me vested, do hereby appoint and confirm J. W. Geary as Judge of First Instance in and for the District of San Francisco, to date from the first of August, 1849.

"Given under my hand and seal at San Francisco, Cala., this 6th day of August, A. D., 1849.

"B. RILEY.

(*Official.*) "*Bt. Brig. Genl. U. S. A. and Gov. of California.*

"H. W. HALLECK, *Bt. Capt. and Secretary of State.*"

Colonel Geary immediately set about the organization of the city, and the establishment of an efficient police force. The task was herculean. Pandemonium had to be quieted—chaos reduced to order. Here was a large maritime city, with a population of about twenty thousand persons, and embracing a strange medley of dangerous and desperate characters—without a solitary officer, or a single law to govern or control them. All these rebellious elements had to be subdued, and good citizens made of daring bravados. This task fell upon the alcalde, who had to perform the duties of every one of the customary officers of a city and county jurisdiction. He was sheriff, probate, recorder,—even notary public and coroner. He daily held an ordinary police or mayor's court ; an alcalde's court for the minor cases and general executive matters of the city ; a court of first instance with universal civil jurisdiction ; a court of first instance with like criminal extent ; and a court of admiralty for maritime cases. In fine, he was the curator of the public, doing every thing that was to be done, even to the holding of inquests and taking acknowledgment of deeds. For a long time there was no other magistrate in the place, until Judge Geary himself requested the appointment of other judicial officers, and Hon. Wm. B. Almond was made Judge of First Instance with civil jurisdiction only. Judge Geary performed all these varied and intricate duties with the utmost satisfaction, until the month of January following, when a new election took place, and he was re-elected alcalde, having all but twelve of nearly four thousand votes polled. He continued in this office until the ensuing spring, when the old Mexican institutions were supplanted by our own system of municipal government.

Under the old Mexican laws, alcaldes had power to grant away the public lands at the fixed rates of twelve dollars for fifty-vara lots and twenty-five dollars for one hundred-vara lots. All American alcaldes, previous to Geary's time, had availed themselves of this privilege, and disposed of an immense amount of valuable property at the above mere nominal rates. Soon after the organization of the ayuntamiento, a resolution was offered authorizing and directing the alcalde to make such grants at the legal rates. While the matter was yet in debate, Col.

Geary argued against it and refused to obey it if passed, declaring that rather than make such grants he would relinquish his office, since it would disgrace any man in after years to give away so much property at prices so far below its real value. In accordance with his suggestions, a committee of the ayuntamiento was directed to ascertain the value of the city property at the rates named. Their report stated it to be $35,000. On learning which, a small portion was ordered to be sold at public auction. This realized the handsome sum of half a million of dollars, which was duly accounted for and placed in the city treasury. The large tracts remaining unsold were now proportionally worth probably several millions of dollars. Such conduct cannot be too highly commended, at a time when precedent, law and the direction of the ayuntamiento would have sanctioned the disposal of the entire public domain for merely nominal prices. Hence the titles that bear Judge Geary's signature are regarded the best that can be possessed—since the citizens of the place are familiar with his open and aboveboard conduct in regard to this affair. Certain innuendos were afterwards circulated to the effect that he had availed himself of his position and opportunities as a Commissioner of the Funded Debt to purchase lots at low rates for his own aggrandizement,—a malicious slander that best refutes itself,—for no one will believe that any man, then possessed of as much as he need want, would contaminate his hands and risk an untarnished reputation, for a few thousand stolen dollars, when but a few months before, being then poor, he might have enriched both himself and friends with millions, perfectly in accordance with the law, and without detection or censure.

Col. Geary went into office as alcalde soon after the affair of the "Hounds." From that time until the office was abolished, the city was remarkable for the order which prevailed, and its comparative freedom from the commission of heinous crimes. The city comprised people of every nation, class and sort, many of whom had for months been exercising an unrestrained course of villainy and rascality, yet no civilized community has ever been more harmoniously governed ; and even after his administration had ceased, its condition could not compare with what it had been before, as was proved from the necessity of the action

of the Vigilance Committee. Thefts and robberies were of so rare occurrence that valuable goods were frequently left in the streets unwatched and undisturbed, and people had no hesitancy in quitting their unprotected and generally open abodes for hours and even days, without the slightest apprehension of suffering loss during their absence. The rogues had either left the place or were terror-stricken by a few examples of severe reprehension that were given. They soon learned that they had little to expect from the tenderness or partiality of the magistrate. A conviction was sure to be followed by a merited and speedy punishment, rendered as severe as opportunities permitted and circumstances seemed to demand. Finding that rascals cared little for confinement in the prison-brig, where they ate the bread of idleness at the public expense, the alcalde adopted a better method to hold them in awe and teach them the observance of good manners. He established a chain-gang, and attaching a chain and large ball to the ankles of the criminals that they might not escape, set them to work at improving the public streets, thus compelling them to earn their keeping, and at the same time be serviceable to the community. This company became a feature of the place. The people of San Francisco appreciated these efforts, and even those who suffered admitted the justice of his decrees. Of twenty-five hundred civil and criminal cases tried by the alcalde, not more than a dozen appeals had been taken from his decisions, and not one was ever reversed. Throughout the whole period of his arduous labors, he had exercised the most unwavering firmness in the execution of his duty, regardless of preference or friendship. He sought, too, to infuse the seeds of prosperous and healthy life in the community, by his efforts in the cause of education, and was instrumental in the establishment of the first permanent public school in the town, whereby its youths might be properly instructed and effectually shielded from the vicious examples and temptations surrounding them.

Not less commendable were his exertions for the sanitary good of the town during the fearful season of the cholera, which then appeared in San Francisco. He was elected president of both the State and City Boards of Health, and was as efficient in

combating the attacks of disease, as he had been those of a more tangible foe on the field of battle.

The first city charter was adopted May 1st, 1850, and Colonel Geary elected mayor under its provisions by a large and flattering vote. The important measures that he accomplished in perfecting the re-organization of the city, have been minutely detailed in other parts of this work. He sustained the city credit, and used the veto power repeatedly and judiciously in restraining the extravagant outlays of public funds that the councils, here as in eastern cities, continually voted. These were calculated to impoverish the city, by vesting a series of wealthy monopolies in the hands of private individuals. During this administration, occurred the great conflagrations that we have described elsewhere. For his almost superhuman efforts to save the city from total destruction during these calamities, Mayor Geary received the grateful thanks of the entire press. Penetrating boldly into the midst of the burning districts, he personally ascertained the nature and extent of the disasters, and succeeded in staying their progress by ordering the destruction of various buildings,—including valuable property of his own. Several times the owners threatened his life, and one discharged a pistol at him ; but nothing intimidated he hurled this man to the ground, and axe in hand was the first to execute the order he had issued. By these prompt actions he prevented the loss of millions of dollars worth of property. Some of the owners of the buildings he had officially ordered destroyed, supposing him able to pay, subsequently endeavored by vexatious legal prosecutions to compel him to indemnify them for their losses out of his private purse, notwithstanding he had suffered as severely as themselves, and his acts acknowledged not only to be judicious but absolutely demanded under the circumstances. The squatter riots at Sacramento furnished Mr. Geary another opportunity of eliciting the applause of his fellow citizens by his efficient promptness on occasions of emergency and danger. Hastily enrolling a large force of citizen soldiery, comprising the first men of the town, he led them to the scene of disorder, and by his timely appearance aided materially in restoring quiet. Both the civil and military authorities of Sacramento, and the

press of both cities, were loud in their commendation of his heroic and voluntary assistance.

Toward the expiration of his term of office, Colonel Geary received a communication numerously signed by respectable individuals and business firms of every political complexion, requesting him to be a candidate for re-election to the mayoralty, which he positively declined; but was soon after created by the State Legislature a member of the Board of Commissioners of the Funded Debt, and on the organization of that body was elected their president. The city was then $1,500,000 in debt, at a current interest of three per cent. per month, or an aggregate of $540,000 per annum—a sum so immense that by its own accumulation it would soon have swallowed up the vast resources and real estate of the city. At first it was difficult to get individuals holding city scrip to fund it, exchanging it for bonds bearing only *ten per cent. per annum* interest; but the commissioners, by untiring efforts, finally created a public opinion in favor of funding, by showing that it was the only manner in which the city could ever hope to pay her indebtedness and keep her faith with her creditors. These representations, and especially a provision of the same Act of Legislature creating the commissioners, that conveyed to them all the city lands in trust for the benefit of its creditors, finally induced a majority of the holders to surrender their scrip. Some positively refused to fund their accounts, and preferred suing and obtaining judgment against the city, and levying upon these lots, which the sheriff accordingly sold, though he and the public had been repeatedly warned of their conveyance by deed of trust to the commissioners. The courts would not grant injunctions to stop these sales, and the parties interested refused to accept a settlement and satisfaction of their judgments, although in one instance Colonel Geary offered to secure the amount from his own private estate. Notwithstanding the board had done every thing in their power to attain their object, acting under the advice of their attorney, one of the most astute lawyers in the State, Hon. Solomon Heydenfeldt, now seated on the bench of the Supreme Court, and had even published catalogues of sales, they were prevented from ever making them by the injunctions of the courts, who seemed to conspire

against them. The Supreme Court has since legalized the sheriff's sales, yet the plan of funding the debt has been successful, and alike honorable to the commissioners and City of San Francisco, their bonds having risen from twenty-five per cent. to their face value with interest added, and are now considered as safe and good investment as can be made in the State. Having carefully examined and investigated all the facts connected with the course of the commissioners, we know of none other that could be prosecuted by them that would have resulted with so much credit and benefit to the city.

San Francisco was, in the latter part of the year 1851, startled by intelligence from southern California, that the Indians were murdering the citizens of San Diego and its vicinity. Col. Geary immediately issued a call for volunteers, and succeeded in enrolling a fine cavalry corps of one hundred and thirty men—which, with a company under Captain Aldrich, held themselves in readiness to proceed to the south. It was, however, learned by subsequent news from the sufferers that their interference would not be required ; yet, in this instance, as on every other, Col. Geary exhibited his willingness ever to draw his sword and risk his life in the cause of right, honor and humanity.

Col. Geary left San Francisco, February 1st, 1852, on a six months' leave of absence from the board ; but the death of his wife, whom he found sick on reaching home, and of several other near and dear relatives, has since prevented him from returning to the scene of his usefulness. He at present resides on his farm in Westmoreland County, and is ever actively alive to the interests and prosperity of San Francisco, and her rising rank among the great cities of the world.



CHARLES J. BRENHAM,

SECOND AND FOURTH MAYOR OF SAN FRANCISCO.

MANY of the citizens of New Orleans and the Mississippi Valley, as well as travellers upon the great "Father of Waters," will remember the cordial, gallant and popular commander of some of the finest steamers on the Mississippi River, running between Vicksburg and the Crescent City, a few years ago—the subject of this sketch. Charles J. Brenham was born in Frankfort, Kentucky, November 6th, 1817. Leaving home early in life, before the age of twenty years, he found himself at Natchez, master of one of the best steamboats on the river. When he arrived in New Orleans, the underwriters, at first, refused insurance, because of his extreme youth. He might have imitated in his reply the apt retort of John Randolph—"Ask my constituents." But the opinions and endorsements of older heads finally over-

came the objections to his younger one, and he was allowed to occupy the position which his capacity had won. He proved himself a very competent commander. Having followed the business with varying success for several years, now in the full tide of fortune, now seeing the flames consume or the waters engulf his entire possessions, he finally determined to seek a new field of adventure.

Mr. Brenham left New Orleans, June 17th, 1849, for California, and arrived at San Francisco on the 18th of August following. A short time afterwards he took command of the steamer *McKim*, running between San Francisco and Sacramento. While thus employed, he was, in 1850, much to his surprise, nominated by the whig party as a candidate for the mayoralty. Mr. Brenham had always been a thorough and ardent whig, but had taken no part in politics. The nomination was unsolicited and unexpected, and our subject being very prosperous at the time, rather deprecated the election than otherwise; indeed the position was strange to one who had never contemplated such a thing. The canvas was warmly conducted; but Mr. Brenham never left his business for a moment, nor did he once go on shore for the purpose of electioneering, he having stipulated with the party that he would only accept the nomination on the condition that he should not be required to neglect his private business. He was, however, defeated by the election of Col. Geary.

A short time afterwards, Mr. Brenham, in conjunction with others, purchased the steamer *Gold Hunter*. He took command of that vessel, and remained in her until she was placed in the Mazatlan trade. In 1851, he was again nominated by the whig party for the mayoralty. He was opposed by Mr. Frank Tilford, a very popular democrat, and for the previous year recorder of the city. The canvas at this time was the severest, and the excitement the greatest by far that had taken place at any previous election, and greater than any other which has taken place since; and it can be said with truth that the success of the ticket was mainly attributable to the activity and exertions of Mr. Brenham. For weeks previous he made speeches every night, and considering that he was quite unaccustomed to fill such a posi-

tion, he acquitted himself as a public orator with great credit. On the 5th of May, 1851,—the day after the great fire,—Mr. Brenham entered upon the duties of office. The city was burned down, and broken in credit ; she had not funds sufficient to buy even stationery for the officers of the municipal government.

The year 1851, will ever be regarded as the most eventful that had yet occurred in San Francisco, and the administration of the municipal affairs may be considered an era in the history of the city, as having been the most economical, faithful and watchful of her true interests. The common council was composed of men who had the interest of the city alone at heart, and who nobly responded to the exigencies of the times. Besides the embarrassment occasioned this year by the prostrate condition of the municipal affairs, this administration encountered all the excitement and troubles of the Vigilance Committee times. The position of the mayor was one of great delicacy and difficulty ; but he faltered not, although in the strict discharge of his duty he was often compelled to appear in open collision with the people. In the noted riot, when attempts were made to wrest from the court and officers the prisoner Lewis, charged with arson, nothing but Mr. Brenham's resolution and firmness prevented the mob from taking Lewis and executing him at once. Among the many acts of the mayor during this year worthy of great praise, time has shown that none will compare with his advocacy of the measure to have the "Peter Smith" judgments paid, at that time amounting only to the sum of $40,000. Had his advice and counsel been heeded, a vast amount of money and property would have been saved to the city.

As an evidence of Mr. Brenham's presence of mind and firmness in trying circumstances, we may instance the great riot in the case of Captain Waterman. The person named was in the house of Alsop & Co., in which was crowded a most turbulent set of men. About a thousand persons were assembled outside, who were violent and vindictive, and determined instantly to hang Waterman. The mayor appeared, cleared the house immediately, and addressed the crowd, appealing to them to disperse. Finding his appeal to the mob disregarded, he next appealed to the law abiding citizens in the vicinity. Feeling

confident that he could obtain their assistance if necessary, he now spoke to the rioters in a determined and authoritative manner; and pulling out his watch, gave them just ten minutes to disperse, or he would take every man of them to prison. Before the expiration of the time granted, the crowd had left, and there remained no traces of the late scene of violence and excitement.

At the general election following, the whig party, owing to its construction of the law, made no nomination for the city officers. By a subsequent decision of the Supreme Court, Mr. Brenham's administration was ejected; and, after some litigation and delay, the democratic candidates, who had run without opposition —they receiving only about eleven hundred votes in a city which had cast six thousand (the people not generally voting),—were installed into office. As soon as the decision of the Supreme Court was made known, Mr. Brenham promptly and very gracefully resigned his office to Dr. S. R. Harris, who had been by the court declared elected.

At this period, Mr. Brenham commenced the banking and exchange business, in company with Beverley C. Sanders, under the style of Sanders & Brenham. This firm has been eminently successful in business.

In 1852, during the presidential campaign, Mr. Brenham was appointed one of the Whig State Central Committee, and by the committee was elected president. His exertions and efficiency in this capacity are known and appreciated by the whig party throughout the State. Mr. Brenham was again nominated, and elected, this year, for the mayoralty, and at the same time received from President Fillmore the appointment of "Treasurer of the Mint," and "Assistant Treasurer of the United States," which appointment was confirmed by the Senate. The commission is dated August 31st, 1852. Although the office of treasurer of the mint was lucrative, and one of great honor and trust, still Mr. Brenham, preferring the mayoralty, declined the acceptance of the appointment. In this he was partly influenced by the fact that his partner, Mr. B. C. Sanders, at the very same time received and accepted the appointment of Collector of the Port.

Many important matters arose during the second term of

office of Mr. Brenham, as mayor, which required great judgment and discretion. In the management of those matters, he displayed striking ability and integrity. His messages will compare favorably with State documents of greater reputation. He was often obliged to veto the action of the council, and generally his action was to the entire satisfaction of the people and the welfare of the city. During Mr. Brenham's whole official career, not the slightest imputation was ever made impugning the purity of his motives or his strict integrity. He was never interested in any way pecuniarily with any speculation connected with the city. He never availed himself of his position for the purpose of personal aggrandizement. No one ever has performed, or ever will perform the duties of an office with more purity of purpose, and with a greater regard for the true interests of the city, than did Mr. Brenham. He retired from his office without the slightest taint or suspicion.

Satisfied with the honors he had enjoyed, and with a determination to eschew both office and politics for the future, Mr. Brenham declined a reappointment as a member of the Whig State Central Committee, and has since then devoted all his time and energies to the business of his house. Few men have so many personal friends among all classes as has the subject of our sketch. His manner is eminently cordial, conciliatory and companionable. In every situation, however trying and untried, in which circumstances and the choice of his fellow-citizens have placed him, he has been found competent and faithful, and has invariably discharged his duty impartially, efficiently and fearlessly. To be strictly honest and honorable may not ordinarily entitle a man to any extra amount of praise, for that is his duty. Yet when we see one inflexibly pursuing the course of right because it *is* right, uncontaminated by the surrounding contagion of unlawful speculation which greatly prevailed during much of the time that Mr. Brenham held office, and possessed of the power of turning his position into a medium of great, though dishonorable gains, it is but justice to give the due meed of praise, and to say to him who has justly done his duty to his fellow-citizens and himself—*Well done, thou good and faithful servant!*



STEPHEN R. HARRIS. M. D.,

THIRD MAYOR OF SAN FRANCISCO.

Dr. Stephen R. Harris was born at Poughkeepsie, N. Y., in the year 1802. His father, Isaac Harris, formerly a merchant in New York City, took an active part in the war of 1812, and perished on the "Governor Tompkins," of which vessel he was purser. After his father's death, he resided with his grandfather, Captain Randall of Randall's Island. He studied medicine in the office of Dr. Alexander H. Stevens, and graduated at the "College of Physicians and Surgeons" in the City of New York. In 1826, he commenced the practice of his profession in the first ward of that city, where he continued until 1849, when he embarked for California.

During his residence in New York, he was appointed to various offices of trust and responsibility, all of which he filled

with uncommon ability and great credit to himself. For six consecutive years he was Health Commissioner of the State, having been successively nominated to the Senate by Governors Wright and Bouck; Governor DeWitt Clinton appointed him surgeon of the ninth regiment of artillery; he was selected by the common council of the city, with other medical gentlemen, to organize and attend in consultation with its officers, the almshouse medical department; and during the terrible prevalence of the cholera in 1832–'34, held the position of medical attendant of the first ward.

Few men ever enjoyed a larger share of the respect and confidence of their fellow-citizens. When an applicant for the position of health officer of the port of New York, his application was commended to the governor by numerous certificates and letters signed by hundreds of the most respectable and influential men of the place, all urging his appointment by the most flattering testimonials of his professional qualifications and moral worth. The following brief extracts, will afford some evidence of the high estimation in which he was held :—

"We believe him to be a physician of most respectable standing and acknowledged abilities—a man of energetic and industrious habits—of unblemished honor and integrity, and one in whom confidence can be reposed; and we doubt not, if he should receive the appointment, would perform the duties of the office with skill, fidelity and devotion to the best interests of the public, and afford entire satisfaction to all persons having business with the quarantine."

"He is a man of pure moral character—an old resident of this city, well known as a firm and consistent democrat, ardent and laborious as such—as a physician his abilities are acknowledged by all who have the pleasure of his acquaintance, and they are numerous. His untiring devotedness to the poor during the pestilence which raged here in the years 1832–'34, entitled him to the high character of a disinterested philanthropist and the benefactor of the poor."

These testimonials speak for themselves, and are the more important from the high and creditable sources from which they emanated. They present the early character of Dr. Harris in its proper light. Since his residence in California, he has fully sustained the honorable reputation he had previously won; having gained the confidence, respect, esteem, and approbation of the entire community.

Dr. Harris left New York on the 9th of February, 1849, and reached Panama, on the 7th of March. Here he was detained two and a half months waiting the arrival of a steamer bound to San Francisco. During this time he was actively engaged in attending, gratuitously, his sick countrymen and others, six thousand of whom, on their way to California, were, like himself, compelled to remain on the Isthmus. For the sick and destitute no provision had been made. The expenses of rooms, cots, nurses, medicines,—and in cases of death,—of burials, were paid by voluntary weekly contributions made by the members of Masonic and Odd-Fellows' lodges, to both of which orders the doctor was attached. His generous conduct on this and subsequent similar occasions was reported to his lodges in New York, who signified their high regard for him by the passage, unanimously, of a series of highly laudatory resolutions.

Few sailing vessels entered Panama at the period above named. The ship Niantic, a whaler, and one or two others that had been discharging coal for the Pacific Mail Steamship Company, left, crowded with passengers at very extravagant prices, so anxious were persons to leave; and the chartering of vessels by a few merchants had become so much a monopoly, that it enabled them to extort enormous rates for passage. A number of Americans joined together and sent to Cruces for an iron boat, of sufficient size to sail down the bay, to intercept and charter such ships as they might meet. For this purpose twenty thousand dollars were collected, and placed in the hands of Dr. Harris as treasurer, the persons paying their money to have preference of passage. The iron boat was purchased, and by Herculean labor carried by the natives to Panama. Circumstances rendered her services unnecessary; she was therefore re-sold and the money returned to its respective owners.

At last the anxiously looked-for day arrived. A steamer was announced. The news spread with electric rapidity. Hundreds rushed to the Battery, and in a few minutes it was densely crowded, each hoping it might prove a conveyance, and a release from a city alone to be tolerated by necessity. The vessel proved to be the steamship Panama, in which Dr. Harris sailed (her first trip up), and arrived in San Francisco, June 6th, 1849. His early

arrival made him eligible, and he is now a member of the "Society of California Pioneers."

Shortly after reaching San Francisco, Dr. Harris proceeded to Sacramento in a small schooner, the passage occupying six days. He thence proceeded to Smith's Bar on the North Fork of the American River, where he worked forty days digging gold, at the expiration of which time he returned to San Francisco to receive goods that he had shipped previous to leaving New York. With these, valued at $20,000, he commenced the drug business at the corner of Clay and Montgomery streets, in company with Mr. Panton. Their establishment was the most extensive in the country. Here the doctor met with a series of the most dire calamities. In the terrible conflagrations of May 4th, and June 22d, 1850, and May 4th, 1851, his store, with its stock of goods (the former being rebuilt and the latter replenished after each successive fire), were entirely destroyed, amounting in the aggregate to a very considerable fortune. Still persevering, he removed to Dr. Stout's boarding-house, on Washington street, and again commenced business; but on the 17th of September, he once more lost all he possessed by the destructive fire that then occurred. No man in San Francisco suffered more by these calamities than Dr. Harris. After the last fire, somewhat depressed in spirits, he again left for the mines, and was absent five months, visiting most of the mining districts, north and south, examining quartz leads, and prospecting placer diggings.

In September, 1851, Dr. Harris was elected mayor of San Francisco, and served his term of office to the entire satisfaction of the people. This was during the period when, what has been generally termed the "accidental" council were in power, whose acts had rendered them almost universally unpopular. With this council Mayor Harris frequently came in collision; and by his judicious use of the veto power, frustrated some of their most obnoxious measures. At the election in September, 1853, he was chosen for the responsible station of city comptroller by a large majority of his fellow-citizens, which office he now holds, and while he performs the business thereof to the entire satisfaction of the people, he also continues to practise to some considerable extent the duties of his profession.



C. K. GARRISON,

FIFTH AND PRESENT MAYOR OF SAN FRANCISCO.

If the history of all men in America who have risen to eminence in the various callings of life, as well as those who have missed such position, could be written, read and compared, it would probably be found that the inheritance of wealth is, in a majority of cases, a real misfortune, while the lack of it is the means of making men of those who might have been merely the spoiled pets of fortune. No man knows the real value of wealth unless he has himself earned it. There is no true greatness without self-reliance, and in most cases this is obtained chiefly through the struggles and toils incident to the lives of self-made men. In every course of life, he who works and wins is vastly superior to him who merely retains. In this light, Louis Napoleon is a hero and statesman compared with the hereditary czar, Nicholas ; and so the subject of this biography is entitled to infinitely more

praise for having achieved a splendid fortune than all the inheritors of wealth in the land for being the heirs of rich sires.

C. K. Garrison was born 1st March, 1809, upon the bank of the Hudson, near West Point, on a farm settled by his grandsires more than one hundred and twenty-five years before. The same property has remained in possession of the family for upwards of one hundred and fifty years. The ancestors of Mr. Garrison were Hollanders ; on the father's side, the Garrisons and Coverts ; on the mother's, the Kingslands and the Schuylers. Both branches of the family having been among the first settlers of New Amsterdam, they have just claim to the title of "Knickerbocker." The subject of our sketch was the second of a family of seven (five sons and two daughters), all of whom are living, with the exception of one of the daughters. These were the offspring of Oliver Garrison and Catherine Kingsland his wife. The Garrison family had acquired a respectability from their long residence in the same neighborhood, and for nearly a century had exercised an influence that could only be gained by time over the prevailing class—the Dutch. The *paterfamiliâs* was at one time considered quite wealthy, but from heavy indorsements for his *friends*, he became involved in pecuniary matters, at an early day in the history of the subject of this memoir. Then it was that the latter, as well as his brothers, learned that they must look to their own resources alone for maintenance and support. Accordingly, at the age of thirteen, our little hero left home—the first of the name that had ever quit his father's roof before arriving at the age of manhood. His first outset was in the capacity of cabin-boy in a sloop, such being the only craft employed at that day in the carrying trade on the Hudson. It was not, however, without great difficulty, that young Garrison obtained from his parents their reluctant consent that he might leave their home, and accept the situation he sought. This was more particularly the case with Mrs. Garrison, who prided herself greatly upon her family origin. "What," the old lady said, "would the Van Buskerks, the Kingslands, the Schuylers, the host of other respectable relatives, the thousand and one cousins, &c., &c., say, if it reached their ears, that *my* son was a cabin-boy."

Neither tears, remonstrances, nor consideration for the feel-

ings, or failings, of his friends and relatives, his thousand and one cousins, &c., prevailed aught towards a change of mind. The boy had determined on his course. He would be independent, and earn his own bread; for he plainly saw that his father, in consequence of his misfortunes, was unable to provide for him. From that day forward, he supported himself without any parental aid, excepting, perhaps, the prayers of his beloved mother for his success. He followed his employment on the river during the business season, and through the winter months, when navigation was suspended, went to a country school. After leading this sort of life for about three years, he consented, at the earnest solicitation of his mother, to go to New York, to learn architecture and the building trade. After remaining there about three years, he resolved to migrate westward. For some five or six years afterwards, Mr. Garrison was engaged, principally in Upper Canada, in the erection of buildings, and the constructing of steamboats on the great lakes. During that time he built, in connection with a gentleman from New York, four steamers on Lakes Ontario, Huron, and Simcoe. In the interval, he married in Buffalo, N. Y.

While in Canada, and then a young man and a foreigner, the important trust of the general supervision of the Upper Canada Company's affairs,—that company being one of the wealthiest in England, and owning a large portion of the province,—was confided to the subject of our sketch. This trust was afterwards voluntarily surrendered by him on account of the probability of a war ensuing between England and America, arising from the border difficulties existing at the time between the two nations. Mr. Garrison's patriotism forbade his holding office in a company so closely allied with the British government, should a war ensue.

From Canada, Mr. Garrison went to the south-west; where, for many years, he was engaged in building and commanding steamboats, and in other enterprises. In February, 1849, he met with the serious misfortune of losing his steamer, together with some 1200 tons of cotton and produce, by fire, on the Mississippi river, near Natchez. A short time previous to this the precious metal having been discovered in California, Mr. Garrison determined to remove to Panama, and establish a

commercial and banking-house there, as the important intermediate point between California and the Atlantic States. This enterprise was successful beyond all that he had dared to hope.

Mr. Garrison left Panama for New York, in the latter part of 1852, with the view of establishing a branch of his house in the latter city. On arriving there, however, his intentions were changed by an offer of the Nicaragua Steamship Company to take the Pacific agency of their line of vessels, at a salary of sixty thousand dollars a year for two years certain. In addition to this appointment, he received, at the same time, the agency of two insurance companies in San Francisco, at a salary of twenty-five thousand dollars per annum. These sums made his future income at least $85,000 a year. He arrived in San Francisco in the latter part of March, 1853, and early in September following, was elected to the mayoralty of the city.

From the first hour of his leaving the paternal roof, to the present day, Mr. Garrison has been actively engaged in various pursuits, during which time he has met with many losses. Among these were two of the largest class of steamers, of which he was the sole owner, and upon one of which there was not a dollar of insurance. These misfortunes left him for a time penniless, with a wife and family depending on him for support. But he never faltered. Energy and perseverance, hope and will were his, and by them he fought and conquered. His career is a very fair illustration of the American character. With a mind commercially comprehensive, quick to perceive and to act, adventurous and speculative, he has taken advantage of circumstances, and bent them to his will. As a business man, he is said, by some, to lack system. But this, if true, is more than compensated by the boldness of his ventures, and the pertinacity with which they are pursued. At the age of forty-five, he finds himself the possessor of a princely fortune, which he knows how to use ; with a salary three or four times greater than that of the President of the United States ; with a revenue besides, from other sources, of as much more ; and occupying one of the most honorable positions politically, as Mayor of the City of San Francisco, the duties of which he has thus far performed with credit to himself and to the city.



SAMUEL BRANNAN.

THIS gentleman was born at Saco, State of Maine, on the 2d of March, 1819, at which town he was educated, and passed his earlier years. In 1833, he removed, accompanied by his sister, to Lake County, Ohio, where he entered upon an apprenticeship to letter-press printing. Before the term of his indenture was completed, in 1836, he bought up the remainder of his time. He next went into the great land speculations of the memorable years 1836 and 1837, when the whole Union was seized with the mania of making fortunes without the worrying need of time, trouble or capital. It was rather an early age at which to become a land-jobber, but Mr. Brannan had a deal to do in the world, and pretty soon began his eventful career. He came out of his speculations nearly as he went into them—without a cent. In 1837, he turned again to the press, and travelled the country as a journeyman printer. In the course of the five following

years he visited most of the States in the Union, staying a month in one town, two months in another, and perhaps half a year in some more important place, all which time he was regularly pursuing his profession. In 1842, he connected himself with the religious body of Mormons, and for several years advocated their principles, and published for them in New York a weekly newspaper, styled the "New York Messenger."

In 1846, he conceived the idea of leading a band of American pioneers to the shores of the Pacific, to settle and grow into greatness among the Mexicans of California. At his own risk and expense, he chartered the ship "Brooklyn," of three hundred and seventy tons, fitted it up with state-rooms and cabins, supplied it amply with provisions and all necessaries for the voyage, and invited intending emigrants to take passages for California. Two hundred and thirty-six passengers embarked (mostly Mormons), of which number, upwards of sixty were adult females, and about forty children of both sexes. With the foresight that distinguishes him, Mr. Brannan provided a printing-press, types, and a stock of paper, flour-mill machinery, ploughs and other agricultural implements, and a great variety of such scientific apparatus as would likely be of service in the new country.

On the 4th of February, 1846, the "Brooklyn" sailed from New York; and about five months afterwards, touched at the Sandwich Islands for refreshments. Here Mr. Brannan landed all the passengers, provided them with lodgings on shore, and was at the whole expense of maintaining them while there. Previously and during the voyage, many of the passengers, considering the uncertain character of the country they were proceeding to, and the probable chances of a war between the United States and Mexico at the time when they would likely reach California, had formed themselves into an association for mutual support and protection, whereby they were to work in common and share together the proceeds of their labor. Mr. Brannan was chosen president of this association. The other members had nothing which they could put into the common stock but their labor; while the president, patron, projector and leader of the party contributed every thing he possessed—agricultural implements, machinery, tools, provisions and all. There were then only

twenty-four muskets on board ; but Mr. Brannan purchased at the Sandwich Islands, in addition, one hundred and fifty stand of arms.

Here, a person by the name of Henry Harris, residing in Honolulu, became enamored with a pretty girl among the passengers, and wished to join the association, so that he might follow and marry her, which he afterwards did. The proposal of Harris, however, to become one of the party, was at first opposed by Mr. Brannan, who foresaw difficulties and future contention in the scheme ; but when much intercession was used by influential people, whom he regarded, that Harris should join the expedition, he consented. Harris paid accordingly his fifty dollars for a passage, and no more. It is from these circumstances, that afterwards arose a great scandal and much foolish clamor against Mr. Brannan ; and as the subject has been little understood, and never before properly explained, we think it right to enter a little upon it.

On the 31st of July the Brooklyn reached San Francisco, then called Yerba Buena, and the passengers immediately landed and squatted among the sand-hills of the beach. At first, there was but trifling work for them to do, save to erect adobe or frame buildings for the former inhabitants or themselves. There was little or no money to be had, in those days, in the country ; but their services were paid mostly in provisions or goods, which were consumed almost as soon as received.

Harris, after three months' connection with the association, grew tired of it, and wished to separate. He therefore asked the directors to let him go, and pay him the share of the common stock to which he thought he was entitled. His application was refused on many plausible grounds ; and, particularly, in regard to the payment of any thing, for this very good reason, that the association, after paying its debts, had nothing to divide—neither money nor goods, that could be shared. They further urged, that Harris himself had been all along supported out of the common stock of provisions, and had received in that way a great deal more than his services were worth. Still dissatisfied, Harris raised an action, not against the whole association nor the directors conjointly, but against Mr. Brannan himself, as an individual.

The suit terminated in a formal jury trial, the first that ever took place in California. The alcalde of the day, Washington A. Bartlett, presided as judge ; and Colonel W. H. Russell acted as counsel for the defendant. The jury found for Mr. Brannan. Upon these simple circumstances, and the subsequent dissolution of the association, people have raised calumnies against the subject of our sketch, and have pretended to consider him indebted for his present position and wealth to the money he wrongfully withheld from his fellow-partners in the firm of "S. Brannan & Co.," under which name the association had conducted its business transactions. The fact was, that Mr. Brannan had supplied every thing to that association, and received nothing from them but the original moderate passage-money, that being only from fifty to seventy-five dollars for each passenger. At the dissolution of the concern, in 1847, its property was sold, its debts were paid, and the balance of the funds properly divided among the remaining partners.

Mr. Brannan, meanwhile, both as a partner and president of the associated immigrants, and as an individual on his own account, was interested in a number of speculations. In 1846, he erected the machinery of two flour-mills in the existing Clay street, which were the first introduced into the country. He also, in January, 1847, projected and published a weekly newspaper called the "California Star," which was the first journal that appeared in San Francisco, and is the parent of the present "Alta California." In the fall of 1846, he had likewise commenced a farm at the junction of the San Joaquin and Stanislaus rivers ; but, whether this was too slow a business for him, or that Providence had simply willed it otherwise, his farming operations were failures, and he abruptly abandoned them.

In the fall of 1847, Mr. Brannan started a store at Sutter's Fort, under the name of C. C. Smith & Co. This was the first establishment of the kind formed in Sacramento Valley. In the spring of 1848, he bought out Mr. Smith, who shortly afterwards returned to the Atlantic States, possessed of a handsome fortune. The business was subsequently conducted under the firm of S. Brannan & Co. The discovery of gold had in the mean while attracted a great crowd to the neighborhood, and the demands

and riches of the miners speedily enhanced prices to a wonderful degree. During 1848 and 1849, sales were made at this store to the extent of $150,000, on an average, *per month*. But, by and by, competition began to appear, and the first enormous profits to become less. Many other stores were established in the mining districts, and great importations of goods arrived. Mr. Brannan then withdrew from the new City of Sacramento, which had suddenly grown up around him. While there he had speculated in the town allotments like every other person, and like every body else, in the beginning, made much money by his ventures. Indeed it seemed at this period, that, like Midas, he could touch nothing that did not turn to gold in his hands.

In 1849, Mr. Brannan returned to San Francisco, where he had still preserved a residence and citizenship, and under the firm of Osborn & Brannan carried on an extensive business for nearly a year in China merchandise. In the noted affair of the "hounds" about midsummer of 1849, he took an active part, and mainly helped to extirpate that society of rascals from the town. In August following, he was elected a member of the first regular town-council ; and in 1851 was chosen president of the famous " Vigilance Committee."

Since the beginning of 1850, Mr. Brannan has chiefly confined his business operations to dealings in real estate, both in San Francisco and Sacramento, in which he has been so successful that he is, at this moment, reported to be the wealthiest man in either city, and perhaps in all California. The many buildings which he has bought or erected are distinguished by their strength and magnificence ; and form some of the most striking and beautiful features of the city. Montgomery street is particularly remarkable for several of these substantial and elegant structures.

About the end of 1851, Mr. Brannan visited the Sandwich Islands, where he bought extensive properties, farming land, and building lots and houses at Honolulu. In 1853 he was elected a senator of California. Business and private engagements, however, calling him to the Atlantic States, he was compelled to relinquish the high honor and resign the office.

It is impossible, in our narrow limits, even to allude to the numberless public affairs in which this gentleman has been en-

gaged in California. From the earliest to the latest records of San Francisco, we discover him appearing at every public meeting, and taking a prominent part in municipal business. At one time he is encouraging the establishment of the first school, and offering handsome contributions to the building ; at another he is haranguing the people on the subject of the "hounds ;" now, he takes on himself the responsibility of hanging a rogue by Lynch law for the benefit of the citizens ; now, he charitably bestows sufficient land for a cemetery to the Odd-Fellows, of which Order he is an active member ; now, he bullies, reasons, and conquers in some purely municipal matters, urging a local improvement, or where jobbing officials seek to line their pockets at the expense of the community. His energy, abilities, force of character and courage, are very great, and have been only the more conspicuously shown in face of those obstacles and dangers that would have hampered and filled with dread less bold and talented men. He is but young still, yet years have passed since he was first noted for consummate skill and daring. No man has been better abused than himself, and yet to no man, perhaps, would the community sooner turn to find a leader who would not scruple to act determinedly upon principles which he thought right in themselves, however strange and obnoxious they might appear at first sight, or to commonplace, feeble minds. Such a man was needed in the early days of San Francisco, when vice and crime overshadowed law and justice. All honor and praise should therefore be freely given to him who did his duty at that perilous period. On other accounts, Mr. Brannan is entitled to notice and commendation ;—as a citizen whose great private fortune has been invested in bestowing beauty and grandeur on the town, as well as for his well known public services on very many occasions.

Mr. Brannan married in 1844, and has now a family of four children. He is slightly above the middle stature, and well-proportioned. His features are agreeable and intelligent, while beautiful dark eyes give increased animation to his face. He dresses somewhat richly, as is the fashion in San Francisco ; and, in fine, wears a modest "imperial."



JOSEPH L. FOLSOM.

Captain Folsom, who has been as intimately mingled up as any other man with the peculiar affairs of San Francisco, boasts a high revolutionary ancestry. He was born in the town of Meredith, Belknap, then a part of Strafford County, New Hampshire, on the 19th of May, 1817. Meredith is situated at the outlet of Lake Winnepiseogee, and here the paternal grandfather had immigrated from Exeter, N. H., soon after the return of peace in 1783. He was a near relative of Brig. Gen. Nathan Folsom, one of the first delegates from New Hampshire to the Continental Congress; an old Indian fighter on the Canadian frontier, and who also bore a prominent part in the revolutionary war.

Joseph's father died during the early childhood of our subject, leaving a family of young children. To secure the benefits of a good education for them, the estate was sold, and the family

removed to Northfield, N. H. Having fitted for college, an appointment as a cadet at the Military Academy at West Point was procured for young Folsom, through the friendship and kindness of Hon. Franklin Pierce, who was then member of Congress, and was subsequently elected President of the United States. Mr. Folsom entered that excellent institution in June, 1836, and graduated with honor in June, 1840. Being commissioned as brevet second lieutenant, he immediately went to Florida, under the command of Gen. Worth, then operating against the Seminoles, in that most trying and difficult campaign. After the war was over, having served some time longer, he was promoted to a second lieutenancy. He served another year in consequence of his own application, and then took charge of a company of Indians in their removal to their new homes in the west. He afterwards joined his regiment, the 5th infantry, commanded by Brevet Brig. Gen. Brooke, on the Upper Mississippi. Having served at various places in the north-west until 1844, Lieut. Folsom was ordered to West Point Military Academy as Instructor in Infantry Tactics ; a position of the most distinguished trust, and the highest compliment the General Government could pay to his pre-eminent abilities, and to the efficient manner in which he had hitherto discharged his duties. There he remained two years.

When it became evident that there would be a war with Mexico, Lieut. Folsom twice applied for a release from his position at West Point, in order that he might join his regiment at the scene of operations ; but his application was refused on both occasions. After war had actually commenced, he again applied, and was for the third time refused. This he considered a hard fate, and himself the most unfortunate of men. It is quite possible, however, that had he gone with his regiment to the war, he would have shared the fate of his brave brother officers of that splendid corps. They suffered severely ; and at the dreadful struggle at Molino del Rey, every one of his senior officers was slain.

When Col. Stevenson was about leaving for California, in command of the 1st regiment of New York volunteers, he, although personally unacquainted with Lieut. Folsom, applied for

his services as a staff officer in the quarter-master's department of the regiment. This position Lieut. Folsom refused, unless he should also be promoted to the grade of captain. There was no precedent for such a double promotion. But eventually he was promoted to a first lieutenancy; and on the day of the regiment's departure, he received a captain's commission. Having been relieved at West Point, he fitted out the expedition as quarter-master, and sailed with it. After a voyage of five or six months' duration, the command arrived at the Cove of Yerba Buena, now San Francisco, in the beginning of March, 1847. Upon arrival, Capt. Folsom received orders from Gen. Kearny to select a place on the Bay of San Francisco for a depôt of army stores, and to prepare it for receiving them. This post was to be Capt. Folsom's station as senior officer of the quarter-master's department on the North Pacific Coast. This rank—chief of that department—he held for nearly three years. After visiting all points on the bay, he selected Yerba Buena as the most suitable location. In this selection, which may probably be considered the germinating root of the city, he consulted only his orders and his judgment.

Capt. Folsom continued on duty as chief of the quarter-master's department and the commissariat during the war, and for a year after its close. For more than a year of which period, viz., from the summer of 1847 to the autumn of 1848, he was receiver of all funds collected during the Mexican war in the port of San Francisco, and made all disbursements for the civil, as well as the military government of California. He was consequently the first American collector ever appointed in California. In May, 1849, he was relieved, and left for the Eastern States. It was during this trip that he purchased the interest of the heirs of Leidesdorff in the estate of one of the pioneers of San Francisco, who had died in that city. This estate has been the subject of much contention—squatters, settlers, the city, the State Legislature, and the county, all, by turns, having claimed more or less of it. The limits of this sketch do not permit a discussion of the subject, which is elsewhere alluded to in this history; but it may be said, without entering at all into the merits of the question, that Capt. Folsom has ever been anxious

and ready to have the whole claim tested before the courts, and finally settled. After an absence of seven months, Capt. Folsom returned to California, and was on duty a year and a half longer, as quarter-master.

This gentleman is one of the most remarkable instances of unexpected fortune, of which Californian history is so prolific. During the early part of his residence in San Francisco, and before the discovery of gold, or any idea had been entertained of its existence, he concluded that the natural location of the place insured it at some not very distant period the position of an important city. With this idea, he invested all the means he could spare—some twelve or fifteen hundred dollars—in lots among the then barren sand-hills of Yerba Buena. For this he was remonstrated with by some of his brother officers, then at Monterey; but he said that he believed his investments would eventually be worth something handsome, and form a reserve for him to fall back upon when wounds or old age might force him to retire from the army. He did not have to wait, however, for either wounds or years, ere the value of his investments began to be evident. Real estate, very soon after the discovery of gold and the consequent immigration, run up beyond all precedent, and his lucky expenditure became a source of great wealth. He is now one of the wealthiest citizens of California; for besides the great value of the "Leidesdorff Estate," his other purchases have doubled and redoubled in value, to an astonishing degree.

In his general character, Capt. Folsom is above reproach. He is quiet in his manner, high toned in his sense of honor, gentlemanly in deportment, a fine tactician as a soldier, and an agreeable companion among his intimate friends. His military education has given him perhaps a little formality of manners, but there is good reason to believe that there is no lack in his heart of those qualities which constitute the firm and valued friend and the worthy citizen. Withal, his literary attainments are of the first order, and his opinions in matters of this sort are evidences of a refined and highly educated mind.

THOMAS O. LARKIN.

THOMAS O. LARKIN was born in Charlestown, Mass., on the 16th September, 1802. His ancestors came from Great Britain, and settled in Massachusetts prior to the eighteenth century. Their descendants were all burned out on the 17th June, 1775, while in the battle of Bunker's Hill. Thomas O. Larkin, the father of the subject of this sketch, was born in Charlestown, Mass.; his wife was a native of Great Britain. The father died when his son Thomas was seven years old; the mother when the latter was in the sixteenth year of his age.

At the age of nineteen, when in a book and stationery store in Boston, the subject of our sketch entered into a written contract with a young man of his own age, to leave their employer at the same hour and go to the south to seek their fortune. For a certain period, they were to live in common, and to possess but one purse in case only one of them obtained employment. They accordingly sailed for the south, and landed at Wilmington, N. C., without adequate funds, acquaintances or prospects. Mr. Larkin, after having been engaged in mercantile pursuits in that State for six or eight years, relinquished it, to enter largely in a sawmill business. This unhappily soon swept away both his fortune and his health. While in North Carolina, he held the appointment of Postmaster, and Justice of the County Court in Duplin County.

In 1830, he returned to Massachusetts with shattered health, but bold in adventure. His reduced condition led him to look towards the north-west coast of America, to recruit his health and fortunes. His uncle, in command of a Boston ship, had often before the war with England visited that coast and the islands in the Pacific, trading for sandal-wood and furs for the

China market. The half-brother of Mr. Larkin, John B. R. Cooper, in command of a vessel, had also followed the same business. The latter had married into the Vallejo family and settled in a country called California. Mr. Larkin determined to find his brother. The Boston ship owners, who sent yearly cargoes to the country named, refused to carry passengers ; but a passage was by chance obtained in an occasional vessel called the *Newcastle*, Capt. Hersey. This vessel was bound to the Pacific coast, in search of a market. She left Boston in September, 1831, and arrived at the Sandwich Islands in February, 1832. From thence she sailed for California, and entered the port of San Francisco in April, 1832. Soon after she departed for Monterey, where she arrived the same month. Mr. Larkin there found his brother, and immediately began to employ himself in commerce. He erected the first double geared wheat-mill in that part of the country. As there were only ship carpenters ashore, he had to make models for them to work by.

In 1833, Mr. Larkin was married, on board of a vessel then on the coast of California, under the American flag, by John C. Jones, the U. S. consul of the Sandwich Islands, who happened to touch on the coast. The bishop and padres of the pueblos and missions refused to perform the ceremony of marriage, as both the intending spouses were protestants, and they had objected to become Roman Catholics for the mere purpose of having the nuptial bonds tied by a priest. Mrs. Larkin, of Mass., was the first lady from the United States who settled in California. The children of the marriage were the first Americans, that is, of the United States, on the paternal and maternal side, who were born in the country. In 1832, there were about eighty Americans, English and French, dwelling in California.

From 1834 down to 1846, Mr. Larkin engaged as many foreigners as chose to work, in making shingles, lumber and shaped timber, (the natives being employed by him in hauling, &c.,) and in putting up buildings and wharves for the Mexican government, and for individuals. He also purchased from the rancheros all the soap they could or would make, and all their produce they brought to Monterey. These transactions enabled him to export timber, lumber, shingles, flour, potatoes, soap, sea and land beaver, and

sea-otter skins and horses, to the Sandwich Islands, Mazatlan and Acapulco, and to supply ships of war, whalers and other vessels touching on the coast. This was opening an entirely new trade in the country, the old trade having consisted exclusively of hides and tallow. Mr. Larkin also supplied the different Mexican governors in California with stores, clothing and funds. Each governor assumed the account of his predecessor, whether the latter had resigned voluntarily, or had been compelled to retire by force of arms. The United States Government paid the account due by the last governor.

During those years, when a vessel from Boston or other foreign port arrived, she entered at Monterey. The customs' duties on merchandise were paid as follows : one-fourth to one-half in cash and the balance in goods at market prices. The amounts were drawn for on the supercargo by the treasurer of the department of California, in orders of $5 to $1000, in favor of an officer or creditor of the government. Previous to the supercargo commencing business he had his steerage bulkheads taken away, and a large room fitted up with shelves, scales, and all the paraphernalia of a trader. This was his store, and here he sold in wholesale and retail. The prices charged were payable in hides, tallow and furs, in certain proportions. Every time the supercargo entered the port, which would be six or eight times during the two following years,—for so long generally did each particular vessel remain on the coast,—he would continue to sell and collect the different goods in payment. Interest on money was unknown in those days. Notes or receipts for merchandise and produce were rarely taken. No passage money up or down the coast, or over the country, was asked. There was not a hotel, tavern or boarding-house in the land. People from shore always found a free state-room in the ship, and those from the ship always obtained good free quarters on shore.

Prices of produce, from 1840 to 1846, averaged as follows : Saddle horses, from $8 to $20 ; breeding mares, $3 ; grown cattle, for killing, $6 ; heifers, $3 ; year-old calves, $1 50 ; hides, $2 ; tallow, $6 per one hundred pounds ; flour, $6 per one hundred pounds ; potatoes, $3 per one hundred pounds ; wheat and barley, 75c. to $1 per bushel ; joists and boards, $40 to $50

per thousand feet ; beaver skins, $3 to $5 each ; sea-otter skins, five to six feet long, $35. Drafts on the U. S. Government or on the owners of whale ships, sold at from fifteen to twenty *per cent* discount.

In 1844, Mr. Larkin was appointed U. S. consul for California. He was the first and last American consul ever appointed in the country. In 1845, he commissioned William A. Leidesdorff, as U. S. vice-consul for San Francisco. Mr. Larkin was also appointed by the President of the United States U. S. naval agent for the north-west coast of America. In 1847, he was appointed by Commodore Shubrick U. S. naval store-keeper. Besides the two named commissions from the American Government, he received from President Polk another highly important one in California. The commissions and emoluments of these offices did not pay the incumbent's expenses in one of them.

In 1845, Mr. Larkin used every exertion which his great influence in the country gave, to reconcile the people to a change of flags, and to another government. This change they expected, and Mr. Larkin's object was to direct their inclinations towards his own country. He probably succeeded in doing this with all the native authorities in the northern prefecture. When Commodore Sloat arrived in Monterey on July 1st, 1846, he soon found it necessary to unfold the American flag over the old Mexican castle at that town. As there was no declaration of war against Mexico on the part of the United States known by the commodore or consul, the latter was at first desirous that the existing government of California should accept protection under his flag. This the native authorities were inclined to do, but they required more time for consideration than the commodore could give them. The idea was therefore abandoned, and formal possession was taken of the town on the 7th of July, 1846. During the drawing up of the proclamation by the commodore and consul, an armed launch, belonging to the U. S. ship *Portsmouth*, arrived in Monterey from San Francisco, bearing the news of the taking of Sonoma by the "Bear Flag" party,—some fifty or sixty men,—under Commandant Ide. Mr. Larkin, at his own expense, sent couriers to San José, San Francisco, Sono-

ma and Sutter's Fort, with Com. Sloat's orders to raise the American flag at these places.

The week following these incidents, Com. Stockton arrived in Monterey and took command of the U. S. squadron. Com. Sloat, being unwell at the time, wished to proceed to Washington immediately, to represent in person the condition of affairs in California. Mr. Larkin, at the urgent request of Com. Stockton, left his family and business, went on board the U. S. ship *Congress*, and proceeded with the commodore down the coast. Arriving at Santa Barbara, the former went ashore, along with one or two officers, to arrange with the Mexican authorities as to giving up the place. This the latter did at noon to the force landed, part of which was left in charge of Midshipman Mitchell. At San Pedro, Mr. Larkin, with Lieut. Schenck and a boat's crew, went ashore, and hoisted the American flag. That place was then in charge of a Mexican officer and a few men. During the week, Com. Stockton marched to Los Angeles, the capital. Mr. Larkin and Lieut. Baldwin (now in command of the steamship *Brother Jonathan*), had proceeded to the town named, one or two days in advance of the forces—had obtained possession of the government house—put people to work in preparing it for the Americans, and had it in fair order on their arrival. There were two or three hundred armed Californians in Los Angeles at the time. Many of these were acquaintances of the consul's, and some of them were more or less with him every hour of the day. By his invitation, some of the families lent furniture for the government house. When Com. Stockton returned to San Francisco, he appointed Messrs. Grimes, Howard, Larkin, Alvarado, Vallejo, and two others, as a board of council, to meet him, in October, 1846, at San Francisco, to frame some form of government. The retaking of the whole southern country by the Californians disarranged this plan.

Mr. Larkin then travelled towards the mountains, to engage the coming immigration to join Col. Fremont's battalion, which was to be re-formed. When afterwards he was returning to Monterey, his horse having tired down on the road, he induced a Californian to loan him a first-rate powerful steed, but it was only on condition that if he lost the animal he was to pay $50,

(a high price,) and if the natives killed the rider on the road and retained the horse, then Mrs. Larkin was to pay the money. Having made this bargain before witnesses, Mr. Larkin started for Monterey, with one attendant, well armed. On arriving there, he found that his family had left by sea the besieged town for San Francisco, and that his house was occupied by U. S. officers. While making arrangements for advancing funds for the use of Col. Fremont and his officers, Mr. Larkin was suddenly called to San Francisco to attend a dying child, and to supply the U. S. ship *Portsmouth* with stores. He started with one servant and the horse already mentioned.

The same night he was surprised in bed by a party of the enemy—every one of them being old acquaintances and former customers of his. They carried him some miles to an encampment, consisting of about one hundred Californians. Here he was closely questioned, and ordered, under the displeasure of the party, to write a certain letter, in order to draw some of his countrymen into an ambush. He first reasoned with the officers and next refused. A party of armed men was then ordered from the camp-fire to draw up and form into line. Mr. Larkin now drew off, saying: "To live on such terms from night to night is no object to me. Do as you like, gentlemen. I am cold, and am going to sit down at the fire." This he did, and heard no more about the matter that night. Next day, during the march, he witnessed a battle, near the Mission of San Juan, between the party who held him prisoner and a less number of Americans. His guard of six men observing that he had a fine horse, and was watching the opportunity to leave them for the other side, dismounted him, and placed him upon another animal which they knew was sure not to depart faster than in a walk. Mr. Larkin was carried among the mountains and taken down several days' journey to the south. He proposed that his captors should receive in exchange for himself three or four of their countrymen (officers) who happened then to be prisoners of war. This proposal was refused. The Californians wished to have him particularly, and kept him prisoner for months. The captivity and travel were hard to bear, and were made more painful by the prisoner's being in ignorance of the fate of his sick child. The

last died, while the mother was under the impression that the father was killed. Mr. Larkin was closely watched, but was well treated and attended to by every means in his captors' power. This attention arose from old acquaintance and personal kindness to the prisoner, and doubtless also from a full knowledge that his death or cruel treatment would be avenged by his countrymen.

Mr. Larkin had the satisfaction of receiving through the Secretary of State, the thanks of the President for his attention during so many years to the cause of his country. He had assisted in person in hoisting the national flag in four different places, and by his couriers in four other places, in California. He and his lady, having been for twenty years absent from their native State, resolved, in 1850, to go thither for an indeterminate period, and to keep their children there for at least a few years. But the attractions of the adopted country were too strong to retain them long in Massachusetts, or in New York. They returned to California in 1853, and settled in San Francisco. In that city they hope to remain for life.

The foregoing narrative perhaps sufficiently illustrates the character of its subject. Few men are more generally known to the people of California than Mr. Larkin. His early spirit of adventure has been gratified and calmed into the quiet of home and home thoughts. In youth, poor, adventurous and persevering; in mature age, consistent, energetic and faithful in the discharge of his duty, having been amply tried and proved; he finds himself rich, not alone from fortuitous circumstances, but in a great measure as the result of industry and foresight, and respected in the community and State which have grown up around him, where for many years he faithfully fulfilled his trust, and where he now enjoys all the gifts of fortune, the associations of family and friends, and the rewards of an industrious and honest life.



JOHN A. SUTTER

General Sutter has been more extensively associated with California than any of the pioneers of the new State. Every quarter of the globe, even to the most barbaric, is familiar with his name. Hence, it would be a grievous fault were we to omit our due tribute to the gallant old hero by awarding him a *niche* in our "Annals," even though his connection with San Francisco has been an indirect one. Very few men so well merit his universal distinction—still fewer would cavil to see him enjoy it.

John A. Sutter was the son of a Swiss of the Canton Berne, but was himself born in Baden, at midnight of February 28th (or March 1st), 1803. His early life was passed in the Grand Duchy, and there he received his education. Like many of his countrymen, feeling desirous of enjoying the institutions of our

far-famed republic, he sailed for and reached New York in July, 1834; but finally settled and for several years resided in Missouri. The wild west had always possessed a charm for him, and he had removed thither; but now his adventurous spirit looked still further towards the setting sun, and roved along the waters that sped their unknown way to the Pacific. Leaving family and home, in company with Sir William Drummond Stewart, he joined a party, under the charge of Capt. Tripps, of the "American Fur Company," and started for the broad valleys of California, where he knew that rich and fertile lands only awaited an industrious cultivator; and where Providence had even a still richer yielding field that he knew not of. He left the trappers at their rendezvous on the Wind River among the Kansas Rocky Mountains, and with a new party of six decided on proceeding to their destination by way of Oregon. Crossing the valley of the Willamette, he finally arrived at Fort Vancouvre, and there ascertained that innumerable delays must elapse before he could reach California. Nothing daunted, and apparently urged, like Columbus, to accomplish his object despite of fate, Capt. Sutter sailed for the Sandwich Islands, hoping to embark thence direct for the Spanish coast. But when he arrived there, no vessels were about to sail in that direction. Again he threw down the gauntlet to fate, and re-embarked for Sitka Island, in Russian America, and from that immense distance at last reached Yerba Buena on the 2d of July, 1839. Not permitted to land here, he again embarked, and was finally allowed to set foot on California soil at Monterey. What a contrast to the present lightning modes of travel was this circuitous and extended route! Having succeeded in overcoming the Spanish opposition to foreign settlers, he obtained the permission of Gov. Alvarado to locate himself in the valley of the *Rio del Sacramento;* more readily granted, perhaps, because it was then densely peopled with savage Indians. He explored the Sacramento, Feather and American Rivers, and in August, 1839, about eighteen months after he commenced his journey, permanently established himself on the latter river, with a colony of only three whites and eight Kanakas. Shortly afterwards he removed to the present location of what is known as "Sutter's Fort," and took



JAMES W. MARSHALL.

possession of the surrounding country under a Mexican grant, giving to it the name of *New Helvetia.* From this point he cut a road to the junction of the Sacramento and American Rivers, where he established an *embarcadero* (quay, or landing-place), on the site of which has since been built the City of Sacramento. Here he remained for several years, his settlement being the head-quarters of the immigrants, who, following his example, poured into the country from the American States.

It would be interesting, though hardly german to our present purpose, to record the captain's innumerable hair-breadth escapes and wild adventures, while dwelling in this rude wilderness, as he has often over and over again related them to us in his own pleasant way, but the few facts we have given as we received them from him must suffice. By far the most important event

in his life was yet to happen. In the winter of 1847–'48, he had contracted with Mr. JAMES W. MARSHALL to erect a lumber saw-mill on the south fork of the American River, and in January of 1848, that great discovery was accidentally made which hastened the development of the country, far beyond what centuries of the unassisted progress of nature could have effected. Marshall one day having allowed the whole body of water to rush through the tail-race of the mill for the purpose of making some alterations in it, observed, while walking along the banks of the stream early the next morning, numerous glistening particles among the sand and gravel, which had been carried off by the force of the increased body of water. For awhile he paid no particular attention to them, but seeing one larger and brighter than the rest, he was induced to examine it, and found it to be a scale of gold. Collecting several, he immediately hurried to Sutter, and began his tale in such a hurried manner, and accompanied it with such extravagant promises of unbounded wealth, that the captain thought him demented, and looked to his rifle for protection: but when Marshall threw his gold upon the table, he was forced into the delightful conviction. They determined to keep the discovery a secret, but were observed while examining the river, and soon had the immense armies around them that we have elsewhere spoken of. Mr. Marshall has lived to see the world enriched by his discovery, while he himself wanders poor and homeless over a land that has too long neglected to repay her immense debt of gratitude to him who gave her all her wealth, power and position. As with all great benefactors of mankind, some future century may record his name on some historic page, while millions less worthy than himself have fattened where he starved.

Gen. Sutter at present resides at Hock Farm, on the right bank of the Rio de las Plumas, *anglice*, Feather River; and here, leading the happy, contented life of a tiller of the soil, he meets friend and stranger with that sincere, unostentatious hospitality that has endeared him to the whole community. A more kind-hearted, generous and benevolent man does not dwell in any corner of the State.



MARIANO DE GUADALUPE VALLEJO.

Among the most estimable of the citizens of San Francisco, must be ranked the old Castilian residents of California. Very many of these have remained with their families in the country and have occupied positions as framers of the constitution, delegates to conventions, and members of the State and local governments under the American rule. The most prominent of these is Gen. Vallejo, both for his share in the early history of the country and his subsequent political connection with the place.

His father was a native of Spain, and had immigrated to Mexico and settled in the State of Guadalajara during his extreme youth. Many of the Vallejo family had voluntarily chosen or been devoted to the service of the church—the males becoming members of the priesthood and the females entering the nunneries. Mariano's father had been designed for a similar course of life, but his feelings and tastes revolted at the idea. Finding it, however, impossible to avoid what he so much disliked should he remain in Guadalajara, having already taken the preliminary

steps to enter the religious order, he secretly joined the expedition of Capt. Rivera for the exploration of Alta California. This he accompanied to Durango, and thence to the Rio Colorado and the pueblos of San Gabriel and San Diego. The Indians at Monterey having revolted and killed a number of the inhabitants, among them a priest, Rivera marched his company overland to the defence of that place. Having quieted the difficulties there and garrisoned the town, the expedition proceeded, in the summer of 1776, up the country to the Bay of San Francisco, and thence went as far inland as the Rio de San Joaquin, at a place called by the Indians *Ompinez*, now the rancho of Dr. Marsh, where the naval and land expeditions met, among the former being the celebrated Father Junipero Serra, the founder of the missions of San Diego, San Francisco, etc. During this first trip to Monterey the Señor Vallejo saw, for the first time, in rather a romantic way, the one destined to become his wife and the mother of Mariano. It was on the day of her birth, at which occasion he officiated as an assistant to the father of the infant. Then he demanded and received permission from the parents to wed their daughter when she should become of a marriageable age, provided all parties should yet desire it. Thirteen years afterwards, during a subsequent journey between Monterey and San Diego, this proposition, made at the time probably half in jest, was renewed to the daughter, Señorita Maria Antonia Lugo, and after a reasonable courtship, accepted and carried into effect. Notwithstanding the disparity of ages, the bridegroom being then about forty years old, this was a very happy alliance. Thirteen children were the result of the romantic attachment, the eighth of whom was the subject of this brief notice. As a specimen of the sweetness and religious character of Spanish names, the thirteen are here given in the order of their birth. The father was named Don Ygnacio Vicente Ferrer Vallejo, the mother Dona Maria Antonia Lugo; the children were, Ysidora, Josepha, José Ygnacio, José de Jesus, Juana Maria Gertrudes, Maria Magdalena, Prudenciana, Mariano de Guadalupe, Geronima Encarnacion, Maria Paula Rosalia, José Manuel Salvador, Maria de Jesus and Juan Antonio. From a Spanish mouth these names flow forth softly as oil upon the water, or as the sweet strains of music from a harp.

Mariano de Guadalupe was born at Monterey, July 7th, 1808. There he continued at the schools, which were not merely civil and religious, but military, until 1829 or '30. He then removed to the San Francisco Mission, where as commandante of the presidio, collector and alcalde, he remained until 1835. During that year he had established the first ayuntamiento of the neighboring town (pueblo) of Yerba Buena. At this time he was ordered to proceed across the bay to Sonoma and colonize the country in that vicinity. In November of 1835, a colony from Mexico of four hundred and sixty persons, equally divided between the sexes, arriving at Sonoma, Commandante Vallejo advanced to meet and deliver his garrison and post to the commander of the new colony. While on his way for this purpose, an express from Mexico brought tidings of the ascendency of Santa Anna, with orders to seize the expeditionists just arrived and send them out of the country. This duty successfully and quietly accomplished exhibited Vallejo in a very favorable light both as to his military skill, decision and rapidity of action, and his humanity, that revolted at the idea of spilling the blood of his countrymen. Subsequently when Chico was sent to succeed Figueroa, the former governor of the department, Gen. Vallejo took a prominent part in the expulsion of the latter. Gutierrez, who succeeded Chico, was like him forcibly expelled from the State and Alvarado was finally appointed governor and received the confirmation of the Mexican government. In these and all similar affairs in California, Gen. Vallejo bore a very conspicuous and influential share. In concert with his nephew, Gen. Alvarado, and Gov. Castro, aided by the Carrillos and other men of influence in the southern part of the State, the Californian party was always, when it pleased, more than sufficient to checkmate any burdensome tyranny attempted by the supreme government at the city of Mexico.

Vallejo succeeded in obtaining a library while young, which he kept under lock and key, and to whose rich feast none were admitted save, it is believed, his nephew Alvarado. This was a necessary precaution against the demands and commands the church would have made, had it been aware of his possession. Into this great school for free and noble thoughts, his confidant

alone admitted, the key turned upon all without—laity and clergy—they read and studied the ideas of other minds and tutored their own for the great business of a reasonable life. Few, perhaps no others in the country, had the opportunity of perusing aught save the *rituals* and other church-prescribed books.

On the 14th of June, 1846, he was taken prisoner by Fremont and the "Bear Flag" party and confined in the prison at Sutter's Fort for six days, when he was released by Commodore Stockton upon his *parole d'honneur*. Not being exchanged, he remained a non-combatant until peace was restored—very willingly, no doubt, for he never seems to have entertained a very exalted estimate of the character of the Mexican people. He had assisted Castro and Alvarado in expelling them in 1837, and has had no sympathy with that apparent idea of their civil, religious and political creed, which seems to possess only the ambition to prevent all change for the better—all improvement and progress.

Vallejo with the rest of the Californians very speedily acquiesced in the rule of the conquerors, which indeed they had long desired, and to whom they had never designed any opposition. He became an active public man, and was elected in 1849 a member of the convention which framed a constitution for the new American republic. His princely proposition to the State to make a point on his estate the seat of government is well known; and some idea of the people's universal estimation of his integrity may be gathered from the fact, that in all the angry discussions to which it gave rise, his high and honorable motives were never questioned.

On the 6th of March, 1832, he married Señorita Benicia Francisca Felipsa Carrillo, the daughter of one of the oldest and most influential families in the department. Fourteen children have sprung from this marriage, blessed with whose love and in the full possession of the public's confidence, his active life has become quiet—his mature manhood, honored and happy. With all, he possesses a fine form and handsome face, a kind heart, courteous manners, and that abundant hospitality for which his countrymen are so justly celebrated.



EDWARD GILBERT.

THERE is something in the recollections which twine about the memory of the honest man vastly more grateful to the contemplation of the historian, the biographer, the public at large, than in all the *éclat* which may attach to distinction of rank or the possession of wealth. When the rich and the honored pass away, if no better claim upon contemporary admiration exist than the mere possessions which make the millionaire, the hero, the scholar,—all that which placed him above his fellows being his no longer,—his position is found below those whom he overtopped, and he becomes like the dust in name, as in condition. But the heart, the conscience,—that principle within which makes us love virtue,—become sentinels to guard the memory of the virtuous dead, and keep it green and beautiful. How much this is

applicable to the character and memory of the subject of this memoir, those who knew him best can most fully understand.

The Hon. Edward Gilbert was born about the year 1819, in Cherry Valley, Otsego County, State of New York. Most of his near relatives died before him, and the circumstances of fortune in which he was placed, threw him, like so many others of his countrymen, upon his own resources. Consequently, whatever excellence he showed, or position he attained subsequently, should be attributed alone to his own inherent qualities, his intellect and perseverance. He was in the best sense of the word a self-made man. Self-reliance, a hopeful disposition, energy, a brave and honest heart, were his youthful patrimony. With these he worked and won. Through the dangers and temptations of childhood and youth—in the contests and struggles of manhood, —in the field, in the press, in the legislative hall, these qualities preserved and fortified. At a very early age he was apprenticed to "the art preservative of all arts," in the office of the Cherry Valley newspaper, where he acquired the trade, or profession, of a practical printer. In 1839, or 1840, he joined the *Albany Argus* as one of its compositors, and about 1845 was made its foreman ; and very soon afterwards, assumed the position also of one of its associate editors. In this station the war-cry of his country found him in the spring of 1846, and he at once co-operated with others in raising a volunteer company for the Mexican campaign. The services of this company were tendered the Government to join the army on the Rio Grande.

A call having been made for a regiment destined expressly for California, he threw up his position on the paper, and devoted himself to the work of raising a company. Another company was being formed at the same time under Capt. Frisbie. The two commanders, Gilbert and Frisbie, fearing that two companies would not be accepted from the same city, Albany, agreed to unite, Gilbert taking the office of first lieutenant. This was done ; the company thus formed was accepted, and arrived at the head-quarters of the 1st regiment of New York Volunteers, under command of Col. J. D. Stevenson, at Governor's Island, on the 1st day of August, 1846. The regiment sailed from New York on the 26th day of September in three

transports, the "Thomas H. Perkins," "Susan Drew," and "Loo Choo." Gilbert sailed in the "Susan Drew" as far as Rio de Janeiro, where he exchanged to the "Loo Choo," and arrived in San Francisco, in the latter end of March, 1847.

Company "H," to which Gilbert was attached, proceeded to the presidio, but he and some twenty men were stationed in San Francisco, their quarters being the "Old Adobe" on the plaza. Here he remained not only in command of the detachment, but as deputy collector of the port, under Captain Jos. L. Folsom, who having been ordered to act as collector for the purpose of raising a military contribution and to select as his deputy a subaltern, had judiciously given that position to Lieutenant Gilbert. This was the first opportunity afforded him, in California, of evincing his ability and integrity as a business man. Most of the duties of this office necessarily devolved upon him. They were always arduous and sometimes very delicate and critical; but he never failed to inspire respect for his talents, confidence in his integrity, and admiration for his firmness of character, and amenity of manners. This position he held until the disbanding of the regiment, August 16th, 1848.

The war had then been terminated, and it became necessary to select a civilian to act as collector of the port, until the revenue laws of the United States should be extended over the territory. The late General Mason, U. S. Army, then acting as governor of the territory, appointed Mr. Gilbert to that office. This he declined. By doing so he voluntarily lost the opportunity of amassing a large fortune in a very short time. Mr. Harrison, who was subsequently appointed, having become the recipient of immense revenues, through the opportunities given him by virtue of his office of getting possession of property, was soon made almost if not quite a millionaire. About the 1st of October, he started for the mines, and after spending some three weeks there, ill health obliged him to return.

There were then two newspaper establishments in San Francisco, the "California Star" and the "Californian." Mr. Gilbert having formed a partnership with Mr. E. C. Kemble of the "Star," and Mr. Geo. C. Hubbard, and the materials of the "Californian" having been purchased, these two papers, the only ones as yet

published in California, were merged into a new paper, the "Alta California," the first number of which appeared on the 4th January, 1849, Mr. Gilbert filling the position of senior editor. He continued to occupy this position until his death, except when absent in the convention which formed the State constitution, and afterwards during his congressional term. In the summer of 1849 he was elected almost unanimously as one of the delegates to represent San Francisco in the convention about to assemble tc form a constitution for the State. In the following autumn, having held himself aloof from party nomination he ran as an independent candidate for Congress, and was elected by a very flattering majority. He had thus the proud distinction of being a member of the first delegation which represented in Congress a sovereign State on the shores of the Pacific Ocean. At the expiration of his term of service in Congress, he returned to California, where he arrived in June, 1851, with health much impaired. He soon resumed his position of senior editor of the *Alta California.*

During the spring and summer of 1852, the relief expedition sent out to assist the incoming immigration over the plains under the law of the Legislature of that year became the subject of much criticism through the press, as well as in private circles. Mr. Gilbert could not from his nature and habits refrain from expressing decidedly his opinions touching it and its conductors. This unfortunately involved him in a personal controversy with several gentlemen, and finally led to a duel in which the Hon. J. W. Denver, State Senator from Klamath and Trinity Counties, and himself were principals, Mr. Denver being the challenged party. They fought at sunrise, August 2d, at Oak Grove, near Sacramento City. The weapons used were Wesson's rifles; the distance forty paces. The first fire having occurred without effect, the weapons were reloaded, the word given, and Mr. Gilbert fell mortally wounded, the ball having taken effect just above the left hip bone. He survived but a few moments, looking up to the face of his second with a smile, and dying without uttering a word. His body was taken to the Oak Grove Hotel, and thence in the evening to Sacramento City. The next day his remains were escorted by the Sacramento Guard and Sutter Light Infantry, and a large number of the most prominent citizens, to the steam-

er. On the arrival of the body in San Francisco it was received by the various military companies, and other associations. In the darkness of the gloomy night the silent and mournful *cortège* presented a peculiarly solemn appearance, and impressed all with the most melancholy reflections. In that sad hour there was not present one heart which did not condemn the bloody code by which he had been destroyed.

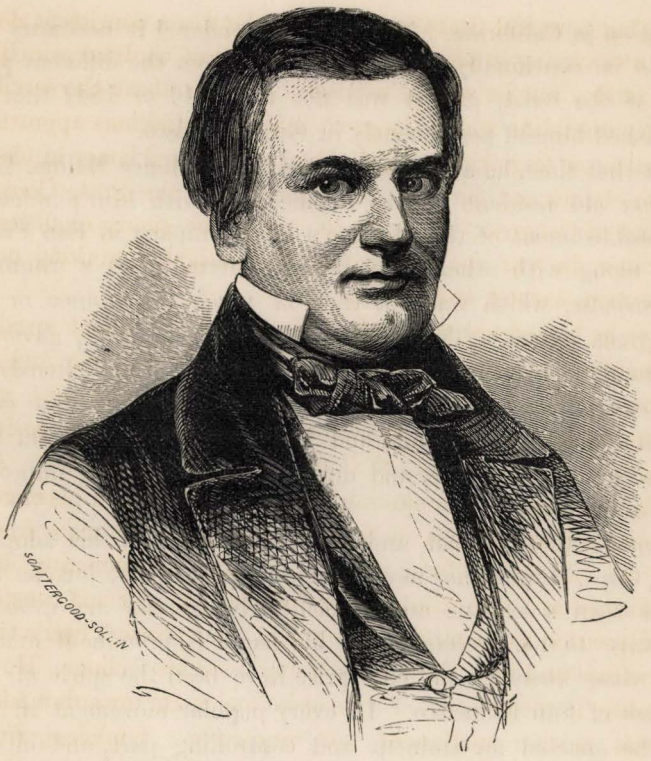
His funeral ceremonies were performed on the sixth of August. The California Guard, of which he had been a member, acted as escort. A very large concourse of citizens joined in the ceremonies and the procession. His remains were deposited in the Yerba Buena Cemetery, where amid the shrubs they rest, cut down in early prime like many of the flowers which bloom upon his grave, and are too soon shattered by the untimely wind. Many lie there in that young city of the dead, but none whose life in its various relations was based upon more high and honorable principles of conduct and feeling.

One who knew Mr. Gilbert well speaks of him thus eloquently and truly : A residence of nearly six years in a new country, which from the first became the home of his adoption, made him thoroughly a Californian in all his actions and inmost thoughts. Coming here under circumstances which remove the slightest imputation of seeking political preferment in a new State, or of reaping the golden harvest which was not discovered until long after his arrival, the most rigid scrutiny of his whole course will convince all that he attained the proud distinction of a high, honorable and manly identification with the best interests of California, without any resort to means which could leave a stain upon his character as a public man or private citizen.

His position as an editor was at times difficult ; but he met his responsibilities fearlessly, and fulfilled each duty with more than common ability and discretion. For four years the conductor of a leading journal upon the shores of the Pacific, Mr. Gilbert participated largely in the development of institutions which in some countries would have been the growth of generations ; and it may be said with equal credit to his memory as a journalist, and as a man, that his ability has left its impress for good upon almost every important question in the history of our

young but powerful State. Politically, he was a consistent democrat, unwavering in his adherence to the great cardinal principles of his faith ; but he was no partisan. He was above the servility to party discipline which the great mass of politicians approve or endure, never forgetting his individual dignity and honor in obedience to cliques and parties. As a member of the State Convention and of Congress, without pretence to the showy qualities of the orator, he was one of the most indefatigable working committee-men, earnest and sensible.

Yet he lacked not the qualities necessary to a fluent speaker, and was forcible, calm and argumentative. The dignity and uprightness of his character, together with his business tact, gave him, notwithstanding his youth, a high and honorable position among his confederates, in the Convention and in Congress. As a man he was modest, unassuming, almost diffident, and his manner gave him an appearence of coldness which his intimate friends knew did not spring from his heart. His attachments, when once formed and unrestrained, were warm, generous and constant. His disposition was kind and benevolent. He scorned every thing low, corrupt and vile. He fearlessly expressed his feelings. He was as resolute in the presence of a foe as he was warm towards a friend. He was neither malignant nor vindictive. Guileless, frank, open hearted, he won the esteem and secured the respect of every circle in which he moved. His private life and character were unblemished, and he guarded his honor with a sleepless watchfulness. His fault was a too sensitive vigilance and excitability upon this point. It made him too keenly alive to the least expression which might be tortured into an insinuation against himself. Entirely conscious of his own rectitude and honesty, he could not and would not suffer a doubt of either to be breathed or whispered. If this was an error it sprung from a highly virtuous impulse and principle, and he lost his life in vindicating what he considered his honor. The gloom which hung over the city after the announcement of his death, and during his funeral ceremonies, showed how deeply he had fixed himself in the hearts of the community.



WILLIAM D. M. HOWARD.

FEW names of individuals have occurred so frequently throughout our narrative as that of Wm.D. M. Howard. Indeed very few men in San Francisco have so continually and zealously ministered to its public welfare, entirely independent of political influences, and in return enjoyed the same unwavering, unabated popularity through the antithetic phases of its history.

Mr. Howard is a native of Boston, and first came to California in the year 1838, where he resided, with the exception of a twelvemonth's absence on a visit to the city of his birth, until 1853, when his failing health again carried him from his adopted home. Prior to the occupancy of the country by the army of the United States, he was engaged as the agent of a commercial house in Boston in the hide trade, then almost the only traffic

carried on in California. This business rendered it necessary for him to be continually travelling to and from the different portions of the coast, and it was not till 1846 or 1847 that he established himself permanently in San Francisco.

At that time, he associated himself with Henry Mellus, Esq. (another old resident on the Pacific), and with him purchased the establishment of the Hudson's Bay Company in San Francisco, along with other property, and entered upon a commercial business, which was not then of much importance or of very great extent. The discovery of gold, however, gave an *impetus* to their operations, and ere long they became extensively engaged in great commercial speculations. In 1850, these gentlemen dissolved partnership, and Mr. Howard retired from the busy scenes of commerce, and devoted himself to the improvement of his property.

Among the political and party agitations of his adopted State, Capt. Howard has never taken an active part, but he has always been a zealous and efficient advocate for any measure conducive to her welfare; and his name is prominent among those whose liberality and enterprise have been the spirit of the progress of San Francisco. In every popular movement in the city, he enacted an eminent and controlling part, and in the social and minor relations of life holds a merited and enviable position. His charities have been abundant. The early efforts to establish an Orphans' Asylum met in him a generous assistant, and in the organization of the school system and fire department, he acted prominently, tendering, besides pecuniary aid, the free use of buildings to the former, and donating to the latter a handsome fire-engine, which he had procured at his own expense. He was among the first promoters of the cause of religion, and donated a lot of ground to the Howard street Presbyterian Church. His early connection with the volunteer soldiery led to his election as captain of the California Guard, a position he long and worthily filled. He is about thirty-five years of age, of a commanding general appearance, and a particularly benevolent expression of countenance.

JOSEPH F. ATWILL.

MR. ATWILL is another of the prominent pioneers of California, who during the past five years have labored to develope the resources of their adopted State. Ever prompt in the discharge of the duties incumbent on an active and intelligent citizen, thorough and precise in his business relations, bountiful in his charities, generous, open-hearted and benevolent in disposition, this gentleman has met with that signal success, which, like bread cast upon the waters, returns to reward an unselfish life. A *resumé* of his career would be that of hundreds of men, who leaving the crowded thoroughfares of the great Atlantic cities, turned to the land of promise, where the trials and hardships of ten years of active life crowded into one, were to develope traits which might otherwise have remained concealed among the enervating luxuries of eastern habits.

Joseph F. Atwill was born in Boston, Massachusetts, June 4th, 1811, and received the usual literary education afforded the youth of that city by its excellent school system. This completed, young Atwill entered the office of the "New England Farmer," where he served a regular apprenticeship among the "types"—a hot-bed which has developed the germ of much of the world's best talent. Two years of industrious application to his business discovered to his friends that his occupation was of a too sedentary nature, and he consequently entered the music and fancy goods store of Messrs. Hewett & Co., in Boston, and subsequently removed with them to New York, in the year 1831. Having served with them the requisite time, he commenced a business for himself in 1834, and experienced the vicissitudes of a Broadway tradesman, until he became one of the most celebrated publishers of music in the country.

Ultimately, however, meeting with severe losses, Mr. Atwill

became one of the restless thousands, who, carried away by the excitement of the discovery of a land, embodying all the fancies of Lalla Rookh and gorgeous Cashmere, determined to tempt fortune anew on the shores of the Pacific; and accordingly arrived in San Francisco, *via* Panama, on the 31st of October, 1849. Landing almost without a dollar, like hundreds of kindred spirits, he soon began to adapt himself to the place, and to move with that alacrity and determination to succeed that mark the man of will and firm resolve. After buying and selling extensively for himself, and operating largely for others, he located a little store, 8 ft. by 14, on Washington street, a few doors west of the plaza, and thus became the pioneer music and fancy-goods dealer of California. In this snug little *bijou* of a place, he laid the foundation of his wealth. At this period society in San Francisco was almost totally disorganized, and resolved into its original elements. Each man was an independent sovereignty, sailing under his own flag, declaring war, making treaties, and exercising all the functions of a limited government. As a consequence, some rose to imperial splendor; others fell to servile dependency. Pictures of dejected misery and princely affluence met the gaze in every street; men of the finest abilities found themselves penniless and houseless; while others, through successful speculations, were constantly realizing fortunes. London or St. Petersburgh never offered more remarkable contrasts between luxury and distress than did San Francisco, in the memorable winter of 1849. Thus, the little tenement of Atwill was eagerly visited by his many unfortunate friends; and the cock-loft over the miniature store often gave nightly shelter to many, who but a few months before had lived in luxuriant ease. With his characteristic generosity, its proprietor shared his lodging with these friends, some of whom are now distinguished and wealthy citizens.

In the spring of 1850, after several fortunate real-estate operations, and while awaiting the arrival of goods, *via* Cape Horn, he prosecuted his original design of visiting the mines, and was particularly fortunate at the famous "diggings," near Georgetown, being enabled to return to San Francisco in a very few months. He then re-opened his establishment in the zinc

building on the plaza, formerly used as the U. S. custom-house, post-office, &c., and which rented for many months at $75,000 per annum, and having repeatedly escaped the great fires, was better known as the "Salamander Block." While located here, Mr. Atwill was (May, 1851) elected assistant alderman for the fourth ward, and became president of the board,—a position which he filled with ability and honor. In 1852, he visited New York, where he finally closed up all his business affairs; and with a view to a permanent residence in the land of his adoption, made arrangements for the removal of his family to his new home. On his return to San Francisco, he opened the fine brick building, No. 172 Washington street. In the spring of 1853, his fellow-citizens of the fourth ward, mindful of his efforts to serve them in 1851, again elected him to the city council; and on the meeting of that body, he was unanimously chosen president of the board of aldermen. At both periods of his election to the council, the municipal affairs were in a singular state of complexity and embarrassment, and he aided that body much in restoring them to order and regularity.

In November, 1853, Mr. Atwill's family arrived, and found a splendid mansion, prepared and adorned for them by the judicious care of the husband and father. Henceforth, his home is in San Francisco, of which his extensive relations entitle him to be considered one of its most enterprising merchants. Notwithstanding his increased wealth, he has lost nothing of the character of probity and ability that have always marked his social and political life. He is distinguished for a remarkable ease and cordiality of manner. His countenance is full of good humor and *bonhommie*. He is domestic in his habits; strictly moral and disciplinary in his course of life; indeed, his rigid attention to business and propriety of conduct were such as to excite remark among the free, easy and adventurous sort of people that dwelt in San Francisco. Mr. Atwill is a self-educated man; adding by useful and agreeable study and reading to the experiences of life. His personal popularity bespeaks for him the highest honors in the gift of his fellow-citizens.



JONATHAN D. STEVENSON.

COLONEL J. D. STEVENSON, as commander of the well-known regiment of New York Volunteers, in 1847 and 1848, earned for himself a high name in California, which later years have not derogated. This gentleman was born of respectable parentage in the City of New York, on the 1st of January, 1800. His grandfather was a soldier of the Revolution ; and his father a ship-master, who was, for many years, connected with the revenue department at New York. Their descendant was bred a merchant and entered into business on his own account before he was eighteen years of age. While still a lad, and in the course of transacting some business for his employers, the subject of our memoir made the valuable and flattering acquaintance of D. D. Tompkins, Esq., then governor of the State of New York, and soon afterwards elected vice-president of the United States.

When, early in 1818, Governor Tompkins commenced running a line of steamboats from Staten Island to New York, he appointed young Stevenson his agent. That distinguished individual indeed, to the close of his life, testified to his youthful friend much of the regard and affection which a father bears to a son, appointing him his private secretary, and always treating him as a dear and confidential companion. Mr. Stevenson, in the former capacity accompanied the vice-president to Washington, where he became acquainted with the most notable men of the nation, with many of whom he remained in habits of intimacy and correspondence until he left the Atlantic States for California. The late Honorable Silas Wright, and the present secretary of state, William L. Marcy, may be particularly mentioned as having been among Mr. Stevenson's personal friends. The latter named gentleman has given numerous evidences of high regard for his friend, while the following extract of a letter from the former to one high in authority at Washington will exhibit the estimation in which he was held by the writer :—"I will say to you, with great cheerfulness, that I consider Stevenson a warm and devoted friend to me and to the democratic party and its principles. I have known him quite intimately for several years, and have corresponded with him a good deal, during that time, and I have ever found him, in all my intercourse, strictly faithful to truth, perfectly honorable, and most ardently, I may almost say passionately, devoted to his friends, as he never seems to me to think of himself, when his friends, or his party, are in danger."

At the age of twenty-one, Mr. Stevenson attached himself to a military company in the city of New York, and in 1825 united with Col. W. W. Tompkins in organizing the splendid corps of citizen soldiers known as the *Tompkins Blues*, who, to this day, as the *Light Guard*, stand at the head of the uniformed militia companies for character and perfection of drill, as infantry and artillery. From the rank of lieutenant in the Tompkins Blues, he was elected, in 1828, to the command of a regiment of citizen soldiers in New York by the unanimous vote of all the officers. This commission he resigned in 1840, at which time he was generally considered one of the best drill officers and tactitians in the State.

Mr. Stevenson was for many years a leading politician of his native city and State; and in 1846 was chosen from the former a member of the State Legislature of New York. In the month of June of that year, when on a visit to Washington, President Polk, with whom he had long been personally intimate, offered him the command of a volunteer regiment for service in California, if he would raise one. This offer was made by the president alone, without previously consulting with his cabinet, in which, it was afterwards understood, the matter became subject of debate. However, towards the end of the same month, official instructions reached Mr. Stevenson to raise and organize the proposed regiment. The rolls were accordingly opened on the 4th of the following month of July. Within three days afterwards the force was filled up; and, on the 1st of August mustered into service at Governor's Island. There it lay encamped for some time, until transports could be obtained for its embarkation to California. The energetic and persevering character, as well as great abilities of Mr. Stevenson, were so well known to the president and secretary of war, that he was left with the entire duty and responsibility of raising, organizing, and equipping this regiment, and of making requisitions upon the several departments for the necessary supplies to his recruits.

Colonel Stevenson's carefulness in receiving volunteers for his regiment was the cause of much subsequent annoyance to him. It appears that the regulations of the service require each recruit to be examined by a surgeon within four days after enlistment. But as the surgeons of the new regiment were not appointed for twenty days after it had encamped at Governor's Island, such examination did not take place till a later period. When, however, it was made, a number of men, physically disqualified, were rejected and dismissed from each company. Now, most men who have ever figured in public life have had their political and personal foes; and Colonel Stevenson had his. The propriety of his appointment to his high command had been much discussed, and though none pretended to deny his peculiar fitness for the office, still many considered that there were others who had equal if not better claims than he to the post. Some of these grumblers, who happened to be bitter personal enemies

of the colonel, got hold of the men dismissed from the regiment as unfit for service, and persuaded them instantly to raise actions of damages against the commander for false imprisonment and what not. This was on the eve of the sailing of the expedition. If these prosecutions had been commenced and process served, interminable delay and expense would have resulted ; and, in the end, the colonel would have lost the command, which was chiefly what his enemies wished. Being informed of their plans, he determined to balk them, if he could. In a day or two the expedition would certainly sail ; but that day or two was of the utmost consequence. Colonel Stevenson accordingly at once repaired on board one of the three transports, in which his men were already embarked, and issued instructions, that preparations should immediately be made to sail. Meanwhile he refused to receive any person on board, unless connected with the expedition. By and by, the sheriff came alongside in a steamer, and wished to go on board the transport. This the officer of the watch refused to permit, and ordered a sentinel to shoot whoever should attempt to set his foot on deck. The steamer therefore went back with the disappointed official. Next morning, the deputy sheriff made his report of the resistance which had been offered to his authority—the sheriff called upon the mayor for help—and the mayor, as in duty bound, provided a little army of policemen to arrest the colonel and his officers, chartered a steamer, and with his civic force hastened to the wharf. But the birds had flown. The transports, under convoy of the United States ship Preble, were already under way, and would be beyond his worship's jurisdiction before they could be overtaken. This was on the 26th of September. Thus the colonel's tactics freed him from the danger.

In due course of time the Preble and transports reached California. When Colonel Stevenson himself landed at San Francisco, on the 7th March, 1847, he found orders awaiting him from General Kearny, directing the distributing of his regiment over various parts of the country ; which was subsequently done. Detachments were stationed at Sonoma, San Francisco, Santa Barbara and Monterey, to which last place, as head-quarters, Colonel Stevenson proceeded. The Americans at Los Angeles

begging for succor, and intelligence being received that a large body of Mexicans, under General Bustamente, were approaching the southern portion of the country, the colonel with two companies of his regiment was ordered to that town. Here he assumed the command of the southern military district, embracing Santa Barbara and all below that port. The battalion of Mormon Volunteers was then at Los Angeles, at which place Colonel Stevenson established his head-quarters. In July, 1847, the Mormon battalion was disbanded; and from that time till the close of the war, this district of country was left under the charge of the colonel, by whose constant vigilance it was kept quiet. By his uniform kindness to the native Californians as well as to foreign residents, added to his impartial administration of justice in civil as in military matters, he endeared himself to all who knew him. No man was ever more loved and respected by those under his command than Colonel Stevenson. It is likewise well known, that he possessed the utmost confidence and esteem of his superior officers, General Kearny and Colonel Mason. Colonel Stevenson was afterwards ordered to Monterey to await the coming of a portion of his regiment that had been sent to Lower California. This arrived in October, 1848, and was disbanded on the 24th of the same month. Their commander himself was mustered out of service two days afterwards, being just two years and one month from the time he had sailed from New York.

Colonel Stevenson afterwards formed a party, with two officers and some picked men of his regiment, to proceed to the gold mines. It was during this mining expedition that the colonel, at the request of the general body of miners in the district (Mokelumne Hill), prepared a code of laws, or regulations, regarding the proper working at the mines. These were unanimously adopted, and their framer was elected alcalde to enforce them. This is believed to have been the first code for the regulation of mining claims ever proposed in California, and was the basis upon which all others have since been formed.

A short time subsequent to this, Col. Stevenson formed a business connection with Dr. William C. Parker, who had been assistant surgeon in the regiment of New York volunteers; and

the partners began extensive operations in real estate in San Francisco. They were among the first who subdivided fifty-vara lots, which they did most profitably to themselves, and with an industry and perseverance unsurpassed by any others in California. They soon began to be remarked as among the most prosperous and wealthy men in San Francisco. They were the first to erect and finish a dwelling-house with lath and plaster, and among the first to erect buildings on piles, on what at that time (1849 and 1850) was considered the bay. In 1850, Col. Stevenson purchased up the interest of Dr. Parker in their large estate. But, unfortunately, in the spring of the following year, when the money pressure became very severe, he was obliged to assign all his property for payment of his debts. His creditors intrusted him with the management of his affairs; and he, anxious to be relieved from his heavy obligations, immediately proceeded to realize the estate, and convert it into cash, which was honestly applied in payment of every claim, principal and interest, which could be made against him. If a little time had been given, or which he might have taken, this property, which was hastily sacrificed, would have produced perhaps millions above what it was sold for. He is still, however, possessed of an independent fortune.

Colonel Stevenson has ever been remarked for his agreeable social qualities; and in the memorable winter of 1849–50, he had abundant opportunities to exhibit also an equally conspicuous disposition for generosity and benevolence. At that period there was much suffering in San Francisco, and many were calling aloud for the exercise of charity in their behalf; and such calls never fell unheeded upon the ears of him of whom we write. Of his abundant means he contributed largely for the relief of the poor, the sick and the dying, and to the decent interment of the indigent dead. Upon the organization of the Grand Lodge of Freemasons for the State, he was unanimously elected the first grand master, and served his term of office with credit to himself and the satisfaction of its members, comprising many of the most respectable, intelligent and influential men of the country.



WILLIAM M. GWIN.

Among the leading public men in the Senate of the United States, and now occupying a prominent position before the country, is this distinguished senator from California. Dr. Gwin was born on the 9th of September, 1805, in Sumner County, Tennessee. His father, Rev. James Gwin, was an eminent clergyman of the Methodist Episcopal Church. The field of the ministrations of this good man embraced all the western and south-western States: and the zeal and energy with which he performed the duties of his sacred office were chiefly instrumental in founding in that part of the Union, the denomination of which he was a constant and devoted advocate. His son William was placed at an early age in charge of Professor Thruston, an eminent scholastic of Kentucky, and being gifted with an active and vigorous mind,

and possessing extraordinary energy and perseverance, he soon became grounded in the elements of an English education, and devoted himself to the study of mathematics and the ancient languages. The severe mental training, which he received in the exact sciences, prepared him for any branch of learning, and perceiving intuitively its importance he cultivated his reasoning powers by familiarizing himself with geometrical discussions. From these he entered another field of inquiry, in the study of intellectual philosophy and the ancient classics, becoming well acquainted with the Roman language and literature, and attaining at the same time some proficiency in the more elegant and polished idiom of the Greek writers. This course of study under the direction of his father and preceptor developed his great mental vigor and acuteness. His predilection for the natural sciences led him to the study of medicine, with the purpose of following it as a profession. Having already gone through regular courses of chemistry and anatomy, he entered the Medical Department of Transylvania University, where he graduated with distinguished honor, and before he had attained his majority, commenced the practice of physic near the city of Nashville, Tennessee. The bent of his mind, however, was in a different direction. As a branch of liberal education, he entered upon a course of legal study and thoroughly read the great English and American commentators, attentively examining, at the same time, the institutions of our own country and of Great Britain, and was finally duly admitted to practise at the bar. The severe training he had received in his early education and his natural abilities enabled him, however deep the research or intricate the analysis, to give freshness and interest to any subject which engaged his attention in his new profession; while, at the same time, in its management, he ever kept in view its application to the real business and great end of life. In fact he was, unconsciously, preparing himself for another sphere of action, in which he has since figured among the most prominent and distinguished statesmen in the Union. Born and reared almost under the eye of Andrew Jackson, he became a favorite of that hero and statesman from early infancy. Even in boyhood he had mingled with men of no ordinary stamp—those men, indeed, whose energies

have vindicated the justice and security of popular government and spread its influence over the whole world—and they had taught him the habit of self-reliance and the value of our prevalent institutions. He knew, in fact, but one political creed, and that was the principles of the democratic party. Installed in such a church, from youth, he has ever been zealous and true to its faith.

President Jackson, appreciating his great energy of character and integrity of purpose, tendered him in the year 1833, the office of U. S. Marshal for the State of Mississippi. This position Dr. Gwin held, during that administration and throughout President Van Buren's. He discharged the responsible duties of the office with great delicacy and humanity. Indeed, his urbanity and kindness materially lessened the severity of judicial exactions and his private fortune was eventually ruined by his frequent assumption of the liabilities of others and his forbearance from enforcing the mandates of the law.

Upon the election of Gen. Harrison to the presidency, Dr. Gwin resigned the office of marshal and became a candidate for Congress on the democratic ticket. President Harrison had received a majority of 2500 in 1840 in that district, but mainly through the efforts of Dr. Gwin, the opposite party now triumphed by an equal number of votes, and he was chosen a member of the XXVIIth Congress. He at once gave evidence of his ability as a legislator and as a business member, devoting himself with untiring assiduity to all the numerous demands for his services. The diversified matters in which his State was concerned, and more particularly the landed interests of his constituents and the extension of the postal system, occupied his attention. At the close of his congressional term he was renominated by acclamation, but was compelled for a time to withdraw from public life, to attend to his private affairs, which had become embarrassed by reason of his leniency in the discharge of his duties as marshal, and of serious losses he had personally sustained, by receiving in payment of executions, the perishable paper currency of that day.

In 1847, during President Polk's administration, he was appointed Commissioner to superintend the erection of the U. S. Custom-House in New Orleans, the duties of which office he dis-

charged with scrupulous fidelity, but which, on the accession of President Taylor, he resigned and emigrated for California.

His thorough knowledge of the institutions of the country, his great experience in public affairs and his popular address, at once commanded the attention and confidence of the medleyed public in this quarter, and he was chosen in the primary assembly of the people to represent them in convention to form a constitution for a State Government. He entered upon the duty with his usual energy, and no man labored more zealously to complete the work. He brought to bear, in the progress of the discussion, all the resources of his vigorous and cultivated mind and had the gratification of witnessing that instrument, which is now the fundamental law of the Pacific State, adopted and ratified by the people with singular unanimity.

The first Legislature under the State organization met in December, 1849, and Messrs. Gwin and Fremont were chosen United States Senators. His labors then, in behalf of California, began in earnest, and upon a new theatre. He was untiring in collecting and disseminating among the members of both Houses of Congress, information to enable them to understand the true condition of his State, and to legislate accordingly. During the turbulent agitation of the slavery question in the public councils and throughout the country, Dr. Gwin was incessant in his exertion to bring about the work of pacification and secure the admission of his State, and finally, on the 9th of September, 1850, had the gratification of perceiving the passage of the Act of Congress, declaring California to be one of the United States, and to be admitted into the Union on equal footing with her thirty elder sisters. He then took his seat in the National Senate, and from that day, that great body and the country at large have witnessed his statesmanlike course, and the unparalleled exertions he has made to elevate his State from the feebleness of political infancy to that commanding position which she now occupies in the American confederacy.



SELIM E. WOODWORTH.

Selim E. Woodworth, second son of the poet Samuel Woodworth, author of the "Old Oaken Bucket," was born in the city of New York, on the 27th of November, 1815. Having had from his earliest boyhood a strong desire to travel and "see the world," he began his career at twelve years of age, by leaving clandestinely his father's house, and with a rifle and knapsack commenced what he intended should have been a grand tour to the far, far west, across the prairies and Rocky Mountains to the Pacific Ocean. He had accomplished about three hundred miles of this journey and reached the western boundary of the State of New York, when, meeting with some relatives who had heard of his sudden departure from home and of the agonizing anxiety of his parents to learn his whereabouts, he was checked in the further prosecution of his intended tour and persuaded

by his friends to relinquish for the time being what they deemed a most Quixotic project. Regretting that in his youthful ardor he had thoughtlessly given pain to the hearts of those "loved ones at home," he concluded to return to his native city, allay the fears and anxieties of his parents and endeavor to make arrangements for carrying out, under more favorable auspices, his cherished project of "seeing the world." His friends assayed in vain to induce him to abandon the idea, but it had become the ruling passion of his life, and circumstances soon occurred which afforded him an opportunity of gratifying it.

Early in 1834, an expedition to the South Seas was fitted out by some merchants in New York, under the command of the celebrated navigator, Capt. Benj. Morrell. A beautiful clipper brig, the *Margaret Oakley*, was built at Baltimore, and fitted, armed and equipped for the purpose; and young Woodworth, having obtained the reluctant consent of his parents, embarked in the expedition as captain's clerk. This vessel after cruising among the islands of the South Pacific for about three years, and while returning home by way of China and the Cape of Good Hope, was wrecked upon the Island of Madagascar, where our young adventurer was compelled to remain many months among a rude and barbarous people, living almost in a state of nature. He finally contrived to leave the island in a small launch, and succeeded in reaching Mauritius, or the Isle of France, from which he returned to his anxious friends at home, after an absence of nearly four years.

Mr. Woodworth's spirit of adventure being now fairly awakened, and filled with a fresh desire to pursue his wanderings, he applied for and obtained an appointment as midshipman in the U. S. Navy, with the object of joining the U. S. Exploring Expedition, then being fitted out under command of Capt. Wilkes. His application for orders was successful; but by an unfortunate mistake, the "yellow document" was forwarded to the Brooklyn post-office instead of to New York, and he did not receive it until several days after the sailing of the expedition.

After the lapse of a few months, Mr. Woodworth was ordered to join the *Ohio*, 74, in which ship he sailed for the Mediterranean in the winter of 1838, and spent three years cruising

on that station, visiting in the mean time all the different countries bordering on that and the adjacent seas, and feasting his poetical imagination on the classic treasures of that wondrous region. Returning home in 1841, the succeeding four years were spent cruising in the Gulf of Mexico, among the West India Islands, and along the coast of Africa.

In the spring of 1846, having obtained an unlimited leave of absence for the purpose, Mr. Woodworth resolved to carry out the darling project of his youth, and cross the continent to the Pacific. With this view he left home on the 1st of April of the year named. Having spent about a month in St. Louis and completed the arrangements for his journey, he finally left Independence, Mo., on the 15th of May, and accomplished the trip to the Oregon settlements, on the Columbia River, in a little over sixty days. This is one of the quickest trips across the plains on record. Remaining in Oregon until the following winter, he then came down the coast, and landed at "Yerba Buena," the site of the present City of San Francisco.

Shortly after Mr. Woodworth's arrival here, information was received of the dreadful situation of a party of unfortunate immigrants who had lost their way in the mountains, and were perishing with cold and hunger in the snows. Our hero immediately volunteered to take command of a party, raised for the purpose, to go to their relief. An open launch was soon fitted out and furnished with supplies of stores, provisions, clothing and other necessaries; and with his hardy little band Lieut. Woodworth started on this forlorn hope, in aid of suffering humanity. It required eleven days to navigate the little craft up the Sacramento River, against the swollen current of the stream which had been rendered doubly powerful by the severe freshets of that memorable winter. The party were compelled to warp their boat along the banks nearly the whole distance, until they arrived at the embarcadero of Sutter's Fort, the site of the present Sacramento City. This place was completely overflowed at that time, so that the whole space between the embarcadero and the fort, was navigable with canoes. The party arrived at the fort, and that gallant old soldier, Capt. John A. Sutter, whose heart and purse were ever open to relieve the sufferings of

his fellow-creatures, at once entered warmly into their plans of mercy, and furnished them with whatever was lacking to carry out their enterprise, including pack mules and a number of his Indian servants. During the course of the perilous journey, and at convenient distances on the route, deposits of provisions were made and *cached*, for future use in returning from the mountains. When the region of snow was reached, the party were compelled to send back their mules and pack their remaining supplies upon their own backs, for many days, over mountains almost impassable and over snows in many places from sixty to eighty feet deep. On finally arriving at the camp of the unfortunate sufferers a scene of horror was presented to them which would have shocked the sensibilities of the strongest nerve. There remained alive about seventy of the original party of immigrants. Many had died from cold and hunger, and for many days the only means the survivors possessed of sustaining life, was by feeding upon the dead bodies of their comrades. In one instance, a father was discovered lying upon the ground and eating the carcase of his own child! Some were raving maniacs, and others were so stupefied and benumbed, as to have lost all desire or power of exertion. All who were found alive, however, were safely brought in, and thus, by the almost superhuman exertions of this gallant little band, nearly seventy human lives were saved from destruction, among whom are some of the present most distinguished citizens of our State.

After returning from this mountain expedition, Lieut. Woodworth reported himself for duty, and was ordered, as master, to join the U. S. ship *Warren*, then lying at Monterey. He was afterwards appointed to the command of the U. S. transport *Anita*. This command he retained until the close of the war with Mexico, doing much important service on the coast in transporting supplies, men and munitions of war, to and from the various ports between San Diego and the Columbia River.

In the fall of 1849, at the urgent solicitations of his fellow-citizens of Monterey, of which place he was at that time a resident, Capt. Woodworth consented to have his name presented to the people of that county as a candidate for the State Senate at the first session of our Legislature. Having been elected, he re-

signed his post in the navy, and served his constituents in the senate chamber of the State during the first two sessions at San José. During the last session of his term, the County of Monterey was infested by a reckless gang of desperadoes, horse thieves, robbers and murderers, who committed all manner of outrages upon the peaceable inhabitants, until it was found absolutely necessary to extirpate them under authority of the State. Under commission from Gov. McDougall, Mr. Woodworth raised a company of rangers, and after many weeks of incessant effort, the campaign resulted in completely breaking up the gang, by the arrest of a number who were tried and found guilty, and several of whom were executed.

Mr. Woodworth built the first house in San Francisco upon a water-lot. It was upon the spot now occupied as the Clay Street Market. The project of erecting a store out over the water, while so much unoccupied land remained, was ridiculed at the time as visionary; but the sequel proved the wisdom of the act. In consequence of the position, the firm of Woodworth & Morris possessed for a long period the exclusive trade of the lighterage of the port.

Although firm, determined and courageous, self-reliant and persevering, Mr. Woodworth is nevertheless one of the most quiet of men in his habits, and seems to prefer nature in her simplicity and purity, to all the bustle and turmoil of the city, the honors and emoluments of politics, and the fripperies and false glare of society. On a little island in the bay, half way between San Francisco and Benicia, he has taken up his abode, where like a second Robinson Crusoe he can sit by his fire, and shoot the wild fowl he may choose from the flocks which swim close by his hearth-stone, or from the very steps of his cottage catch the finny visitant of the fishing grounds of "Red Rock." Yet, although so retiring and fond of quiet, there is not a man in California whose heart would sooner respond to the call of suffering humanity, or who would less calculate the cost of wealth, life or limb, than he, in flying to its relief; no one on whom his fellow-citizens might more implicitly rely where toil and dangers were to be met and overcome, and the great principle of doing good to man carried out under the most formidable difficulties.



THEODORE PAYNE.

THIS gentleman is extensively known as a prominent, useful and prosperous citizen of San Francisco. Modest and unassuming, yet honest, industrious and energetic, he has worked himself forward to an enviable position in the community. Mr. Payne was born in the City of New York, on the 12th of December, 1816. He was educated for the profession of a merchant; and during his residence in his native city, devoted his attention to mercantile pursuits, in which he exhibited the qualities of an active, intelligent and talented business man. When the California gold excitement first began to prevail in the Atlantic States, he was impressed with the favorable opportunities afforded by the immense current of emigration that immediately commenced westward, for the further display and more successful exercise of the spirit of enterprise he so eminently possessed. He concluded to embark without delay for the newly discovered regions of adven-

ture and gold, with no other capital than indomitable energy and perseverance, to a field of labor where he trusted these qualities would find an ample field for their employment.

From New York he took passage for Chagres, and crossing the Isthmus, reached Panama in the month of September, 1849. Here he met the first severe trial of his life, which, though it did not destroy, certainly for a time somewhat dampened his ardor. Misfortunes commencing at so early a period of his adventure, were by no means a satisfactory assurance of future success. Through carelessness on the part of the agents of the Steamship Company, he lost his entire baggage, and left for San Francisco in the steamer Panama with nothing in the world that he might call his own. Even the clothing he wore were borrowed from a friend. This was a sorry condition for one commencing a voyage of over two weeks, and destined to a country of which he knew but little, and where he expected to meet none other than strangers. Still his heart was light, and his hopes ran high. Arriving in the last named city, his circumstances would not allow him to remain long idle; he, therefore, instantly sought after the means to employ his time and talents to their best advantage. Connecting himself with Mr. W. J. Sherwood, they opened the well-known auction-house of Payne & Sherwood, and were immediately doing an extensive general auction business. Whilst conducting this establishment, by his courteous deportment, agreeableness of manners, and prompt attention to his patrons' interests, he gathered around him a large circle of substantial and influential friends. At the same time he took an active part in all matters of public concern, associated himself with the prominent institutions of the place, was present at the various conventions of the people on public occasions, and in many other respects so employed his leisure as to draw toward himself the favorable consideration and esteem of the people at large. In October, 1850, his connection with Mr. Sherwood was dissolved, and shortly after he united with Mr. S. P. Dewey in establishing the present popular real estate auction-house of Theodore Payne & Co. The business and profits of this concern were immense; for besides the extensive sales of private property which they continually effected, they were chosen by the com-

missioners to sell the great landed interests of the city, the benefits of which appointment they still enjoy. In the prosecution of this business many and great opportunities occurred for lucrative speculations in real estate, of which Mr. Payne so judiciously availed himself, that in a very brief period he accumulated valuable property to a very considerable extent.

In the mean time he had met with serious reverses. Like almost every other business man in San Francisco, he was a heavy loser by the frequent terrific conflagrations that swept over the entire populous portions of the city. On more than one occasion his whole earnings were suddenly snatched from him by these wholesale and frightful calamities. But still he never sunk into the slough of despondency, but bore his severe losses with admirable philosophy, retained his extraordinary cheerfulness of disposition, and never slackened his efforts, nor suffered his energies to diminish for a single moment. "Onward" was his motto, and when thrown down by one calamity, he was soon up again, and at work, to repair the injuries sustained.

In the gloomiest days that San Francisco has ever known—when the city was involved in debt to an immense amount, and very few could discern by what means its liabilities could ever be met, or its difficulties overcome—when many lost all confidence, and even left the place in despair—when real estate had deteriorated in value to almost nothing—when the corporation script could not be sold for one third its face value—when, in fact, the great mass of the population were fast relinquishing all hopes of its future prosperity—Mr. Payne was among the few clear-sighted and far-seeing citizens who doubted not its subsequent greatness. A large portion of the city property had been sold at sheriff's sale under executions in favor of its creditors, at mere nominal prices, redeemable six months after date of sale. The limited time expired; but the commissioners were without funds to redeem the property. Mr. Payne took a lively interest in the matter, and perceiving that this large amount of property was likely to be inevitably sacrificed, nobly stepped forward and offered to the commissioners the needed relief, which was gladly accepted. Messrs. T. Payne & Co. drew a check on Messrs. Page, Bacon & Co., for the large amount of $17,696, which was the sum

required to meet the emergency. Thus Mr. Payne continued to exhibit an unwavering confidence in the future ability of the city to meet its liabilities and recover its earlier prosperity. It was at this period that his rare business qualifications and remarkable powers of discernment were rendered most conspicuous. With great exertion, and patient toil, and persevering effort he succeeded in calling the attention of capitalists to the true condition of things and the ultimate value that would be attached to the city property, and his labors, as much as those of any other individual, tended to effect the rapidly increased value of lots within the city limits ; always maintaining that San Francisco would become a great commercial metropolis, and that neither fire, nor flood, nor earthquakes, nor storms, would arrest its progress. Even as far back as 1849, he advocated these views. At that period much was said in favor of Benicia ; and many sensible people contended that that city would take precedence of any other in the State. On this ground Mr. Payne was strongly urged to remove to the latter named place ; but he ridiculed the idea, and pointed out very clearly the superior advantages that San Francisco then possessed and would ever maintain. The result shows the propriety of his judgment. Many persons through his persuasion were induced to invest their limited means in land purchases, through which they have suddenly accumulated handsome fortunes. The advice he gave to others he followed himself, and thus became one of our wealthiest citizens.

Mr. Payne has signalized himself by the active part taken by him in many of the popular excitements that have agitated San Francisco. In the memorable affair of February, 1851, when the enraged populace had resolved upon lynching and hanging the men Burdue and Windred, for an alleged assault upon Mr. Jansen, he was chosen one of the Committee of Safety, and did himself credit by wise and judicious counsel. During the "Coltŏn Grants" excitement which threatened to result in serious public disturbances, he did service to the city by his active opposition to the attempts made by certain parties to possess themselves of the property of others and the city on the plea of holding those fraudulent and worthless titles. He was the means of arresting several, who, upon this pretence, had taken possession

of and were piling in the public slips. For his services in this matter he was presented by a number of prominent merchants with a superb magic-case watch richly set with diamonds. He was among the most active of those who, to prevent a useless squandering of the public funds, opposed the purchase by the common council of the Jenny Lind Theatre at the extravagant



Formerly the Jackson House, south-west corner of California and Montgomery streets.

price of two hundred thousand dollars. Indeed, whenever and wherever the interests of the city were about being jeopardized, Mr. Payne was sure to be found among its supporters and defenders—a strenuous advocate of its rights, and a fearless and determined opposer of every corrupt and selfish official scheme. Although a firm and stanch democrat, he kept aloof from all cliques and party caucusses, whose ends were personal advancement rather than the public good.

Since the fall of 1849, Mr. Payne has been a useful and efficient member of the Fire Department, and is now one of the Trustees of its Charity Fund. He early became a member of the first Masonic Lodge established in San Francisco, and con-

tributed generously to the many works of charity performed by that benevolent institution. In fact, when an act of generosity was to be done—when donations for the relief of the sick or distressed were required—the kind-hearted subject of this sketch was never appealed to in vain. His sympathies were ever as large as his purse, and on some occasions they drew forth charitable contributions which the latter could but ill afford.

In September, 1851, Mr. Payne was elected by the people to the office of Street Commissioner, and for a time performed its duties. But before the term for which he was elected expired, he for sundry reasons vacated the situation, and turned his entire attention to his business, which was far more agreeable to his feelings and beneficial to his interests. Having removed his family to San Francisco, he is now among its permanent, most useful and valued citizens. Besides other prominent associations to which he is attached, he is a highly respected member of the well-known "Society of California Pioneers."

APPENDIX.



SEAL OF THE STATE OF CALIFORNIA.

The credit of the design of the Great Seal of the State of California, as well as the $1000 award for the same, were given to Caleb Lyons of Lyonsdale, N. Y., at that time a resident of this State. Much discussion having been occasioned both with respect to the artistic merit of the device and its real paternity, it may not be out of place here, to state the facts concerning it.

The convention which framed the Constitution of the State of California passed a resolution, appropriating $1000 for a design for the official Great Seal. One was presented by Mr. Lyons, of which he professed to be the author. It represented the bay of San Francisco as emblematic of the commercial importance of the City and State; with the goddess Minerva, in the foreground, illustrating its sudden springing into maturity; and the Sierra Nevada in the distance, as indicative of the mineral wealth of the country. The motto was the Greek word "Eureka," (εὕρηκα, I have found it). This was presented to the committee, which consisted virtually of Hon. John McDougal, his associate, Hon. Rodman M. Price, being absent. Gen. McDougal was pleased with the design, and wished it adopted with little or no alteration; but finding that impossible, consented to several minor additions. Thus the figure of the grizzly bear was added, as appropriate to the only section of the country producing that animal. This was especially insisted upon by those who had borne a part in the "Bear Flag" affair, conspicuous among whom was the Hon. Jacob R. Snyder. The native Californians, on the other hand, opposed it, wrongly supposing that its introduction was intended to immortalize that event. The sheaf of wheat and bunch of grapes were also adopted, as emblems of the agricultural and horticultural interests of the southern sections of the State, particularly. With these exceptions, the seal as designed by Mr. Lyons, was that selected.

CONSTITUTION OF THE STATE OF CALIFORNIA.

ARTICLE I.

DECLARATION OF RIGHTS.

Section 1. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property; and pursuing and obtaining safety and happiness.

Sec. 2. All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people; and they have the right to alter or reform the same, whenever the public good may require it.

Sec. 3. The right of trial by jury shall be secured to all, and remain inviolate for ever; but a jury trial may be waived by the parties, in all civil cases, in the manner to be prescribed by law.

Sec. 4. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall for ever be allowed in this State; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief; but the liberty of conscience, hereby secured, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.

Sec. 5. The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require its supension.

Sec. 6. Excessive bail shall not be required, nor excessive fines imposed, nor shall cruel or unusual punishments be inflicted, nor shall witnesses be unreasonably detained.

Sec. 7. All persons shall be bailable by sufficient sureties; unless for capital offences, when the proof is evident or the presumption great.

Sec. 8. No person shall be held to answer for a capital or otherwise infamous crime (except in cases of impeachment, and in cases of militia when in actual service, and the land and naval forces in time of war, or which this State may keep with the consent of Congress in time of peace, and in cases of petit larceny under the regulation of the Legislature) unless on presentment or indictment of a grand jury; and in any trial in any court whatever, the party accused shall be allowed to appear and defend in person and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offence; nor shall he be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Sec. 9. Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions on indictments for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

Sec. 10. The people shall have the right freely to assemble together, to consult for the common good, to instruct their representatives, and to petition the Legislature for redress of grievances.

Sec. 11. All laws of a general nature shall have a uniform operation.

Sec. 12. The military shall be subordinate to the civil power. No standing army shall be kept up by this State in time of peace; and in time of war no appropriation for a standing army shall be for a longer time than two years.

Sec. 13. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, except in the manner to be prescribed by law.

Sec. 14. Representation shall be apportioned according to population.

Sec. 15. No person shall be imprisoned for debt, in any civil action on *mesne* or final process, unless in cases of fraud; and no person shall be imprisoned for a militia fine in time of peace.

Sec. 16. No bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, shall ever be passed.

Sec. 17. Foreigners who are, or may hereafter become *bona fide* residents of this State, shall enjoy the same rights in respect to the possession, enjoyment, and inheritance of property, as native born citizens.

Sec. 18. Neither slavery, nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State.

Sec. 19. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable

cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons and things to be seized.

Sec. 20. Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason, unless on the evidence of two witnesses to the same overt act, or confession in open court.

Sec. 21. This enumeration of rights shall not be construed to impair or deny others retained by the people.

ARTICLE II.

RIGHT OF SUFFRAGE.

Section 1. Every white male ci izen of the United States, and every white male citizen of Mexico, who shall have elected to become a citizen of the United States, under the treaty of peace exchanged and ratified at Queretaro, on the 30th day of May, 1848, of the age of twenty-one years, who shall have been a resident of the State six months next preceding the election, and the county or district in which he claims his vote thirty days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law: *Provided*, that nothing herein contained shall be construed to prevent the Legislature, by a two thirds concurrent vote, from admitting to the right of suffrage, Indians or the descendants of Indians, in such special cases as such a proportion of the legislative body may deem just and proper.

Sec. 2. Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest on the days of the election, during their attendance at such election, going to or returning therefrom.

Sec. 3. No elector shall be obliged to perform militia duty on the day of election, except in time of war or public danger.

Sec. 4. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States; nor while engaged in the navigation of the waters of this State, or of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse, or other asylum, at public expense; nor while confined in any public prison.

Sec. 5. No idiot or insane person, or person convicted of any infamous crime, shall be entitled to the privileges of an elector.

Sec. 6. All elections by the people shall be by ballot.

ARTICLE III.

DISTRIBUTION OF POWERS.

The powers of the Government of the State of California shall be divided into three separate departments: the Legislative, the Executive, and Judicial; and no person charged with the exercise of powers properly belonging to one of these departments, shall exercise any functions appertaining to either of the others, except in the cases hereinafter expressly directed or permitted.

ARTICLE IV.

LEGISLATIVE DEPARTMENT.

Section 1. The legislative power of this State shall be vested in a Senate and Assembly, which shall be designated the Legislature of the State of California; and the enacting clause of every law shall be as follows: "The people of the State of California, represented in Senate and Assembly, do enact as follows."

Sec. 2. The sessions of the Legislature shall be annual, and shall commence on the first Monday of January, next ensuing the election of its members, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

Sec. 3. The members of the Assembly shall be chosen annually, by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November, unless otherwise ordered by the Legislature, and their term of office shall be one year.

Sec. 4. Senators and members of Assembly shall be duly qualified electors in the respective counties and districts which they represent.

Sec. 5. Senators shall be chosen for the term of two years, at the same time and places as members of Assembly; and no person shall be a member of the Senate or Assembly who has not been a citizen and inhabitant of the State one year, and of the county or district for which he shall be chosen, six months next before his election.

Sec. 6. The number of Senators shall not be less than one third, nor more than one half, of that of the members of Assembly; and at the first session of the Legislature after this Constitution takes effect, the Senators shall be divided by lot as equally as may be, into two classes; the seats of the Senators of the first class shall be vacated at the expiration of the first year, so that one half shall be chosen annually.

Sec. 7. When the number of Senators is increased, they shall be appointed by lot, so as to keep the two classes as nearly equal in number as possible.

Sec. 8. Each House shall choose its own officers and judge of the qualifications, elections, and returns of its own members.

Sec. 9. A majority of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner, and under such penalties, as each House may provide.

Sec. 10. Each House shall determine the rules of its own proceedings, and may, with the concurrence of two thirds of all the members elected, expel a member.

Sec. 11. Each House shall keep a journal of its own proceedings, and publish the same; and the yeas and nays of the members of either House, on any question, shall, at the desire of any three members present, be entered on the journal.

Sec. 12. Members of the Legislature shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest, and they shall not be subject to any civil process during the session of the Legislature, nor for fifteen days next before the commencement and after the termination of each session.

Sec. 13. When vacancies occur in either House, the Governor, or the person exercising the functions of the Governor, shall issue writs of elections to fill such vacancies.

Sec. 14. The doors of each House shall be open, except on such occasions as, in the opinion of the House, may require secrecy.

Sec. 15. Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

Sec. 16. Any bill may originate in either House of the Legislature, and all bills passed by one House may be amended in the other.

Sec. 17. Every bill which may have passed the Legislature, shall, before it becomes a law, be presented to the Governor. If he approves it, he shall sign it; but if not, he shall return it, with his objections, to the House in which it originated, which shall enter the same upon the journal, and proceed to reconsider it. If, after such reconsideration, it again pass both Houses, by yeas and nays, by a majority of two thirds of the members of each House present, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within ten days after it shall have been presented to him, (Sunday excepted,) the same shall be a law, in like manner as if he had signed it, unless the Legislature, by adjournment, prevent such return.

Sec. 18. The Assembly shall have the sole power of impeachment; and all impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath or affirmation; and no person shall be convicted, without the concurrence of two thirds of the members present.

Sec. 19. The Governor, Lieutenant-Governor, Secretary of State, Comptroller, Treasurer, Attorney General, Surveyor General, Justices of the Supreme Court and Judges of the District Courts, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall extend only to removal from office, and disqualification to hold any office of honor, trust, or profit, under the State; but the party convicted or acquitted, shall nevertheless be liable to indictment, trial, and punishment according to law. All other civil officers shall be tried, for misdemeanors in office, in such a manner as the Legislature may provide.

Sec. 20. No Senator, or member of Assembly, shall, during the term for which he shall have been elected, be appointed to any civil office of profit, under this State, which shall have been created, or the emoluments of which shall have been increased, during such term, except such office as may be filled by elections by the people.

Sec. 21. No person holding any lucrative office under the United States, or any other power, shall be eligible to any civil office of profit, under this State: *Provided*, that officers in the militia to which there is attached no annual salary, or local officers and post-masters whose compensation does not exceed five hundred dollars per annum, shall not be deemed lucrative.

Sec. 22. No person who shall be convicted of the embezzlement, or defalcation of the public funds of this State, shall ever be eligible to any office of honor, trust or profit under this State; and the Legislature shall, as soon as practicable, pass a law providing for the punishment of such embezzlement, or defalcation, as a felony.

Sec. 23. No money shall be drawn from the treasury but in consequence of appropriations made by law. An accurate statement of the receipts and expenditures of the public moneys shall be attached to and published with the laws at every regular session of the Legislature.

Sec. 24. The members of the Legislature shall receive for their services a compensation to be fix-

ed by law and paid out of the public treasury; but no increase of the compensation shall take effect during the term for which the members of either House shall have been elected.

Sec. 25. Every law enacted by the Legislature shall embrace but one object, and that shall be expressed in the title; and no law shall be revised, or amended, by reference to this title; but in such case, the Act revised, or section amended, shall be re-enacted and published at length.

Sec. 26. No divorce shall be granted by the Legislature.

Sec. 27. No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

Sec. 28. The enumeration of the inhabitants of this State shall be taken, under the direction of the Legislature, in the year one thousand eight hundred and fifty-two, and one thousand eight hundred and fifty-five, and at the end of every ten years thereafter; and these enumerations, together with the census that may be taken, under the direction of the Congress of the United States in the year one thousand eight hundred and fifty, and every subsequent ten years, shall serve as the basis of representation in both Houses of the Legislature.

Sec. 29. The number of Senators and members of Assembly shall, at the first session of the Legislature holden after the enumeration herein provided for and made, be fixed by the Legislature, and apportioned among the several counties and districts to be established by law, according to the number of white inhabitants. The number of members of Assembly shall not be less than twenty-four, nor more than thirty-six, until the number of inhabitants within this State shall amount to one hundred thousand; and after that period, at such ratio that the whole number of members of Assembly shall never be less than thirty nor more than eighty.

Sec. 30. When a Congressional, Senatorial, or Assembly District shall be composed of two or more counties, it shall not be separated by any county belonging to another district; and no county shall be divided in forming a Congressional, Senatorial, or Assembly District.

Sec. 31. Corporations may be formed under general laws, but shall not be created by special Act, except for municipal purposes. All general Laws and special Acts passed pursuant to this section may be altered from time to time, or repealed.

Sec. 32. Dues from corporations shall be secured by such individual liability of the corporators and other means, as may be prescribed by law.

Sec. 33. The term corporations as used in this article shall be construed to include all associations and joint stock companies, having any of the powers or privileges of corporations not possessed by individuals or partnerships. And all corporations shall have the right to sue, and shall be subject to be sued, in all courts, in like cases as natural persons.

Sec. 34. The Legislature shall have no power to pass any Act granting any charter for banking purposes; but associations may be formed, under general laws, for the deposit of gold and silver, but no such association shall make, issue, or put in circulation any bill, check, ticket, certificate, promissory note, or other paper, or the paper of any bank, to circulate as money.

Sec. 35. The Legislature of this State shall prohibit, by law, any person or persons, association, company, or corporation, from exercising the privileges of banking, or creating paper to circulate as money.

Sec. 36. Each stockholder of a corporation, or joint stock association, shall be individually and personally liable for his proportion of all its debts and liabilities.

Sec. 37. It shall be the duty of the Legislature to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessments and in contracting debts by such municipal corporations.

Sec. 38. In all the elections by the Legislature, the members thereof shall vote *viva voce*, and the vote shall be entered on the journal.

ARTICLE V.

EXECUTIVE DEPARTMENT.

Section 1. The supreme Executive power of this State shall be vested in a Chief Magistrate, who shall be styled the Governor of the State of California.

Sec. 2. The Governor shall be elected by the qualified electors, at the time and places of voting for members of Assembly, and shall hold his office for two years from the time of his installation, and until his successor shall be qualified.

Sec. 3. No person shall be eligible to the office of Governor (except at the first election) who has not been a citizen of the United States and a resident of this State two years next preceding the election, and attained the age of twenty-five years at the time of the said election.

Sec. 4. The returns of every election for Governor shall be sealed up and transmitted to the seat of government, directed to the Speaker of the Assembly, who shall, during the first week of the session, open and publish them in presence of both Houses of the Legislature. The person having the highest number of votes shall be Governor; but in case any two or more have an equal and the

highest number of votes, the Legislature shall, by joint vote of both Houses, choose one of said persons, so having an equal and the highest number of votes, for Governor.

Sec. 5. The Governor shall be commander-in-chief of the militia, the army and navy of this State,

Sec. 6. He shall transact all executive business with the officers of government, civil and military, and may require information in writing from the officers of the executive department, upon any subject relating to the duties of their respective offices.

Sec. 7. He shall see that the laws are faithfully executed.

Sec. 8. When any office shall, from any cause, become vacant, and no mode is provided by the Constitution and Laws for filling such vacancy, the Governor shall have power to fill such vacancy by granting a commission, which shall expire at the end of the next session of the Legislature, or at the next election by the people.

Sec. 9. He may, on extraordinary occasions, convene the Legislature by proclamation, and shall state to both Houses, when assembled, the purpose for which they shall have been convened.

Sec. 10. He shall communicate by message to the Legislature, at every session, the condition of the State, and recommend such matters as he shall deem expedient.

Sec. 11. In case of a disagreement between the two Houses, with respect to the time of adjournment the Governor shall have power to adjourn the Legislature to such time as he may think proper : *Provided*, it be not beyond the time fixed for the meeting of of the next Legislature.

Sec. 12. No person shall, while holding any office under the United States, or this State, exercise the office of Governor, except as hereinafter expressly provided.

Sec. 13. The Governor shall have the power to grant reprieves and pardons after conviction, for all offences except treason and cases of impeachment, upon such conditions, and with such restrictions and limitations, as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason, he shall have the power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. He shall communicate to the Legislature, at the beginning of every session, every case of reprieve or pardon granted, stating the name of the convict, the crime, of which he was convicted, the sentence and its date, and the date of the pardon or reprieve.

Sec. 14. There shall be a seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called "The great Seal of the State of California."

Sec. 15. All grants and commissions shall be in the name and by the authority of the people of the State of California, sealed with the great Seal of the State, signed by the Governor, and countersigned by the Secretary of State.

Sec. 16. A Lieutenant-Governor shall be elected at the same time and places, and in the same manner as the Governor: and his term of office, and his qualifications of eligibility shall also be the same. He shall be President of the Senate, but shall only have a casting vote therein. If, during a vacancy of the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of his office, or be absent from the State, the President of the Senate shall act as Governor until the vacancy be filled, or the disability shall cease.

Sec. 17. In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of the said office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, at the head of any military force thereof, he shall continue commander-in-chief of the military force of the State.

Sec. 18. A Secretary of State, a Comptroller, a Treasurer, an Attorney-General, and Surveyor-General, shall be chosen in the manner provided in this Constitution; and the term of office, and eligibility of each, shall be the same as prescribed for the Governor and Lieutenant-Governor.

Sec. 19. The Secretary of State shall be appointed by the Governor, by and with the advice and consent of the Senate. He shall keep a fair record of the official acts of the legislative and executive departments of the Government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature; and shall perform such other duties as shall be assigned him by law.

Sec. 20. The Comptroller, Treasurer, Attorney-General, and Surveyo General shall be chosen by joint vote of the two Houses of the Legislature, at their first session under this Constitution, and thereafter shall be elected at the same time and places, and in the same manner as the Governor and Lieuteuant-Governor.

Sec. 21. The Governor, Lieutenant-Governor, Secretary of State, Comptroller, Treasurer, Attorney-General, and Surveyor-General, shall each, at stated times during their continuance in office, receive for their services a compensation, which shall not be increased or diminished during the term

for which they shall have been elected; but neither of these officers shall receive for his own use any fees for the performance of his official duties.

ARTICLE VI.

JUDICIAL DEPARTMENT.

Section. 1. The judicial power of this State shall be vested in a Supreme Court, in District Courts, in County Courts, and in Justices of the Peace. The Legislature may also establish such municipal and other inferior courts as may be deemed necessary.

Sec. 2. The Supreme Court shall consist of a Chief Justice and two Associate Justices, any two of whom shall constitute a quorum.

Sec. 3. The Justices of the Supreme Court shall be elected at the general election, by the qualified electors of the State, and shall hold their office for the term of six years from the first day of January next after their election: *Provided* that the Legislature shall, at its first meeting, elect a Chief Justice and two Associate Justices of the Supreme Court, by joint vote of both Houses, and so classify them that one shall go out of office every two years. After the first election, the senior Justice in commission shall be the Chief Justice.

Sec. 4. The Supreme Court shall have appellate jurisdiction in all cases when the matter in dispute exceeds two hundred dollars, when the legality of any tax, toll, or impost or municipal fine is in question, and in all criminal cases amounting to felony or questions of law alone. And the said court, and each of the Justices thereof, as well as all District and County Judges, shall have power to issue writs of *habeas corpus* at the instance of any person held in actual custody. They shall also have power to issue all other writs and process necessary to the exercise of their appellate jurisdiction, and shall be conservators of the peace throughout the State.

Sec. 5. The State shall be divided by the first Legislature into a convenient number of districts, subject to such alteration from time to time as the public good may require, for each of which a District Judge shall be appointed by the joint vote of the Legislature, at its first meeting, who shall hold his office for two years from the first day of January next after his election; after which, said Judges shall be elected by the qualified electors of their respective districts, at the general election, and shall hold their office for the term of six years.

Sec. 6. The District Courts shall have original jurisdiction, in law and equity, in all civil cases where the amount in dispute exceeds two hundred dollars, exclusive of interest. In all criminal cases not otherwise provided for, and in all issues of fact joined in the Probate Courts, their jurisdiction shall be unlimited.

Sec. 7. The Legislature shall provide for the election, by the people, of a Clerk of the Supreme Court, and County Clerks, District Attorneys, Sheriffs, Coroners, and other necessary officers; and shall fix by law their duties and compensation. County Clerks shall be, *ex officio*, Clerks of the District Courts in and for their respective counties.

Sec. 8. There shall be elected in each of the organized counties of this State, one Judge, who shall hold his office for four years. He shall hold the County Court, and perform the duties of Surrogate, or Probate Judge. The County Judge, with two Justices of the Peace, to be designated according to law, shall hold Courts of Sessions with such criminal jurisdiction as the Legislature shall prescribe, and he shall perform such other duties as shall be required by law.

Sec. 9. The County Courts shall have such jurisdiction, in cases arising in Justices' Courts, and in special cases, as the Legislature may prescribe, but shall have no original civil jurisdiction, except in such special cases.

Sec. 10. The times and places of holding the terms of the Supreme Court, and the general and special terms of the District Courts within the several districts, shall be provided for by law.

Sec. 11. No judicial officer, except a Justice of the Peace, shall receive to his own use, any fees or perquisites of office.

Sec. 12. The Legislature shall provide for the speedy publication of all statute laws, and of such judicial decisions as it may deem expedient; and all laws and judicial decisions shall be free for publication by any person.

Sec. 13. Tribunals for conciliation may be established, with such powers and duties as may be prescribed by law; but such tribunals shall have no power to render judgment to be obligatory on the parties, except they voluntarily submit their matters in difference, and agree to abide the judgment, or assent thereto in the presence of such tribunal, in such cases as shall be prescribed by law.

Sec. 14. The Legislature shall determine the number of Justices of the Peace, to be elected in each county, city, town, and incorporated village of the State, and fix by law their powers, duties and responsibilities. It shall also determine in what cases appeals may be made from Justices' Courts to the County Court.

Sec. 15. The Justices of the Supreme Court, and Judges of the District Court, shall severally, at stated times during their continuance in office, receive for their services a compensation, to be paid out of the treasury, which shall not be increased or diminished during the term for which they shall have been elected. The County Judges shall also severally, at stated times, receive for their services a compensation to be paid out of the county treasury of their respective counties, which shall not be increased or diminished during the term for which they shall have been elected.

Sec. 16. The Justices of the Supreme Court and District Judges shall be ineligible to any other office during the term for which they shall have been elected.

Sec. 17. Judges shall not charge juries with respect to matters of fact, but may state the testimony and declare the law.

Sec. 18. The style of all process shall be "The People of the State of California;" all the prosecutions shall be conducted in the name and by the authority of the same.

ARTICLE VII.

MILITIA.

Section 1. The Legislature shall provide by law for organizing and disciplining the militia, in such manner as they shall deem expedient, not incompatible with the Constitution and Laws of the United States.

Sec. 2. Officers of the militia shall be elected or appointed, in such manner as the Legislature shall from time to time direct, and shall be commissioned by the Governor.

Sec. 3. The Governor shall have power to call forth the militia, to execute the laws of the State, to suppress insurrections, and repel invasions.

ARTICLE VIII.

STATE DEBTS.

The Legislature shall not in any manner create any debt or debts, liability or liabilities, which shall singly, or in the aggregate, with any previous debts or liabilities, exceed the sum of three hundred thousand dollars, except in case of war, to repel invasion or suppress insurrection, unless the same shall be authorized by some law for some single object or work, to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest of such debt or liability, as it falls due, and also pay and discharge the principal of such debt or liability within twenty years from the time of the contracting thereof, and shall be irrepealable until the principal and interest thereon shall be paid and discharged; but no such law shall take effect until, at a general election, it shall have been submitted to the people, and have received a majority of all the votes cast for and against it at such election; and all money raised by authority of such law, shall be applied only to the specified object therein stated, or to the payment of the debt thereby created; and such law shall be published in at least one newspaper in each judicial district, if one be published therein, throughout the State, for three months next preceding the election at which it is submitted to the people.

ARTICLE IX.

EDUCATION.

Section 1. The Legislature shall provide for the election, by the people, of a Superintendent of Public Instruction, who shall hold his office for three years, and whose duties shall be prescribed by law, and who shall receive such compensation as the Legislature may direct.

Sec. 2. The Legislature shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement. The proceeds of all land that may be granted by the United States to this State for the support of schools, which may be sold or disposed of, and the five hundred thousand acres of land granted to the new States, under an Act of Congress distributing the proceeds of the public lands among the several States of the Union, approved A. D. 1841; and all estates of deceased persons who may have died without leaving a will, or heir, and also such per cent. as may be granted by Congress on the sale of lands in this State, shall be and remain a perpetual fund, the interest of which, together with all the rents of the unsold lands, and such other means as the Legislature may provide, shall be inviolably appropriated to the support of common schools throughout the State.

Sec. 3. The Legislature shall provide for a system of common schools, by which a school shall be kept up and supported in each district at least three months in every year, and any district neglecting

to keep and support such a school may be deprived of its proportion of the interest of the public fund during such neglect.

Sec. 4. The Legislature shall take measures for the protection, improvement, or other disposition of such lands as have been, or may hereafter be reserved or granted by the United States, or any person or persons, to the State for the use of a University; and the funds accruing from the rents or sale of such lands, or from any other source for the purpose aforesaid, shall be and remain a permanent fund, the interest of which shall be applied to the support of said University, with such branches as the public convenience may demand, for the promotion of literature, the arts and sciences, as may be authorized by the terms of such grant. And it shall be the duty of the Legislature, as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said University.

ARTICLE X.

MODE OF AMENDING AND REVISING THE CONSTITUTION.

Section 1. Any amendment or amendments to this Constitution, may be proposed in the Senate or Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two Houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if, in the Legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each House, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people, in such manner and at such time as the Legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments shall become part of the Constitution.

Sec. 2. And if at any time two thirds of the Senate and Assembly shall think it necessary to revise and change this entire Constitution, they shall recommend to the electors, at the next election for members of the Legislature, to vote for or against the convention; and if it shall appear that a majority of the electors voting at such election have voted in favor of calling a convention, the Legislature shall, at its next session, provide by law for calling a convention, to be holden within six months after the passage of such law; and such convention shall consist of a number of members not less than that of both branches of the Legislature.

ARTICLE XI.

PROMISCUOUS PROVISIONS.

Section 1. The first session of the Legislature shall be held at the Pueblo de San José; which place shall be the permanent seat of government, until removed by law: *Provided*, however, that two thirds of all the members elected to each House of the Legislature shall concur in the passage of such law.

Sec. 2. Any citizen of this State who shall, after the adoption of this Constitution, fight a duel with deadly weapons, or send or accept a challenge to fight a duel with deadly weapons, either within this State or out of it; or who shall act as second, or knowingly aid or assist in any manner those thus offending, shall not be allowed to hold any office of profit or to enjoy the right of suffrage under this Constitution.

Sec. 3. Members of the Legislature, and all officers, executive and judicial, except such inferior officers as may be by law exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of ——, according to the best of my ability."

And no other oath, declaration, or test, shall be required as a qualification for any office or public trust.

Sec. 4. The Legislature shall establish a system of county and town governments, which shall be as nearly uniform as practicable throughout the State.

Sec. 5. The Legislature shall have power to provide for the election of a Board of Supervisors in each county; and these Supervisors shall jointly and individually perform such duties as may be prescribed by law.

Sec. 6. All officers whose election or appointment is not provided for by this Constitution, and all officers whose offices may hereafter be created by law, shall be elected by the people, or appointed as the Legislature may direct.

Sec. 7. When the duration of any office is not provided for by this Constitution, it may be declared by law, and if not so declared, such office shall be held during the pleasure of the authority making the appointment; nor shall the duration of any office, not fixed by this Constitution, ever exceed four years.

Sec. 8. The fiscal year shall commence on the first day of July.

Sec. 9. Each county, town, city, and incorporated village, shall make provision for the support of its own officers, subject to such restrictions and regulations as the Legislature may prescribe.

Sec. 10. The credit of the State shall not in any manner be given or loaned to or in aid of any individual, association or corporation; nor shall the State directly or indirectly become a stockholder in any association or corporation.

Sec. 11. Suits may be brought against the State in such manner, and in such courts, as shall be directed by law.

Sec. 12. No contract of marriage, if otherwise duly made, shall be invalidated for want of conformity to the requirements of any religious sect.

Sec. 13. Taxation shall be equal and uniform throughout the State. All property in this State shall be taxed in proportion to its value, to be ascertained as directed by law; but assessors and collectors of town, county, and State taxes, shall be elected by the qualified electors of the district, county, or town, in which the property taxed for State, county, or town purposes is situated.

Sec. 14. All property, both real and personal, of the wife, owned or claimed by marriage, and that acquired afterwards by gift, devise, or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife, in relation as well to her separate property as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

Sec. 15. The Legislature shall protect by law, from forced sale, a certain portion of the homestead and other property of all heads of families.

Sec. 16. No perpetuities shall be allowed, except for eleemosynary purposes.

Sec. 17. Every person shall be disqualified from holding any office of profit in this State, who shall have been convicted of having given or offered a bribe to procure his election or appointment.

Sec. 18. Laws shall be made to exclude from office, serving on juries, and from the right of suffrage, those who shall hereafter be convicted of bribery, perjury, forgery, or other high crimes. The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice.

Sec. 19. Absence from this State on business of the State, or of the United States, shall not affect the question of residence of any person.

Sec. 20. A plurality of the votes given at an election shall constitute a choice, where not otherwise directed in this Constitution.

Sec. 21. All laws, decrees, regulations, and provisions, which from their nature require publication, shall be published in English and Spanish.

ARTICLE XII.

BOUNDARY.

The boundary of the State of California shall be as follows:

Commencing at the point of intersection of forty-second degree of north latitude with the one hundred and twentieth degree of longitude west from Greenwich, and running south on the line of said one hundred and twentieth degree of west longitude until it intersects the thirty-ninth degree of north latitude; thence running in a straight line in a south-easterly direction to the River Colorado, at a point where it intersects the thirty-fifth degree of north latitude; thence down the middle of the channel of said river, to the boundary line between the United States and Mexico, as established by the treaty of May 30th, 1848; thence running west and along said boundary line to the Pacific Ocean, and extending therein three English miles; thence running in a north-westerly direction and following the direction of the Pacific Coast to the forty-second degree of north latitude, thence on the line of said forty-second degree of north latitude to the place of beginning. Also, all the islands, harbors and bays along and adjacent to the Pacific Coast.

SCHEDULE.

Section 1. All rights, prosecutions, claims and contracts, as well of individuals as of bodies corporate, and all laws in force at the time of the adoption of this Constitution, and not inconsistent therewith, until altered or repealed by the Legislature, shall continue as if the same had not been adopted.

Sec. 2. The Legislature shall provide for the removal of all causes which may be pending when this Constitution goes into effect, to courts created by the same.

Sec. 3. In order that no inconvenience may result to the public service, from the taking effect of this Constitution, no office shall be superseded thereby, nor the laws relative to the duties of the several officers be changed, until the entering into office of the new officers to be appointed under this Constitution.

Sec. 4. The provisions of this Constitution concerning the term of residence necessary to enable persons to hold certain offices therein mentioned, shall not be held to apply to officers chosen by the people at the first election, or by the Legislature at its first session.

Sec. 5. Every citizen of California, declared a legal voter by this Constitution, and every citizen of the United States, a resident of this State on the day of election, shall be entitled to vote at the first general election under this Constitution, and on the question of the adoption thereof.

Sec. 6. This Constitution shall be submitted to the people for their ratification or rejection, at the general election to be held on Tuesday, the thirteenth day of November next. The Executive of the existing Government of California is hereby requested to issue a proclamation to the people, directing the Prefects of the several districts, or in case of vacancy, the Sub-Prefects, or Senior Judge of First Instance, to cause such election to be held, the day aforesaid, in the respective districts. The election shall be conducted in the manner which was prescribed for the election of Delegates to this Convention, except that the Prefect, Sub-Prefect, or Senior Judge of First Instance, ordering such election in each district, shall have power to designate any additional number of places for opening the polls, and that, in every place of holding the election, a regular poll list shall be kept by the judges and inspectors of election. It shall also be the duty of these judges and inspectors of election, on the day aforesaid, to receive the votes of the electors qualified to vote at such election. Each voter shall express his opinion, by depositing in the ballot box a ticket, whereon shall be written, or printed, "For the Constitution," or "Against the Constitution," or some such words as will distinctly convey the intention of the voter. These judges and inspectors shall also receive the votes for the several officers to be voted for at the said election as herein provided. At the close of the election, the judges and inspectors shall carefully count each ballot, and forthwith make duplicate returns thereof to the Prefect, Sub-Prefect, or Senior Judge of First Instance, as the case may be, of their respective districts; and said Prefect, Sub-Prefect, or Senior Judge of First Instance shall transmit one of the same, by the most safe and rapid conveyance, to the Secretary of State. Upon the receipt of said returns, or on the tenth day of December next, if the returns be not sooner received, it shall be the duty of a Board of Canvassers, to consist of the Secretary of State, one of the Judges of the Superior Court, the Prefect, Judge of First Instance, and an Alcalde of the District of Monterey, or any three of the aforementioned officers, in the presence of all who shall choose to attend, to compare the votes given at said election, and to immediately publish an abstract of the same in one or more of the newspapers of California. And the Executive will also, immediately after ascertaining that the Constitution has been ratified by the people, make proclamation of the fact; and thenceforth this Constitution shall be ordained and established as the Constitution of California.

Sec. 7. If this Constitution shall be ratified by the people of California, the Executive of the existing Government is hereby requested immediately after the same shall be ascertained, in the manner herein directed, to cause a fair copy thereof to be forwarded to the President of the United States, in order that he may lay it before the Congress of the United States.

Sec. 8. At the general election aforesaid, viz., the thirteenth day of November next, there shall be elected a Governor, Lieutenant-Governor, members of the Legislature, and also two members of Congress.

Sec. 9. If this Constitution shall be ratified by the people of California, the Legislature shall assemble at the seat of Government on the fifteenth day of December next, and in order to complete the organization of that body, the Senate shall elect a President *pro tempore*, until the Lieutenant-Governor shall be installed into office.

Sec. 10. On the organization of the Legislature, it shall be the duty of the Secretary of State to lay before each House a copy of the abstract made by the Board of Canvassers, and if called for, the original returns of election, in order that each House may judge of the correctness of the report of said Board of Canvassers.

Sec. 11. The Legislature, at its first session, shall elect such officers as may be ordered by this Constitution, to be elected by that body, and within four days after its organization proceed to elect two Senators to the Congress of the United States. But no law passed by this Legislature shall take effect until signed by the Governor after his installation into office.

Sec. 12. The Senators and Representatives to the Congress of the United States, elected by the Legislature and People of California, as herein directed, shall be furnished with certified copies of this Constitution, when ratified, which they shall lay before the Congress of the United States, requesting,

in the name of the People of California, the admission of the State of California into the American Union.

Sec. 13. All officers of this State, other than members of the Legislature, shall be installed into office on the fifteenth day of December next, or as soon thereafter as practicable.

Sec. 14. Until the Legislature shall divide the State into Counties, and Senatorial and Assembly Districts, as directed by this Constitution, the following shall be the apportionment of the two Houses of the Legislature, viz: The Districts of San Diego and Los Angeles shall jointly elect two Senators; the Districts of Santa Barbara and San Luis Obispo shall jointly elect one Senator; the District of Monterey, one Senator; the District of San José, one Senator; the District of San Francisco, two Senators; the District of Sonoma, one Senator; the District of Sacramento, four Senators; and the District of San Joaquin, four Senators. And the District of San Diego shall elect one member of Assembly; the District of Los Angeles, two members of Assembly; the District of Santa Barbara, two members of Assembly; the District of San Luis Obispo, one member of Assembly; the District of Monterey, two members of Assembly; the District of San José, three members of Assembly; the District of San Francisco, five members of Assembly; the District of Sonoma, two members of Assembly; the District of Sacramento, nine members of Assembly; and the District of San Joaquin, nine members of Assembly.

Sec. 15. Until the Legislature shall otherwise direct, in accordance with the provisions of this Constitution, the salary of the Governor shall be ten thousand dollars per annum; and the salary of the Lieutenant-Governor shall be double the pay of a State Senator; and the pay of members of the Legislature shall be sixteen dollars per diem, while in attendance, and sixteen dollars for every twenty miles' travel by the usual route from their residences to the place of holding the session of the Legislature, and in returning therefrom. And the Legislature shall fix the salaries of all officers, other than those elected by the people, at the first election.

Sec. 16. The limitation of the powers of the Legislature, contained in article 8th of this Constitution, shall not extend to the first Legislature elected under the same, which is hereby authorized to negotiate for such amount as may be necessary to pay the expenses of the State Government.



CHARTER OF THE CITY OF SAN FRANCISCO.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

ARTICLE I

GENERAL POWERS, BOUNDARIES AND WARDS.

Section 1. The People of the City of San Francisco shall continue to be a body politic and corporate, under the style of the "City of San Francisco," and by that name they shall have perpetual succession, may complain and defend in all courts and in all actions and proceedings, and may pur-

chase, receive, and hold property, real and personal, and sell or otherwise dispose of the same for their common benefit: *Provided*, that they shall purchase without the city only such property as may be necessary for the purposes of burial, or for the erection of prisons, hospitals, asylums, and water-works for supplying the city with water.

Section 2. The City of San Francisco shall hereafter be bounded as follows: On the south by a line parallel with Clay street, two and a half miles distant, in a southerly direction, from the centre of Portsmouth Square, on the west by a line parallel with Kearny street, two miles distant, in a westerly direction, from the centre of Portsmouth Square. Its northern and eastern boundaries shall be coincident with those of the County of San Francisco.

Sec. 3. The said city shall continue as now divided into eight wards, which number shall not be altered, unless by Act of the Legislature. The Common Council shall, at least three months before the general election in the year eighteen hundred and fifty-two, and also during the second year thereafter, re-district the city, so that each ward shall contain as near as may be the same number of inhabitants.

ARTICLE II.

OF ELECTIONS.

Section 1. For the government of said city there shall be elected annually, by general ticket, the following officers: A Mayor, Recorder, Comptroller, Treasurer, Collector, Attorney, Marshal, Street Commissioner, and three Assessors; and, also, by the respective wards, a Board of Aldermen and a Board of Assistant Aldermen.

Sec. 2. No person who is not a qualified voter shall be eligible to any office under this charter, nor shall any person be entitled to vote at any city election unless he shall be an elector for State officers, and have resided in the ward thirty days next preceding said election.

Sec. 3. All vacancies, except as hereinafter provided, shall be filled by election in such manner as may be prescribed by ordinance.

Sec. 4. It shall be the duty of the Common Council to call all city elections, to designate the places of holding the same, giving at least ten days' notice thereof, to appoint inspectors of elections, to examine the returns and declare the results, and to determine contested elections.

Sec. 5. The first general election for officers under this charter shall be held on the fourth Monday of April, one thousand eight hundred and fifty-one, and thereafter annually at the general election for State officers. No election shall be held in any place where intoxicating liquors are vended.

Sec. 6. All provisions of law regulating elections for State officers shall apply, so far as practicable, to elections under this charter.

Sec. 7. When two or more persons have an equal, and the highest number of votes for the office of Mayor, the Common Council shall decide the election by joint ballot.

Sec. 8. At the first election under this charter only two Assessors shall be elected, and the County Assessor shall act as one of the City Assessors during the term for which he was elected.

ARTICLE III.

OF THE COMMON COUNCIL.

Section 1. The legislative power of the city shall be vested in a Board of Aldermen and a Board of Assistant Aldermen, which shall each consist of one member from each ward, and shall form the Common Council of the city. No person shall be eligible to either Board who shall not be an elector of the ward for which he may be elected; nor shall he be a member except whilst a resident of the ward which he represents.

Sec. 2. Both Boards shall assemble on the first Monday after their election; they shall sit in separate chambers, and their proceedings shall be public. A majority in each Board shall be a quorum, but a smaller number may adjourn from time to time, and may compel the attendance of absent members. Each Board shall elect a president from its own body, choose its clerk and other officers, determine the rules of its proceedings, judge of the qualifications of election of its own members, and keep a journal of its own proceedings, and shall have power to compel the attendance of members, to punish them for disorderly conduct, and, with the consent of two thirds, to expel a member. Either Board may originate or amend any ordinance or resolution, and no ordinance or resolution shall be passed unless by a majority of all the members elected to each Board. On the final passage of every ordinance or resolution ayes and nays shall be taken and entered upon the journal.

Sec. 3. Every ordinance passed by both Boards shall, before it takes effect, be presented to the Mayor for his approval. If he approve he shall sign it, if not he shall return it with his objections to the Board in which it originated. Said Board shall enter the objections on its journal, and publish

them in some city newspaper. If at any stated meeting thereafter two thirds of all the members elected to each Board shall agree to pass said ordinance, notwithstanding the objections of the Mayor, it shall become a law. Should any ordinance not be returned by the Mayor within ten days after he shall have received it, it shall become a law, the same as if it had received his signature.

Sec. 4. Every ordinance providing for any specific improvement, the creation of any office, or the granting of any privilege, or involving the sale, lease, or other appropriation of public property, or the expenditure of public moneys (except for sums less than five hundred dollars), or laying any tax or assessment, and every ordinance imposing a new duty or penalty, shall, after its passage by either Board, and before being sent to the other, be published with the ayes and nays in some city newspaper, and no ordinance or resolution, which shall have passed one Board shall be acted upon by the other on the same day, unless by unanimous consent.

Sec. 5. The Common Council shall not create, nor permit to accrue, any debts or liabilities which, in the aggregate with all former debts or liabilities, shall exceed the sum of fifty thousand dollars over and above the annual revenue of the city, unless the same shall be authorized by ordinance for some specific object, which ordinance shall provide ways and means, exclusive of loans, for the payment of the interest thereon as it falls due, and also to pay and discharge the principal within twelve years; but no such ordinance shall take effect until it shall have been submitted to the people and receive a majority of all the votes cast at such election; and all moneys raised by authority of such ordinance shall be applied only to the object therein mentioned, or to the payment of the debt thereby created: *Provided*, that the present debt of the city, with the interest accruing thereon, shall make no part of the fifty thousand dollars aforesaid.

Sec. 6. The Common Council shall have no power to borrow money on the credit of the city, unless they shall by ordinance direct the same in anticipation of the revenue for the current year, and shall provide in said ordinance for repaying the same out of such revenue, nor in such case shall they borrow a sum to exceed fifty thousand dollars; but a larger sum may be raised by loan for the purpose of extinguishing the present liabilities of the city, whenever the ordinance providing for the same shall first be approved by the electors of the city at any general election: *Provided*, that said loan shall bear a yearly rate of interest not to exceed ten per cent. and shall be payable within twenty years.

Sec. 7. The Common Council shall have no power to emit bills of credit or to issue or put in circulation any paper or device as a representative of value or evidence of indebtedness, to award damage, for the non-performance or failure on their part of any contract, to loan the credit of the city, to subscribe to the stock of any association or corporation, or to increase the funded debt of the city unless the ordinance for that purpose be first approved by the people at a general election; but this section shall not be construed to prohibit the auditing and certifying of accounts by the proper officers to the creditors of the city, but no such audited or certified accounts shall draw interest.

Sec. 8. Annual and occasional appropriations shall be made by ordinance for every branch and object of city expenditure, and no money shall be drawn from the treasury unless the same shall have been previously appropriated to the purpose for which it is drawn. Every warrant upon the treasury shall be signed by the Comptroller and countersigned by the Mayor, and shall specify the appropriation under which it is issued, and the date of the ordinance making the same. It shall also state from what fund and for what purpose the amount specified is to be paid.

Sec. 9. There shall be elected annually by ballot a joint committee of accounts to consist of three members from each Board, who shall meet at least once a month and examine all accounts of the finance department, and report thereon in writing to both Boards of the Common Council.

Sec. 10. No member of the Common Council shall, during the period for which he was elected, be appointed to any office under this charter, nor be interested in any contract or business, or the sale of any article, the expense of which is borne by the city, or which may be sold for city taxes; nor shall any member sell or offer for sale to the city any property in which he may be interested.

Sec. 11. No member of the Common Council shall vote on any question in which he may be interested, either personally or as agent for another.

Sec. 12. The Common Council shall have power, *and it shall be their duty*, annually to raise by tax on the real and personal property in the city, whatever amount of money may be requisite for the support of free common schools, and to provide suitable buildings therefor.

Sec. 13. They shall also have power within the city to pass all proper and necessary laws for the regulation, improvement, and sale of city property; for the levy and collection of city taxes on all taxable property, not to exceed one per cent. a year upon its assessed value; for the laying out, making, opening, widening, regulating, and keeping in repair, all streets, roads, bridges, fences, public places and grounds, wharves, docks, piers, slips, sewers, wells, and alleys, and for making the assessments therefor; for regulating and collecting wharfage, dockage, and cranage upon all water-craft and all goods landed; for securing the protection, health, cleanliness, ornament, peace, and good order of the

city; for the prevention and extinguishment of fires; for regulating firemen, watchmen, policemen, and such other officers as it may be necessary to appoint; for the care and regulation of prisons, markets, houses of correction and industry, alms-houses and asylums; for the support, regulation, and employment of all vagrants and paupers; for licensing, taxing, and regulating all such vehicles, business, and employments as the public good may require, and as may not be prohibited by law, and for revoking such licenses; to prohibit and suppress dram-shops, gambling-houses, houses of ill-fame, gaming, hawking, pawn-broking, and all indecent or immoral practices, amusements and exhibitions; to regulate the location of slaughter-houses, markets, stables, and houses for the storage of gunpowder and other combustibles; for the establishment of a chain-gang, and rules and regulations for the government of the same, and, in brief, to pass all such other laws and ordinances, for the management, good government, and general welfare of said city, as may not be inconsistent with this charter, or with the laws or constitution of this State or of the United States, and to affix penalties to the violation of any ordinance; but such penalties shall not exceed imprisonment for sixty days and a fine of five hundred dollars.

Sec. 14. All money to be received from the following sources, shall continue to constitute a sinking fund for the payment of the existing city indebtedness with the interest accruing thereon, until the same shall be cancelled:

1st. The net proceeds of all sales of real estate belonging, or that may hereafter belong to the city;

2d. The net proceeds of all bonds and mortgages payable to the city;

3d. For occupation of private wharves, basins, and piers;

4th. For wharfage, rents, and tolls. Said fund or any part thereof shall not be loaned to any other fund, or expended for any other purposes whatever.

Sec. 15. The Common Council shall at an early day take steps to fund by ordinance the existing debts of the city. The funded debt shall consist of—

1st. The liabilities for the payment of which the city revenue is already pledged;

2d. The creditors of the city may fund the debts respectively due them at the passage of this Act on such terms as the Common Council may prescribe, at a rate of interest not to exceed ten per cent. a year, and payable within ten years; but no bond shall issue of a less denomination than one hundred dollars.

Sec. 16. The Common Council shall have no power to allow extra compensation to any creditor of the city, on account of any depreciation to which the city bonds, warrants, or other evidences of indebtedness may be liable.

Sec. 17. The Commissioners of the Sinking Fund created by ordinance of the Common Council are hereby prohibited from permanently disposing of any property belonging to the city by sale, lease, or otherwise, and also required to re-convey and deliver to the city, before the tenth day of May next, all property, titles, rights, and interests belonging to the city, and which are or may be in their possession.

Sec. 18. The Board of Assistant Aldermen shall have the sole power of impeachment, and all impeachments shall be tried by the Board of Aldermen. No person shall be convicted unless by the concurrence of two thirds of all the members. Judgment, in case of conviction, shall extend no further than removal from office and disqualification from holding any office under the charter; but the party convicted may be indicted and punished according to law.

ARTICLE IV.

OF EXECUTIVE OFFICERS.

Section 1. The executive power of the corporation shall be vested in the Mayor, and such other executive officers as are or may be created by law, and neither the Common Council nor any committee or member thereof shall perform any executive or ministerial business unless especially directed by law.

Sec. 2. It shall be the duty of the Mayor

1st. To communicate to the Common Council semi-annually, and oftener if he shall think proper, a general statement of the situation and condition of the city in relation to its government, finances and improvements, with such recommendations in relation thereto as he may deem expedient;

2d. To be vigilant and active in causing the laws and ordinances of the city to be duly executed and enforced; to be the head of police; to exercise a constant supervision and control over the conduct of all subordinate officers, and to receive and examine into all such complaints as may be preferred against any of them for violation or neglect of duty, and to certify the same to the Common Council: to countersign all licenses and warrants on the Treasury, and generally to perform all such duties as may be prescribed for him by law or by the city ordinances.

Sec. 3. Whenever there shall be a vacancy in the office of Mayor, or the Mayor shall be absent from the city, or be prevented from attending to the duties of his office, the President of the Board of Aldermen shall perform the duties, receive the compensation, and possess all the rights and powers of Mayor during such vacancy, absence, or disability.

Sec. 4. It shall be the duty of the Treasurer to receive and pay out all moneys belonging to the city, and to keep an account of all receipts and expenditures under such regulations as may be prescribed by ordinance. The Treasurer shall make monthly to the Common Council a full statement of the receipts and expenditures of the preceding month, and publish the same in some city newspaper.

Sec. 5. It shall be the duty of the Comptroller to report to the Common Council monthly a full and detailed statement of all the expenses and payments of the city government and the state of each appropriation made by ordinance, and he shall also, at the expiration of the fiscal year, publish a full and detailed statement of the receipts and expenditures of the city during said year, specifying the different sources of revenue and the amount received from each, the several appropriations made by the Common Council, the objects for which they were made, and the amount of money expended under each; the moneys borrowed on the credit of the city, the authority under which each loan was made and the terms on which it was obtained, the amount of the funded debt and of the interest accrued thereon; with a detailed statement of the sums owed and the property owned by the city.

Sec. 6. It shall be the duty of the Marshal to execute all processes issued by the Recorder or directed to him by any legal authority; to attend upon the Recorder's Court; to arrest all persons guilty of a breach of the peace or violation of any ordinance, and take them before the Recorder; to supervise and control the City Police, to superintend the City Prison, and to perform all such duties as may be prescribed by ordinance.

Sec. 7. It shall be the duty of the City Attorney to attend to all suits, matters, and things in which the city may be legally interested, to give his advice or opinion in writing whenever required by the Mayor or Common Council, and to perform all such other services in connection with his profession as may be required by the Common Council.

Sec. 8. It shall be the duty of the Collector to issue all licenses that may be granted by city authority, and to register the same in a suitable book which shall at all times be open for public inspection; to collect all license taxes, and all taxes and assessments that may be due according to the assessment books, and to pay over the same to the Treasury in the specific funds received.

Sec. 9. It shall be the duty of the Assessors to prepare, within such time as the Common Council may direct, a correct list of all the taxable property within the city, with the true valuation thereof, and to present the same, certified by them, to the Common Council. The mode of making out said list and of ascertaining the value of property and of collecting all taxes, shall be the same as is or may be prescribed by law for assessing and collecting the State revenue. Should the owner of any property assessed as aforesaid not be satisfied with the valuation thereof, he may apply, under oath, to the Board of Assessors for the reduction of the assessment. If said Board refuse he may appeal to the Board of Aldermen, and their decision shall be final.

Sec. 10. The Recorder, as to offences committed within the city, shall have like jurisdiction as may be conferred upon Justices of the Peace. He shall also have final jurisdiction in all cases of assault, riot, breach of the peace, and petit larceny, and all crimes and misdemeanors punishable by fine not to exceed five hundred dollars, or imprisonment not to exceed three months, or both such fine and imprisonment.

Sec. 11. The Common Council shall prescribe the duties of all officers whose duties are not defined in this Act, or in any other law of this State, and it shall be the duty of the officers of the city generally to perform all such services as may be required by law, or the ordinances of the Common Council.

Sec. 12. The several officers under this charter shall receive for their services out of the city Treasury, a compensation to be fixed by ordinance, not to exceed four thousand dollars a year: *Provided*, that the Treasurer shall receive in lieu of salary not to exceed one half of one per cent. on all moneys received, paid out, and accounted for by him, and the Collector not to exceed one per cent. on all moneys collected and paid over.

Sec. 13. The compensation of the Mayor's and Recorder's Clerks shall not exceed two thousand dollars each, per annum, nor shall that of the Clerk of either Board of Aldermen exceed twelve hundred dollars. Each Assessor shall receive not to exceed fifteen hundred dollars, and no officer or department shall be entitled to any clerk or deputy unless as herein expressly provided.

Sec. 14. The members of the Common Council shall receive no compensation for their services.

Sec. 15. If any person elected to a city office shall remove from the city, absent himself therefrom for more than thirty days, or shall fail to qualify within ten days after his election, his office shall be deemed vacant.

Sec. 16. The officers elective under this charter, shall continue in office for one year, or until their successors are qualified; but any officer may be removed for misconduct by impeachment.

Sec. 17. All officers or persons to whom the receipt or expenditure of the moneys or funds of the city shall be intrusted, shall give security in such amount as the Common Council may require, payable to the city, and subject to the approval of the Mayor. Such bond shall be subject to the provisions of law concerning bonds of officers.

Sec. 18. All fees, costs, fines, perquisites, or emoluments, for any services to be performed by any officer or person under this charter, or collected under any ordinance of the Common Council, shall be paid over every week by such officer or person into the City Treasury under oath; and no officer shall be entitled to receive his salary till he shall file his affidavit with the Comptroller, that he has faithfully accounted for, and paid over, all moneys for which he is bound to account.

Sec. 19. For any violation of the tenth, eleventh, or seventeenth sections of article third, or of the eighth or eighteenth sections of article fourth, or of the seventh section of article sixth of this charter, the party so offending shall be deemed guilty of a misdemeanor, and on conviction thereof, may be punished by fine not to exceed five thousand dollars, and imprisonment not to exceed one year.

Sec. 20. The officers of the present city government shall continue in office under this charter with such powers and duties as are herein prescribed until their successors are qualified; and nothing herein contained shall be construed to release any persons heretofore holding office in said city, from any personal liabilities which they may have incurred by their official acts.

ARTICLE V.

STREETS AND IMPROVEMENTS.

Section 1. The Mayor, Street Commissioner and Assessors, shall constitute a Board of Commissioners of Assessment. When private property is taken for public purposes, and the valuation by said Commissioners is not satisfactory to the owner thereof, he may require that the matter be submitted to the jury before the Superior Court, and the value found by the jury, when confirmed by the court, shall be the amount which the owner shall be bound to accept and entitled to receive before the property is taken.

Sec. 2. Whenever the Common Council shall think it expedient to open, alter, or improve, any street or alley, or to improve any public grounds, notice thereof shall be given by publication for ten days, in some daily paper. Should one third of all the owners of the adjacent property protest against the proposed improvement, it shall not then be made. If no such protest be made, the Common Council shall proceed with such improvement, at least two thirds of the expenses of which shall be borne by the property adjacent.

Sec. 3. The assessment for said improvement shall be made by the Commissioners named in section first, and shall be proportionate to the advantages respectively derived from such improvement.

Sec. 4. Should any person be dissatisfied with the assessment by said Commissioners, he may appeal to the Board of Aldermen, whose decision shall be final.

Sec. 5. Whenever two thirds of all the persons owning property on any street or lane, shall apply to the Common Council for any improvement thereof, the same shall be made on such conditions as the Common Council may determine, said persons paying, at least, two thirds of the expenses of such improvement.

ARTICLE VI.

MISCELLANEOUS PROVISIONS.

Section 1. The fiscal year of the city shall begin on the first day of July.

Sec. 2. Every ordinance of the Common Council shall embrace but one subject, and that shall be expressed in its title.

Sec. 3. The ordaining clause of the city ordinances shall be, "The People of the City of San Francisco do ordain as follows."

Sec. 4. Taxation shall be uniform throughout the city.

Sec. 5. Licenses shall be discriminating and proportionate to the amount of business.

Sec. 6. All sales or leases of property belonging to the city shall be by public auction.

Sec. 7. All contracts for work or supplies shall be let to the lowest bidder, after notice given through the public newspapers, and no officer shall be interested in any contract connected with his department.

Sec. 8. The Common Council shall have no power to grant exclusive privileges.

Sec. 9. The Common Council shall appoint no officers for weighing, measuring, gauging, culling, or inspecting any merchandise, produce, manufacture, or commodity; but nothing in this section shall prevent their passing any ordinance necessary for protecting the public health.

Sec. 10. The Common Council shall have power to raise, by tax, any amount of money that they may deem expedient, whenever the ordinance for that purpose shall have been approved by the people.

Sec. 11. When any amendment to this charter shall have been agreed to by three fourths of all the members elected to each Board, it may be submitted to the people at any general election; and if approved by them, it shall become a part of the charter. Said amendment shall be published at least sixty days before said election. It shall also be the duty of the Common Council to call a convention of delegates for the revision of this charter. Said convention shall meet on the first Monday of March, one thousand eight hundred and fifty-three, and shall consist of three members for each ward. Should the charter as amended and adopted by said convention be approved by the people at any general election, it shall become the charter of the city of San Francisco—subject, however, to the approval of the Legislature.

Sec. 12. The Act entitled "An Act to incorporate the city of San Francisco," passed April fifteenth one thousand eight hundred and fifty, is hereby repealed.

Passed April 15, 1851.

LIST OF MEMBERS OF THE SOCIETY OF CALIFORNIA PIONEERS,

WITH THE DATES OF THEIR ARRIVAL IN CALIFORNIA, AND THEIR PRESENT RESIDENCES.

Those marked thus * are deceased.

NAMES.	RESIDENCE.	DATE OF ARRIVAL.
M. G. Vallejo,	Sonoma,	July, 1808
Juan B. D. Alvarado,	San Pablo,	Sept. 1809
José Jesus Martinez,	Martinez,	Oct. 1814
Pedro C. Carrillo,	Santa Barbara,	Mar. 1817
W. E. P. Hartnell,*	Monterey,	May, 1822
Wm. A. Richardson,	Saucelito,	Aug. 1822
J. B. R. Cooper,	Monterey.	May, 1823
Robert Elwell,	Santa Barbara,	Aug. 1824
John Wilson,	SnLuis Obispo,	Apr. 1826
George W. Vincent,*	San Francisco,	July, 1826
Timothy Murphy,*	San Rafael,	Sept. 1828
Francisco Guerrero,*	San Francisco,	Decr. 1828
Alfred Robinson,	Santa Barbara,	Feb. 1828
William H. Davis,	San Francisco,	Aug. 1831
Ziba Branch,	SnLuis Obispo,	Feb. 1831
George Yount,	Napa,	Feb. 1831
Jacob P. Leese,	Monterey,	June, 1833
José de Jesus Noé,	San Francisco,	Oct. 1834
John Marsh,	Contra Costa,	Jan. 1836
Thomas O. Larkin,	San Francisco,	Mar. 1836
John Paty,	"	June, 1837
John A. Sutter,	Hock Farm,	July, 1839
W. D. M. Howard,	San Francisco,	Jan. 1839
Isaac Livick,	"	Oct. 1840
Elliot Libbey,	San Rafael,	Decr. 1840
Thomas Cordua,	Sacramento,	Mar. 1841
John Bidwell,	Butte County,	Nov. 1841
G. C. Cook,*	San José,	" "
Josiah Belden,	"	" "
Francis H. Huber,	San Francisco,	" "
Henry L. Ford,	Sacramento,	Sept. 1842
D. W. Alexander,	Los Angeles,	Decr. 1842
H. F. Teschemacker,	San Francisco,	July, 1842
Thos. A. Warbass.	"	" "
R. L. Kilburn.	Napa,	Mar. "
John A. Hoar,	Monterey,	Oct. 1843
Jasper O. Farrell,	Bodega.	Nov. "
Nathan Coombs,	Napa,	July, "
M. Schallenberger,	San José,	Mar. 1844
Daniel Murphy,	"	Decr. "
John M. Murphy,	"	" "
Martin Murphy,	Santa Clara,	" "
John Sullivan,	San Francisco,	Decr. 1849
Jacob R. Snyder,	"	Sept. 1845
William Findlay,	San José,	July, "
William Blackburn,	Santa Cruz,	Sept. 1845
Daniel Leahy,	San Francisco,	Oct. "
Francis Hoen,	"	Sept. "
Henry C. Smith,	Alameda,	Decr. "
Wm. B. Bassham,	San José,	Oct. "
Wm. F. Swasey,	San Francisco,	Sept. "
Samuel Brannan,	"	July, 1846
R. M. Sherman,	"	Mar. "
E. C. Kemble,	"	July, "
Edwin Bryant,	"	Aug. "
Henry Gerke,	"	July, "
B. S. Lippincott,	"	Oct. "
Samuel Kyburg,	"	" "
A. J. Grayson,	San José,	" "
Ned Grayson,	"	" "
C. C. Southward,	Trinidad,	Feb. "
E. A. King,	San Francisco,	Nov. "
D. A. McDermut,	"	Oct. "
Wm. H. Russell,	"	Aug. "
Joseph Aram,	San José,	Sept. "
J. C. Davis,	Putah Creek,	Feb. "
John M. Homer,	Alameda,	July, "
H. S. Turner,	San Francisco,	Decr. "
B. R. Buckelew,	"	Oct. "
J. Caldwell Low,	"	Mar. 1847
Edward Gilbert,*	"	" "
J. C. L. Wadsworth,	"	April, "
L. W. Sloat,	"	Aug. "
A. G. Abell,	"	" "
L. B. Clements,	Santa Cruz,	June, "
J. Mead Huxley,	San Francisco,	Mar. "
J. L. Folsom, U. S. A.,	"	" "
G. Frank Lemon,	"	" "
H. W. Halleck,	"	Jan. "
H. M. Naglee,	"	Mar. "
R. J. Tobin,	"	Sept. "
R. A. Parker,	Crescent City,	Mar. "
H. A. Schoolcraft,*	Sacramento,	Apr. "
Jas. L. Ord,	Monterey,	Jan. "
John B. Frisbie,	San Francisco,	Mar. "
Thos. J. Roach,*	Trinidad,	Apr. "
S. W. Haight,	San Francisco,	Mar. "
R. H. Sinton,	"	Nov. "
Alfred J. Ellis,	"	Apr. "
M. L. Callender,	"	" "

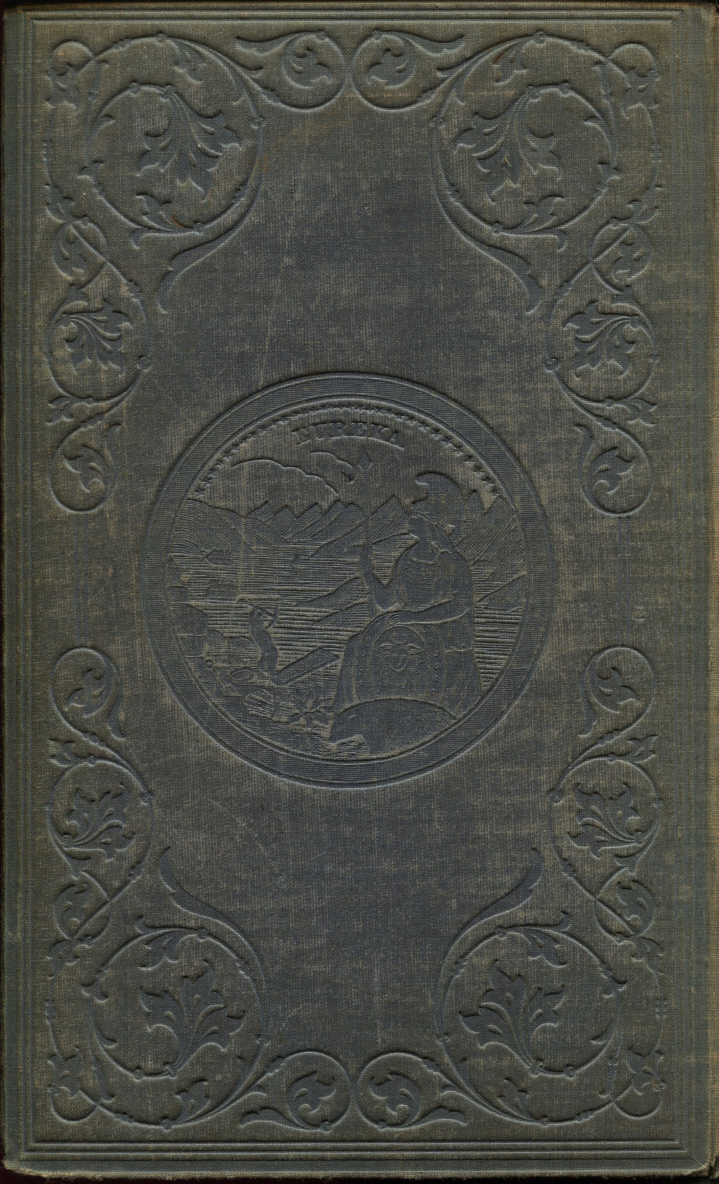
NAMES.	RESIDENCE.	DATE OF ARRIVAL.
Alfred A. Groen,	San Francisco,	Apr. 1847
Geo. Stoneman, U.S.A.	"	Jan. "
Henry D. Cook,	"	July, "
John S. Beener,	"	Sept. "
W. T. Sherman, U.S.A.	"	Jan. "
H. W. Theall,	Sonora,	Mar. "
Charles Stevens,	San Francisco,	Apr. "
Charles L. Ross,	"	" "
Horace Hawes,	"	" "
Hiram Grimes,	"	Feb. "
James Adams,	"	Mar. "
John Q. Adams,	"	" "
William Joy,	"	Apr. "
Wm. M. Stewart,	"	Oct. 1848
Bethuel Phelps,	"	Aug. "
Charles B. Johnson,	Los Angeles,	Apr. "
Alfred De Witt,	San Francisco,	Sept. "
I. C. Woods,	"	Nov. "
Herman Wohler,	"	Feb. "
James King of Wm.,	"	Nov. "
Chas. A. Angelo,	"	Dec. "
Edward Martin,	"	Nov. "
George W. Ryder,	"	Oct. "
J. Wemys Austin,	"	Aug. "
P. B. Cornwall,	Sacramento,	July, "
Gabriel B. Post,	San Francisco,	Feb. 1849
David S. Turner,	"	Aug. "
Joseph R. West,	"	July, "
Jesse Sutton,	"	Feb. "
John W. Tucker,	"	Aug. "
David T. Bagley,	"	Feb. "
A. J. Hooper,	"	Aug. "
J. E. Wainwright,	"	Nov. "
Louis R. Lull,	"	June, "
John Vandewater,	"	" "
Charles R. Bond,	"	Nov. "
A. G. Randall,	"	Apr. "
F. C. Ewer,	"	Sept. "
Ferdinand Vassault,	"	" "
Daniel L. Ross,	"	Decr. "
Wilson Flint,	"	" "
Daniel Norcross,	"	July, "
L. Pickering,	"	Aug. "
John McDougal,	"	Feb. "
F. A. Bonnard,	"	June, "
Geo. R. Davidson,	"	Feb. "
David C. Broderick,	"	June, "
P. A. Brinsmade,	"	" "
Wm. Van Voorhies,	"	Feb. "
J. Prall Stephens,	"	Apr. "
E. W. Leonard,	"	June, "
G. K. Fitch,	"	Sept. "
Squire P. Dewey,	"	July, "
Peter A. Morse,	"	June, "
E. D. Hammond,	"	July, "
Wm. L. Newell,	"	Apr. "
Wm. G. Wood,	"	Sept. "
Samuel Purdy,	"	Decr. "
Philip A. Roach,	"	Aug. "
R. Julius Stevens,	"	June, "
Frank Soulé,	"	May, "
J. E. Lawrence,	"	June, "
George Kerr,*	Stockton,	" "
Henry Meiggs,	San Francisco,	July, "
Hiram Leonard, U.S.A.,	"	June, "
A. W. Peabody,	"	Apr. "
Wm. M. Eddy,*	"	June, "
Wm. C. Hoff,	"	July, "
R. P. Hammond,	"	Apr. "
T. K. Battelle,	"	Nov. "
Geo. A. Hudson,	"	June, "
Chas. J. Warner,	"	Aug. "
G. W. Bryant,	"	July, "
E. McGowan,	"	Oct. "
Geo. W. Green,	"	June, "
Washington Bartlett,	"	Nov. "
Robert G. Crozier,	"	June, "
John Benson,	"	Apr. "
Abram Bartol,	"	Aug. "

NAMES.	RESIDENCE.	DATE OF ARRIVAL.
Joseph F. Atwill,	San Francisco,	Oct. 1849
John M. Farwell,	"	July, "
Jacob Shew,	"	" "
Theodore Payne,	"	Oct. "
Lewis Peck,	"	Nov. "
Charles Hosmer,	"	May, "
W. B. Farwell,	"	July, "
Chas. D. Carter,	"	Aug. "
Henry M. Hale,	"	Decr. "
F. W. Macondray,	"	Aug. "
Chas. Minturn,	"	Oct. "
Richard M. Jessup,	"	July, "
O. P. Sutton,	"	Apr. "
John Middleton,	"	Sept. "
James G. Gould,	"	July, "
Aaron Pollard,	"	Jan. "
William Sherman,	"	Aug. "
Calhoun Benham,	"	" "
P. W. Shepheard,	"	Decr. "
D. W. Connelly,	"	Sept. "
G. W. Ryckman,	"	Oct. "
Stephen R. Harris,	"	June, "
John H. Gihon,	"	Nov. "
Gregory Yale,	"	Decr. "
D. W. Perlay,	"	Aug. "
James Fitton,	"	July, "
John H. Still,	"	Sept. "
Chas. F. Hamilton,	"	" "
Frank Tilford,	"	Aug. "
Charles C. Roe,	"	Oct. "
John Nugent,	"	Decr. "
E. O. Crosby,	"	Feb. "
J. J. Bryant,	"	Aug. "
E. Morris Earl,	"	June, "
E. Gallagher,	"	" "
Horatio N. Squire,	"	Aug. "
George S. Porter,	"	Oct. "
Asa T. Lawton,	"	June, "
John Short,	"	July, "
Philo White,	"	Oct. "
Isaac M. Hall,	"	July, "
H. S. Brown,	"	Oct. "
James B. Starr,	Sacramento,	Sept. "
J. Judson Ames,	San Diego,	Oct. "
C. J. Brenham,	San Francisco,	Aug. "
Cullen A. Johnson,	"	Sept. "
Henry Vandervier,	"	Aug. "
John V. Plume,	"	June, "
Selim Franklin,	"	Oct. "
Henry J. Wells,	"	Decr. "
John S. Hagar,	"	June, "
E. L. Sullivan,	"	Feb. "
Julius Wetzler,	Sacramento,	June, "
John W. Conner,	San Francisco,	Aug. "
Joseph Daniels,	"	Sept. "
F. A. Hussey,	"	Oct. "
M. S. Whiting,	"	Aug. "
Wm. D. Fair,	"	June, "
J. N. Cordoza,	"	Sept. "
Albert Williams,	"	Apr. "
Wm. L. Ryckman,	"	Sept. "
Atkins Massey,	"	" "
E. A. Edgerton,	"	July, "
O. C. Osborne,	"	June, "
J. D. Bluxome,	"	Aug. "
James Grant,	"	Feb. "
Wm. R. Wheaton,	"	Aug. "
J. W. Young,	"	Oct. "
C. T. Parker,	"	" "
Thomas D. Johns,	"	Decr. "
A. C. Peachy,	"	Apr. "
Wm. Newell,	"	Aug. "
Chas. H. West,	"	Sept. "
J. W. Tice,	"	" "
John McCrackan,	"	Nov. "
George M. Smith,	"	Sept. "
W. F. Kelsey,	"	" "
Caleb Hyatt,	"	July, "
C. W. Gunnell,	"	Sept. "

NAMES.	RESIDENCE.	DATE OF ARRIVAL.
B. F. Voorhees,	San Francisco,	Apr. 1849
T. G. Spear,	"	June, "
Theodore Boschulte,	"	Aug. "
B. B. Coit,	"	" "
Joseph W. Philips,	"	" "
James G. Pearson,	"	July, "
Smyth Clark,	"	Sept. "
G. W. Coffee,	"	Nov. "
James Evrard,	"	Decr. "
James Dows,	"	" "
S. A. Hopkins,	"	Oct. "
Wm. L. Duncan,	"	Sept. "
Wm. E. Keyes,	"	July, "
David B. Stover,	"	Aug. "
George F. Sweeney,	"	Oct. "
E. F. Northam,	"	Apr. "
John T. Little,	"	" "
Elisha Nichols,	"	Oct. "
Chas. H. Gough,	"	July, "
F. B. Austin,	"	Aug. "
Horatio S. Gates,	"	" "
Julius K. Rose,	"	June, "
David Jobson,	"	July, "
De Witt C. Brown,	"	Aug. "
Frank Turk,	"	May, "
Richard Cheenery,	"	Aug. "
Seth R. Kneeland,	"	July, "
William B. Olds,	"	Aug. "
James Pearson,	"	June, "
A. B. Perkins,	"	Sept. "
William V. Wells,	"	" "
John Q. Cole,	"	June, "
D. T. Raymond,	"	Aug. "
J. D. Pierson,	"	" "
C. H. Crane,	"	" "
E. W. Crowell,	"	" "
Richard Ross,	"	Mar. "
Wm. Neely Thomson,	"	May. "
John J. Pensam,	"	Aug. "
J. J. A. Bruce,	"	" "
E. V. Joice,	"	Jan. "
James Vantine,	"	May, "
Chas. S. Simpson,	"	Sept. "
Thos. E. Lindenberger,	"	" "
E. J. C. Kewen,	"	Aug. "
Richard V. Groat,	"	Sept. "
Geo. A. Parker,	Sacramento,	" "
Henry M. Gray,	San Francisco,	Nov. "
Wm. H. Crowell,	"	Aug. "
Chas. H. Gilman,	"	June, "
John A. Clark,	"	" "
B. Frank Hillard,	"	" "
G. Simpton,	"	Oct. "
David Gillespie,	"	Decr. "
Arthur M. Ebbetts,	"	Aug. "
Geo. H. Preston,	"	Oct. "
Daniel S. Roberts,	"	Aug. "
Wm. McKibbin,	"	June, "
H. C. Murray,	"	Sept. "
James Tobin,	"	" "
W. A. Mix,	Red Bluffs,	Mar. "
A. M. Heslep,	San Francisco,	Nov. "
Isaac N. Thorne,	"	Sept. "
Wm. H. Grattan,	"	Mar. "
John Erskine, jr.	"	Jan. "
James W. Stillman,	"	Oct. "
John H. Spooner,	"	Sept. "

NAMES.	RESIDENCE.	DATE OF ARRIVAL
E. J. Folsom,	San Francisco,	Decr. 1849
A. J. Morrell,	"	Apr. "
H. P. Jones,	"	Oct. "
James Holohan,	"	Aug. "
Wm. H. Tiffany,	"	June, "
John M. Coughlin,	"	July, "
Wm. W. Warner,	"	" "
Reuben Clark,	"	Aug. "
Abia A. Selover,	"	Sept. "
R. E. Brewster,	"	June, "
Alexander Campbell,	"	Aug. "
S. Rosenthal,	"	Decr. "
John C. Derby,	"	July, "
Thos. J. White,	"	Sept. "
John Satterlee,	"	June, "
Wm. H. Chamberlain,	Miss. San José,	Aug. "
S. H. Meeker,	Sacramento,	Oct. "
Joseph Galloway,	San Francisco,	Nov. "
Jas. B. Townsend,	"	July, "
Edward Conner,	"	Apr. "
H. G. Blankman,	Monterey,	June, "
Levi Stowell,	San Francisco,	Feb. "
Wm. M. Burgoyne,	"	June, "
Wm. L. Higgins,	"	Aug. "
C. W. Lander,	"	" "
Wm. H. J. Brooks,	"	Nov. "
C. T. Ryland,	San José,	July, "
Henry A. Breed,	San Francisco,	Decr. "
A. Larrain,	"	July, "
Jas. R. Duff,	"	" "
Charles Gulliver,	"	Feb. "
John O. Earl,	"	Decr. "
Hervey Sparks,	"	June, "
Albert H. Clark,	Los Angeles,	July, "
Wm. J. Shaw,	San Francisco,	June, "
Samuel C. Eveleth,	"	" "
Kelsey Hazen,	"	Apr. "
Joseph Shannon,	"	Nov. "
Wake Bryarly,	"	Aug. "
F. McGilvery,	"	Nov. "
A. S. Wright,	"	Sept. "
S. Asbury Sheppard,	"	" "
Chas. E. Buckingham,	"	Nov. "
Frank Johnson,	Sacramento,	Apr. "
John A. Monroe,	San Francisco,	Decr. "
J. Horace Kent,	"	Oct. "
Chas. W. Lawton,	"	June, "
Chas. S. Eigenbrodt,	"	" "
Wm. E. Bushnell,	"	Sept. "
Jas. O. Callaghan,	"	" "
W. Cornell Jewett,	"	May, "
R. K. Dodge,	"	Sept. "
William Clark,	"	Aug. "
Joseph G. Cadiz,	"	Feb. "
R. Erskine Newland,	"	Apr. "
William Baker, jr.,	"	June, "
John P. Buckley,	"	Sept. "
A. B. Paul,	"	Nov. "
David Dwyer,	"	July, "
J. M. Tewksbury,	"	Sept. "
F. H. West,	"	"
W. J. Whitney,	"	"
G. T. Upham,	"	"
L. A. Birdsall,	"	"
G. Burdell,	"	"
W. Hoskins,	"	"
L. D. Jones,	"	"

THE END.



THE ANNALS OF SAN FRANCISCO