

REMINISCENCES OF
E. O. CROSBY, ONE OF
THE DELEGATES TO THE
FIRST CONSTITUTIONAL
CONVENTION OF CALIFORNIA,
AND STATE SENATOR AND
CHAIRMAN OF THE SENATE
JUDICIARY COMMITTEE
DURING BOTH THE FIRST
AND SECOND SESSIONS
OF THE CALIFORNIA
LEGISLATURE.

1849-50.

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Elisha Oscar Crosby is a lineal descendant from Simon Crosby, who, aged twenty-six, arrived from England in the ship "Susan and Ellyn", with his wife Ann, aged twenty-five, and their young son Thomas, in 1635, and settled in Cambridge, Massachusetts Colony. His mother's ancestor was Edward Spaulding, who arrived in 1633, and settled in *Plymouth Colony*

He is, therefore, of the early Puritan stock of New England. He was born July 18th, 1818, in the town of Groton, Tompkins County, State of New York; educated at Cortland Academy, in the town of Homer, Cortland County, State of New York; studied law with his uncle, Elbridge Gerry Spaulding, in the city of Buffalo, N. Y., and was admitted to the Supreme Court of the State of N. Y., at the July term, 1843, Samuel Nelson, Judge presiding, and admitted solicitor in Chancery by R. Hyde Walworth, Chancellor, July 18th, 1843, it being his twenty-fifth birthday.

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Reminiscences of Elisha Oscar Crosby of why, and when, and how, he came to California, and what he saw and did after his arrival.

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In the Fall of 1843, after being admitted to the Supreme Court and Court of Chancery of the State of New York, I went to New York City and associated with Abner Benedict, Esq., in the practice of law. Mr. Benedict was an old lawyer, well versed in Admiralty law, as well as in general practice of

his profession.

When the President's Message was published December 1st, 1848, it was accompanied by the Report of Col. R. B. Mason to the Secretary of War, describing fully the discovery of gold at Sutter's saw mill, in the present County of Eldorado, in January of that year. His was the first authentic public information we had in N.Y. of the gold discovery in California.

Howland and Aspinwall, ship owners and merchants of N.Y. were clients in our office and I frequently saw Mr. Aspinwall there on business. These gentlemen had contracted with the U.S. Government to build three steamers to run between Panama and Oregon, touching at the ports of California to leave and take on the mails, with berths for 25 cabin passengers, as that number was supposed to be as many as would want to take passage at one time. They had sent the first steamer in September, 1848, to go around Cape Horn, to take its place on the line from Panama to Oregon, stopping at the ports of California. Mr. Aspinwall seemed very much excited about the news of the gold discovery in California, and he said to me that if I wanted to go, he would give me every facility to get there early, and that if I started the first chance for Chagres, and had good luck in crossing the Isthmus to Panama, I would be in time to get on board their steamer "California", which they had started around Cape Horn for Panama and thence up the coast of California. He offered to write to his agents at Panama, Zachrison and Nelson, to put me on board the first steamer that arrived at Panama for California. Mr. Benedict said, "Go by all means, and be gone a year, and when you return your interest in the office shall be continued the same as if you staid with me." They were both anxious to have me

go and see for them if these reports of gold were true, and to what extent it was found. I had never been out to sea, and had hardly been out of my native state of N.Y., and I thought it was a good opportunity to have an adventure and see something beyond the routine and drudgery of a law office. I had no idea of what would be a proper outfit of clothing, or anything suitable for a sea voyage and the rough camp life in the mines of California, so I packed two trunks with Broadway made suits, white shirts and vests, and a nice assortment of underclothes, kid gloves and fine boots, without a single red shirt or stogy boots, in fact with nothing suitable for the voyage, and camp life in California.

An inventive genius, who sometimes came into our office, said he had made a gold washing machine, which he knew was just the thing for me to take to California; that I could get two men to help work it, and all I would have to do would be to stand at the end and collect the gold dust as it run out. Of course, I was delighted with the idea, and took the gold washing machine, as I was anxious to make a good showing of gold when I returned to N.Y., at the end of the year.

All my preparations being made, I found an old steamer was advertised to take passengers to Chagres, with immediate despatch. It was an old side wheel steamer, about six hundred tons burden, that had been cuffling about the Gulf of Mexico during the war, but was considered good enough to carry passengers to Chagres, and as it was the first chance, I got my ticket ready to be on hand the day she was to sail. On the 25th of December, 1848, Christmas day, a cold, drizzling rain and half snow had been falling all day, and in the afternoon I went slopping down to the foot of Cortland Street, N.Y., with

channel on the coral Bahama banks, and the providence which my two trunks and gold washing machine on a dray, and my arms protected so many '49ers saved us from wreck. The steamer back-full of blankets and hand bags, to go on board the steamer ed out and took another tack, and by good luck we entered the "Isthmus", to sail at 5 o'clock for Shagres, having about 120 passengers. Everything was wet and sloppy on board; no fire or comfort anywhere; and that night in a cold, damp berth, world of tropical verdure, produced a sensation of delight as with clothes on, my gold fever had about cooled off, and I now and fascinating. I most readily forgave and forgot my made up my mind that in the morning I would give up my voyage first outing at sea. We staid in Havana two days, and took in and go back to my office. Just before daylight, the morning coal, with an abundant supply of oranges and other fruit, much of the 26th, before I got out of my berth, the steamer swung to our comfort on our future voyage. We went roving about un-out into the North River, and steamed away down the Bay for til we made the north side of the Island of Jamaica, and kept the ocean. It was too late to land, and the Steward said it in sight while we went completely around it, and finally breakfast was ready. I turned out, but toilet accommodations were, in fact, nothing, and with difficulty I got a chance in the crowded wash room to secure enough water to baptise my face and hands. My breakfast was a mockery for the palate of a Wall street lawyer; no milk for coffee; hard sea biscuit, lay aside our coats and woollen for the more comfortable linen and such tough meat, and potatoes boiled with their jackets fabrics of the tropics. It was a hilarious crowd, and for on. It was just as well, for when we were crossing the bar at Sandy Hook, we began meeting the ocean swell. I was among several others leaning against the bulwark of the steamer, set- some other gentlemen passengers, we went out a few miles to tling my first account with Neptune. All the provisions I the country west of the deposed President, Santa Anna of Mex-carried on board were freely given up as a peace offering to ica. He had a delightful place, vast extensive and well kept the Monarch of the ocean. I did not know then the sovereign grounds. We were cordially received and he seemed to be well remedy of champagne cocktail, which now I find the very best pleased to have us call upon him, for he entered into familiar libation to take in honor of the sea god's dominion.

Jim Baker was our captain, for brevity called "Lying California. I think he was rather glad that the good fortune Jim". He was assisted by Capt. Wood, who said he had been on of finding gold fell to Americans, so soon after the coun-one occasion in sight of Shagres; but both Baker and Wood did try had passed to the Government of the U.S. Santa Anna, the constant drinking, while the first mate did the naviga-right or wrong had been summarily expelled from Mexico, and tion of the old steamer. The third day, we brought up out of sought protection under the British flag in its colony of Je-

channel on the coral Bahama Banks, and the providence which
protected so many '49ers saved us from wreck. The steamer back-
ed out and took another tack, and by good luck we entered the
port of Havana, Island of Cuba. It was my first sight of the
tropics, and the palm tree, real orange and lemon, with the
world of tropical verdure, produced a sensation of delight so
new and fascinating, I most readily forgave and forgot my
first outing at sea. We staid in Havana two days, and took in
coal, with an abundant supply of oranges and other fruit, much
to our comfort on our future voyage. We went roving about un-
til we made the north side of the Island of Jamaica, and kept
it in sight while we went completely around it, and finally
made the harbor and city of Kingston. Everybody went on
shore, and the first thing done by the passengers was to lay
aside our coats and woolen for the more comfortable linen
fabrics of the tropics. It was a hilarious crowd, and for
three days kept the town lively, but in such good humour, the
authorities let the boys enjoy the freedom of the city. With
some other gentlemen passengers, we went out a few miles to
the country seat of the deposed President, Santa Anna of Mex-
ico. He had a delightful place, and extensive and well kept
grounds. We were cordially received and he seemed to be well
pleased to have us call upon him, for he entered into familiar
conversation about the war, and the new gold discoveries in
California. I think he was rather glad that the good fortune
of finding gold fell to the Americans, so soon after the coun-
try had passed to the Government of the U.S. Santa Anna,
right or wrong, had been summarily expelled from Mexico, and
sought protection under the British flag in its colony of Ja-

maica Island. From his conversation, he seemed to be a firm believer in the adage that "Republics are ungrateful."

I saw many pretty females among the nearly white descendants of the colored race, with large black eyes and symmetrical figures, well developed, and smiling with winning grace as they met the California gold hunters. As a general rule, I think, socially, the white and black races kept apart; while in trade and business they seemed to be on most friendly equality. The merchants and shop keepers were largely English Jews, while the Governor and principal colonial officers were English and natives of England, sent out, or who came out to Jamaica to fill official positions or engage in the leading commercial transactions of the colony. It seemed to me these Englishmen abroad, in one of their colonies, were vastly more English than the English at home, and when several years after I visited England, I found it was a fact, that for clean cut assumption and impudent importance the English in the British Colony was a much more important man in his own estimation than the Lord on his native isle.

After three days freedom of the City of Kingston, the steamer whistle called the stragglers on board the old "Isthmus", and we steamed away across the Carribean Sea, hunting along the coast for the port of Chagres, which we luckily found without much deviation from our direct course. The entrance to the port and river Chagres is guarded on the left by a bold rock promontory, on which is situated an old fort commanding the entrance; while to the right, the land is low, but rising gradually away to the interior as far as the eye can reach, ending in a succession of hills to the mountains in the far distance, and all these covered with a most luxuriant

growth of trees and vegetation, including the palm and coconut, the most striking of all the trees and foliage to a North man's eyes, and altogether the scene to me was one of indescribable delight. From the ice, snow, and slush of December, in N. Y., to this full glare and heat of Summer, with linen clothes; with boundless ocean on one side, and the world of tropical verdure on the other, we seemed to be entering another world. The old steamer "Isthmus" kept right straight along at her best speed; barely grazing the rocks on the left, and almost scraping the sand spit on the right, we entered the enlargement of the river, called the port and harbor of Chagres, New Granada, a feat of recklessness no doubt attributable to the quantity and quality of the potations of our two Captains. The town of Chagres consists of about thirty or forty cane-built huts, with high peaked roofs, thatched with palm branches a foot or more thick, which gave shelter from sun and rain, and placed promiscuously along the shore. The inhabitants are the most squalid set of human beings I had ever seen. It is true, fig leaves were abundant all over the country, but the natives seemed to prefer Nature's self unadorned, unless it was with a Panama hat.

The only way of getting up the river was by "bungoes", or dug out boats, some of them small canoes, while others were of considerable size, capable of carrying eight or ten persons, and a reasonable amount of baggage for each one. I associated with five others, and we hired a large bungo, and a canoe as a sort of tender to help the other, and into the large one we began assorting and transferring our baggage. The last I saw of my gold washing machine, it was going over the side of the steamer, and sank below the waters of the

There had already assembled at Panama by the last of Jan-
Chagres river. It was the best thing I did on my voyage, for
when I got to California, I found all these gold washing ma-
chines were utterly worthless, after being thoroughly tried.
In fact, afterwards on the beach at San Francisco, and at Sac-
ramento, the wreck of these gold washing machines, made in the
East, of every conceivable pattern and design, were among the
curiosities of the times.

This bungo voyage up the river was anything but pleasure;
the native boatmen, all dressed in dark suits, the same that
Nature gave them, looked at least novel, if not picturesque;
and as we passed a small stream near Gorgona, we saw some la-
dies of the country disrobing to take a bath by taking off
their Panama hats; that article being all the clothing they
had on. At Gorgona, we finished our river voyage, after six
days and nights of as wearisome effort as any man could make.
We then hired mules and native porters to carry our baggage
to Panama. I chummed with one of the passengers, and hired a
mule to ride and tie; that is, one ride a certain distance and
tie the mule for the other partner to take his turn to ride.
The owner of the mule always went along to see that each one
had fair play to ride half the distance, and I suspect to see
that neither of us went off with the mule. Five days after I
reached Panama, much to my delight, the steamer "California"
was sighted entering the bay of Panama. She had come around
Cape Horn without accident, and as Mr. Aspinwall had predicted
when I left N. Y., that I would, with good luck in crossing
the isthmus, be in Panama in time to go on board for Califor-
nia. It was a close shave of only five days. Cholera had
taken some of our passengers to their long rest, and naturally
we all felt anxious to get away from Panama.

There had already assembled at Panama by the last of January, 1849, about six hundred passengers from N. Y., New Orleans, Mobile, and other places, all anxious to get passage on the steamer "California", but Capt. Forbes had taken seventy-four Chilenos on board at Valparaiso, and there was not standing room for all the ^Eman to go, and only about 250 could be given passage. I met Henry E. Robinson, who was one of the State senators from Sacramento during the three first sessions of the Legislature of California. He was a native of Connecticut, but had been living many years in New Orleans, and had come down to Chagres in the steamer "Falcon", and has ^Dcrossed the isthmus to Panama, and like myself was seeking a passage to California. Mr. Robinson and myself were lifelong friends from our meeting in Panama in January, 1849, and I allude to him as a prominent Legislator in shaping the commercial and maritime laws, enacted by the Legislature, when a civil government was being first established in California. Mr. Robinson and myself had secured our tickets on the "California", and were watching the excited crowd eager to secure a passage. At an indignation meeting held in the streets of Panama, to denounce the agents Zachrison & Nelson for not issuing tickets to all of them, they ever ^Nwent so far as to propose to take boats and go off to the steamer "California", and seize the steamer by force, and turn out the Chilenos taken on at Valparaiso, and let all who had reached Panama from the U.S. come on board. It was a desperate crowd, and they were all stal-^Awert men, well armed, and capable of attempting any desperate enterprise, if fairly instigated. Offers were freely made for tickets already issued of all sums, up to as much as One thousand dollars premium, but no sales were made so far as I heard.

Mr. Nelson, one of the steamer agents, told me to have my baggage and myself on the private wharf by dark, the third day after the "California" arrived in Panama bay, and if I did so I would be put on board that night. I was more than prompt to comply with his suggestion, and with some other fortunate passengers was safely taken out to the steamer and put on board. Mr. Nelson told me to get a hammock, and he also had the forethought to put on board a box of eatables, such as could be lunched from if I failed to get food from the table, and it is with feelings of gratitude to Mr. Nelson I recall his kindness to me on that occasion. I have seen Mr. Nelson several times since, and he good naturedly said my letter from Mr. Aspinwall to them had its influence; besides, said he, "I saw you were new to the life and men with which you were surrounded, and stood in need of a little friendly attention." He said he was himself afraid of the crowd, and that was why he sent the passengers off at night; that he was in a hurry to get the steamer out of sight before any outbreak occurred; that every day he delayed, matters would be growing worse, as hundreds were coming as fast as they could find passage from the States.

Gen. Percifer F. Smith and wife were on board, with his staff, consisting of Col. Joseph Hooker, Major Canby, and others. Mr. Alfred Robinson was on board, sent out by Howland & Aspinwall, as their agent at San Francisco. Baron Steinberger was one of the passengers, who figured extensively in getting beef for the steamer and other shipping at San Francisco. I think there were about 250 passengers taken on at Panama, and on the 1st day of February, 1849, the "California" steamed out of Panama bay for California.

It was supposed that 25 berths in the cabin were as many

as would be required when the steamer was built and sent from N. Y. around Cape Horn, and these were given up to Gen. Smith and family and his staff, and some other privileged persons. I got leave to swing my hammock amid-ship, which was my bed on the voyage, although I had a rude bunk at my disposal, with the rest of the passengers in the hold of the steamer, and this bunk I utilized for my baggage, preferring my hammock on deck to the stifled air and the rude bunk below deck.

It was a hilarious voyage from beginning to end. We stopped at Acapulco and Mazitland for water and provisions, consisting of live cattle, pigs, sheep, and a liberal supply of oranges and banannas. The good feeling of the passengers and the speedy prospect of reaching San Francisco and the gold mines, where each man pictured to himself that he could pick up gold nuggets without much labor, and go home in a year with a fortune, or at least a moderate competence for life.

We were the first of the Argonauts from the Eastern States to reach California, after the news of the gold discovery was made public by the publication of Col. Mason's Report. We arrived at Monterey, California, on the 26th of February, as I remember the date, and were supposed to be out of coal. Captain Forbes commenced collecting wood to take the place of coal to reach San Francisco, but on the 27th, some sacks of coal were found under the after cabin floor, and with the wood already collected, we steamed up the coast and entered the Golden Gate on the 28th day of February, 1849, and anchored in front of the little hamlet of San Francisco, outside the mud-flat, and not far from opposite what is now the foot of Broadway. The U. S. flag ship "Ohio", Commodore Jones, with two other of his vessels were anchored at Saucelito, but very

little else was seen in San Francisco bay.

There were no boats coming from shore to take us off, and the passengers were from time to time taken in the boats belonging to the steamer, and landed on the rocks at Clark's Point, about where the foot of Broadway then terminated. Many of the passengers camped on the side of Telegraph Hill, in the plaza, now Portsmouth Square, and others found lodgings in such houses as would give them shelter at any price.

I met Dr. Leavenworth, who was Alcalde of San Francisco, and whom I had known in N. Y. before he came to California, and who, as chaplain and surgeon of Col. Stevenson's Regiment, came to California two years before my arrival. He had a small office in the one story building situated on the upper corner of Kearny and Clay streets, opposite the plaza, and he generously offered me the privilege of spreading my blankets in one corner, while he occupied another corner with a rude bunk he had himself built for his own repose. The night of February 28th, 1849, found me happily ashore, and domiciled with my two trunks and blankets with the chief civil officer of San Francisco City.

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Reminiscences of E. O. Crosby, one of the Delegates to the
First Constitutional Convention of California, and State
Senator and Chairman of the Senate Judiciary Committee
during both the First and Second Sessions of the Califor-
nia Legislature. *Taken by dictation August 12. 1887.*

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After the adjournment of the California Legislature, May
1st, 1851, and during the years following up to the close of
1859, I was busily engaged in prosecuting land claims, under
grants made by Spain and Mexico to the early residents of Cal-
ifornia. These proceedings were had before the U. S. Land
Commission, and on appeals to the U. S. District Court and to
the Supreme Court of the United States at Washington. I found
it necessary to go to Washington in the Fall of 1859, to press
the hearing of some of these cases pending on appeal before
that tribunal.

Thinking to gratify a desire I had long cherished to
visit Central America and explore some of the grand old ruined
cities described by John L. Stevens, still existing at Copan,
Kahlu, and other places in Guatemala, I took passage on the
clipper yacht "Julietta", Capt. Dodge, for San Jose de Guat-
emala, and after a delightful run of ten days went on shore
in a surf boat, the only mode of landing in that open road-
stead.

Saddle mules for passengers, and other mules for baggage,
were the only mode of travel to the interior, and with these
I started for the city of Guatemala, situated in a broad up-

land valley ninety miles from the Pacific. After three days travel through tropical forests on the coast plain, and up the highlands four thousand feet above the level of the sea, I brought me to the Spanish Moorsque built city of Guatemala, containing about 60,000 inhabitants.

I had a letter from Bishop Alemany, of San Francisco, recommending me to the kindly attention of the Archbishop and Clergy of Guatemala, as well as to all the Bishops and Clergy of Central America. To say I was most kindly received and hospitably entertained by them, wherever I went, is but faintly acknowledging their attention. I also had letters to President Carrera, to Mr. Hall, acting British Minister, and other gentlemen of the country. They all joined in giving me every facility for exploring and visiting the different parts of the interior, and especially the ancient ruins of cities found by Alvarado, the Spanish Conqueror, and his invading army, in 1523-4.

I spent a month in Guatemala City, making acquaintances among its Spanish and native inhabitants, who retained the same habits and customs of three centuries ago. I organized my mule train and started for the interior, visiting Salama, Kahlu ruins, Coban, Totonicapan, Lolola, Quezaltenango, Carcha ruins, and other places to the north and west, and in two months returned to Guatemala City for a rest. I then started for Copan on the boundary between Guatemala and Honduras, about five days travel southeasterly from the city of Guatemala. (Distance is not measured by miles or leagues in any part of Central America, but by so many days hard riding.) Copan is a wonderful ruin, more than I can describe. Stevens'

"Central America", illustrated by Catherwood, will tell the story best. I then passed down the valley of the Molagua, across the Mico mountains, to the town and lake Isabell. At Isabell, I saw a company of men fish out of the lake with a shark hook an alligator, who they said had captured and devoured a child that was playing on the margin of the lake; but they did not find the child, and evidently had made a mistake in the identity of the alligator. The shore of the lake is much frequented by them and it is not surprising that they captured the wrong one. They killed him all the same, because they said he was related to the one that got the child.

I went down the Rio Dulce to the bay of Honduras, and up along the coast, winding our way among the mango covered islands to British Belize, a colony of colored subjects of her Majesty, and where I was obliged to remain ten days for the sail packet to New York, where I arrived in August, 1860.

After visiting my father and mother and the old homestead in central New York State, I went to Washington City to look after my appealed land cases.

After reaching New York, and wherever I went until I reached Washington, the people seemed to be greatly excited over the question of slavery and the influence it would have in the Presidential election to occur the following November. Some of the southern slave states were threatening to withdraw from the Union if the Republican nominee, Abraham Lincoln, were elected. Living as I had been for more than a decade in California, and just out of months travel in the wilds of Central America, I was bewildered at the public vehemence; I could not realize any cause for the din and uproar

over the question of slavery, or that any great harm was to follow the result of the Presidential Election one way or the other. My recollections at that time were, that at every Presidential Election both parties claimed that unless their candidate was elected the Country and Government of the U.S. would surely go to ruin; but my experience had been that when the election was over, and whether Mr. Van Buren or Mr. Harrison was elected, it was all the same and everything went on again smoothly and prosperously.

I met Vice-president John C. Breckenridge, who expressed the opinion that if Mr. Lincoln should be elected that some, and perhaps all, the slave states would revolt and set up a separate government and nation. I asked him what we should do in California. He said of course he hoped we would go with the South, unless we set up a separate government and nation on the Pacific. I told him we would not join the South for we were a free State, and did not care to have any of the colored race in our State, even free negroes, in any considerable number. He said perhaps I was right; that for his part he wished all the negroes were out of the Country, both South and North; that the North were to blame for bringing slaves into the country in the first place, but now they could not abolish slavery in the South unless the people were in some way compensated for that kind of property, without doing great injustice; that he was fearful for the future, because all the men in both sections seemed to be frenzied beyond reason. I told him what I had seen in the colony of British Belize, composed almost wholly of negroes; that they seemed to do better by themselves than when they were associated in anything like equal numbers with the white race; that the same thing

was now apparently true in the West India Island of Jamaica. He replied, "No doubt it is true; the English Government have managed the colored race and everything connected with the negro better than the people and Government of the U.S."

The United States Minister, Beverly Clark of Tennessee, a protege of Mr. Breckenridge, died when I was first in Guatemala. I rendered Mrs. Clark what assistance I could to close up her affairs, and put her and her family on board a vessel for the United States. Mrs. Clark had informed Mr. Breckenridge of what I had done for her and her family in Guatemala, and I attribute to this fact the attention and friendship he gave me, and the freedom with which he expressed his opinions and talked of the condition of the country and political men and parties.

He took me to see President Buchanan, who made many enquiries about California, and about my visit to Central America and the West India Islands. Mr. Buchanan proposed to appoint me U. S. Minister to Guatemala to take Mr. Clark's place. Mr. Breckenridge said Yes, it was a proper thing to do. I thanked them for the offer, but told them I was too much interested in California to accept the position, and respectfully declined. I told the President and Mr. Breckenridge I was surprised to find the people so excited about the coming Presidential Election, and the angry threats that came from some portions of the South to withdraw from the Union in case the Republican nominee was elected; that it must be only an election word to be forgotten when the contest was over. They both said No; that it had gone so far they feared the election of Mr. Lincoln would result in most serious trouble to the country; that if some more definite understanding and agreement

were not made between the North and South than existed at that time, and satisfactory to both sections, that no man could foresee the consequences. They both told me if I had time to take a trip south as far as Richmond, Charleston, and Savannah. As I had over a month to spare before the Supreme Court would meet, I told them I would act upon their suggestion. Mr. Breckenridge gave me letters to gentlemen in Richmond, Charleston and Savannah.

I first saw men, women, and children slaves sold at auction in Richmond, in October, 1860, and heard what I called treason uttered by men of Richmond against the Government of the U.S. At Charleston, I saw and heard the same thing. The language of treason was still more violent. At Savannah, the same thing as at Charleston, and in all these places I saw enough to be satisfied that mischief was brewing in the slave states. When I reached Charleston, on my return from Savannah, the news of Mr. Lincoln's election was expected at any moment, and on the second day thereafter the result was confirmed that Mr. Lincoln was duly elected President of the U.S. I never saw such frantic demonstrations as those made by the people of Charleston. Bonfires illuminated the city; church bells were ringing from every steeple, and salutes of artillery shook the ground, while the air was rent with acclamations of delight. The public speakers said the long desired time had come, and that in thirty days South Carolina would be out of the hated Union, and Charleston would become the center and metropolis of a great confederation of slave states.

I met an old California friend who was a native of Charleston, that had just returned from California, where he had been connected for many years with the "California Steam

Navigation Company". He seemed glad to meet me and took me to his home. He said the people of Charleston were as much excited as they were in San Francisco in Vigilance Committee times and on a much larger scale. He was sorry to see it, but he said they were bent on going out of the Union, and they would do it this time; that he would go with his people wherever they went. He wanted to know what I thought of the situation if South Carolina did go out. I told him it was not very safe to express an opinion only one way in Charleston at that time. He laughed and said I was his guest and an old California friend, and was safe to say what I pleased to him; that he would be glad if I would tell him frankly what I thought would be the result if they did secede from the Union. I replied that we had only to look at the census of the U.S. to be satisfied the great strength in men was largely with the North; that if South Carolina, or any or all the slave states, undertook to go out of the Union and set up an independent Government, I believed those states going out, or attempting to go out, would be overrun and stamped into the ground; that it was as impossible for any of the states to go out as it would be for any one or more of the counties of England to secede from the Crown and set up a separate government; one side or the other would devastate and destroy its opponent and the original boundary would be maintained. He said it might be so, but he must go with his people. He did go with them, and I afterwards learned went down to death in the early battles of the war.

For prudential reasons I took passage next day on the steamer for New York, passing Fort Sumpter and the other historical surroundings to the fate the people's own acts brought

upon them. I returned by the 15th of November to Washington, where I again met Mr Breckenridge, and at his request told him of my experience in Richmond, Charleston and Savannah. From that on, he honored me with his friendship as long as I knew him.

I arranged with Montgomery Blair to aid me with my California land cases, on appeal before the U.S. Supreme Court, during that winter of 1860-61, but I felt great interest in watching Congress during this memorable session of secesh. I witnessed from the gallery the Senators, led by Jefferson Davis, Slidell, Benjamin, Mason, Tooms^b, Hunter, and all the others, withdraw from their seats, as one after the other of their states withdrew from the Union. It was a sad sight to me.

I became acquainted with the venerable Francis P. Blair, a Jacksonian democrat and one of President Jackson's advisers and associates. He believed there was a solution of all difficulties between the North and the South without a civil war. His plan was to place the negroes in colonies by themselves in the tropics of Central America, where they could be easily transferred from the southern states across the gulf of Mexico to the vacant lands adjoining British Belize, and in the republics of Guatemala and Honduras. Not enforced emigration but attractive emigration, made so under patronage of the U.S. Government, who should by treaty stipulation open up these desirable lands so near the states of the South, and give such inviting chances to the emigrant, that of his own choice he would seek a new home among his own class and race in that genial climate. By relieving the slave states of all free negroes and all those whose owners would emancipate their

slaves, a rapid lessening of the race would take place. Add to this the passage of compromise laws giving freedom to all children born of slave mothers, and emancipation at a limited age, with such Government bounty to the owner as would be just, that in a reasonable time the South would be peopled exclusively or nearly so by white free men and women instead of negro slaves. These views substantially, he said, were looked upon with much favor by prominent men both North and South.

I met Senator Wm. H. Seward very often, as he was an old friend of my father, both living near each other in central New York. I also had friendly acquaintance with Senators Ben Wade of Ohio, Senator James R. Doolittle of Wisconsin, Senator Sumner of Mass., Senator Douglass of Illinois, Preston King of New York; also Senators Jefferson Davis, Slidell, Hunter, Mason, in fact nearly all the Senators from both north and south, as well as many members of the House of Representatives. Hon. E. G. Spaulding of Buffalo, N.Y., my uncle, was a member of the House at that and other sessions following, and I was a constant visitor at the rooms occupied by him, my aunt and cousin Charlotte, a charming young lady. I often met some of the leading Southern Senators in Vice-president Breckenridge's rooms, to all of whom he introduced me as one of the constitution and law-makers who first organized the state government of California. I received much attention from these Southerners, for which I gave Mr Breckenridge credit, as he often told them I was one of his California friends. In this way I mingled freely with both Northern and Southern Senators and members; by so doing I learned the real causes of difference, and the probable course each would take in case no compromises were made.

I expected to return to California soon after the President was inaugurated on the 4th of March, 1861, to renew my practice of law. The latter part of February, it was known in Washington that Abraham Lincoln, President elect, with his family, had left Springfield, Illinois, on his way to Washington to be inaugurated the 4th of March. Strange rumors were afloat that an attempt would be made to assassinate Mr. Lincoln at or before he passed through Baltimore on his way to Washington; but it was so un-American and cowardly, and so new and revolting to our republican institutions, that very few gave credence to the story. I heard it mentioned among a party of Congressmen from the South, and they all scouted the idea as preposterous; that no Southern man would countenance any such act, and they alleged the rumor was started by the Abolitionists to inflame the Northern people against the slave holders of the South; they said that such a crime would hurt the South more than the North, and would settle nothing.

About the 20th of February, I called at the National Hotel, and when I met my uncle, Mr. Spaulding, he asked me if I had seen Mr. Lincoln. I answered, No; that he was not expected for two or three days. "Mr. Lincoln is in Washington", said Mr. Spaulding; "he arrived last night and I have seen and talked with him. He will be inaugurated on the 4th of March, in the same way and in the same place as the other Presidents. There are plenty of loyal men who will be on hand to see it done." I expressed my satisfaction and that there was no lawful reason why he should not be inaugurated as all the other Presidents had been.

I went to the gallery of the senate chamber that morning, and for the first time saw Abraham Lincoln. He came into the

senate chamber with Senator Wm. H. Seward, a moderately sized man, while Mr. Lincoln was a head the tallest, and instinctively I called to mind Dr. Robert Semple, the President of our first Constitutional Convention at Monterey, in 1849. They were the counterpart the one of the other in personal appearance. The business of the Senate was suspended for a few moments, and most of the Senators were presented to Mr. Lincoln; the Southern Senators as well as those from the Northern states, except a dirty Senator from Texas, named Wigfall, who generally sat in the Senate picking his nose and rolling pills with what he extracted from that organ of his face.

Southern states were seceding; excitement ran high, and history was being rapidly made in and out of Congress. The sonorous voice of Senator Hale of Vermont seems almost to float down the years of time and reach my ears as I relate the incidents then transpiring, when he said, "Stand to the right. Let justice be done, and the Union will surely survive." Night seemed to have lost its claim for rest and sleep; not only every window in the capitol, but every hotel and house window, seemed aglow with light; messengers and express riders were hurrying through the streets summoning Senators, Congressmen, Governors of States, and State Legislators, who had crowded to Washington; and these in counsel might be found in every part of the city.

A day or two before the inauguration, Mr. Montgomery Blair informed me that Mr. Lincoln had selected his future cabinet, and that he, with their advice, had completed the list of appointments to be made of all the foreign ministers; that I had been selected for appointment as Minister Resident to Guatemala, Central America. I told him it would be a great sacrifice

to accept the position, because of my connections with land claims in California; that I fully appreciated the honor of being one of the thirty-two foreign ministers of the Government of the U.S., and thanked him as well as the President and his future cabinet for the honor and distinction they had designed for me. Mr. Blair then explained to me the wish of Mr. Lincoln, and of his friends in and out of office, to secure some convenient and healthy country in the American tropics for a colony of the free blacks, including the slaves that might be freed; that his father, the venerable Francis P. Blair, was enthusiastic over the project, and that several Southern members of Congress, as well as ~~an~~ official gentlemen of great wealth and influence in the South, as well as the North, were earnest supporters of the measure. He said they all regarded it as a peace measure, as well as for the best interest of the colored race, to secure them homes by themselves, under the protection of the Government of the U.S. He urged that the conflict of race between the whites and blacks would come up in any measure between the sections of the country, and it was the opinion of Mr. Lincoln and his friends, as well as many others, that such a colony would be a safety valve for the escape of the black race in a greater or less proportion during the impending crisis which seemed to be upon the country, on account of this very race, and its relation to the whites. "Go with me at once to see Mr. Lincoln", said he, and we went to his rooms at Willard's Hotel. I was introduced to Mr. Lincoln amid a crowd of people, but Mr. Blair in a few words explained my situation. Mr. Lincoln held out his hand, which I took, and he seemed to read my very thought when he said, "The loyal men of the land are offering their fortunes

"every day to the Government; that is to be expected; but when
what place do you propose to take?
"so many good men offer their lives, it is another thing." He
said several other things which I will not attempt to repeat.
I told him I had no reply to make except to have him assign me
to the position where he thought I could do the most good.
He replied, "That is right and patriotic."

I was nominated for confirmation to the Senate, with a
large list of others, but Col. E. D. Baker, Senator from Ore-
gon, claimed to dictate all appointments from California as
well as Oregon, and as my name had not been submitted to him
in the first place, he raised some delay to the confirmation.
Mr. Seward, the new Secretary of State, sent Baker a note,
stating that he would credit my appointment to New York State,
which he did, instead of California, as my family were his
neighbors and he knew me well and he wished my appointment
confirmed. Col. Baker gave his life to the nation, and that
alone should and did obliterate all animosity on my part to
his memory.

My commission, as Minister Resident to Guatemala, is
dated March 22nd, 1861, and I was notified by Mr. Seward to
hold myself in readiness to proceed at once to my post of du-
ty. I received my passport and instructions in a few days,
and went with Montgomery Blair to see President Lincoln to
take his final instructions, when he said to me: "Mr. Crosby,
"make friends for your Government wherever you go; we need
"friends now, however few, for we are going to have trouble.
"Do the best you can for your Government." He said a few
words about my special mission and its importance. This is
the last time I saw Mr. Lincoln.

I sailed from New York the 10th of April for Aspinwall.
Col. Totten, the chief engineer and manager of the Panama R.R.

was a passenger, and he gave me an interesting account of the difficulties he experienced in its construction. Col. Totten said the story was not true that it had cost a life for every tie laid for the road, but it was true the loss of life was something enormous; that the white men, both officers and laborers, from the North withstood the climate far better than the natives or blacks that came from the West India Islands; in fact, if the whites took proper precautions, there were no more deaths among them than occurred in the same number employed on the works along the banks of the Mississippi river.

We were late in reaching Aspinwall, and Col. Totten said I would be behind time at Panama to take the steamer up to Guatemala. He, however, telegraphed at Aspinwall to Panama for the steamer to wait for the U.S. Minister. So the steamer waited twelve hours, and this is the first and last time I ever was the cause of an ocean steamer waiting for me on account of my official position.

On arriving at Guatemala, I very soon opened the subject of colonization by citizens of the U.S., without mentioning the black or colored race exclusively. President Carrera and his minister said "Yes, we will be glad to have them, especially to populate the eastern part of the country along the borders of the Atlantic." I told them some of the free colored people would want to come, and they said there was no objection.

Some of the omnipresent reporters in Washington got hold of the colonization project, and made such outrageous reports of an infamous plot to force the Central American states to take all the southern slaves, as fast as they could be liberated by the armies of the Government, and made such a mess of

the whole thing in the papers that when they were received at Guatemala the President and his cabinet were quite alarmed. I could but laugh at the absurdity of the whole thing, and when their fears were quieted by considering the fact that such proceedings were utterly impossible, they were disposed to join with me in the merriment. Referring to the subject of colonization, President Cerrera was very anxious to have citizens of the U.S. come and settle in the country. At the same time he said only a limited proportion could be of the colored race.

Events culminated so rapidly in the U.S. after the firing upon Fort Sumpter that the colonization scheme was lost sight of in the great struggle of arms.

I am inclined to the opinion that Gen. Grant was right when he favored the acquisition of Santo Domingo, during his term of President. In his Memoirs, page 550, he says: "It is possible that the question of a conflict between races may come up in the future as did that between freedom and slavery before. The condition of the colored man within our borders may become a source of anxiety, to say the least. But he was brought to our shores by compulsion, and he now should be considered as having as good a right to remain here as any other class of our citizens.

"It was looking to a settlement of this question that led me to urge the annexation of Santo Domingo during the time I was President of the United States.

"Santo Domingo was freely offered to us, not only by the Administration, but by all the people, almost without price. The Island is upon our shores, is very fertile, and is capable of supporting fifteen millions of people. The products

"of the soil are so valuable that labor in her fields would
"be so compensated as to enable those who wished to go there
"to quickly repay the cost of their passage. I took it that
"the colored people would go there in great numbers so as to
"have independent state government by their own race. They
"would still be States of the Union and under the protection
"of the general government, but the citizens would be almost
"wholly black."

I have noticed now going on in the Century Magazine an animated discussion upon this very question of conflict between races in the Southern states, conducted by two Southern men, Mr Cable on the one side and Mr Grady on the other side, both gentlemen of learning and ability but quite opposite in opinion.

I have seen Santo Domingo and can verify all Gen. Grant says in its favor, and when the subject of annexing it to the United States was being considered by Congress I gave my opinion in writing, at the request of one of the members of the House Committee on Foreign Relations, approving the annexation of this desirable portion of the Islands to the United States. It would be far better for both the white and colored races, than an attempt to colonize any portion of the Central American tropics. Besides, we are about the only great nation that has no territory where coffee and many other tropical productions can be successfully raised, or where one and a half million invalids in the United States ought to be provided with a tropical country where they can safely go and live under their own flag. The acquisition of Alaska was good, but Santo Domingo would be many times better. It can be easily and cheaply reached from all the Atlantic ports, while to

reach the great sanitarium of California has been, and is now an expensive undertaking to those living east of the Mississippi, and along the Atlantic slope.

I returned from Guatemala to New York in time to go to Washington and see the great review of the armies under Gen. Grant and Gen. Sherman, at the close of the war; consequently, I saw none of the actual fighting. "Let us have peace."

reports of the proceedings of the convention, there was much said, and with considerable feeling on the part of the native Californians, in favor of a Territorial form of Govt; but the fact was so apparent that the great body of delegates were firmly in favor of a State Govt complete in all its parts, that Mr Gilbert offered the following Resolution "That it is expedient, that this convention now proceed to form a State constitution." Ayes Messrs Aram, Botts, Crosby, Dent, Diruick, Ellis, Swin, Gilbert, Hoppe, Hobson, Hallick, Hastings, Hollingsworth Jones, Larkin, Lippincott, Moor, Mc Carver, Norton, Ora Price, Sutter Snyder, Sherwood Shannon, Semple Vallijo, Wozencraft, 28. Nays: Foster, Hill, Reid, Stearns, Pico, Tafft, Carrillo, Rodriguez, 8. This decisive vote settled the question of a State Constitution, and no more was heard of a Territory.

The great excitement throughout the country over the gold discovery, had no doubt much influence to enlarge our ideas of the destiny of California. The rapid immigration from not alone the Eastern States, but from every civilized nation of the world, forewarned the delegates that a complete and independent Govt. was absolutely necessary, to control the turbulence of the mighty hosts that were gathering within our borders. The exigencies of our situation made it impossible to wait for the direction ^{or assent} of a home

Govt. do far exceed the continent as Washington

This reply and speech of Dr Gwin was well timed and in good taste.

Mr Snyder said he was glad to hear it. He would nominate his old friend Dr Robert Semple, a fit representative pioneer who came before gold was discovered. I was favorably impressed by Dr Gwin's

favor from that time, because he was so sensible in his reply to Snyder's not very courteous enquiry.

Jacob B. Snyder was the personification of that blunt honesty characteristic of the frontiersmen of the U.S. and was a valuable member of the convention. He was during the rest of the session on intimate terms with Dr Gwin, and I believe fast friends through the years following; there was nothing seen or heard of Dr Gwin's printed draft of a constitution after this first seen in the convention. Dr Gwin had a draft of the constitution ^{of Iowa} printed to be used by the convention, and it was prepared by him, as I believe, to facilitate the work of the convention and not in any manner to forestall its opinions.

It was soon made manifest that a large majority of the delegates favored a state Govt. complete in all its parts instead of a Territorial, or other temporary organization.

The Native California delegates favored a Territorial Govt. and some few of the early pioneers were disposed to join them. These gave

as their reason for a Territorial Govt. that the population was too small and the country too poor to maintain a State Govt. and defray the outlay necessary for state buildings, and the other expenses of maintaining state officers.

Considerations of this kind were regarded by the large majority as not worthy of serious consideration, for it was estimated at that time by those newly arrived from the eastern states, that one hundred thousand persons would arrive in California within the year 1849. Besides the large amount of gold actually taken out day by day, fully answered the question of our ability to pay the expenses of a state Govt. Both Shannon, Swin, Hall, Mc Norton, Snyder, Hastings, Sherwood, Foyt, Vermeil, and others besides myself were strongly in favor of a fully organized state Govt.

Genl Riley, was earnest and outspoken in favor of a state Govt. and his opinion had great weight with some of the native California delegates.

In Genl Riley's first communication to the convention he said "You have an important work before you - the laying of the corner stone of the State structure, and the stability of the edifice will depend upon the character of the foundation which you establish - your materials are good; let it never be said that the builders lacked skill in putting them together"

While it does not appear in the stereographic

rooms similarly situated. The fact was we were there at great personal inconvenience and pecuniary loss in time and money; some of the delegates had come over land from San Diego Los Angeles, and Districts to the South, and San Jose to the east, but most of the Northern delegates went down on the Panama steamer from San Francisco, that sailed Sept 1st and kindly stopped at Monterey for our accommodation. The convention did not get at their organization until the 3rd

Dr Wm M Gwin had the outline of a constitution mostly taken from the constitution of the State of Iowa, with liberal blank spaces, to be used for modifications, or entirely new sections.

It was reported among the delegates that Dr Gwin had come down to run the convention with the expectation of being the President of that body, and with his pockets full of a printed constitution he had prepared to suit himself and friends. He expected the delegates to do little else than to sanction Dr Gwin's propositions.

Such proceedings were of course entirely inadmissible in such a body of men, and I think there was hardly one of that body but really believed he could make as good or better constitution himself than Dr Gwin, at all events the few who had any hesitation about his own ability was satisfied ^{that} with a little help in remodeling the constitu-

tion of his native state, it would supersede any thing Dr. Gwin could propose.

Besides Dr Gwin had openly expressed his intention to be one of the U.S. Senators from the new state, and these causes combined, had forestalled an unjust prejudice against him.

When the permanent President was about to be proposed and elected, Jacob, R. Snyder, ^{six foot tall.} one of the delegates from Sacramento District, a great friend and admirer of Col John C. Fremont with whom Snyder had served in the conquest of California, rose up in his place and electrified us all by stating in his stentorian voice, that he had understood Dr Gwin had come down to Monterey to run the convention, by becoming its President, and had his pockets full of a printed constitution ready to be adopted, he looked over towards Dr Gwin who had already gained his seat, and asked him "if there was any truth in such report." Dr Gwin replied that he had no such designs, and with no heat or excitement, told the members his wish to act as a member without office, and deliberate with them in forming the best constitution for California of any state in the union, that he like many of the delegates was new in the country and would prefer to see some one older resident of California placed in the highest office of the convention.

Considerable interest, as well as curiosity, was manifested, by the delegates, as they assembled at Monterey. They were almost all entire strangers to each other, and the duties they were called upon to perform were of momentous importance; that of founding a State, as vast as an Empire, by giving it a civil Government in harmony with, and to become a part of the United States. How would they harmonize in so great a work, was a question that naturally suggested itself to one and all, as they met for the first time.

I will give the nativity of the delegates, and their ages, as they themselves reported to the Convention

- +11+ Eleven were born in New York State, to wit: Joseph Aram, 39. Elam Brown, 52. W. S. Sherwood 32. H. W. Hallack 32. E. O. Crosby 32. J. E. H. Dimmick 34. R. M. Price 30. Henry A. Teft. 26. B. S. Lippincott 34. Edward Gilbert 27. A. J. Ellis. 33.
- +7+ Seven were born in California - M. G. Vallejo. 42. Manuel Dominguez 46. A. M. Rico 40. Jacinto Rodriguez 33. 36. Jose. Anto. Carrillo 53. P. A. de la Guerra. 36. J. M. Covarrubias. 40.
- +5+ Maryland five. J. D. Hoppe 35. P. Ord 34. W. M. Stewart 49. J. Mc. H. Hollingsworth 25. Joseph Hobson 39.
- +3+ Ohio Three. L. W. Hastings 30. O. M. Wozencraft. 34. John Mc Dougal. 32.
- +3+ Kentucky Three M. M. Mc Carver 42. J. M. Jones 25. Robert Sample 42.
- +3+ Virginia Three. Chas. J. Botts 40. Joel P. Walker 52. Henry Hill 33.

Massachusetts, Jno. Thos. O. Larkin 47, Abel Stearns 51.

The following States and foreign Countries one each

Pennsylvania - Jacob R Snyder. 34.

Connecticut - Julian Hanks. 39.

Missouri - Lewis Dent. 26.

Maine - Stephen G. Foster 28.

New Jersey - Thos L Vermule. 35.

Vermont - Myron Norton 27.

Florida - Benj. F. Moore 29.

Rhode Island - Francis J. Lippitt 37.

Tennessee - Wm M. Grwin. 44.

Switzerland - John A Sutter. 47.

France Pedro. Sanserain 31.

Scotland - Hugo. Reid 38.

Ireland - W E Shannon 27.

Spain - Miguel de Pedrorena. 41.

Accommodations for strangers at Monterey were very limited in 1849, and very few had a spare room or bed for use or hire to the arriving delegates, but the people of Monterey were hospitable and kind hearted, and as most of the delegates brought their camping blankets, we found not much difficulty in getting a place to spread them. I had six or seven room mats, in a large room in one of the adobe buildings, and with a cot on which to spread our blankets we were comfortably bestowed.

Considerable discussion as to the business in hand, was had in that room, as well as in other

(2)

Remuneration of Elisha Oscar Crosby, one of the
Delegates to the first Constitutional Convention
of California held at Monterey Sept. 1st to
October 13th 1849.

Genl Bennett Riley was appointed to the
command of the military forces of the U. S. ^{in California} and
took possession of that command early in 1849. The
precise date of the appointment I do not recollect.

By virtue of his military authority under the
Spanish or rather the Mexican law, he was
ex officio Governor of California, and as such,
exercised and administered such civil
functions, as he thought the condition of the
country demanded, and in such manner
as he understood the law to be in all civil cases.

Congress during its session of 1848-9, failed to
make any provision for a civil Govt. either
Territorial or otherwise, and Genl Riley, feeling
the imperative necessity for some kind of civil
authority, outside of that conferred by virtue
of his military power, saw with much regret
that Congress had adjourned without making
any such provision. He took the responsibility
of issuing his proclamation dated June 3^d 1849,
calling upon the people to elect delegates in
the Ten districts of California, to assemble in

Convention at Monterey Sept. 1. then went, to "frame a State constitution or a Territorial organization, to be submitted to the people for their ratification, and then proposed to Congress for its approval." The election of delegates under this proclamation was held, Aug. 1. 1849, and forty eight delegates answered by assembling at Monterey Sept. 1. as follows.

- | | | |
|----|---|--|
| 1 | 2 | San Diego: Henry Hill, Miguel de Pedronera |
| 2 | 5 | Los Angeles: Hugo Reid, Stephen C. Foster Abel Stearns,
Jose Antonio Carrillo Manuel Dominguez. |
| 3 | 1 | Santa Barbara: Pablo N. de la Guerra |
| 4 | 2 | San Luis Obispo: Henry A. Tappan, J. M. Covarrubias |
| 5 | 6 | Monterey: H. W. Halleck, Thomas Oliver Larkin, Lewis
Bent. Chas. J. Botts, Jacinto Rodriguez, Pacificus Ord, |
| 6 | 7 | San Jose: J. D. Hoppe, Joseph Aram, Elam Brown
Julian Hawkes, Kimball H. Dimmick, Pedro
Sansevain, Antonio M. Pico |
| 7 | 8 | San Francisco: Rodman M. Price, Joseph Hobson,
Myron Norton W. M. Stewart, A. J. Ellis, Edward
Gilbert W. M. Swin, Francis J. Lippett |
| 8 | 3 | Sonoma: Mariano G. Vallijo Joel P. Walker,
Robert Semple |
| 9 | 8 | Sacramento: Jacob R. Snyder, Winfield Scott Sherwood,
L. W. Hastings, John A. Sutter, John McDougal,
Elisha, Oscar Crosby, M. M. McCarver, W. E. Shannon |
| 10 | 6 | San Joaquin: J. Mc. H. Hollingsworth, O. M. Wozencraft,
Thos. L. Vermule Benj. S. Lippincott B. F. Moore J. M. Jones |

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I have seen Santo Domingo, and can verify all.

Genl Grant says in its favor, and when the
subject of annexing it to the United States, ^{was being considered by congress} I gave
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the members of the House Committee on Foreign
Relations, approving the annexation of this
desirable portion of the Island, to the United States.

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In his Memoirs page 550, he says,

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He urged that the conflict of race between the whites and blacks would come up in any measure between the sections of the country, and it was the opinion of Mr Lincoln and his friends as well as many others that such a colony would be a safety valve for the escape of the black race in a greater or less proportion, during the impending crisis which seemed to be upon the country, on account of this very race and its relation to the whites.

Go with me at once to see Mr Lincoln, said he and we went to his rooms at Willard's Hotel.

I was introduced to Mr Lincoln amid a crowd of people, but Mr Blair in a few words explained my situation. Mr Lincoln held out his hand which I took, and he seemed to read my very thoughts, when he said, "that the loyal men of the land are offering their fortunes, every day, to the govt: that is to be expected; but when so many good men offer their lives, it is another thing." He said several other things which I will not attempt to repeat.

I told him I had no reply to make except to leave him assign me to the position when he thought I could do the most good - he replied "that is right and patriotic."

I was nominated for confirmation to the Senate with a large list of others, but Col E. D. Baker Senator

from Oregon I aimed to dictate all appointments from California as well as Oregon, and as my name had not been submitted to him in the first place he raised some delay to the confirmation Mr Seward, the New Secretary of State sent Baker a note stating that he would credit my appointment to New York State, ^{which he did} instead of California, as my family were his neighbours and he knew me well and he wished my appointment confirmed.

Col Baker gave his life to the Nation and that alone should and did obliterate all animosity on my part to his memory.

My Commission as Minister Resident to Guatemala is dated March 22, 1861, and I was notified by Mr Seward to hold myself in readiness to proceed at once to my post of duty. I received my passport and instructions in a few days, and went with Montgomery Blair to see President Lincoln to take his final instructions, when he said to me "Mr Crosby, make friends for your Govt. wherever you go, we need friends now however few, for we are going to have trouble, do the best you can for your Govt." he said a few words about my special mission and its importance. This is the last time I saw Mr Lincoln.

I sailed ^{from N.Y.} the tenth of April for Aspinwall. Col Follen the Chief Engineer and Manager of the Panama R R was a passenger and he gave me an interesting account of the difficulties he experienced in its construction, Col Follen said

morning, and for the first time saw Abraham Lincoln. He came into the Senate chamber with Senator Mr. H. Seward a moderately sized man while Mr. Lincoln was a head the tallest, and instinctively I called to mind Dr Robert Semple the President of our first Constitutional convention at Monterey in 1849; they were the counterpart the one of the other in personal appearance.

The business of the Senate was suspended for a few moments and most of the Senators were presented to Mr. Lincoln. The Southern Senators as well as those from the Northern States except a dirty Senator from Texas named Wiggall who generally sat in the Senate picking his nose and rolling pills with what he extracted from that organ of his face.

Southern States soon seceding; excitement ran high, and history was being ^{rapidly} made in, and out of Congress. The sonorous voice of Senator Hale of Vermont seems almost to float down the years of time and reach my ears as I relate the incidents then transpiring, when he said, "Stand to the right" "let justice be done and the Union will surely survive"

Night seemed to have lost its claim for rest and sleep. Not only every window in the capitol but every hotel and house window seemed aglow with light. Messengers and express riders were hurrying through the streets summoning Senators

Congressmen, governors of States, and State legislators who had crowded to Washington, and these in counsel might be found in every part of the city.

A day or two before the inauguration Mr. Montgomery Blair informed me that Mr. Lincoln had selected his future cabinet, and that he with their advice had completed the list of appointments to be made of all the foreign ministers, that I had been selected for appointment as Minister Resident to Guatemala Central America.

I told him it would be a great sacrifice to accept this position because of my connections with land claims in California, that I fully appreciated the honor of being one of the thirty two foreign Ministers of the Govt. of the U.S., and thanked him as well as the President and his future cabinet for the honor and distinction they had designed for me.

Mr. Blair then explained to me the wish of Mr. Lincoln and of his friends in and out of office to secure some convenient and healthy country in the American tropics for a colony of the free blacks, including the slaves that might be freed, that his father the venerable Francis P. Blair was enthusiastic over the project, and that several Southern members of Congress as well as an official gentleman of great wealth and influence in the South as well as the North were earnest supporters of the measure.

6

Hon E. G. Spaulding of Buffalo N. Y.
My Uncle - was a Member ^{of the House at} that and other
Sessions following - and I was a constant
visitor at the rooms occupied by him. My
Aunt, and Cousin Charlotte a charming
young lady, ~~she is now a wife, the~~
~~mother of several daughters as charming~~
~~as herself~~ I often met some of the
leading Southern Senators in Vice President
Breckenridge's rooms, to all of whom he intro-
duced me as one of the constitution and
law makers who first organized the State
Govt of California - I received much
attention from these Southerners for which
I gave Mr. Breckenridge credit as he often
told them I was one of his California friends

In this way I mingled freely with both
North^{ern} and South^{ern} Senators and members, by so
doing I learned the real causes of differ-
ence, and the probable course each would take
in case no compromise were made.

I expected to return to California soon after
the President was inaugurated on the 4th of March
1861, to renew my practice of Law.

The latter part of February it was known in
Washington that Abraham Lincoln President elect
with his family, had left Springfield Illinois on
his way to Washington to be inaugurated the 4th of March

Strange rumors were afloat that an attempt would be made to assassinate Mr Lincoln at or before he passed through Baltimore on his way to Washington, but it was so un-American and cowardly, — ~~method~~, and so new and revolting to our republican institutions, that very few gave credence to the story.

I heard it mentioned among a party of congressmen from the South, and they all scouted the idea as preposterous, that no Southern man would countenance any such act, and they alleged the rumor was started by the Abolitionists to inflame the Northern people against the slave holders of the South, ^{they said} that such a crime would hurt the South more than the north, and would settle nothing.

About the 20th of February, I called at the National Hotel and when I met my Uncle Mr Spaulding, he asked me if I had seen Mr Lincoln answering him, no, that he was not expected for two or three days. Mr Lincoln is in Washington said Mr Spaulding, he arrived last night and I have seen and talked with him. He will be inaugurated on the 4th of March in the same way, and in the same place as the other Presidents, there are plenty loyal men will be on hand to see it done.

I expressed my satisfaction and that there was no lawful reason why he should not be inaugurated as all the other Presidents had been.

I went to the Gallery of the Senate Chamber that

me with my ^{California} land case, on appeal before the
 U.S. Supreme Court, during that winter of 1860-61,
 but I felt great interest in watching Congress
 during this memorable session of secession.

I witnessed from the gallery, the Senators
 led by Jefferson Davis, Seward, Benjamin, Mason
 James, Hunter, and all the others withdraw
 from their seats, as one after the other of their
 States withdrew from the Union. It was a sad
 sight to me.

I became acquainted with the venerable
 Francis P. Blair a Jacksonian democrat and one
 of President Jackson's advisers and associates.

He believed there was a solution of all difficulties
 between the North and the South without a civil
 war. His plan was to place the Negro in colonies
 by themselves in the Tropics of Central America
 where they could be easily transported from the
 Southern States across the Gulf of Mexico to the
 vacant lands adjoining British Belize, and in
 the republics of Guatemala and Honduras.

Not enforced Emigration but attractive ^{emigration} made
 so under patronage of the U.S. Govt. who should
 by treaty stipulation open up these desirable
 lands so near the States of the South - and give
 such inviting chances to the Emigrant that of his
 own choice he would seek a new home among
 his own class and race in that genial climate.

By relieving the slave States of all free negroes
and all those whose owners would emancipate
their slaves, a rapid lessening of the race would
take place. Add to this the passage of compromise
laws giving freedom to all children born of
slave mothers, and emancipation at a limited
age, with such Govt bounty to the owner as would
be just, that in a reasonable time the South
would be peopled exclusively, or nearly so, by
white free men and women instead, of negro slaves

These views substantially ^{as said} were looked upon
with much favor by prominent men both north
and south.

I was invited by old H. Francis A. Blee, through
~~his son, now Governor of New York, to visit him, at Cold
Spring Harbor, N. Y. for the purpose of attending
the annual meeting of the British
Bible Society, which takes place in England, for
the purpose of the American Bibles.~~

I met Senator Wm. H. Seward very often as he
was an old friend of my father, both living near
each other in central New York - I also had
friendly acquaintance with Senators Ben Wade
of Ohio, Senator James R. Doolittle of Wisconsin
Senator Sumner of Mass. Senator Douglas of
Illinois, Preston King of New York, ^{also} Senators Jefferson Davis,
Slidell, Hunter, Mason, in fact nearly all the Senators
from both north and south, as well as many ^{House of Representatives} Members of the

Mr Lincoln was duly Elected President of the U. S.

I never saw such frantic demonstrations as those made by the people of Charleston. Bonfires illuminated the city. Church bells were ringing from every steeple, and Salutes of Artillery shook the ground while the air was rent with acclamations of delight.

The public Speakers said the long desired time had come, and that in thirty days, South Carolina would be out of the hated Union and Charleston would become the center and metropolis of a great Confederation of Slave States.

I met an Old California friend who was a native of Charleston, that had just returned from California. Where he had been connected for many years with the "California Steam Navigation Company" He seemed glad to meet me and took me to his home. He said the people of Charleston were as much excited as they were in San Francisco in Vigilance Committee times and on a much larger scale, he was sorry to see it but he said they were bent on going out of the Union, and they will do it this time, that he would go with his people wherever they went. He wanted to know what I thought of the situation if South Carolina did go out. I told him it was not very safe to express an opinion, only one way, in Charleston at that time. He laughed and said I was his guest and

an old California friend, and was safe to say what I pleased to him, that he would be glad if I would tell him frankly what I thought would be the result if they did secede from the Union.

I replied that we had only to look at the census of the U.S. to be satisfied the great strength in men, was largely with the north, that if South Carolina or any or all the Slave States, undertook to go out of the Union, and set up an independent Govt. I believed those States going out, or attempting to go out, would be overrun and stamped into the ground. That it was as impossible for any of the States to go out, as it would be for any one or more of the Counties of England to secede from the Crown and set up a separate Govt; on side or the other will devastate and destroy its opponent, and the original boundary will be maintained. He said it may be so, but I must go with my people; he did go with them and I afterwards learned went down to death in the early battles of the war.

For prudential reasons, I took passage next day on the steamer for New York; passing Fort Sumpter and the other historical surroundings to the fate the ^{people's} own acts brought upon them. I returned by the 15th of Nov: to Washington, where I again met Mr Breckinridge, and at his request told him of my experience in Richmond, Charleston, and Savannah; from that on he honored me with his friendship, as long as I knew him. I arranged with Montgomery Blair to aid

I rendered Mrs Clark what assistance I could to close up her affairs, and put her and her family on board a vessel for the United States.

Mrs Clark had informed Mr Breckinridge of what I had done for her and her family in Guatemala, and I attribute to this fact, the attention and friendship he gave me, and the freedom with which he expressed his opinions, and talked of the condition of the country and political men and parties.

He took me to see President Buchanan who made many enquiries about California and about my visit to Central America and the West India Islands. Mr Buchanan proposed to appoint me U.S. Minister to Guatemala to take Mr Clark's place. Mr Breckinridge said yes it was a proper thing to do.

I thanked them for the offer, but told them I was too much interested in California to accept the position and respectfully declined.

I told the President and Mr Breckinridge I was surprised to find the people so excited about the coming Presidential Election, and the angry threats that came from some portions of the South, to withdraw from the Union in case the republican nominee was elected. That it must be only an election word to be forgotten when the contest was over.

They both said no, that if I had gone so far they feared the Election of Mr Lincoln would result in most-serious trouble to the country; that if some more definite understanding and agreement were not made between the north and south than existed at that time, and satisfactory to both sections, that no man could fore see the consequences.

They both told me if I had time to take a trip south as far as Richmond - Charleston and Havana - As I had over a month to spare before the Supreme Court would meet, I told them I would act upon their suggestion -

Mr Breckinridge gave me letters to gentlemen in Richmond - Charleston and Savannah,

I first saw men, women, and children Slaves, sold at auction in Richmond in October 1860, and heard what I called treason uttered by men of Richmond, against the Govt of the U.S.

At Charleston I saw and heard the same thing; the language of treason was still more violent; at Savannah the same thing as at Charleston, and in all these places I saw enough to be satisfied that mischief was brewing, in the Slave States.

When I reached Charleston on my return from Savannah, the news of Mr Lincoln's Election was expected at any moment, and on the second day thereafter the result was confirmed that

I asked him what we should do in California. He said of course he hoped we would go with the South unless we set up a separate Govt and nation on the Pacific. I told him we could not join the South for we were a free state, and did not care to have any of the colored race in our state, even free negroes, in any considerable number. He said perhaps you are right: that for his part he wished all the negroes were out of the country, both South and North, that the North were to blame for bringing slaves into the country in the first place - but now they could not abolish slavery in the South unless the people were in some way compensated for that kind of property, without doing great injustice, that he was fearful for the future because all the men in both sections seemed to be frenzied beyond reason.

I told him what I had seen in the colony of British Belize, composed almost wholly of negroes that they seemed to do better by themselves than when they were associated in any thing like equal numbers with the white race, that the same thing was now apparently true in the west India Island of Jamaica. He replied no doubt it is true: the English Govt. he said, have managed the colored race, and every thing connected with the negro better than the people and Govt of the U.S.

The U.S. Minister Beverly Clark of Tennessee, a protégé of Mr Breckinridge died when I was first time in Guatemala

boundary between Guatemala and Honduras, about five days travel south easterly from the city of Guatemala; distance is not measured by miles or leagues in any part of Central America, but by so many days hard riding. Copan is a wonderful ruin, more than I can describe; Stevens' Central America illustrated by Batherwood will tell the story best.

I then passed down the Valley of the Molagua, across the Mico Mountains to the Town and Lake Isabel.

At Isabel I saw a company of men fish out of the lake with a shark hook an alligator who they said had captured and drowned a child that was playing on the margin of the lake, but they did not find the child, and evidently had made a mistake in the identity of the alligator - the shore of the lake is much frequented by them and it is not surprising that they captured the wrong one, they killed him all the same because they said he was related to the one that got the child.

I went down the Rio Dulce to the Bay of Honduras and up along the coast, winding our way among the Mango covered islands, to British Belize, a colony of colored subjects of her Majesty, and where I was obliged to remain ten days for the Sail Packet to New York - when I arrived in August 1860.

After visiting my Father and Mother and the old homestead in central New York state I went to Washington city, to look after my appealed land cases.

After reaching New York and wherever I went until I reached Washington, the people seemed to be greatly excited over the question of slavery, and the influence it would have in the Presidential Election to occur the following November.

Some of the Southern slave states were threatening to withdraw from the Union if the Republican nominee Abraham Lincoln were elected.

Living as I had been for more than a decade in California and just out of months travel in the wilds of Central America, I was bewildered at the public vehemence. I could not realize any cause for the din and uproar over the question of slavery, or that any great harm was to follow the result of the Presidential Election one way or the other. My recollections at that time were, that at every Presidential Election both parties claimed, that unless their candidate was elected the country and Govt of the U.S. would surely go to ruin, but my experience had been that when the Election was over, and whether Mr Van Buren or Mr Harrison was elected, it was all the same and every thing went on again smoothly and prosperously.

I met Vice President John C. Breckenridge who expressed the opinion that if Mr Lincoln should be elected that some, and perhaps all the slave states would revolt and set up a separate Govt and nation.

1
Reminiscence of E. O. Crosby, one of the Delegates to the first Constitutional Convention of California, and State Senator and Chairman of the Senate Judiciary Committee during both the first and second sessions of the California Legislature.

After the adjournment of the California Legislature May 1, 1857, and during the years following up to the close of 1859, I was busily engaged in prosecuting land claims under grants made by Spain and Mexico to the early residents of California. These proceedings were had before the U. S. Land Commission, and on appeals to the U. S. District Court, and to the Supreme Court of the United States at Washington. I found it necessary to go to Washington in the fall of 1859, to press the hearing of some of these cases, pending on appeal before that tribunal.

Thinking to gratify a desire I had long cherished, to visit Central America, and explore some of the grand old ruined cities, described by John L. Stevens, still existing at Copan, Cahal, and other places in Guatemala, I took passage on the Clipper Yacht Julietta, Capt. Dodge, for San Jose de Guatemala, and after a delightful run of ten days, went on shore in a surf boat, the only mode of landing in that open roadstead.

Saddle mules, for passengers, and other mules for baggage were the only mode of travel to the interior, and with these I started for the city of Guatemala, situated in a broad upland valley, ninety miles from the Pacific -

After three days travel through tropical forests on the coast plain, and up the high lands four thousand feet above the level of the sea, brought me to the Spanish Moorish built city of Guatemala containing about 60,000 inhabitants.

I had a letter from Bishop Alemany, of San Francisco recommending me to the kindly attention of the Archbishops and Clergy of Guatemala, as well as to all the Bishops and Clergy of Central America. To say I was most kindly received, and hospitably entertained by them, wherever I went, is but faintly acknowledging their attention.

I also had letters to President Barera, to Mr Hall acting British Minister and other gentlemen of the country. They all joined in giving me every facility, for exploring and visiting the different parts of the interior, and especially the ancient ruins of cities found by Alvarado the Spanish Conqueror and his invading army, in 1523-4-

I spent a month in Guatemala city, making acquaintances, among its Spanish and native inhabitants, who retained the same habits and customs of three centuries ago. I organised my mule train, and started for the interior, visiting Salama, Kahu ruins, Coban, Totonicapan, Solola, Quezaltenango, Lancha ruins, and other places, to the north & west, and in two months returned to Guatemala city for a rest. I then started for Copan on the

of spreading my blankets in one corner, while
he occupied another corner with a rude
bunk he had himself built for his own
repose. The night of Feb. 28, 1849, found
me happily ashore, and domiciled with
my two trunks and blankets, with the chief
civil officer of San Francisco city.

12
- Kearny
- from Kearney

was built and sent from N. Y. around Cape Horn
and then were given up to Genl Smith and family
and his staff, and some other privileged persons.

I got leave to swing my hammock amidship, which
was my bed on the voyage, altho I had a rude bunk
at my disposal with the rest of the passengers in
the hold of the steamer, and this bunk I utilised for
my baggage, preferring my hammock on deck to the
stifled air and the rude bunk below deck.

It was a hilarious voyage from beginning to
end; we stopped at Acapulco and Mazatlan
for ^{water and} provisions ~~and water~~, consisting of live cattle
pigs, sheep, and a liberal supply of oranges and
bananas. The good feeling of the passengers
and the speedy prospect of reaching San Francisco
and the gold mines whom each man pictured
to himself that he could pick up gold nuggets with-
out much labor, and go home in a year with a
fortune or at least a moderate competence for life.

We were the first of the argonauts from the
eastern States to reach California after the news
of the gold discovery was made public by the pub-
lication of Col. Mason's Report.

We arrived at Monterey, California on the 26th
of February, as I remember the date, and supposed
to be out of coal; Captain Forbes commenced col-
lecting wood to take the place of coal to reach
San Francisco, but the 27th some sacks of

coal was found under the after cabin floor and with the wood already collected we steamed up the coast and entered the golden gate on the 28th day of December 1849, and anchored in front of the little wharf of San Francisco outside the mud flat and not far from opposite what is now the foot of Broadway. The U.S. flag ship Ohio Commodore Jones, with two other of his vessels were anchored at Sausalito, but very little else was seen in San Francisco Bay.

There were no boats coming from shore to take us off, and the passengers went from ^{time to} time ^{taken} in the boats belonging to the steamer, and landed ^{us} on the rocks at Clarke's Point, about where the foot of Broadway then terminated.

Many of the passengers camped on the side of Telegraph Hill, in the Plaza, now Portsmouth Square and others found lodgings in such houses as would give them shelter at any price.

I met Dr Leavenworth who was Alcalde of San Francisco, and who I had known in N.Y. before he came to California, ^{and who} as Chaplain and ^{came to California} Surgeon of Col Stevenson's Regiment, two years before my arrival. He had a small office in the One story building situated on the ^{upper} corner of Kearney and Clay streets opposite the Plaza, and he generously offered me the privilege

11.
Mr Robinson and myself had secured
our tickets on the California and were watch-
ing the excited crowd eager to secure a passage.

At an indignation meeting held in the
streets of Panama to denounce the agents
Zachrisson & Nelson for not issuing tickets to
all of them. They even went so far as to propose
to take boats and go off to the steamer California
and seize the steamer by force, and turn out
the Chilenos taken on at Valparaiso, and let
all who had reached Panama from the U.S.
come on board. It was a desperate crowd
and they were all stalwart men well armed,
and capable of attempting any desperate
enterprise if fairly initiated. Offers were freely
made for tickets already issued of all sums up
to as ^{much as} one thousand dollars premium but no sales
were made
So far as I heard.

Mr Nelson one of the steamer agents told me to
have my baggage and myself on the private wharf
by dark the 3rd day after the "California" arrived
in Panama bay, and if I did so I would be put on
board that night. I was more than prompt to
comply with his suggestion, and with some other
fortunate passengers was safely taken out to the
steamer and put on board. Mr Nelson told me
to get a hammock, and he also had the forethought
to put on board a box of eatables such as could be

lunched from if I failed to get food at the table and it is with feelings of gratitude to Mr Nelson I recall his kindness to me on that occasion.

I have seen Mr Nelson several times since and he good naturedly said my letter from Mr Aspinwall to them had its influence, besides said he "I saw you was new to the life and men with which you were surrounded, and stood in need of a little friendly attention". He said he was himself afraid of the crowd, and that was why he sent the passengers off at night and in a hurry to get the steamer out of sight before any outbreak occurred, that way, day he delayed, matters would be growing worse as hundreds were coming as fast as they could find passage from the States.

Genl Percifer F. Smith and wife were on board with his staff, consisting of Col Joseph Hooker Major Lambly and others. Mr Alfred Robinson was on board sent out by Howland & Aspinwall as their agent at San Francisco. Baron Stumberger was one of the passengers, who figured extensively in getting beef for the steamer and other shipping at San Francisco. I think there was about 250 passengers taken on at Panama, and on the 1st of February 1849 the steamer California steamed out of Panama Bay for California.

It was supposed that 250 berths in the cabin was as many as would be required when the steamer.

of these gold washing machines. Made in the east of every conceivable pattern and design were among the curiosities of the times.

This "brunço" voyage up the river was anything but pleasant. The native boatmen all dressed in dark suits, the same that nature gave them, was at least novel if not picturesque, and as we passed a small stream near Gorgona we saw some ladies of the country disrobing to take a bath by taking off their Panama hats, that article being all the clothing they had.

At Gorgona we finished our River voyage, after six days and nights of as wearisome effort as any man could make: we then hired mules, and native porters to carry our baggage to Panama. I chummed with one of the passengers, and hired a mule to ride and tie, that is on one side a certain distance and tie the mule for the other partner to take his turn to ride. The owner of the mule always went along to see that each one had fair play to ride half the distance, and I suspect to see that neither of us went off with the mule.

Five days after I reached Panama much to my delight, the steamer California was sighted entering the Bay of Panama. She had come around Cape Horn without accident and as Mr. Aspinwall had predicted when I

left N.Y. that I would with good luck in crossing the Isthmus be in Panama in time to go on board for California. It was a close shave of only five days.

Cholera had taken some of our passengers to their long rest, and naturally we all felt anxious to get away from Panama.

There had already assembled at Panama by the last of July, 1849 about six hundred passengers from N.Y. New Orleans Mobile and other places, all anxious to get passage on the Steamer California, but Capt Forbes had taken seventy five Chilenos on board at Valparaiso and there was not standing room for all the men to go, and only about 250 could be given passage.

I met Henry E. Robinson who was one of the State Senators from Sacramento during the term first session of the Legislature of California. He was a native of Connecticut but had been living many years in New Orleans and had come down to Chagres in the Steamer Falcon, and had crossed the Isthmus to Panama and like myself was seeking a passage to California.

Mr Robinson and myself were life long friends from our meeting in Panama in July 1849, and I allude to him as a prominent Legislator in shaping the commercial and maritime laws enacted by the Legislature when a civil Govt was being first established in California.

After three days freedom of the city of Kingston, the Steam Whistle called the Straglers on board the Old Isthmus; and we steamed away across the Caribbean Sea, hunting along the coast for the port of Chagres which we luckily found, without much deviation from our direct course.

The entrance to the port and river Chagres is guarded on the left by a bold rock promontory on which is situated an old fort commanding the entrance, while to the right the land is low, but rising gradually away to the interior as far as the eye can reach ending in a succession of hills to the mountains in the far distance, and all these covered with a most luxuriant growth of trees and vegetation including the palm and coconut the most striking of all the trees and foliage to a north man's eyes, and altogether the scene to me, was one of indescribable delight. From the ice, snow, and slush of December in New York, to this full glare and heat of summer, with linen clothes, and bangles, ocean on one side, and the world of tropical verdure on the other, we seemed to be entering another world,

The old steamer Isthmus kept right straight along at her best speed, barely grazing the rocks on the left, and almost scraping the sand spit on the right, we entered the enlargement of the river called the port and harbor of Chagres, New Granada, a feat of recklessness no doubt attributable to the quantity and

~~San Francisco~~

100

quality of the potatoes of our two captives.

The town of Chayres consists of about thirty or forty cane built huts with high peaked roofs thatched with palm branches a foot or more thick, which gave shelter from sun and rain, and placed promiscuously along the shore.

The inhabitants are the most degraded set of human beings I had ever seen; it is true fig leaves were abundant all over the country, but the natives seemed to prefer nature's self unadorned, unless it was a Panama hat.

The only way of getting up the River was by "bungoes" or dug out boats. Some of them small canoes, while others were of considerable size capable of carrying eight or ten persons and a reasonable amount of baggage for each one.

I associated with five others and we hired a large bongo, and a canoe as a sort of tender to help the other, and into the large one we began assorting and transferring our baggage.

The last I saw of my gold washing machine it was going over the side of the steamer, and sank below the waters of the Chayres River.

It was the best thing I did on my voyage for when I got to California I found all these gold washing machines were utterly worthless, after being thoroughly tried; in fact, after wards the beach at San Francisco, and at Sacramento the wreck

to the Govt of the U.S., Santa Anna right or wrong had been summarily expelled from Mexico, and sought protection under the British flag in its colony of Jamaica Island.

From his conversation he seemed to be a firm believer in the adage that "Republics are ungrateful,"

I saw many pretty females among the nearly white descendants of the colored race, with large black eyes and symmetrical figures, well developed, and smiling with winning grace as they met the California gold hunters.

As a general rule I think ^{socially} the white and black races kept apart; while in trade and business they seemed to be on most friendly equality. The merchants and shop keepers were largely English Jews, while the Governor and principal colonial officers were English and natives of England sent out or who came out to Jamaica to fill official positions or engage in the leading commercial transactions of the colony.

It seemed to me that Englishmen abroad in one of their colonies was vastly more English than the English at home, and when several years after I visited England I found it was a fact, that for clean cut assumption and impudent importance the English in the British colony was a greatly more important man in his own estimation, than the Lord on his native Isle,

symmetrical
symmetrical

7

future voyage. We went roving about until we made the north side of the Island of Jamaica, and kept it in sight while we went completely around it and finally made the harbor and city of Kingston.

Every body went on shore, and the first thing done by the passengers was to lay in a goodly supply of linen clothes. For the change from N.Y. in Deer, to Jamaica was so pronounced, we were all glad to lay aside our coats and woollen for the more comfortable linen fabrics of the tropics. It was a hilarious crowd and for three days kept the town lively, but in such good humour the authorities let the boys enjoy the freedom of the city -

With some other gentleman passengers we went out a few miles to the country seat of the deposed President - Santa Anna of Mexico. He had a delightful place and extensive, and well kept grounds -

We were cordially received and he seemed to be well pleased to have us call upon him. For he entered into familiar conversation about the war and the new gold discoveries in California. I think he was rather glad ^{that} the good fortune of finding gold, fell to the Americans, so soon after the country had passed

*Pratt
Brown*

all the provisions I carried on board were freely given up as a peace offering to the monarch of the ocean. I did not know then the sovereign remedy of champagne cocktails, which now I find the very best libation to take in honor of the sea gods dominion -

Jim Baker was our captain for brevity called "lying jim". He was assisted by Capt Wood, who said he had been ~~over~~ ^{on} occasion in sight of Shagres, but both Baker and Wood did the constant drinking, while the first mate did the navigation of the old steamer -

The third day we brought up out of channel on the coral Bahama Banks, and the Providence which protected so many 49^{ers} saved us from wreck. The steamer backed out and took another tack, and by good luck we entered the Port of Havana Island of Cuba.

It was my first sight of the tropics, and the Palm tree, real orange and lemon with the world of tropical verdure produced a sensation of delight so new and fascinating, I most readily forgave and forgot my first outing at sea.

We staid in Havana two days, and took in coal with an abundant supply of oranges and other fruit. Much to our comfort on our

two trunks and gold washing machine, on a drey
and my arms full of blankets and hand bags.

— to go on board the steamer Isthmus to sail
at 5 o'clock for Chagos, having about 120 passengers.

Every thing was wet and sloppy on board, no
fire or comfort any where, and that night in a
cold damp berth, with clothes on, my gold
fever had about cooled off, and I made up
my mind that in the morning I would give up
my voyage and go back to my office.

Just before daylight the morning of the 26th
before I got out of my berth the steamer swung
out into the North River, and steamed away,
down the bay for the ocean.

It was too late to land, and the steward
said breakfast was ready. I turned out, but
toilet accommodations were in fact nothing, and
with difficulty, I got a chance in the crowded
wash room to secure enough water to baptise
my face and hands. The breakfast was a
mockery for the palate of a Wall Street lawyer,
no milk for coffee, hard sea biscuit, and
such tough meat, and potatoes boiled with
their jackets on. It was just as well for when
we were crossing the bar at Sandy Hook we
began meeting the ocean swell. I was among
several others leaning against the bulwark of the
steamer settling my first account with Neptune

a nice assortment of underclothes, kid gloves and fine boots, without a single red shirt or stogy boots, in fact with nothing suitable for the voyage, and camp life in California.

An inventive genius who sometimes came in our office, said he had made a gold washing machine which he knew was just the thing for me to take to California. that I could get two men to help work it and all I would have to do, would be to stand at the end and collect the gold dust as it run out.

Of course I was delighted with the idea, and took the gold washing machine. as I was anxious to make a good showing of gold when I returned to N.Y. at the end of the year.

All my preparations being made I found an old Steamer was advertised to take passengers to Chagres, with immediate dispatch. It was an old side wheel steamer about six hundred tons burden that had been copping about the gulf of Mexico during the war, but was considered good enough to carry passengers to Chagres, and as it was the first chance I got my ticket ready, to be on hand the day she was to sail,

On the 25th of December 1848, Christmas day, a cold drizzling rain and half snow had been falling all day, and in the afternoon I went stopping down to the foot of Broadway Street N.Y. with my

and he said to me if I wanted to go, that he would give me every facility to get there early, and that if I started the first chance for Shagres, and had good luck in crossing the Isthmus to Panama, I would be in time to get on board the steamer California, which they had started around Cape Horn for Panama and thence up the coast to California. He offered to write to his agents at Panama, Zachrisson & Nelson, to put me on board the first steamer that arrived at Panama for California.

Mr Benedict said go by all means - and be gone a year, and when you return your interest in the office shall be continued the same as if you staid with me.

They were both anxious for me to go and see for them, if these reports of gold were true, and to what extent it was found.

I had never been out to sea and had hardly been out of my native state of N.Y. and I thought it was a good opportunity to have an adventure and see something beyond the routine and drudgery of a law office.

I had no idea of what would be a proper outfit of clothing, or other things suitable for a sea voyage and the rough camp life in the mines of California. So I packed two trunks with Broadway made suits, white shirts & vests, and

associated with Abner Benedict, Esq. in the practice of law. Mr Benedict was an old lawyer well versed in Admiralty law, as well as in general practice of his profession.

When the President's Message was published Decr 1. 1848; it was accompanied by the Report of Col. R. B. Mason, to the Secretary of War describing fully the discovery of gold at Sutter's saw mill, in the present County of Eldorado in Jan'y of that year.

This was the first authentic ^{public} information we had ^{in N.Y.} of the gold discovery in California.

Howland and Aspinwall ship owners and Merchants of N.Y. were clients in our office and I frequently saw Mr Aspinwall there on business.

These gentlemen had contracted with the U.S. Govt to build three ^{steamers} to run between Panama and Oregon, touching at the Port of California to leave and take on the mails, with berths for 25 cabin passengers, as that number was supposed to be as many as would want to take passage at one time.

They had sent the first steamer in September 1848, to go around Cape Horn to take its place on the line from Panama to Oregon, stopping at the ports of California.

Mr Aspinwall seemed very much excited about the news of the gold discovery in California.

Elisha, Oscar, Crosby, is a lineal descendant from Simon Crosby, who aged twenty six, arrived from England in the ship Susan and Ellye with his wife Ann aged twenty five, and their young son Thomas in 1635, and settled in Cambridge Massachusetts Colony.

His mother's ancestor was Edward Spaulding who arrived in 1635, and settled in

He is therefore of the early Puritan stock of New England. He was born July 18, 1818 in the Town of Gorton Tompkins county, State of New York. Educated at Cortland Academy in the Town of Homer, Cortland county, State of New York. Studied law with his Uncle Elbridge Gerry Spaulding in the city of Buffalo, N.Y. and was admitted to the Supreme court of the State of N.Y. at the July Term 1843, Samuel Nelson judge presiding, and admitted solicitor in Chancery by R. Hyde, Walworth Chancellor July 18, 1843, ^{it being} his twenty fifth birthday -

Reminiscence of Elisha, Oscar, Crosby, of why and when ^{and how} he came to California, what he saw and did after he arrived.

In the fall of 1843, after being admitted to the Supreme court, and Court of Chancery, of the State of New York, I went to New York city, and