

# **Causes, Operations and Results of the San Francisco Vigilance**

Stephen Palfrey Webb



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# **A Sketch of the Causes, Operations and Results of the San Francisco Vigilance Committee of 1856**

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**Written by Stephen Palfrey Webb in 1874**

Stephen Palfrey Webb was born in Salem on March 20, 1804, the son of Capt. Stephen and Sarah (Putnam) Webb. He was graduated from Harvard in 1824, and studied law with Hon. John Glen King, after which he was admitted to the Essex Bar. He practiced law in Salem, served as Representative and Senator in the Massachusetts Legislature, and was elected Mayor of Salem in 1842, serving three years. He was Treasurer of the Essex Railroad Company in the late forties.

About 1853, he went to San Francisco, where he resided several years, serving as Mayor of that city in 1854 and 1855. It was during this time that he witnessed the riotous mobs following the Gold Rush of 1849, and upon his return Salem made notes for a lecture, which he delivered in Salem; and later, with many additions, prepared this sketch, probably about 1874. He was again elected Mayor of Salem, 1860–1862, and City Clerk, 1863–1870. He died in Salem on September 29, 1879. On May 26, 1834, he married Hannah H. B. Robinson of Salem.

There have been several accounts of the activities of the Vigilance Committee, but this is firsthand information from one who was on the ground at the time, and for this reason it is considered a valuable contribution to the history of those troublous days. It certainly is a record of what a prominent, intelligent and observing eye-witness saw regarding this important episode in the history of California. The original paper is now in the possession of his granddaughter, Mrs. Raymond H. Oveson of Groton, Massachusetts.

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Many of the evils which afflicted the people of San Francisco may be traced to the peculiar circumstances attendant upon the settlement of California. The effect all over the world of the discovery of gold at Sutter's Mill in 1848 was electric. A movement only paralleled by that of the Crusades at once commenced. Adventurers of every character and description immediately started for the far away land where gold was to be had for the gathering. The passage round Cape Horn, which from the earliest times had been invested with a dreamy horror, and had inspired a vague fear in every breast, was now dared with an audacity which only the all absorbing greed for gold could have produced. Old condemned hulks which, at other times, it would not have been deemed safe to remove from one part of the harbor to another, were hastily fitted up, and with the aid of a little paint and a few as deceptive assurances of the owners, were instantly filled with eager passengers and dispatched to do battle, as they might, with the storms and perils of the deep during the tedious months through which the passage extended. The suffering and distress consequent upon the packing so many human beings in so confined a space; the miserable quality and insufficient quantity of the provisions supplied; the weariness and lassitude engendered by the intolerable length of the voyage; the ill-temper and evil passions so sure to be roused and inflamed by long and forced companionship without sympathy or affection, all tended to make these trips, for the most part, all but intolerable, and in many cases left feelings of hate and desire for revenge to be afterwards prosecuted to bloody issues.

The miseries generally endured were however sometimes enlivened and relieved by the most unexpected calls for exertion. A passenger described his voyage from New York to San Francisco in 1849, in company with several hundred others in a steamer of small size and the most limited capacity in all respects, as an amusing instance of working one's passage already paid for in advance. The old craft went groaning, creaking, laboring and pounding on for seven months before she arrived at her destination. Short of provisions, every sailing vessel that was encountered was boarded for supplies, and almost every port on the Atlantic and Pacific was entered for the same purpose. Out of fuel, every few days, axes were distributed, and crew and passengers landed to cut down trees to keep up steam for a few days longer. He expressed his conviction that every point, headland, island and wooded tract on the coast from the Cape to San Francisco had not only been seen by him, but had resounded with the sturdy blows of his axe during the apparently interminable voyage. His experience, with the exception of the axe exercise, was that of thousands.

The extent to which the gold fever had impelled people on shipboard may be judged by the facts that from the first of January, 1849, five hundred and nine vessels arrived in the harbor of San Francisco; and the number of passengers in the same space of time was eighteen thousand, nine hundred and seventy-two. Previous to this time, one or two ships in the course of a year found their way through the Golden Gate and into the beautiful harbor of San Francisco in quest of hides, horns and tallow, and gave languid employment to two or three Americans settled on the sand hills, and engaged in collecting these articles of trade and commerce. In the closing days of 1849, there were ninety-four thousand, three hundred and forty-four tons of shipping in the harbor. The stream of immigration moved over the Plains, likewise; and through privation, fatigue, sickness, and the strife of the elements, passed slowly and painfully on to the goal of their hopes.

Thus pouring into California in every direction and by every route, this strange and heterogeneous mass of men, the representatives of every occupation, honest and dishonest, creditable and disgraceful; of every people under the sun, scattered through the gulches and ravines in the mountains, or grouped themselves at certain points in cities, towns and villages of canons or adobe. Perhaps never in the world's history did cities spring into existence so instantaneously, and certainly never was their population so strangely diverse in language, habits and customs. Of course gamblers of every kind and color; criminals of every shade and degree of atrocity; knaves of every grade of skill in the arts of fraud and deceit abounded in every society and place. In these early times gold was abundant, and any kind of honest labor was most richly and extravagantly rewarded. The honest, industrious and able men of every community, therefore, applied themselves strictly to business and would not be diverted from it by any considerations of duty or of patriotism. Studiously abstaining from politics; positively refusing to accept office; shirking constantly and systematically all jury and other public duty, which, onerous in every

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community, was doubly so, as they thought, in that new country, they seemed never to reflect that there was a portion, and that the worst, of the population, who would take advantage of their remissness, and direct every institution of society to the promotion of their own nefarious purposes.

Absorbed in their own pursuits, confident that a short time would enable them to realize their great object of making a fortune and then leaving the country, the better portion of the community abandoned the control of public affairs to whoever might be willing or desirous to assume it. Of course there was no lack of men who had no earthly objection to assume all public duties and fill all public offices. Politicians void of honesty and well-skilled in all the arts of intrigue, whose great end and aim in life was to live out of the public treasury and grow rich by public plunder, and whose most blissful occupation was to talk politics in pot houses and grogeries; men of desperate fortunes who sought to mend them, not by honest labor, but by opportunities for official pickings and stealings; bands of miscreants resembling foul and unclean birds which clamor and fight for the chance of settling down upon and devouring the body to which their keen scent had directed them; all were astir and with but little effort obtained all that they desired. The offices were thus filled by rapacious and unscrupulous men. The agents who had helped to elect them, or impose them upon the people by fraud, were supported and protected in their villainies; and in the consciousness of impunity for crime, walked the streets heavily armed and ready on the instant to exact a bloody revenge for an interference with their infamous schemes, or an attempt to bring them to merited punishment.

In San Francisco the effects of all this were visible at an early period in the prevalence of crime and outrage; in the laxity with which offenders were prosecuted; in the squandering of public property; the increasing burden of taxation; and the insecurity of life and property. Now and then when the evils of the system weighed with the most depressing effect upon the business part of the community, some spasmodic effort for a time produced a change. But a temporary check only was applied. The snake was scotched, not killed. The ballot box upon whose sanctity, in a Republican government must the liberties of the people depend, was in the hands of the pliant tools of designing politicians, or of desperate knaves ready to bargain and sell the result of the election to the party or individuals who would pay the largest sum for it. By such infamous arts had many officials of law and justice been placed in situations of trust and power. Could it reasonably be expected that they would honestly and fairly apply the law to the punishment of the friends who had given them their offices, when they added to these crimes against society, the scarcely more flagrant ones of robbery and murder? If it was possible, the people did not believe it would be done. They saw enough to convince them that it was not done. They saw an unarmed man shot down and instantly killed in one of the most frequented streets of the city while endeavoring to escape from his pursuer. They saw the forms of trial applied in this clear case, and after every quibble and perversion of law which ingenuity could devise had been tried, the lame and impotent conclusion arrived at of a verdict of manslaughter, and a sentence for a short period to the State Prison. They saw a gambler, while quietly conversing with the United States Marshal in the doorway of a store on Clay Street, draw a revolver from his pocket and slay him upon the spot. They heard that gamblers and other notorious characters, his associates and friends, had raised large sums; that able lawyers had been retained for his defense; and then that his trial had ended in a disagreement of the Jury, soon to be followed, as they believed, by a nolle prosequi, and the discharge of the red handed murderer. They saw an Editor, for commenting on a homicide in the interior of the State, committed by a man claiming to be respectable, and followed by his acquittal in the face of what appeared to be the clearest evidence of his guilt; assaulted by the criminal in a public street in San Francisco, knocked down from behind by a blow on the head from a loaded cane, and beaten into insensibility, and, as seemed, to death; while three of the assailant's friends stood by, with cocked revolvers, threatening to slay anyone who should interfere. Again they saw the farce of trial resulting, as every one knew it would, in acquittal. At length, so confirmed and strengthened were villains by the certainty of escape from punishment, that they did not even trouble themselves to become assured of the identity of their victims. A worthy citizen in going home through Merchant Street between eight and nine o'clock in the evening was approached from behind by a person who, pressing his arm over his shoulder thrust a knife into his breast. Luckily the knife encountered in its passage a thick pocket memorandum book which it cut through, and but for which, he would have lost his life. The intended assassin undoubtedly mistook him for another person whom he somewhat resembled. A few days after a gentleman passing by the Oriental Hotel heard the report of a pistol, and was sensible of the passage of a ball through his hat in most uncomfortable proximity to his head. A person immediately stepped up to him saying, "Excuse me, I thought it was another man."

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The ally of the people in times of difficulty and danger, the Press, seemed subservient from choice to this vile domination, or overawed and controlled by it. Experience had proved that its conductors could be true, bold, effective only at the peril of their lives. More than one had suffered in his person the penalty of his allegiance to truth and duty; until at length intimidated and desponding, they had ceased to struggle with the spirit of evil ....

One man upon whom public attention was now turned, and whom the people of the City and State began to regard as their champion and deliverer, was James King of William, and he was no common man. He was born in Georgetown, D. C., in January, 1822, and was therefore thirty-four years old at the time of his death. Having received a common school education, he was placed at an early age in the banking house of Corcoran Riggs at Washington City where he remained many years. His health at length failing from steady application to business and conscientious devotion to his employer's interests, he was induced to seek its restoration in the invigorating climate of California. He arrived in the country just previous to the discovery of gold. The marvelous growth of City and State soon required facilities for the transaction of business, and he became a resident of San Francisco, and established the first banking house in that City. For several years he was eminently successful in business; and his strict honesty and integrity secured for him the abiding confidence and respect of the business community. But the sudden and extreme depression in business in 1855 closed his doors as well as those of many other bankers and merchants. By the surrender to his creditors of all he possessed, even his homestead, which, to the value of five thousand dollars, the laws of California allowed him to retain, and which might well be coveted by him as a home for his wife and six children; every claim against him was promptly met and discharged. Retaining amidst all his reverses, the respect of all who knew him, he engaged as a clerk in the banking house of Adams Co. where most of his old customers followed him, induced to do so by their confidence in him. After the failure of that firm, he was for some time out of active employment. But compelled by the necessities of a large family to seek it, he determined to establish a daily newspaper and take upon himself the editorial charge of it. For such an undertaking, his large experience in business, his resolute spirit, his sound judgment, his keen insight into character, his lofty scorn and detestation of meanness, profligacy, speculation and fraud, eminently fitted him. The paper, the Evening Bulletin, was first issued on the eighth day of October, 1855. From that day to the day of his death, he devoted all his faculties most faithfully and conscientiously to the exposure of guilt, the laying bare gigantic schemes for defrauding the public, the denouncing villains and villainy in high or low station, and the reformation of the numerous and aggravated abuses under which the community was and had long been groaning. Day after day did he assail with dauntless energy the open or secret robbers, oppressors or corruptors of the people. Neither wealth nor power could bribe or intimidate him. It would be difficult to conceive the enthusiasm with which the People hailed the advent of so able a champion, and the intense satisfaction with which they witnessed his steadfast perseverance in the cause of truth and the right.

At length, on the fourteenth day of May 1856, the anxious fears and gloomy forebodings of his family and friends were realized .... His assassin, James P. Casey, was well-known and of evil repute in the City. Bold, daring, and unscrupulous, his hand was ever ready to execute the plans of villainy which his fertile brain had conceived. Sentenced in New York to imprisonment for grand larceny in the State Prison at Sing Sing for the term of two years, and discharged when that term had nearly expired; he soon after sailed for California. Shortly after his arrival, he was chosen Inspector of Elections in the Sixth Ward of San Francisco. Here he presided over the ballot box, and was generally believed to have accomplished more ballot box staffing, ticket shifting and false returns than any other individual in the City or State. He made, as was generally believed, his office a means of livelihood, and held the City and County offices in his hands to be disposed of in such manner as might best promote his interest or fill his pockets. Year after year by this means he was accumulating money, until he was reputed to have made a fortune, although never known by the people to have been engaged in any honest industrial occupation in California. For the purpose perhaps of adding the levy of blackmail to his other modes of accumulation, he established a newspaper, called the Sunday Times, and without principle, character or education, assumed to be the enlightener of public opinion and the conservator of public morals. During the few months of its existence, the paper was conducted without ability; advocated no good cause; favored no measures for promoting the public interest or welfare; attained no measure of popularity; and its discontinuance inspired no regret, but was felt rather to be a relief.

The thought seems now to have suggested itself that having been so long the distributor of offices to others he might well assume it himself; and thus while obtaining position in society, enlarge his sphere of operations in

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plundering the public. Accordingly a ballot box at the Presidio Precinct in the suburbs of the City was so arranged or presided over by friends or pliant tools, that four or five days alter the election, the law being conveniently silent as to the time which might be consumed in counting votes and making the return, it was made to turn out James P. Casey a member of the Board of Supervisors of the County, although not known to have been a candidate for the office at the Polls on the day of election. In this responsible position, he could find his way on important Committees, be able to squander the resources of the County, and by his vote and influence assist in passing the most exorbitant claims, of which, it is to be presumed, he received a satisfactory percentage.

So high-handed an offender against the law and the rights of the people could not escape the notice or the withering rebuke of Mr. King. He fearlessly proclaimed him a convicted felon, and dealt with him as one of the principal of those offenders against all law, human or divine, with whom San Francisco had been so long and so terribly cursed.

The Bulletin of May 14th, in which the charges founded upon the most incontrovertible evidence, of Casey's conviction, sentence and discharge from Sing Sing, was made in the plainest terms accompanied with comments upon his ballot-box stuffings and other criminal acts in San Francisco, was published at an early hour in the afternoon. At four o'clock Casey called at the Editor's room and demanded of Mr. King what he meant by the article in the Bulletin just issued, and was asked to what article he alluded? "To that" was the reply, "in which I am said to have been formerly an inmate of Sing Sing State Prison." "Is it not true?" said King. Casey replied, "That is not the question. I don't wish my past acts raked up; on that point I am sensitive." King then pointed to the door which was open, and told him to leave the room and never enter there again. Casey moved to the door saying, "I'll say in my paper what I please." To which King replied "You have a perfect right to do as you please. I shall never notice your paper." Casey said, "If necessary, I shall defend myself." King, rising from his seat, said, "Go, and never show your face here again." Casey immediately retired.

At five o'clock, his usual dinner hour, Mr. King left his office. With his arms crossed under his Taima, as was his wont, and his eyes cast down, he passed along Montgomery Street apparently in deep thought, and at the corner of Washington Street began to cross the street diagonally. When about half across, Casey stepped from behind an Express wagon, dropped a short cloak from his shoulders, and uttering a few words, the only ones heard by Mr. King, as he said on his death bed, being "Come on," immediately discharged one barrel of a large revolver into Mr. King's breast. Mr. King drew himself up, and then made a slight motion sideways, indicating plainly to the few persons in sight at the time, that he was hit. The spectators immediately ran in towards him, and assisted him into and seated him in the Express Office. He was badly wounded in the left breast, and was apparently in a dying condition.

In the meantime Casey was hurried by his friends and the Police to the Station House in the City Hall, and from thence, when the demonstrations of the immense multitude of infuriated citizens became awfully threatening, in a close carriage, to the Prison on Broadway, where, within stone walls, he might, as he did, receive the visits and congratulations of his admirers and the haters of the good man, whom he had slain; and lay his plans for eluding justice as so many before him had done. But he reckoned without his host. His hour had struck. The Avenger was on his trick, never more to lose sight of him till he had forced him to a speedy, public and ignominious death. The People, whom he had so long abused and deprived of their rights, as at last almost to have learned to ignore their very existence, had reached that point at which forbearance had ceased to be a virtue. Through the City darted with the speed of light the intelligence of his crime; and to the scene of it rushed from all the streets, lanes and by ways of the City, with wild haste and fearful imprecations, the thousands upon thousands whom that word of fearful import had filled with sorrow, hate and desperate resolve. Filling every street and avenue in the neighborhood with the innumerable multitude which swayed to and fro like the tempest tossed waves of ocean; the main body continued for hours, loading the air with hoarse murmurs or angry shouts; detachments breaking off from time to time to rush with frantic speed and hurl themselves successively but impotently upon the iron doors and stone walls of the Station House or Jail.

During the evening, so threatening became the demonstrations of the people that every effort was made by the authorities to reinforce the Police. Armed men were dispatched from time to time to be stationed around and on the top of the Jail. They were received, as they made their way through the dense mass with hootings and execrations. The Mayor vainly endeavoured to obtain a hearing, and to calm the fiery passion of the multitude. With wild rage, fruitless clamor and ineffective effort, that great crowd waited impatiently but vainly for some

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leader to give direction to their energy. At half past eleven a mounted battalion consisting of the California Guards, First Light Dragoons and National Lancers, were mustered, supplied with ammunition, and marched off to the Jail, where they did duty during the night. The safety of the Prison being now provided for, the people quietly dispersed to their homes, not, however, until a Committee, consisting of Messrs. Macondry, Palmer and Sims in whom they had confidence had been sent in, and reported to them that the prisoner was securely locked in a cell within it.

Meantime, amid this wild tumult of the people, a number of merchants and other prominent and influential citizens had assembled in a store in the lower part of the City, and there after full consideration of the intolerable condition of affairs, it was resolved forthwith to organize a Vigilance Committee. At an early hour the next morning another meeting was held and a Constitution adopted, the publication of which was sometime after sanctioned by the Executive Committee.

This Instrument was deliberately approved, and was subscribed by several thousand citizens of San Francisco, who, in action under it, periled life and fair fame. The following extracts from it will show the causes of the movement; and the ability and determination of those who inaugurated and prosecuted it to its final issue:

Whereas it has become apparent to the citizens of San Francisco that there is no security for life or property either under the regulations of society, as it at present exists, or under the laws as now administered, and that by the association of bad characters our ballot boxes have been stolen and others substituted, or stuffed with votes that were never polled, and thereby our elections nullified; our dearest rights violated; and no other method left by which the will of the people can be manifested; therefore, the citizens whose names are hereunto attached, do unite themselves into an association for maintenance of the peace and good order of society; the prevention and punishment of crime; the preservation of our lives and property; and to insure that our ballot boxes shall hereafter express the actual and unforged will of the majority of our citizens; and we do bind ourselves each to the other by a solemn oath to do and perform every just and lawful act for the maintenance of law and order, and to sustain the laws when properly and faithfully administered. But we are determined that no thief, burglar, incendiary, assassin, ballot box stuffer, or other disturber of the peace shall escape punishment, either by the quibbles of the law, the insecurity of prisons, the carelessness or corruption of the police, or the laxity of those who pretend to administer justice; and, to secure the objects of this association, we do hereby agree, that the name and style of the Association shall be "The Committee of Vigilance, for the protection of the ballot box, the lives, liberty, and property of the citizens and residents of the City, of San Francisco."

That there shall be Rooms for the deliberations of the Committee at which there shall be some one or more members of the Committee, appointed for that purpose, in constant attendance at all hours of the day and night to receive the report of any member of the association or of any other person or persons whomsoever of any act of violence done to the person or property of any citizen of San Francisco; and if in the judgment of the member or members of the Committee present, it be such an act as justifies or demands the interference of this Committee, either in aiding in the execution of the laws, or the prompt and summary punishment of the offender; the Committee shall be at once assembled for the purpose of taking such action as a majority of them, when assembled, shall determine upon.

That whereas, an Executive Committee has been chosen by the General Committee, it shall be the duty of the said Executive Committee to deliberate and act upon all important questions and decide upon the measures necessary to carryout the objects for which the association was formed.

That whereas this Committee has been organized into subdivisions; the Executive Committee shall have power to call, when they shall so determine, upon a Board of Delegates, to consist of three representatives from each division to confer with them upon matters of vital importance.

That the action of this body shall be entirely and vigorously free from all consideration of, or participation in the merits or demerits, opinions or acts, of all sects, political parties, or sectional divisions in the community and every class of orderly citizens, of whatever sect, party or nativity may become members of this body. No discussion of political, sectional or sectarian subjects shall be allowed in the Rooms of the Association.

That no person accused before this body shall be punished until after fair and impartial trial and conviction.

That whenever the General Committee have assembled for deliberation, the decision of the majority upon any question that may be submitted to them by the Executive Committee shall be binding upon the whole; provided nevertheless, no vote inflicting the death penalty, shall be binding unless passed by two thirds of those present and

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entitled to vote.

That all good citizens shall be eligible for admission to this body under such regulations as may be prescribed by a Committee on qualifications; and if any unworthy persons gain admission, they shall, on due proof, be expelled. And, believing ourselves to be executors of the will of a majority of our citizens; we do pledge our sacred honor to defend and maintain each other in carrying out the determined action of this Committee at the hazard of our lives and our fortunes.

By this Constitution, it will be seen that the responsibility of deliberating upon the subjects which demanded the interference of the Vigilance Committee was devolved upon the Executive Committee consisting of twenty-three persons. Of this Committee, the largest number were merchants, but most of the professions and occupations were represented on it. Many of its members were men of large fortune and extensive business; all of them were men of standing and good character, and possessing the confidence and respect of the community. All sects in religion, and parties in politics had representatives among them. They were shrewd, sagacious, business men; never seeking office; having no taste for excitement; desiring only to be protected in their rights, and to be able to devote their energies uninterruptedly to their business. Only a sense of intolerable wrong and oppression could have induced such men to leave their employments and engage in so anxious, laborious and perilous an undertaking. Having assumed the task, never did men devote themselves more entirely to the discharge of the duties which it imposed. Freely at all times did they contribute their money to defray expenses incurred. Faithfully did they dedicate all their forecast, sagacity and wisdom to insure success; upon which indeed, their fortunes, and lives depended, and which a single mistake might involve the loss.

The writer of this sketch was never more profoundly impressed than when, on two occasions, he was summoned, at half past twelve and two o'clock in the morning to the Executive Chamber as a witness. The room was of the plainest, even rudest, appearance. A semi-circular table was liberally supplied with stationary, and around it sat gravely, with faces paled by long continued vigils, anxious thought and awful responsibility a few individuals, some of whom he recognized, and knew to be quiet, humane, order-loving men. On a raised platform sat the President, and in front of him the Secretary. These few grave men, seen at so late an hour, by dim candle lights, the leaders of an armed insurrection, usurpers of all power, rule and supremacy in a City of at least sixty thousand inhabitants; whose commands thousands of their armed fellow citizens obeyed implicitly; who, in disregard of all law, arrested, imprisoned, tried and executed offenders; but whose power, boundless and undisputed as it seemed, rested solely on the conviction of their fellow men that they were just, wise, patriotic and true; would faithfully administer the despotic power of which they were the depositaries; and cheerfully resign it whenever the work of the regeneration of society was accomplished. If this conviction should be shaken, the association must instantly be dissolved and each of these leaders and directors of it be left to die upon the scaffold. Well might any person of the slightest sensibility look on such a body of men with the utmost interest and curiosity, and in the contemplation be filled with deep and solemn thought.

The Constitution likewise provided for a Board of Delegates, with whom the Executive Committee might confer whenever matters of vital importance should require it. This body was organized by the choice by each company of two of its members, who, with the Captain, should be its Delegates. When the military organization of the force was completed, the field officers were added to the Board of Delegates; and when the organization included many regiments, the number of Delegates was of course larger. Whenever the death penalty had been decided upon by the Executive Committee, the whole evidence upon which it was based was submitted to the Board of Delegates, and a two-thirds vote of that Board in confirmation of the Executive vote was required before it could be inflicted. The element of discussion thus introduced into a body essentially revolutionary, and whose success might be supposed to depend upon the secrecy, promptness and unfaltering determination of its councils and of the blows it struck, was thought at the time to be likely to detract from its efficiency, if it did not endanger its existence. But the good sense and prudence of the members restrained the innate Yankee propensity to speech making, and this danger, with many others, which from time to time threatened to make shipwreck of the organization, was happily surmounted.

The Constitution having been adopted, the doors of the Committee Rooms on Sacramento Street were opened for initiation into the body. The greatest caution was exercised to prevent the admission of any disreputable or unreliable man. Every person presenting himself was carefully scrutinized at the outer door by a trusty guard and at the stair head within by another; and if unknown to them, was required to be vouched for by two respectable

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citizens. From Thursday the 15th until Saturday the 17th at two o'clock P. M. a crowd of people were constantly pressing forward for admission. On Thursday both battalions of the City military refused to act further as a guard upon the Jail; and the companies for the most part disbanded; several of them reorganizing as part of the Vigilance Committee force. The defense of the Jail being thrown entirely upon the Sheriff; he placed arms and ammunition in it; and made strenuous efforts to provide a force which might suffice with his Deputies, the Police co. to accomplish that object. On Friday his Deputies were very busy in serving printed notices upon all citizens whom they could induce to receive them, or to listen to their reading. The summons was to meet at the Fourth District Court Room in the City Hall at half past three o'clock to aid him in keeping the peace. The meeting took place at the time and place appointed, but for various reasons, did not prove a very decided success. The replies made when the question was propounded to each individual whether he was prepared to proceed with the Sheriff to the Jail to defend it against all assailants, were very various. A merchant said he had been summoned, but he refused most positively to move, and wished it to be most distinctly understood that he was not a member of the Vigilance Committee, nor did he intend to act against it. A lawyer declined serving, and on his reason for doing so being required, said he was afraid; as he was afterwards in the ranks of the Vigilance Committee, with a musket on his shoulder, it may be presumed that his fear was of fighting against the people. A medical man professed great doubts about his ability; said he was not accustomed to the use of firearms, and thought it not unlikely that he might wound himself or kill his neighbor. At length, a party started with the Sheriff for the Jail; but whether their sober second thought was discouraging; or they had no stomach for the fight; or found their courage oozing out of their finger ends; the number began to diminish immediately after starting; at every corner some would detach themselves from the group; at every saloon or restaurant a distressing hunger or thirst would silently but imperiously demand a halt; and as the Jail was neared, a light pair of heels was frequently put in requisition without the slightest ceremony. As might be supposed, the number that finally reached their destination, was distressingly out of proportion to the work to be done; and the Sheriff, after detaining them for a time, was reported to have dismissed them with but scant courtesy.

Bulletins meanwhile were issued daily and almost hourly, by the physicians in attendance upon Mr. King, detailing his condition. They were posted in conspicuous places, and were read and commented upon by eager and excited crowds. The enlistments into the Vigilance Committee were constantly going on. The French citizens held a meeting and tendered their services to the Committee, and a battalion of three hundred men was at once organized and armed. The Germans had no separate organization, but were distributed in large numbers through the various companies. Arms were collected from all quarters; cannon were obtained from ships lying at the wharves or in the harbor; the gunsmiths shops were thronged; dray loads of muskets and ammunition were taken to the Jail and the Committee Rooms; armed men guarded and observed the Jail night and day; and although every thing was done quietly, no person could escape the conviction that an awful crisis was impending. In all the streets men on foot and horseback were constantly passing and repassing, apparently engaged in their ordinary pursuits; but a close observer could detect by the interchange of a word, a motion, or a significant glance, that they had a mutual understanding and a common purpose, and were on the alert and quick and observant of all that was passing.

On Saturday evening, May 17th, in consequence of a telegraphic dispatch from Mayor Van Ness earnestly requesting his presence, Governor Johnson arrived in the City from Sacramento. He was met by General Sherman whom he had appointed Major General of the Militia, Ex-Mayor Garrison and some others. After a long conference with the Executive Committee at two o'clock in the morning, he went with a sub-committee of that body to the Jail. The Sheriff agreed that a detachment of ten men of the Vigilance force should be permitted to enter and remain in the Jail to satisfy the people of the safe keeping of the prisoner. It was agreed the Committee should not take advantage of the permission to wrest the prisoner from the hands of the Sheriff, but that if they should resolve such a course, they would withdraw their guard. At two o'clock P. M. on Saturday, the process of enrollment was suddenly stopped. Two thousand six hundred men had then been enrolled. In the evening the whole force was broken up into twenty-six companies or divisions, as they were called first, of one hundred men. Each division then made choice of its officers, consisting of a Captain, two Lieutenants; and Sergeants and Corporals were likewise appointed. The Command-in-Chief was entrusted by the Executive Committee to Colonel Charles Doane; who, in all the subsequent military operations proved himself to be a most skillful tactician and efficient commander. The great body of the force at first under his command, was infantry armed

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with flint–lock muskets, afterwards changed for percussion ones. There were, in addition, a company of horse; two companies of riflemen, and artillerists for two field pieces. The evening closed with a sharp drill of all the divisions.

Sunday the Eighteenth day of May was bright and beautiful. It dawned on the pleasant and picturesque City slumbering in its holy light. The roar and tumult of the populous City in its hours of business were stilled. The sun shone joyously in the deep blue sky, undimmed by cloud or vapor. All was hushed in the breathing repose of nature, and the soft and fragrant air, the still earth, and the unruffled surface of the magnificent bay, graced and dignified by grand old Monte Diavolo looking down upon it from its far off border, seemed united together in the same sweet spirit of devotion. As the day wore on, the bells of the various churches rang out their summons to the house of God. No unusual movement or sound in the early morning gave token of that calm solemn, most fearful uprising of the people which, at a later hour, was to make that day one never to be forgotten by any who took part in or witnessed its extraordinary events. The Executive Committee with consummate prudence had kept their plan of action profoundly secret.

At an early hour in the morning the Commander of the force issued orders to the Captains of Companies to notify their men to appear at Head Quarters, No. 41 Sacramento Street, at nine o'clock A. M. ready for duty. Time was of course required to circulate the notice through the City; but soon the men began to congregate from all quarters and the building, extensive as it was, by half past ten o'clock, was filled, both above and below stairs. A most extraordinary assemblage was that which filled those large halls on that Sabbath morning. Men of every rank, occupation and condition in society obeyed that summons, and silently took their places side by side, prepared to do their duty and abide the issue whatever it might be. Many of these order and peace–loving citizens had never before, when in health, been absent from church on the Sabbath day or had the slightest skill in the use of arms, or knowledge of military movements, yet so really a military people are the Americans, and so completely overmastered was every man by the sentiment and purpose common to all; that the precision with which the whole body handled their arms, and marched without music, was remarked with astonishment even by officers of the regular army.

After a short drill in the Rooms, ammunition was distributed, and orders issued to load with ball. The companies then moved in succession into the street. Not a drum was struck, or other instrument of music sounded, but in silence the various detachments moved by different routes upon the designated point. Such a body of men have been seldom if ever seen united, armed, and resolutely bent upon accomplishing such an object. The high and low, rich and poor, men of all classes, ages, and nations; the merchant, the dairy man, the professional man, the clerk, the porter, the father and son, the philanthropist, the patriot, the Christian, all were in the ranks of this great Company; and with flashing eyes and compressed lips marched in silence to accomplish what they deemed an absolutely necessary measure of Retribution and Reform.

As the various columns moved through the streets, from the lower to the upper part of the City, the occasional low but distinct word of command, and the steady tramp of armed men, attracted attention, and windows and doorways and sidewalks became filled with silent, wondering awestruck spectators. From street, lane and alley, they thronged the thoroughfares in which the troops were moving, and keeping pace with them, in like silence, moved steadily on. By exactly calculated movements, each division came upon the ground almost at the precise spot it was to occupy, and upon deploying into line formed part of a hollow square enclosing the whole space in which the Prison was situated. A field piece heavily loaded with grape, was placed in position in front of the iron gate of the Prison. A body of riflemen marched down Broadway, cleared and took possession of a house next the Prison, and which commanded its roof, and filled the roof of the house with sharpshooters. Another body of riflemen were posted on a bluff in rear of the Jail, and which commanded that side. In the meantime windows, roofs of houses, and hill tops at a safe distance were crowded with spectators. Such sounds as must necessarily attend the moving and getting into position so large a body of men were soon hushed; and in profound silence, all awaited the progress of events.

At length a battalion was marched to the front of the Prison within the lines, and drawn up on three sides of a square. Detachments from companies of picked men took post in rear of the square. Soon an empty carriage followed by two others containing members of the Executive Committee were driven into the inner square. They alighted and were joined by the Commander, proceeded up the steps of the Jail, and were admitted into it, and the door closed upon them. All knew that a demand was then making for the surrender of one or more prisoners by

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Sheriff Scannell; and that upon his answer it depended whether the Prison should be stormed or not. A formal demand was willingly made upon the Sheriff by the Executives for the delivery to them of James P. Casey and that he be placed in irons before such delivery. The Sheriff informed Casey that the Prison was surrounded by two thousand armed men and that he had no force adequate to his protection. Casey finally concluded to go with the Committee provided two respectable citizens would assure him that he should have a fair trial, and not be dragged through the streets. A pledge to that effect was given him by the President and other members of the Executive Committee. The Committee then withdrew from the Prison, and, with their armed escort, awaited the surrender of the prisoner. City Marshal North having placed irons upon him, led him to the door of the Prison and delivered him into the hands of the Committee. He was then placed in a close carriage, Mr. North, at Casey's request, taking a seat by his side, and two members of the Executive Committee also occupying seats in it. As the guard descended the steps of the Jail with the prisoner amid the profound silence of the armed force, a shout was raised by a portion of the spectators several blocks off; but a gesture of disapprobation from one of the Committee was sufficient instantly to restore silence. The Committee arranged themselves in the carriages; the picked men filed in on each side; a heavy guard closed in on all sides in square; the people rushed in, packing the streets with a dense mass; and all moved on in silence to the Committee Rooms.

Profound stillness again reigned around the Prison among the troops and the great body of spectators who kept their ground in expectation of what might follow. A part of the troops who had attended the prisoner to the Rooms, at length returned, and soon after, the carriages again arrived at the Prison, and the Executive Committee demanded of the Sheriff the body of Charles Cora, the murderer of Gen. Richardson, the U. S. Marshal. Only after twice requesting and being granted further time for consideration and being then peremptorily informed that if he was not delivered up in ten minutes, the Jail would be stormed, did the Sheriff produce him. He was brought out in irons, placed with officers in a carriage, the Executive occupying the others, the whole armed force fell in front, on the sides and in the rear in a long column; and the whole, accompanied by a crowd of people, swept on to the Rooms of the Committee. Most deeply was every one impressed with the fearful responsibility assumed by the actors in this extraordinary scene, and with the resolute spirit with which they had thus far prosecuted it. As the procession passed through Montgomery Street, very many of the spectators were observed to uncover their heads, apparently impressed by the solemnity of the scene; or perhaps by their respect for the men who filled the ranks. Arrived at the Rooms, and the prisoner secured, a large force was detailed for guard and patrol duty, and the remainder of the troops were dismissed. Thus ended this eventful day.

From Sunday the 18th until Tuesday following, all was quiet upon the streets. Crowds thronged in silence and deep concern around the Bulletin Boards whenever a new announcement was made of the condition of the sufferer. From five o'clock on Tuesday morning it became apparent that he was sinking; and the public anxiety became momentarily more intense. At half past one P. M. the dreaded intelligence was communicated that Mr. King was dead. Immediately every demonstration was made of the deepest feeling and most profound grief by all classes of the community. Stores, offices and other places of business were immediately closed. Hotels, public buildings and many private dwellings were, in an incredibly short time draped in mourning; and mourning badges were assumed by a large portion of the population. The bells of the churches and engine houses were tolled until a late hour. The different flagstuffs, and the shipping at the wharves and in the harbor displayed their colors at half-mast. Never did a more general, spontaneous, heartfelt sadness oppress a whole people, or manifest itself in a more touching manner. The news was telegraphed in all directions, and from every part of the State came back responses showing that the whole people felt as deeply as the citizens of San Francisco, the loss they had sustained: But sorrow was not suffered to expend itself in respectful but unsubstantial mourning emblems; and while a great multitude, from five o'clock in the afternoon to a late hour in the night, were slowly and sadly passing through the room in Montgomery Block in which their friend lay cold in death, taking a last look at that face long so familiar upon the streets, but soon to be seen no more on earth; a Committee was appointed by the citizens, consisting of Messrs Macondry, Park and Patterson, to receive subscriptions for the benefit of the widow and six young children of Mr. King, left but slenderly provided for. The object was nobly accomplished, and the sum of thirty thousand dollars placed in trust for them. The claim for the widow and the fatherless having been thus met; a sterner duty was believed to rest upon the citizens of San Francisco. Formal and deliberate trials of the two prisoners in the hands of the Vigilance Committee were held by the Executive Committee as provided by the Constitution; and the evidence introduced and the result arrived at were laid before the Board of Delegates for its

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concurrence or disapproval. Extraordinary precautions were adopted in and about Head Quarters. The number of men on duty within and outside of the building was largely increased. A full company of horse patrolled Sacramento Street day and night. At a block or two above the Rooms, a company of infantry was drawn up in double rank across the street. Any one wishing to visit the Rooms for any purpose, was required to pass to the centre of the company where two soldiers with crossed muskets barred the way until he had given the password. Everywhere evidence was presented that the measures to be adopted had been thoroughly matured; the means abundantly provided, and that the results would be wrought out with quiet but inflexible determination.

On Thursday, the 22d of May, the day broke in clouds over the City; but by ten o'clock, the clouds had dispersed, and amid sunshine and soft airs the hours stole on. The funeral of Mr. King was appointed to take place at twelve o'clock. Great crowds had poured into the City from all parts of the State, and the streets were black with the masses. Preparations were making by almost every society in the City for attending the funeral; and but for another call upon the citizens, it is probable that full two thirds of the men of San Francisco would have taken part in the procession, or looked on from the sidewalks. No such demonstration of profound mourning was ever before witnessed in California. The services in the church were most solemn and affecting. The funeral procession was more than a mile in length, and the number of persons in it was estimated at more than six thousand. Slowly it passed through the City and made its way to Lone Mountain Cemetery where with Masonic services, and in presence of the great multitude, standing uncovered and affected to tears, the remains of the just and good man, the martyr to truth and duty were deposited.

But large as was the assembly thus occupied in the upper part of the City in rendering the last tribute of respect to the loved and lost; a still larger number had collected in the neighborhood of the Committee Rooms in the lower part to witness a solemn act of retribution. They swarmed upon the housetops, filled windows, and such portion of the streets as was open to them, and from which they could obtain a view of the proceedings, and waited in anxious expectation the infliction of the penalty of their crimes upon the two assassins in the hands of the Committee. From an early hour in the morning, movements in and around the Rooms had plainly indicated the purpose for which they were made. Riflemen were stationed on the roofs of the Committee building and those adjoining. A detachment was sent out, which cleared and thoroughly searched a building opposite. Cannon were placed at points to command and sweep the streets in the vicinity. Cavalry patrolled in all directions, and large bodies of infantry were gradually placed in position, and formed an immense square enclosing the entire block, and allowing no new approach to the Rooms. Ominous preparations were also making in the building by projecting from two of the second story windows in front, platforms with, hinges just beyond the window sills, supported by ropes running to the roof of the building.

At a quarter past one, as the funeral procession was leaving the church on Stockton Street the two offenders against the law of God and man were placed upon the scaffolds, and, after a few words from Casey, denying repeatedly that he was a murderer, as charged by the Alta California and other papers, on the ground that he had been taught always to revenge an insult or injury, a signal was given and the unhappy men instantly passed to their account. The whole body of the military, and many of the other spectators stood uncovered and in profound silence and awe, while this stern and solemn People's tragedy was enacting. Late in the afternoon the entire force of armed citizens was drawn up in line on Sacramento Street presenting a most imposing array; were reviewed by the Commander, and then marched by companies to the Rooms, deposited their arms, and, with the exception of guards detailed for further duty, amounting to some three hundred men, were dismissed.

During this period and for some time after strenuous efforts were making for the discovery and arrest of two men, McGowen and Wightman, who had been indicted as accomplices of Casey in the murder of Mr. King. Great anxiety was felt for the arrest of McGowen not alone on account of his complicity in the murder, but because it was believed that he knew more of the operations of the ballot box stuffers and other political managers than any other person, and that if taken, he would be likely to expose many who had stooped to obtain office or position by his unscrupulous arts. Long and earnest search was made, but for some time, no trace of him could be discovered. At length in the latter part of June, it was learned that he left the City on horseback, disguised as a cattle drover, in company with an American and a Mexican, and had been seen in Santa Barbara, a small town on the coast about four hundred miles below San Francisco. Being recognized, he fled, and was pursued by a party from Santa Barbara. On receiving the intelligence, the Executive Committee immediately dispatched twenty resolute men in a fast sailing vessel to join in the pursuit. On the 16th of July an arrival from down the coast brought information of

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his probable escape. His condition was represented to have been such as to have excited pity for even such a criminal. When last seen he was dreadfully wearied and chafed by his long ride, was without a hat to protect him from the fierce rays of the sun, his face dreadfully burned and blistered, and oppressed with hunger and thirst; and thus the poor wretch, loaded with guilt, flying from the gallows, with hate and despair stamped on his face, spurred on in his mad flight.

In the first week of June, measures were taken by the State Authorities to frighten into submission, or to dissolve by force the Vigilance Committee. The Governor issued a Proclamation declaring the County of San Francisco in a state of insurrection, and gave orders to the Major General of the District to make all necessary preparations to suppress the insurrection. General orders were issued for all lovers of law and order to enlist, choose officers, and commence drilling. Recruiting stations were appointed in different parts of the City, and a considerable number of respectable citizens, and most of the gamblers, bullies and other notorious characters who had not yet fallen into the hands of the Vigilance Committee, but must have had very reasonable fears that they soon might, answered to the call. They mustered no such force however as led to a public exhibition of their number or condition. General Sherman, being unable to obtain from General Wood such arms as he deemed necessary for his purpose, soon resigned, and Volney C. Howard was appointed in his place. In the meantime the Committee proceeded quietly in perfecting their arrangements. The people, to the number of several thousand, offered themselves and were added to the already formidable force. The demonstrations of citizens not professedly belonging to, however in favor of the organization, were, at this and subsequent periods, very impressive. An evening meeting was held in front of the Oriental Hotel, the number present at which was variously estimated at from five to eight thousand. This great meeting was presided over by Hon. Baillie Peyton, formerly a distinguished member of Congress, and then City Attorney. He addressed the meeting, as did Judge Duer and other leading men. At the close of the meeting, the immense assembly was called upon to say whether they approved and would support the Vigilance Committee, and instantly such a thundering "Aye" went up as seemed sufficient to rend the sky. When the otherwise minded were called, two "No's" were heard, faintly breaking the profound silence. Several other meetings came to a like conclusion. Such occurrences, and they were frequent, greatly strengthened the hands, and encouraged the hearts of the Executive Committee. Their labors were various and unremitting. They issued notice to quit to numbers of persons whom it was neither for the interest nor credit of the community longer to retain. By their Police they were daily and nightly arresting disturbers of the public peace, thieves and desperate criminals, whom they quietly deposited in their strong rooms to be dealt with according to their deserts. To be prepared for any emergency their Head Quarters were made an armed camp. Barriers six feet in height, made of sand bags, with cannon planted in the embrasures, extended along the whole front of the building. Sentinels paced the roof day and night. Companies were drilling at all hours at Head Quarters or in their Armories. These defenses were strengthened from time to time; and others ingeniously contrived were placed in the interior; so that, at length, in the opinion of an officer of large experience, a very large force of regular troops would have been required to carry it by storm.

In the afternoon of Saturday, June 21st, the perfect quiet of the early part of the day was broken up by a tempest of excitement of rare occurrence anywhere. Between three and four o'clock, a Police Officer of the Vigilance Committee named Hopkins, being ordered with a party of men, to arrest a man named Maloney, having ascertained that he was then in the office of Dr. Ashe, Navy Agent, on Washington Street, entered the office alone, leaving the other officers in the street. A number of persons were in the room beside Maloney, amongst them Judge Terry, one of the three Judges of the Supreme Court of California. Hopkins was unable to make the arrest; and retiring from the room, collected his men, and kept watch in the street. The party in the room armed themselves and scattered into the street to make their way to the Armory of the San Francisco Blues. While passing up Jackson Street, Hopkins attempted to arrest Maloney. Terry opposed him with a double-barreled gun, which Hopkins attempted to or did, wrest from him, when Terry immediately struck him on the neck with a bowie knife, inflicting a terrible wound. Terry and his whole party then ran and placed themselves for safety in the Blues Armory. Hopkins was immediately taken into the Pennsylvania Engine House. The news flew with lightning speed over the City. The bell of the Vigilance Committee Rooms sounded; and instantly the streets were swarming with members obedient at all times to its summons. As the sound struck his ear, every man discontinued the work upon which he was employed. Draymen passing with loads, unharnessed their horses, mounted and rode off; engines in the great foundries were stopped, and employers and men started off on the run;

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builders, pressmen, shopmen, merchants, professional men, were alike hurrying to the Committee Rooms. As they arrived, they took arms, were formed in companies, and reported ready for duty. In a few minutes, a body of cavalry were thundering through the streets and surrounding the block in which was the Blues Armory. Then up every street poured companies of infantry at double-quick time, and took possession of every important point. So quickly was this done that only some thirty men of the so called "law and order" party had been able to assemble in the Armory. They were summoned to surrender, and after some little parley, concluded to do so. Terry, Ashe and Maloney were placed in carriages and conveyed to the Committee Rooms. The other prisoners were then disarmed and they were kept in the Armory until evening, when they likewise were marched to the Committee Rooms.

While this was enacting, a strong force had surrounded the California Exchange on the corner of Clay and Kearney Streets, where some seventy or eighty of the, "law and order" men had assembled, and where was a depot of arms. In front of this building, a battery of artillery was in position flanked by a detachment of infantry. The commander of the party in the building was summoned to surrender in five minutes. When four minutes and a half had expired, the cautionary order of "Artillery, attention" was heard, and at the same instant the doors were thrown open, and a surrender made. Every man was made to present himself at the door, deposit his musket, strip off his accoutrements, and go back into the room. The arms were taken to the Committee Rooms, and the building left under a strong guard. All the other Armories of the "law and order" party were taken about the same time by other detachments. In less than two hours after the sounding of the alarm bell, the "law and order" party had surrendered; all their arms were secured; the leaders of their troops dismissed on parole; and the rank and file placed in safe keeping; without the shedding of a drop of blood. The people looked on with astonishment to see with what precision and dispatch the whole work had been accomplished. At eleven o'clock the next day, the prisoners, with the exception of a few, who, had hitherto escaped capture, were dismissed from the Rooms after having been cautioned against being taken' again. Their appearance as they marched out of the building and up the street, each man with his blanket strapped across his shoulders, some with looks of dignified disgust, and others with a most crestfallen or woebegone expression. was ludicrous in the extreme, and caused hearty laughter and many jokes at their expense. In addition to the offenders those secured in the Rooms of the Committee, there were many others at liberty for whom a quiet but unremitting search was kept up. When any one was found, on the street or in any of his usual haunts, he was very sure to surrender at the first summons of the officer, probably for the reason humorously assigned by one of the most bitter opponents of the Committee, who, after an envenomed tirade against it, was asked, "Suppose, while talking on Montgomery Street, some one should tap you on the shoulder, and say, you are wanted at the Vigilance Committee Rooms, should you go?" "Of course I should," said he, "Indeed," said the other, "I should not, from your talk, have expected it." "Why," said he, "you don't think me such a consummate fool as to attempt to buck up against two thousand men." Sometimes, however numbers gave confidence to the rowdies, and they ventured, regardless of the lessons of experience, to indulge in their old practices in public. A public evening meeting was held in front of Montgomery Block to consider what action should be taken in reference to certain Officials believed to have been unfairly elected, and a part of whom at least were charged with maladministration of the affairs of the City. A Committee had been chosen to request these City officers to resign, and this Committee were directed to report at an adjourned meeting in the same place. Before the second meeting was held, it was understood that an attempt would be made to break up the meeting. The intended disturbers stationed themselves opposite the Montgomery Block, and by shouts, groans and noises of all kinds, endeavoured to interrupt the proceedings. This was borne as long as possible. At last a party of Vigilantes broke in from the extremity of the crowd, and bore straight down through it, leaving a clear space behind them, until they reached the point of disturbance, when they made a charge upon the rowdies, some of whom drew pistols but were afraid to use them; secured the leaders and principal bullies, and hurried them off to secure lodgings in the Committee Rooms. The work was done in a wonderfully short time and in the most skillful manner; and no further disturbance occurred.

The punishments prescribed for offenders by the Committee being only two, viz, death and banishment, and neither being applicable to the cases of some of the numerous prisoners now in their hands, these were discharged after being cautioned not again to offend. The rest, after trial of each one in the mode prescribed, were sentenced to banishment; were quietly embarked at night, and so "left their country for their country's good."

Perfect quiet now seemed restored to the City. But soon the people were again roused and horrorstricken by

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the deliberate murder of Dr. Randal, a large land owner in various parts of the State, while quietly conversing with the bar-keeper in the St. Nicholas Hotel, by one Hetherington who, four years before had been tried for murder, but by some means had escaped conviction. Several gentlemen were in the room at the time, and were in considerable danger from the shots fired by him. The alarm being given City Policemen who first arrived, arrested him; but he was immediately taken from them by Vigilance Policemen, and at once conveyed to the Committee Rooms. Two murderers, Hetherington and Brace, were in due time tried the counsel whom they selected, were procured; and the witnesses they named, obtained for them. They were condemned, and some time after publicly executed in open day and in presence of a great multitude in a public street in the lower part of the City.

The case of Hopkins so dreadfully wounded by Judge Terry, was, for a long time, considered desperate by the eminent surgeons and physicians in constant attendance upon him. But after long hovering between life and death; to the astonishment of all, he began slowly to recover, until, at length, after many weeks of seclusion and intense suffering, in the early part of August, he was able again to make his appearance upon the streets. And now that his recovery was assured, the question as to the disposition to be made of the author of his dreadful sufferings was one of the most difficult imaginable. It seemed at first impossible that the Executive Committee should reach a conclusion acceptable to the Board of Delegates, and in which the whole organization would concur. The meetings of both branches were frequent, long protracted and stormy. At length a majority of both Boards determined that though his guilt was unquestionable, under the circumstances the first penalty prescribed by the Code did not apply. The second, that of banishment, at first approved itself to a majority of both Boards, but, after anxious consideration, it was deemed to be impracticable to carry it out, and make it permanent. It was therefore decided to dismiss him with a public notice of their belief in his guilt, and that the people of the largest County in the State were of opinion that he should resign the Judicial Office he held, and for which they deemed him unfit. Accordingly at an early hour in the morning his prison doors were opened, and he was permitted to go at large. In the afternoon of the same day he took the steamer and returned to his home in Stockton. No sooner was the decision, and the action of the Executive consequent upon it, promulgated, than a wild storm of passionate excitement broke forth, which threatened for several days the very existence of the organization. But the Delegates met their respective Companies; explained the action of the two Boards; gave the reasons for it in full; answered all questions; urged every consideration likely to remove suspicion, allay passion, and inspire confidence; and finally, with infinite difficulty, the perilous crisis was passed, and acquiescence, if not entire satisfaction was secured.

A week afterwards, on the 18th of August a public Parade and Review of the entire force of the Vigilance Committee took place. The several Companies assembled at their Armories and marched from thence to the Head Quarters of their Regiments, and thence to Third Street, where the whole force of Cavalry, Artillery, Riflemen and Infantry, consisting of at least four thousand men, in black frock coats and pants and caps and white gloves, were formed in line in double rank, extending a full mile from Market Street some distance beyond South Park. The line was reviewed by the Commander and his staff and the Executive Committee, about forty persons in all, who thundered along it with heads uncovered, at full speed. The line then broke into columns of companies, and with inspiring music from numerous bands, began their march through the City. The sidewalks, windows and roofs of buildings on the line of march were crowded with spectators. The scene from the upper part of Clay Street, when the Cavalry and Artillery, having wheeled into Stockton Street, the whole steep ascent of Clay Street, between Montgomery and Stockton Streets, was filled from sidewalk to sidewalk, with the dark moving mass of infantry, was most imposing; and to very many, of the spectators so touching from memories of fears, anxieties and terrors for their relatives and friends throughout, the eventful movement now so happily drawing to a conclusion; as to dim their eyes with tears of joy, and thankfulness. The march extended through the principal streets of the City, and was terminated and the line dismissed at six o'clock in the afternoon. This was the last public appearance of the Vigilance Committee.

In the last week of August, the Executive Committee caused the fortifications in front of the Head Quarters to be razed to the ground, threw open the doors and invited public inspection of their rooms, and disbanded the whole force; retaining however, as they stated in their Address, the power to defend themselves if attacked; to enforce the penalty against any banished criminal who should return; and to preserve the public peace, if it should become necessary. A tap of the bell would in future, summon the members, if any emergency should require it.

On the following third of November, the State arms which had been sent by the Governor from Benicia to be

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used by the "law and order" party in suppressing the Vigilance Committee, but which had been intercepted in the passage down the river, were restored; and the Governor then withdrew his Proclamation declaring the County of San Francisco in a state of insurrection.

This great and hazardous experiment of Reforms thus brought to a conclusion nearly six months after its inception, was planned by some of the best men in the community....

Happily the right prevailed without civil war. The imminent danger of a collision between the Committee and the United States authorities which might have arrayed against them the whole military and naval force at that station was surmounted by the exercise of consummate prudence. The most deadly peril of all, the internal dissensions and excessive exasperation in the ranks of the Committee consequent on the dismissal of Judge Terry without punishment was, with prodigious effort, finally averted. And then the determined front of the People thoroughly roused in City and State to their support, awed and finally crushed the force of organized ruffianism which had so long held sway, and run riot with impunity ....

The approval or condemnation of the extraordinary movement described in these pages will depend upon the answer given by every person thoughtfully considering the subject, to the question whether, under our peculiar institutions, when a community has lapsed into a condition in which the bad element has become dominant and has succeeded in paralyzing or perfecting law and justice so that brute force and violence have full sway, and life and property are entirely insecure, there is any other conceivable mode in which the well disposed, industrious and orderly classes can assert their rights and secure their liberties, than the one adopted by the San Francisco Vigilance Committee in 1856? No other was suggested at the time, nor, so far as the writer knows, has been since. It obtained and preserved throughout, the approval, countenance and support of a large majority of the citizens of San Francisco, and also of the people of the State of California, as was abundantly shown by the numerous and continual expressions of sympathy, and proffers of assistance when needed and at the shortest notice, which were received by the Executive Committee.