

HUBERT HOWE BANCROFT'S WHOPPIN' SIX-AND-A-HALF-PAGE FOOTNOTE!²⁵

EXPANDED FROM ITS ORIGINAL, ALMOST ILLEGIBLE SIZE.
(SHOWN HERE, ITS SHOCKING, WELL-BURIED CONCLUSION)
CO., 1850, and REFERENCES in *Journal of the California Historical Society*, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025.

Bauer's Statement, MS., 9; and *Winans' Statement*, MS., 20-1. The theory has been advanced that to the riot of 1850 was due the great depression in business, and the numerous failures which followed. I think the conclusion erroneous. The population suddenly declined, but certainly not because people were frightened away by an incident of this kind. It was the uncertainty of land titles in the vicinity which the squatter movement exposed. Had the squatters prevailed, the population would have remained, and the loss to a few individual lot-owners would have been far less than the whole community sustained by their defeat. *S. F. Bulletin*, Nov. 2, 1877. I do not wish to be understood as saying that the squatters were right. As the evidence afterward proved, they were in the wrong. But it would have been better for Sac. could they have maintained their position; for how could a city hope to prosper surrounded by a country to which no one could for a long time obtain a clear title? The courts finally decided that all the sales made by Burnett as Sutter's agent were valid. Could the founders of Sac. have foreseen the contention to arise out of the location of their city, the trouble might have been avoided.

Squatters also gave trouble in S. F. in Jan. 1851, *S. F. Alta*, Feb. 3, 1851,

²⁵ This “account condensed in the form of a note,” can be found on page 329 of Bancroft’s *History of California*, vol. 6, which was published in 1888 and covered the years 1848-1859 over the course of nearly 800 pages. This note addressed the “Squatter Riots,” which were among the most important and traumatic events of early California history. More revolution than riot, Sacramento’s 1849-50 uprising was nothing less than a consensus-based alternative government, created to fight land speculation. The movement’s legal efforts were thwarted and the struggle climaxed in the shootings and deaths of the sheriff, assessor and eventually the mayor (along with several other citizens) of a city that would soon become the capital of California; the local economy, based largely on speculation, promptly collapsed along with the population. At the heart of this mess were land claims that confounded the courts until 1864. Bancroft’s official narrative provides only a single dismissive page about troubles he blames on a rabble ignorant of the nuances of “Spanish grants” – an odd critique considering that the Spanish had been driven from California in 1821, over two decades before Sutter’s receipt of a *Mexican* land grant. This is a curious editorial decision, to give such brief and flawed treatment of such a major event only a generation earlier, as though protests against the Vietnam War warranted only a passing reference in a modern history because we all know we had to stop French expansionism in Southeast Asia. Fortunately, this suppressed account – including many important research leads – was preserved by unknown hand. It is worth noting that Bancroft operated a prolific subscription-based historical sweatshop in which his assistants worked long hours with heavy demands. So it is not hard to imagine that whoever wrote of the “incidents attending the squatter outbreak at Sacramento” might have felt common cause with the previous generation’s struggle, and saved it from oblivion. – *Andrew McLeod*, 3/11/2015

squatter outbreak at Sacramento offering a striking commentary upon the critical condition of the country while waiting for congress to admit the state, I append an account condensed in the form of a note.²⁵

²⁵ Sacramento was surveyed in the autumn of 1848, for Sutter by Warner, when Burnett became agent and attorney for Sutter, to sell lots and collect money. The sales were rapid, at good prices, and naturally excited remark among the ultra-American element in the mines. Sutter, who had been in embarrassed circumstances, was quickly relieved, and under the excitement of success sold land to which his title was doubtful, and as it afterward proved worthless—that is, on his Micheltorena grant, which was made to cover, as the squatters declared, 'the whole Sacramento Valley.' An examination of the Sutter grants showed, as many believed, that the Alvarado grant did not reach to the city of Sacramento by a distance of 4 miles, as has elsewhere been stated. Those who had no respect for Spanish and Mexican grants believing that to be valid they must first be confirmed by congress, and that congress would never allow such vast tracts to pass to single individuals; and those who believed that the Alvarado grant did not cover the city of Sac.—began in 1847 to organize themselves into a Settlers' Association, *Placer Times*, June 3, 1850, and to squat upon land both in the town and outside of it. About the middle of October, Z. M. Chapman, erroneously called George Chapman in *Morse's Directory of Sac.*, 1853-4, 17, went upon a piece of unoccupied land out of city limits claimed by Priest, Lee, & Co., and cut timber, to erect a cabin and for other purposes. In Chapman's account in the *S. F. Bulletin*, of June 15, 1865, which seems an honest statement, he says that if a man pitched a tent within the limits of the city he was compelled to pay to Priest, Lee, & Co. a bonus of from \$5 to \$12 per day. This tax fell heavily on the weary gold-seeker who had just come across the plains and desired to have a starting-point from which to set out in the spring. It was probably designed to compel such persons to purchase lots. But lots were held at from \$500 to \$6,000 and \$8,000; and Chapman, who was a newcomer, 'thought he had as good a right to any unoccupied lands adjacent to the city as any citizen of the U. S.,' squatted accordingly, as I have said, claiming 160 acres. Twelve days after he began building; and when his house was ready for the roof, he was visited by Pierre B. Cornwall and another of the town owners, who required him to desist from cutting timber, and on his declaring his intention to preempt the land, warned him off at the peril of his life. Chapman replied that they were all within jurisdiction of civil authority, and as his life was threatened, they must immediately report at the alcalde's office, or submit to arrest, on which they agreed to dispossess him legally if they could. On the following day a writ of ejectment was served on Chapman, who was ordered to stand trial a few days afterward. When the suit came on many persons were in attendance. Chapman called for proofs of Sutter's title, and none satisfactory were produced. Three times the case was adjourned, but finally a jury decided in favor of Sutter's claim, a decision which the settlers' organization ignored, calling the trial a sham. It was then that squatting on town lots began, nearly every unoccupied lot being taken. Chapman still refused to quit his claim. *Placer Times*, Dec. 1, and 15, 1849. According to his statement, he was offered peaceable possession of 20 acres to relinquish his pretensions to the remainder of the 160 acres, which offer he refused, when he was waited on by the sheriff with a writ of ejectment. Still Chapman refused to vacate the premises, and received another visit from the sheriff, with a posse of 50 men, who, the friends of Chapman being absent, pulled his house down, after removing his portable property. This was Saturday evening. On Monday a meeting was called for Tuesday, which was largely attended, and resolutions passed by the squatters that no more houses should be torn down. While the resolutions

The land questions were indeed of the greatest importance, while congress had failed to take any meas-

were being passed, the Sutter party set fire to and burned a cabin which had been erected on Monday by the squatters on Chapman's claim. Another cabin soon arose on the same site, and the squatters held another meeting, at which it was resolved to retaliate upon Sacramento if any more squatter buildings were destroyed. The rainy season commencing soon afterward, and a flood causing both parties to abandon temporarily the city site, no further action was taken before the following spring. As for Chapman, he returned to the states, having lost his health from exposure to the inclemency of that season, and never returned to renew his claim. Not so his associates, who in the spring of 1850 redoubled their efforts to prove Sutter's claim illegal. At their head in 1850 was Charles Robinson, afterward governor of Kansas, who was an immigrant from Fitchburg, Mass., a college graduate, a physician, and a man of honest convictions, who was fighting for squatterism because he believed in it. J. Royce, in *Overland Monthly*, Sept. 1885.

In May there was a great accession to the squatter force. The organization kept a recorder's office, paid a surveyor and register, and issued certificates of title as follows:

We know our rights, and knowing dare defend them.

OFFICE OF THE SACRAMENTO CITY, SETTLERS' ASSOCIATION.
SACRAMENTO CITY, 1850.

Received of fifteen dollars for surveying and recording lot No. situated on the side of street, between and street; measuring forty feet front by one hundred and sixty feet in depth, according to the general plan of the city of Sacramento, in conformity with the rules of the association.

\$15.

[Signed]

Surveyor and Register of the Sacramento Settlers' Association.

The public domain is alike free to all.

Men who had purchased lots of Priest, Lee, & Co. had their lumber brought for building purposes removed, or were forbidden to leave it on the ground. Even a sum of money offered by the owner failed to induce the squatter to vacate the lot. A petition was forwarded to congress asking in effect for a distribution of the public lands among actual settlers. Cases brought into the courts, and determined against the squatters produced no change in their proceedings. Two suits were decided adversely to them in Justice Sackett's court, argued by McCane on their side, and Murray Morrison on the opposite side. Nothing, however, moved them from their position; and least of all the charge of cowardice, which was hurled at them by the press. Complaint being made that the squatters had not a fair hearing in the newspapers, they were invited to 'come out openly, and make known their real views. Merely abstract ideas do not meet the present occasion. And all who properly consider their own interests and the peace and welfare of the city must take immediate and summary action.' *Placer Times*, June 3 and 5, 1850. The excitement increased; squatters' fences were pulled down, and meetings continued to be held. The squatters endeavored to evade going to court, hoping to hold out until the state should be admitted, when they expected that U. S. laws would come to their relief. Yet they did sometimes get into the courts.

On the 10th of August an adverse decision was rendered in the case of John F. Madden, who had squatted on a lot belonging to John P. Rogers and others, of the Sutter party, in the county court, by Judge Edward J. Willis. The attorneys for Madden talked of appeal to the supreme court, on the ground that the plaintiff Rogers had shown no title. Judge Willis remarked that he knew of no law authorizing such an appeal. The rumor spread abroad that Willis had said no appeal could or should be had. 'No appeal! Shall Judge Willis be dictator? Outrage!' Such were the ejacula-

ures providing for their adjustment. The titles to the land on which the three chief cities were bailed were

tions. A meeting was called for that evening, and resolutions of resistance to oppression passed. On the 12th, being Monday, Robinson published a manifesto refusing to recognize the state legislature and other state officials as anything but private citizens, and threatening a resort to arms if molested by the sheriff. This amounted to rebellion and revolution, and in fact retarded the execution of the judge's order to dispossess the squatters on the land in question. About 200 men were assembled on the disputed territory. Robinson had about 50 names enrolled of men he could depend upon to fight, and managed, by adroitly mingling them with the other 150, to make his army appear larger than it really was. Mayor Bigelow appeared on horseback and made an address, advising the crowd to disperse, to which Robinson replied respectfully but firmly that his men were upon their own ground, and had no hostile intentions unless assailed. An interview was finally arranged between Robinson and the mayor at his office, when the latter said that he would use his personal influence to prevent the destruction of the property of the settlers, and also informed Robinson of the postponement of the executions issued by the court. The squatters then dispersed for the day. Some steps had been taken to organize militia companies, but from the unready condition in which the crisis found the municipal government, it is apparent that Mayor Bigelow did not realize the danger of the situation. On the 13th James McClatchy and Michael Moran were arrested and brought before Justice Fake, charged with being party to a plan to resist the enforcement of Judge Willis' writ of ejectment. The evidence being strong, in default of \$2,000 bail they were lodged in the prison brig, anchored in the river. The county attorney, McCune, was also under arrest, to be tried on the 14th, and a warrant was out for Robinson, but he was not taken. *Sac. Transcript*, Aug. 14, 1850. On the morning of the 14th the sheriff, Joseph McKinney, seized a house on 2d street, in pursuance of his duty. A party of 30 squatters, under the leadership of James Maloney, retook the house. Maloney, on horseback armed with a sword and pistols, next marched down L street to the levee, in the direction of the prison ship, followed by a crowd of citizens, who thought their intention was to release the prisoners. By this time the excitement ran high, although there was no apprehension of bloodshed. The affair seemed rather a spectacle than a coming tragedy, and the spectators hooted, laughed, and shouted. But the mayor, who could no longer blind himself to the necessity of asserting his authority and the power of law, rode up and down the streets, and made his proclamation to the people to sustain both. Many then ran for arms. The squatters on reaching I street halted and began to remove some lumber from a lot; but Maloney checked them, alleging that the lumber belonged to one of his friends. He then led them up I street, still followed by a laughing and jeering crowd. At the corner of I and Second street, seeing the mayor approaching, the citizens waited to hear what he might have to say to them, but the squatters marched on, turning into Third street, and continuing to J street. In the mean time the mayor had ordered the citizens to arrest the armed squatters, and with three cheers they followed his lead. The two parties approached each other on J street, the squatters drawing up in time across Fourth street, facing J. The mayor and sheriff rode up, and ordered them to lay down their arms and yield themselves to arrest. While they were yet advancing, Maloney gave the order to fire, and said distinctly, 'Shoot the mayor.' His order was only too well obeyed, several guns being pointed, though some were elevated to be out of range. The firing was returned by those citizens who had secured arms; a general mêlée ensued, and the squatters fled from the field, which was now a field of blood. The mayor received no less than 4 wounds, in the cheek, the thigh, the hand, and through the body in the region of the liver. He recovered in a maimed condition, after a long illness, and a \$2,238

almost hopelessly confused. As a consequence, the state was left without property or revenue, without

bill for five weeks' attendance and care at Dr Stillman's house in S. F., only to die of cholera, Nov. 27th following, in the same city. Harding Bigelow was born in Mass., of the well-known family of Bigelow, removed to N. Y. in early childhood, where he grew to manhood, and subsequently moved to the north-west territory. In the explosion of the steamboats *Moselle* and *Wilmington* he sustained severe losses and narrowly escaped with his life. During the Black Hawk war in Ill. he had also some hair-breadth escapes. He went to the West Indies, New Granada, Peru, Chili, and Central America, arriving in Cal. by the first steamer, and entered at once into the affairs of the country, being much interested in building up Sac., whose first mayor he was. It was greatly by his personal exertions that the town was saved during the flood of 1849-50. *Sac. Transcript*, April 26, 1850. His course with the squatters was marked with charity and moderation even to a fault. *S. F. Pacific News*, Nov. 29, 1850. He was interred with military honors at Sacramento. *Culver's Sac. City Directory*, 74, 79; *Shuck, Repres. Men*, 936; *Placer Times*, April 6, 1850; *Winans' Statement*, MS., 21.

Besides the mayor, the city assessor, J. M. Woodland, was wounded mortally, surviving but a few moments. Jesse Morgan was killed outright. On the squatter side, Maloney was killed, being shot by B. F. Washington, city recorder; Robinson was severely wounded, and another man killed, name not mentioned in any of the reports of the battle. J. H. Harper, of Mo., was severely wounded; Hale, of the firm of Crowell & Hale, was slightly wounded; and a little daughter of Rogers, of the firm of Burnett & Rogers, was slightly injured; total, 4 killed and 5 wounded. The bolt had fallen, and nothing more was to be seen than the ruins. Lieut-gov. McDougal now appeared upon the scene, 'his face very pale,' and ordered all the men with arms to assemble at Fowler's hotel, after which he immediately left for S. F. by steamer. But not many went to the rendezvous, where a few men had mounted an old iron ship's gun, on a wooden truck, which was loaded with scrap iron. That night about 60 volunteers were enrolled, under Capt. J. Sherwood, and remained at headquarters, near the corner of Front and L streets. A guard was set, of regular and special police, and men were challenged on the streets as if the city were under martial law. Robinson was carried to the prison ship on a bed. One Colfield, a squatter, was arrested and accused of killing Woodland. County Attorney McCune was brought into court, but his case postponed for the next day. Recorder Washington was placed by the city council at the head of the police, with authority to increase the force to 600; and the prest of the council, Demas Strong, assumed the duties of mayor. *Sac. Transcript*, Aug. 15, 1850. On the following day, after the burial of Woodland, Sheriff McKinney and a posse of about 20 men proceeded to Brighton, near Sutter's Fort, to attempt the arrest of a party of the squatters at a place which was kept by one Allen. The house was carefully approached after dark, the force being divided into three detachments, under Gen. Winn, a Mr Robinson, and the sheriff, who were to approach so as to surround the house. McKinney entered first, and went to the bar with his squad to call for drinks, in doing which he caught sight of 8 or 10 armed men, whom he commanded to lay down their arms. They replied by a volley from their guns and pistols, and were answered by shots from the sheriff's party. All was confusion. McKinney had run out of the house after the attack, and stood near the door, when Allen deliberately shot him, and he fell, expiring in a few moments. Briarly then fired, wounding the assassin, who however sent another shot among the sheriff's party, grazing Crowell's arm, who returned the shot. The further immediate results of the battle were the killing of two squatters, M. Kelly and George W. Henshaw, the wounding of Capt. Radford severely, and the injury of Capt. Hammersly by being thrown from his horse in the mêlée. Reënforcements being sent for

the means of paying the liabilities already contracted, of defraying current expenses, or of completing her

arrived during the night—10 men under Lundy and 12 under Tracy, who placed themselves under Gen. Winn. Four prisoners were taken, John Hughes, James R. Coffman, William B. Cornogg, and a man whose name is not given in any of the accounts of the squatter war. The arrival of the second party frightened to death Allen's wife, who was lying ill in the house. Allen escaped sorely wounded, and was traced next day to the river, where it was supposed he was drowned. *Sac. Transcript Extra*, Aug. 16, 1850. But he survived, suffering much, until, reaching a mining camp, he received assistance. *Moore's Pioneer Express*, MS., 8-10. Great grief and indignation were felt over the death of Sheriff McKinney, who was generally esteemed. He had been but a short time married, and his wife was distraught with grief. P. F. Ewer, coroner, assumed the duties of sheriff and paid a visit to Brighton, arresting a man named Hall, who was found in hiding near Allen's house. Threats of lynching were made against the prisoners, but better counsels prevailed, and it was determined to abide by the laws. The steamer *Senator* had returned from S. F. on the night of the 15th with the lieut.-gov. and two companies of volunteers, namely, the California Guard, Capt. W. D. M. Howard, and Protection Engine Co., of the fire department, Capt. Shay, under arms, and together numbering 150 men. *Connor, Early Cal.*, MS., 6; *S. F. Picayune*, Aug. 16, 1850. There was no longer any need of their services, the squatter leaders being dead and wounded, and the citizens having resolved to leave their wrongs to be adjudicated by the courts.

At this juncture the newspapers entered into a discussion of the merits of the cause on both sides. The *Settlers' and Miners' Tribune*, of Oct. 30, 1850, in answering the *S. F. Picayune* of the 17th, says that it is wrong to condemn squatterism as the foundation of a party; for 'Sutterism in Upper California has too long despoiled her of her inheritance, and self-defence requires her interference.' Immigrants expected to find public land, and found it; but 'Sutterism has squatted all over it, and pretends to claim it under a Mexican grant which does not exist.' The legislature was charged with making laws expressly to protect Sutter, with or without a title to that part of the state. This charge was in reference to an act passed April 22, 1850, which forbade any forcible entry, the penalty being a fine and restitution, if the justice should so order. No proof of title was required. *Cal. Statutes*, 1850, 425. In Cal., and in the Cal. sense, said the *Tribune*, legislators and judges were anti-squatter—their decisions invariably anti-squatter; while if the squatters differed from them, and dared to appeal to the supreme court, they were said to have forfeited all support from the state govt, and even its protection. The unrecognized courts of Cal. were not the places where land titles should be determined. Squatterism was made a party issue because the natural and constitutional rights of the people were sought to be wrested from them by men of the stamp of the *Picayune* writers. When anti-squatterism ceases to prey, then the squatter party will cease to exist. Such were the utterances of the settlers after the Sac. affair, as well as before. But the *Picayune* had, soon after the riot, urged a calm and considerate review of the affair, and pleaded many things in extenuation of the course pursued by the squatters, advising 'the greatest moderation, mingled with firmness, which the administration of justice requires.' This, in point of fact, was the course into which the administration of law resolved itself. There was a good deal to be said on the side of the squatters, seriously as they had blundered. Robinson and the other prisoners, who were indicted by the grand jury for murder, were admitted to bail in Nov. A change of venue was obtained, and the 'cloud of indictments melted away like the last cloud-flake of our rainy season,' as says Prof. Josiah Royce, who has ably presented the subject of the Sac. squatter riot in the *Overland Monthly* for Sept. 1885, as an example how Mexican grants were dealt with by American settlers in Cal. Yet I think he would

organization and putting in operation her system of local government. Her securities, dismally depre-

have found better illustrations elsewhere; for, as he himself shows, there was good ground—in the belief of the squatters that the Alvarado grant did not extend to Sac., and in the fact that the Micheltorena grant was actually invalid—for the feeling of the squatters that Sutter was playing into the hands of a set of soulless speculators, who used the pretence of a grant for securing paper titles to the best portions of Cal. Accounts of the squatter troubles of 1850 are contained in the newspapers of the day, particularly in the *Sac. Transcript*. See also the *S. F. Cal. Courier*, *S. F. Pac. News*, *S. F. Alta*, *S. F. Picayune*, and *S. F. Herald*, extending over a long period. There is an account of the riot in *Sac. Illustrated*, 13-18; *Upham, Notes*, 333-51; in *Culver's Sac. Directory*, 78-9; in *Thomas' Directory Sac.*, 1871, 66-75; in *Hist. Sac. Co.*, 50-6; and references in *Tuthill's Cal.*, 336-7; *Sac. Bee*, Nov. 1, 1871; *Bauer's Statement*, MS., 9; and *Winans' Statement*, MS., 20-1. The theory has been advanced that to the riot of 1850 was due the great depression in business, and the numerous failures which followed. I think the conclusion erroneous. The population suddenly declined, but certainly not because people were frightened away by an incident of this kind. It was the uncertainty of land titles in the vicinity which the squatter movement exposed. Had the squatters prevailed, the population would have remained, and the loss to a few individual lot-owners would have been far less than the whole community sustained by their defeat. *S. F. Bulletin*, Nov. 2, 1877. I do not wish to be understood as saying that the squatters were right. As the evidence afterward proved, they were in the wrong. But it would have been better for Sac. could they have maintained their position; for how could a city hope to prosper surrounded by a country to which no one could for a long time obtain a clear title? The courts finally decided that all the sales made by Burnett as Sutter's agent were valid. Could the founders of Sac. have foreseen the contention to arise out of the location of their city, the trouble might have been avoided.

Squatters also gave trouble in S. F. in Jan. 1851, *S. F. Alta*, Feb. 3, 1851, which continued for more than a year. Nathaniel Page commenced the erection of a building on a lot belonging to the Leidesdorff estate, and sold to Captain Folsom. A collision occurred, in which Folsom shot at Page, whose watch arrested the ball, and saved his life. Page's lumber was thrown into the bay. In April 1853 Sheriff W. W. Twist and posse of Santa Bárbara were about to take possession of a cannon to use in ejecting a squatter named John Powers from the rancho Arroyo Burro, belonging to Hill and Den. A Californian, Alejo Servis, stabbed the sheriff, who turned and shot him dead. Firing then became general between the sheriff's party and the squatter party, and J. A. Vidall, a squatter, was killed. Hill and Den were placed in possession. *S. F. Alta*, May 7 and June 8, 1853. During this year there appeared to be something like an organized revival of squatterism. All about S. F., at the presidio and the mission, lots were settled upon without title. One of the public squares was treated as public domain. The Odd Fellows' cemetery was seized, which two years before had been conveyed by deed to the society by Sam Brannan. On the 20th of July a squatter named McCarty, who had taken possession of a vacant lot on the corner of Second and Mission streets, belonging to Robert Price, resisted, and shot the sheriff who was attempting to eject him; McCarty was also shot, both seriously; but Price was placed in possession.

It was believed that an organization of wealthy men were at the bottom of the squatterism of 1853, who furnished means for carrying on the seizures of lots with a view to obtaining the lion's share. Attempts were made to squat on the Peralta claim in Alameda the same year. In June 1854 a pitched battle was fought between a party of squatters on Folsom's property on First street, S. F., and a party of 15 placed to defend it. George D. Smith was

ciated, afforded slight compensation to those who were forced to receive them for services rendered. The effect on the cities and particularly on San Francisco was deplorable. Heir to lands worth millions of dollars, she was practically bankrupt. Sales of lots were arrested by the doubt thrown upon her title; or if any one took them, it was experimentally, at prices much below their value. A commissioner appointed to inquire into the extent and value of city property was, after a lengthy examination, unable to determine if there were any lands rightly belonging to the city, unless by preëmption, which right congress had not yet extended to them. Had congress accorded the cities a relinquishment of the interests of the United States in the lands within their municipal jurisdictions, it would greatly have simplified matters for them, and infinitely enhanced their resources. Another point of interest with the people was whether or not speculators should be permitted to buy up the public lands to which no shadow of a Mexican grant attached; and this, it was insisted, was legitimate ground for a

killed in this fight, and several persons wounded. After this affair the property holders in S. F. organized, and 48 policemen were added to the force. Houses were fortified and besieged. In one house on Green street a woman holding a child in her arms was shot and killed. The occasion of this outbreak was that the title of the city of S. F. was undergoing examination by commissioners; all kinds of rumors were afloat, and opportunities supposed to be afforded of securing lots. For several years more these troubles were recurring. The *Sac. Union* of June 29, 1855, suggested as a remedy to 'fee no lawyers'—an excellent suggestion. Felice Argenti, sent by Brown Bros, bankers of Colon, to Cal. as their agent, in 1849 amassed a fortune of several millions, but his suits with S. F. for certain lands cost him the larger share of his wealth. *Torres, Perip.*, 101-2. In 1856 was the famous case of the Green claim, when the vigilants arrested the holder of important documents concerning the city's title to the mission lands, on a trumped-up charge, in order to get possession of those documents, which Green himself had obtained by trickery from Tiburcio Vasquez, and which he sold to his captors for \$12,500, though he brought suit afterward for \$50,000 damages, of which he obtained \$150. *Green's (A. A.) Life and Adv.*, MS., 1-86. This manuscript of Green's, of about 90 pp., is a most interesting contribution to the literature of land titles, containing the history in detail of the Santillan claim. *S. F. Alta*, June 7 and 21, 1878. In 1858 a party of squatters in Sonoma county attacked and drove from his land one of the owners of the Peñas rancho, compelling him to sign a release of his property to them. They almost captured the town of Healdsburg in an attempt to take Dr Fitch, another owner; and attacked the government surveyor Mandeville, destroying his papers. But such acts as these were performed by a few ruffians taking advantage of the squatter sentiment. *S. F. Bulletin*, Apr. 13, 1858.