

# Disunion or Dissent? A New Look at an Old Problem in Southern California Attitudes Toward the Civil War

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Most California scholars interested in the Civil War period are invariably confronted with the question of southern California's allegiance to the Union. Polemics have centered upon the extent and nature of secessionist sentiment in Los Angeles, San Bernardino, and San Diego counties. Earlier historians maintained that strong Confederate support existed in the southern communities due to a sizeable transplanted slave state population. Those writers, primarily using military records and local memoirs, cited the existence of large covert organizations to demonstrate the alarming degree of disunion activity. They concluded that open hostility and violent disruption were averted only by the presence of a substantial military force garrisoned within the area. An undercurrent of resentment, however, always existed. As one historian explained, "People spoke out against the abolitionists in public when the army was out of earshot."<sup>1</sup>

In recent years some historians have offered an alternative view of southern California opinion in the Civil War era. Benjamin F. Gilbert, for example, has contended that Confederate support remained largely unorganized and scattered in its appeal. He questioned the validity of government records concerning the size and effectiveness of the secret orders supporting secession "because the informants were usually not trained and presumably some submitted unsolicited information."<sup>2</sup> Elaborating on that thesis, Margaret Romer argued that Confederate sympathizers usually traveled East to join the military campaigns, and the area remained "to some extent, pro-slavery, but not secessionist."<sup>3</sup> Peter Heywood Wang has further defined

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southern California's attitude as anti-Union rather than pro-Southern in origin. He has asserted that minimal secessionist sentiment existed, and southern Californians seemed more upset over heavy taxation required to finance the Union war effort. He concluded that historians have misinterpreted the evidence to suggest disunion activity when "it is apparent that much of what local historians have considered evidence of such sentiment was, upon closer investigation, objections to governmental authority."<sup>4</sup>

Indeed, the evidence tends to support the revisionist interpretation concerning the absence of a secessionist threat. No major outbreaks of violence occurred in the southern communities, and a review of the court records in Los Angeles indicated that forced loyalty oaths were never required of the citizenry.<sup>5</sup> Even the military reports reflected conflicting viewpoints, despite numerous correspondences related to Confederate sympathy. Winfield S. Hancock, an assistant quartermaster stationed in Los Angeles, observed that "a strong loyal element" existed in the region, and "the people generally are scarcely prepared for strife."<sup>6</sup> Actually, increased military occupation of southern California seemed as much a protective measure against possible Confederate advancements into New Mexico and Arizona, than as a display of arms meant to intimidate a hostile community.<sup>7</sup>

Although the lack of an overt secession movement in southern California supports Gilbert's contention, it does not explain the origins of anti-Union feeling within the southern counties. Surely, as Wang suggests, the economic burden connected with the Union war effort disturbed many southern Californians. Yet that analysis appears myopic in scope since economic motivations can hardly explain the Southern sympathies that characterized much of the dissent. More importantly, an analysis of disenchantment with the Union cause must also include an understanding of the inherent peculiarities of the local populace.<sup>8</sup> In many ways the southern counties expressed displeasure with several aspects of local and national affairs. Part of that dissatisfaction concerned sectional strife, and anti-Union opinion proved an extension of southern California's overall discontent with local conditions.

The Civil War became an intense political issue in southern California. Democrats openly assailed Republican policies on both local and national levels, and they supported the slave

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states' right to secede from a strict constructionist view. Some Democrats feared political reprisals by the Republican administration's use of the military. In addition, local adversity contributed to uneasiness within the lower counties. Severe weather and a depressed economy increased the community's concern over crime and ineffectual government. The Federal government and the Union war effort often became the recipient of public indignation, and the thought of independence surfaced as one panacea to local problems. Thus, anti-Union sentiment directly related to the political, economic and social conditions prevalent in southern California during the Civil War years. In that context, dissent and local unrest characterized the era just as it marked the national scene. Criticism of Union policies stemmed from the community's concern with local, as well as national affairs.

The origins of anti-Union sentiment can initially be traced to southern California politics. Traditionally, the Democratic party had dominated local affairs throughout the decade prior to the Civil War.<sup>9</sup> In 1860, despite Lincoln's success in carrying the state, Democratic presidential candidates defeated their Republican adversary by nearly a three to one margin in Los Angeles and San Bernardino counties.<sup>10</sup> Election returns also revealed that southern Californians preferred the Breckinridge-Lane ticket, undoubtedly the most sympathetic candidates to the slave states. In El Monte, for example, Breckinridge garnered approximately fifty-eight per cent of the vote while Lincoln received only eleven per cent of the tally.<sup>11</sup> The voting patterns were similar in all of Los Angeles County where Breckinridge received thirty-nine per cent of the vote, nineteen percentage points ahead of his Republican rival.<sup>12</sup> Thus, on the eve of the Civil War, southern Californians expressed a Democratic preference and, more significantly, a rejection of the man and the party who would lead the nation in the crisis years ahead.

Pro-Southern Democrats based their argument on a rigid states rights position. Northern aggression had forced the South into a defensive position, and peaceful secession remained the only alternative left to the slave states. Henry Hamilton, a Breckinridge Democrat and editor of the Los Angeles *Star*, maintained that a "right of self-preservation had compelled the South to take the stand she has."<sup>13</sup> Some southern Californians viewed a Northern effort to resist secession as an act of encroachment

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upon a state's right to secede. Members of the Knights of the Golden Circle believed the Union war effort an illegal use of executive authority "without the assent of either branch of the American Congress in their legislative authority."<sup>14</sup> Assemblyman M. Morrison of Los Angeles felt the rebellious states should have the opportunity to go peaceably.<sup>15</sup> The *Star* considered a Union military victory meaningless since the slave states "would be merely held as conquered provinces."<sup>16</sup>

Although some Democrats declared secession a legal extension of state sovereignty, they also hoped disunion could be averted through legislative means. Charles W. Piercy, a Democratic assemblyman from San Bernardino, empathized with the Southern position, but he voted for Union resolutions in the "great interests of our country, and to the perpetuation of our united government."<sup>17</sup> Several southern California legislators forced congressional compromise as a way of reducing sectional hostilities. Assemblymen Piercy, Morrison, and D. B. Kurtz of San Diego, supported a California bill that affirmed the Crittenden Compromise, a congressional attempt to appease the Southern interests on the abolition and the extension issues in the hope of averting war.<sup>18</sup> Even the *Star*, an ardent critic of Northern policies, felt the Union could be preserved and Southern rights guaranteed "on the basis of the present Constitution."<sup>19</sup>

At first glance, it appears odd that southern California was at all interested in the sectional conflict between the slave and the free states. The local populace certainly did not contribute sizeable numbers of men or munitions to either side, and the geographical remoteness of the campaigns reduced the possibility of military conflict within the region. Yet the Civil War proved a viable issue to southern California Democrats and Republicans. Politicians frequently used the national conflict as a method of discrediting their opponents. "Politics," as one observer commented, "were fought out on the North against South line."<sup>20</sup>

Democrats charged Republican adversaries with instigating the national crisis. The *Star* believed guilt rested with the "irrepressible doctrine," and "the chief movers in this aggression were Seward, Giddings, Chase, and Trumbull."<sup>21</sup> Democratic assemblyman Piercy offered a resolution that faulted national disruption on "the sectional doctrines advocated by the Republican Party."<sup>22</sup> Democrats also attacked Lincoln's war policies as un-

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constitutional, bordering on tyrannical. The Knights of the Golden Circle maintained that Lincoln violated “the most sacred palladium of American liberty by the suspension of the writ of habeas corpus.”<sup>23</sup> The *Star* considered loyalty oaths illegal, and the paper exclaimed that never had the country experienced “such a total surrender of the right of private judgement.”<sup>24</sup> Southern Californians resented the possibility of conscription, and even the presence of Union soldiers seemed an excessive display of force. One contemporary of the period concluded that Union military personnel were “not very welcome” by the citizenry.<sup>25</sup>

Republicans countered their critics by stressing the need for national unity, and they dispelled political opposition as subversive rhetoric. More importantly, in a predominately Democratic area such as southern California, allegations of voter fraud and misrepresentation were not uncommon. In Los Angeles Republicans unsuccessfully contested two Democratic victories in local races. Russell T. Hayes, an 1862 candidate, challenged his Democratic opponent’s victory “on the grounds of disloyalty,” and that his adversary expressed himself “friendly to and in favor of the existing Rebellion.”<sup>26</sup> Hayes further asserted that illegal voting occurred at various precincts, and his opponent “did not receive a majority of the legal votes of the County of Los Angeles.”<sup>27</sup> A year later, Los Angeles experienced another contested election. F. P. Ramirez charged his Democratic opponent, Henry Hamilton, with disloyal conduct due to Hamilton’s pro-Southern views. Ramirez believed the Board of Supervisors also failed to appoint election officials in the San Gabriel, El Paso, and Soledad precincts, while illegal voting took place in the Santa Ana precinct. He concluded that election fraud stemmed from a conspiracy “to defeat the Union ticket and to elect the Democratic ticket.”<sup>28</sup>

Race and nationality also became a bitter part of southern California politics. Minorities seemed convenient targets for charges of disunion activity, and suspicion focused particularly on the Jewish and Mormon communities. One Republican newspaper in Los Angeles admonished Jews who voted a Democratic preference. The paper believed such action “violates his most solemn oath; when he turns against the Constitution which he has solemnly sworn to support, then he is to be despised.”<sup>29</sup>

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One observer felt subversive activity a real threat in San Bernardino since Mormons “hate us at heart,” and Jews “have no love for us.”<sup>30</sup> Blacks were also susceptible to criticism. One negro, critical of Union policies, had apparently won the cognomen of “Black Democrat,” due to his “political adherence to the local majority.”<sup>31</sup>

Democratic strength became a grave concern among several pro-Union supporters, and efforts were made to control local government through the manipulation of the political process. Authorities frequently suggested the use of the military in silencing dissent and enhancing Union politics. Edwin A. Sherman, a Republican and editor of the San Bernardino *Weekly Patriot*, requested additional troops and the implementation of martial law as a means of improving Union sentiment in the country.<sup>32</sup> One government official wrote to William Seward, Secretary of War, and suggested the appointment of a special agent of the Union party who could effectively “organize in every town.”<sup>33</sup> Brevet Major James H. Carleton, stationed in southern California, felt it necessary to implement a plan “by which the military could exercise more than a negative control” of local affairs.<sup>34</sup>

Indeed, election sites often resembled armed camps, and the military allegedly took a more active role than as a mere overseer. One Union officer stationed in San Bernardino requested a hundred and fifty additional rifles for the upcoming election.<sup>35</sup> Kimball H. Dimmick, a government agent and former district attorney in Los Angeles, believed Republican candidates had an excellent chance of defeating their opponents in the 1861 elections. He confidently wrote that “we shall make a strong effort to overthrow them at the election.”<sup>36</sup> E. J. C. Kewen, a Democratic assemblyman from Los Angeles, asserted that two hundred and fifty soldiers from Camp Latham illegally voted during his 1862 election bid. Kewen maintained the board of election inspectors at the La Ballona precinct “was constituted and appointed not by the qualified voters . . . but by the soldiers of Camp Latham.”<sup>37</sup>

Democrats feared a misuse of the military, and they believed such abuses led to oppressive conditions. Democratic leaders hoped that coercion could be avoided. One observer declared that southern California Democrats “oppose carrying matters to extremities.”<sup>38</sup> Subversion, in a few instances, became a loosely

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defined term. With apparently no evidential basis, a military detachment arrested one San Bernardino rancho proprietor on grounds of disloyalty. Judge Benjamin R. Hayes, a supporter of the Union cause despite his Democratic affiliation, feared such action could lead to “serious evils in this beautiful section of the state.”<sup>39</sup> Hayes believed it necessary to preserve a freedom of opinion within the community, and he denied “that every man is a radical traitor who did not choose to adopt as gospel some theory agreeable to me.”<sup>40</sup> In 1861 the Union party convention outlined the Democrats as traitors, and they appealed to the electorate that “with you it remains to decide whether the cause of the people, or the designs of conspirators, shall triumph.”<sup>41</sup> Cornelius Cole, a principal leader in Republican state politics, conceded that Union dissidents had been effectively repressed. Recalling conditions in 1863, Cole wrote that “an open avowal of disloyalty to the Union cause had become about as perilous as had been the expression of abolition sentiment but a few years before.”<sup>42</sup>

The political climate in southern California partially explains the motivation behind anti-Union sentiment. Republicans and Democrats battled for control of elected offices, and the Civil War became a critical issue in that struggle. Democrats frequently criticized Union policies on a party basis. They perceived the national turmoil as a direct result of Republican policies. Southern California Democrats also considered secession a sovereign right of the states, and the Union war effort appeared an unwarranted aggression by the Lincoln administration. Conversely, Republicans equated political opposition with disloyal conduct. Union supporters charged their political adversaries with subversive activity, and they felt Democratic corruption had become entrenched within local government. A Democratic defeat, therefore, seemed as much a necessity as a victory over the Confederacy itself. Politics became a volatile arena for Republican allegations of electioneering and fraud. Democrats, in turn, asserted that Republicans and military officials attempted to control local affairs through coercive means, including the manipulation of election returns and the indiscriminate use of martial law.

Thus, a bitter struggle for control of local government had characterized politics in southern California. Within that framework,

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the Civil War seemed an attractive issue for both parties. Anti-Union sentiment remained an integral part of Democratic strategy, just as a community mandate affirming Union policies became essential to Republican success.

Political circumstances played a key role in shaping anti-Union sentiment. Yet economic and social factors also contributed to local resentment of Union policies. During the early sixties, southern California citizens experienced a financial depression that affected agricultural and merchant interests within the business community. Economic hardships created an increased concern among the populace, and crime became a focal point of public attention. Disenchantment marked the temper of the period. Local criticism centered upon government ineffectiveness in coping with the community's ills. The Civil War, moreover, became an important part of local dissatisfaction. The Union campaign, as a distant crisis, conducted by an unpopular administration, seemed as much to blame for southern California's plight as did the local deficiencies prevalent within the counties. Thus, in order to fully understand anti-Union sentiment, it is necessary to explore the adverse conditions that existed in southern California during the Civil War period.

Between 1861 and 1865 the lower counties suffered unusually extreme weather that crippled farm production and caused havoc within the pueblo townships. Heavy rains and subsequent flooding destroyed several small communities in Los Angeles and San Bernardino counties. In the winters of 1861 and 1862 high water levels left many families homeless, polluted local drinking sources, and created new channels leading into the San Gabriel River.<sup>43</sup> Following two years of inordinate rainfall, southern California weather shifted to the opposite extreme. Between 1863 and 1865, minimal precipitation fell in the lower counties. Farming and grazing businesses were especially hard hit. Hundreds of cattle perished, grain crops suffered, while orchards and vineyards were nearly annihilated.<sup>44</sup> One Santa Ana cattle rancher accurately summarized the effects of the drought as a "perfect devastation."<sup>45</sup>

Floods and a prolonged drought left southern California in a crippled state of affairs. As a frontier community, the lower counties failed to rapidly recover from the cataclysmic conditions that affected the populace. One Los Angeles observer wrote, "The



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depression in business, and want of money, is severely felt in this city, the necessities of some of the people very great.”<sup>46</sup> Another contemporary noted that “times were miserably hard and prosperity seemed to have disappeared forever.”<sup>47</sup> Lumber shortages resulting from the drought hampered road construction to the mining communities in San Bernardino, and the slowed transportation severely cut production and the influx of supplies.<sup>48</sup> Influential businessmen faced economic ruin. Abel Stearns, a prominent ranchero in Los Angeles County, saved his estate only by establishing a Rancho Trust through which he sold a significant portion of his property.<sup>49</sup> In 1863 Phineas Banning developed financial difficulties when his merchant ship, the *Ada Hancock*, exploded and sunk, killing twenty-six people.<sup>50</sup>

Local unrest increased as economic problems continued to plague southern Californians. Citizens re-examined the basis of existing institutions. They questioned the value of government, and new remedies were offered to reform civic institutions. In Los Angeles the County Grand Jury denounced city government as a “nuisance.”<sup>51</sup> The Los Angeles *Star* believed county and city affairs would eventually lead to bankruptcy. The paper felt the present system useless, citing the lack of an efficient water system, high taxes, and few internal improvements as examples of government weaknesses.<sup>52</sup> The *Star* concluded that city and county offices should be abolished, and a Board of Trustees appointed to implement local reform.<sup>53</sup>

Crime became an additional concern within the community, and criticism of government included an attack on the ineffectiveness of law enforcement. In San Bernardino citizens labeled the mining communities in Holcomb Valley the “hell-hole of the mountains,” due to the excessive drunkenness and violence within the region.<sup>54</sup> Judge John Brown considered the increase in robberies and murders appalling, and he bitterly noted that local authorities “take no notice of these matters.”<sup>55</sup> Another observer complained that San Bernardino “was ruled by a set of corrupt politicians, gamblers and desperadoes, with the sheriff of the county as their leader.”<sup>56</sup>

In Los Angeles a depressed economy contributed to increased lawlessness. In an era when jobs were scarce and money practically nonexistent, the criminal often stole as a means of survival. For example, one Indian was convicted for stealing “pants, shirts,

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hats, and shoes of the aggregate value of less than 50 dollars.”<sup>57</sup> The courts also convicted another group of Indians for burglarizing a store and confiscating assorted goods worth less than eighty dollars, including pantaloons and shoes.<sup>58</sup> Even Union troops were not immune to the robbers’ needs, and during the war years no less than four incidents of horse theft occurred in the military camps within the county.<sup>59</sup> A few crimes connected with robbery had more serious consequences. In 1863 one man randomly murdered a stranger only because he thought his victim “might have in his possession two or three thousand dollars.”<sup>60</sup> An outraged community did not wait for the court’s verdict, and hanged the accused before the trial was completed.<sup>61</sup> Indeed, violence had alarmed citizens to such an extent that one resident pictured Lower California as an “asylum of cut throats and thieves.”<sup>62</sup>

As indignation heightened over the problem of lawlessness, the Union soldiers stationed in southern California came under closer scrutiny. The military not only became the recipients of criminal activity, but they seemed a partial explanation for increased violence. Newspapers were not remiss in reporting the unruly actions of local regiments. In Los Angeles, for example, one journal commented that soldiers “have been freely spending their money and delighting the hearts of hotel keepers and whiskey venders.”<sup>63</sup> The publication further indicated that Union troops had placed considerable “loose change” into circulation.<sup>64</sup> A subsequent account revealed the harsh realities of such carousing, noting that one soldier stabbed a saloon keeper while in a “partial state of intoxication.”<sup>65</sup> Coincident with these reports, local officials conducted a thorough investigation into the moral proclivities of certain establishments, and no less than six “Houses of Ill-Fame” were prosecuted by the close of 1862.<sup>66</sup> One rumor circulated that a provost guard would be established in southern California in order to take charge of offending soldiers. The Los Angeles *Star* believed the idea a “wise precaution.”<sup>67</sup>

Regional concern with financial setbacks also found renewed expression in the national crisis. Dissidents felt the Northern war effort would increase taxation and prolong a depressed economy. One Angeleno maintained the economic burden would become increasingly unbearable “until the laboring citizen will not be able

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to maintain his family, but will have to pay all he can make for taxes.”<sup>68</sup> The Los Angeles *Semi-Weekly News*, a Union organ, conceded the war’s opposition emanated not from a special affinity toward Dixie, but “against the payment of the war-tax.”<sup>69</sup> In San Bernardino Mormons expressed a similar dissatisfaction over an increased federal real estate tax.<sup>70</sup> The mining community also felt the financial effects of the war. Throughout the previous decade, an absence of governmental regulation of claims and land settlements existed. Yet the war increased the gold demand, and the Federal government abolished the existing squatter land policy coupled with a requirement for an increased gold contribution. As one historian noted, the war policy was “detested” by most miners.<sup>71</sup>

The unpopularity of the Union cause convinced many southern Californians of the need for radical government reform. Some citizens felt neglected. They believed a Republican administration, conducting an expensive military campaign, remained alien to the western condition. In addition the Confederacy represented a model government, an appealing concept in the evolution of democratic institutions, and an impetus to disgruntled southern Californians to seek independence themselves.<sup>72</sup> Thus, as the community questioned the effectiveness of local government, they also flirted with the notion of regional independence.

During the early stages of the war, southern Californians frequently discussed the possibility of independence. Assemblymen Scott and Piercy favored the establishment of a separate Republic on the Pacific Slope.<sup>73</sup> In May 1861, El Monte residents paraded the Bear Flag throughout the town in a defiant gesture toward the national government.<sup>74</sup> Indeed, the problems of taxes and upstate domination of California politics were frequently cited as the cause of dissent. Senator Milton S. Latham suspected that agitation resulted from northern California’s inordinate representation in the state legislature. “There is no remedy,” Latham declared, “save from a separation from the other portion of the state.”<sup>75</sup> Charles L. Scott asserted that independence seemed imperative since southern Californians “will be heavily taxed to carry on the machinery of their government.”<sup>76</sup> The Los Angeles *Star* also favored a separate government. The paper reported that citizens were exasperated with state taxation, and the war would only augment that burden. “The people of these

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southern counties,” the *Star* pronounced, “have noted time and again to be disconnected from the State Government, on account of the burdensome taxation.”<sup>77</sup>

In summation the unique conditions within southern California best explain local opposition to the Union war effort. The Civil War, despite its sectional nature involving the North and the South, held a regional significance to southern Californians. Political, economic, and social concerns, peculiar to the southern counties, directly affected the development of local opposition toward the Northern campaign. In short, anti-Union sentiment in southern California emanated from a provincial viewpoint. Criticism of the Civil War stemmed not from an endearment to the Confederacy, but from the effects of the war on the locale itself.

Traditionally, southern California had a politically Democratic character with a state rights orientation. The war seemed, therefore, a Federal encroachment upon individual freedom and an obtrusive instrument of Republican party politics. The Civil War became a viable issue in local party politics. Union supporters attempted to ostracize their adversaries, labeling them as subversive incendiaries. Democrats retaliated with charges of political and military oppression, while justifying anti-Union expression in the realm of democratic free speech.

Economic and social factors also affected public perception of the Civil War. Financial hardship characterized the southern California condition, and the community scrutinized local institutions in hopes of discovering a remedy. It was a period of introspection, an era of reform, and a search for stability within a predominately frontier society. Within that framework, concern with lawlessness and ineffectual government wrought a sense of community frustration and a regional dissatisfaction with existing institutions. The Civil War magnified local unrest, and the Northern war effort seemed an added burden.

Is it fair to describe southern California sentiment as secessionist? In the context of local affairs, no. Indeed, some citizens openly praised the slave states, and a few attempts were even made to bring the area under Confederate rule.<sup>78</sup> For the most part, however, Confederate sympathizers emigrated South to join the campaigns.<sup>79</sup> Those who remained were anti-Union for far different

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reasons. Opposition to the war proved a result of local disenchantment with a distant and expensive war, conducted by an administration of unpopular party politics. It was a period of local dissent, and the Civil War became a broad platform for the protestations of a community in search of answers to its own particular problems.

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### NOTES

<sup>1</sup>Henry H. Goldman, "Southern Sympathy in Southern California, 1860-1865," *Journal of the West*, 4 (October 1965):584-585. The traditional thesis is also presented in Percival J. Cooney, "Southern California in Civil War Days," *Annual Publication Historical Society of Southern California*, XIII, Pt. 1 (1924):54-68; Imogene Spaulding, "The Attitude of California To The Civil War," *Annual Publication Historical Society of Southern California*, 9 (1912-1914):114, 116-117; Helen B. Walters, "Confederates in Southern California," *Historical Society of Southern California Quarterly*, 35 (March 1953):41-53; and Ann Casey, "Thomas Starr King and the Secession Movement," *Historical Society of Southern California Quarterly*, 43 (September 1961):245-275. Military involvement and the activities of covert secessionist organizations are discussed in Aurora Hunt, *The Army of the Pacific* (Glendale, Calif.: Arthur Clark Co., 1951), pp. 342-347; and Leonard B. Waitman, "The Knights of the Golden Circle," *San Bernardino County Museum Quarterly*, 15 (Summer 1968):17-29.

<sup>2</sup>Benjamin Franklin Gilbert, "California and the Civil War: A Bibliographical Essay," *California Historical Society Quarterly*, 40 (December 1961):293-294. The thesis was fully developed in an earlier article by the same author. See, Gilbert, "The Confederate Minority in California," *California Historical Society Quarterly*, 20 (June 1941):154-170.

<sup>3</sup>Margaret Romer, "The Story of Los Angeles," *Journal of the West*, 2 (April 1963):176.

<sup>4</sup>Peter Heywood Wang, "The Mythical Confederate Plot in Southern California," *San Bernardino County Museum Quarterly*, 16 (Summer 1969):13.

<sup>5</sup>Helen Walters asserted that secessionist activity was so great that "courts were plunged into confusion and dockets cluttered with cases against citizens accused of loyalty to the South." Nevertheless, a review of the Court of Session records in Los Angeles indicated that no such condition existed. See, Los Angeles, *Court of Sessions* (File Cabinet No. 3 & 4, 1860-1865), long-hand; Walters, "Confederates in Southern California," p. 46.

<sup>6</sup>Hancock to Major W. W. Mackall, 4 May 1861. Cited in U.S. Government, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, Series I Vol. 50 (Washington, D.C.: Government Printing Office, 1897), p. 477 (hereinafter cited as U.S. Government, *Official Records*).

<sup>7</sup>A few historians have suggested that increased Union troop movements into southern California resulted from Confederate activity in the lower southwest. See, Gilbert, "The Confederate Minority in California," pp. 157-158; and Clarence C. Clendenen, "The Expedition that Never Sailed," *California Historical Society Quarterly*, 34 (June 1955):149-156. A detailed study of the western campaign can be found in Oscar Lewis, *The War and the Far West, 1861-1865* (Garden City, N.Y.: Doubleday & Company, 1961).

<sup>8</sup>Recently, some scholars have addressed this problem in the writing of local history. It has been noted that historians have applied social science techniques "almost exclusively, to single communities or areas with little concern given to the location itself or its unique social, physical, or economic characteristics." See, Mark Friedberger and Janice Reiff Webster, "Social Structures and State and Local History," *Western Historical Quarterly*, 9 (July 1978):297.

<sup>9</sup>The Democratic party had controlled local and state politics throughout the fifties. In fact, Republicans made few advances into California government until Lincoln's statewide victory in 1860. See, Warren A. Beck and David A. Williams, *California: A History of the Golden State* (Garden City, N.Y.: Doubleday and Company, 1972), pp. 163-167. For a discussion of Republican strategies and failures prior to the Civil War, see Gerald Stanley, "Racism and the Early Republican Party: The 1856 Election in California," *Pacific Historical Review*, 43 (May 1974):171-187; and Stanley, "Slavery and the Origins of the Republican Party in California," *Southern California Historical Quarterly*, 60 (Spring 1978):1-16.

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<sup>10</sup>Los Angeles *Star*, November 10, November 17, November 24, 1860. The final results indicated the following breakdown: Breckinridge—878, Douglas—718, Lincoln—663, and Bell—290. The party vote revealed: Democrats—1886, Republicans—663.

<sup>11</sup>*Ibid.*, November 24, 1860. The totals were: Breckinridge—87, Douglas—47, and Lincoln—16. The Monte Boys, a local machine in El Monte, controlled civic affairs throughout most of the war. See, William F. King, "El Monte, An American Town in Southern California, 1851–1866," *Southern California Historical Quarterly*, (1971):322–323.

<sup>12</sup>*Ibid.*, November 10, 1860. The final count in Los Angeles revealed: Breckinridge—686, Douglas—494, Lincoln—356, and Bell—201. The split in the Democratic vote seemed predictable, and the tally reflected the division throughout the country. For an understanding of the national party breakdown and Lincoln's subsequent victory, see Roy Franklin Nichols, *The Disruption of American Democracy* (New York: The Macmillan Company, 1948), pp. 332–364; and a relatively recent work by Robert W. Johannsen, *Stephen A. Douglas* (New York: Oxford University Press, 1973), pp. 521–650.

<sup>13</sup>*Ibid.*, May 4, 1861.

<sup>14</sup>The above quotation is taken from the preamble of the Knights of the Golden Circle, cited in a letter from Clarence E. Bennett to Brig. General E. V. Sumner, August 6, 1861. Found in U.S. Government, *Official Records*, 50:556–557.

<sup>15</sup>Hubert Howe Bancroft, *Works*, Vol. 7 (San Francisco: History Company Publishers, 1890), p. 277. Also see, Leo P. Kibby, "California, The Civil War, and the Indian Problem: An Account of California's Participation in the Great Conflict," *Journal of the West*, 4 (April 1965):189.

<sup>16</sup>Los Angeles *Star*, February 2, 1861.

<sup>17</sup>Leonard Waitman, "The Lawless Periods in San Bernardino County 1850–1865," *San Bernardino County Museum Quarterly*, 18 (Winter 1970):55.

<sup>18</sup>*Journal of the House of Assembly of California*, 12th Sess. (Sacramento: C.T. Botts, 1861), pp. 226–227. For a detailed account of the Crittenden Compromise and its implications on the national scene, see Nichols, *The Disruption of American Democracy*, pp. 415–416, 432–436, 445–449, 475–482.

<sup>19</sup>Los Angeles *Star*, February 2, 1861.

<sup>20</sup>Boyle Workman, *The City That Grew* (Los Angeles: Southland Publishing Company, 1935), p. 65.

<sup>21</sup>Los Angeles *Star*, April 20, 1861.

<sup>22</sup>*Journal of the Assembly* 12th Sess., p. 194. Note: D. B. Kurtz of San Diego supported the resolution. Yet, the measure was defeated by a 41–28 margin. *Ibid.*, p. 309.

<sup>23</sup>U.S. Government, *Official Records*, 50:556–557.

<sup>24</sup>Los Angeles *Star*, June 8, 1861.

<sup>25</sup>Maurice H. and Marco R. Newmark, eds., *Sixty Years in Southern California 1853–1913, Containing the Reminiscences of Harris Newmark*, 4th ed. (Los Angeles: Zeitlin & Ver Brugge, 1916; 1970), p. 323; Resentment toward Union occupation was a point of controversy from the early stages of the war, and became a principle issue in the state legislature. See, Harry Innes Thornton, Jr., "Recollection of the War by a Confederate Officer from California," *Southern California Quarterly*, 45 (September 1963):202.

<sup>26</sup>Los Angeles, *Court of Sessions* "Russell T. Hayes vs. E. J. Kewen," (No. 618, October 28, 1862), long-hand. Since these contested elections are not preserved in secondary print or on microfilm, the complete text of the cases is found in the Appendices. See *Appendix A*.

<sup>27</sup>*Ibid.*, Hayes testimony. See *Appendix A*. It is important to note that Kewen was exonerated in the case. A few months later, Kewen was then arrested for treason and spent an indeterminate period of time in prison. He later took his seat in the legislature. See, Oscar T. Schuck, *Representative and Leading Men of the Pacific* (San Francisco: Bacon & Company, 1870), pp. 341–345.

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<sup>28</sup>*Ibid.*, "F. P. Ramirez vs. Henry Hamilton," (No. 639, September 23, 1863), long-hand. See *Appendix B*.

<sup>29</sup>Los Angeles *Semi-Weekly News*, September 11, 1861. Also see, Max Vorspun and Lloyd P. Gartner, *History of the Jews in Los Angeles* (Philadelphia: Jewish Publication Society of America, 1970), pp. 30–31.

<sup>30</sup>James H. Carleton to Major D. C. Buell, July 31, 1861. Cited in U.S. Government, *Official Records*, 50:548.

<sup>31</sup>Horace Bell, *On The Old West Coast* (New York: Grosset and Dunlap, (1930), p. 74; also cited in Bell, *Reminiscences of a Ranger* (Santa Barbara: Wallace Heberd, 1927), p. 288. Note: nationality also surfaced in the Hamilton and Kewen contested elections. Both were charged with being aliens and, therefore, disqualified from holding office. See *Appendices A & B*.

<sup>32</sup>Sherman to Major James H. Carleton, July 27, 1861. Cited in U.S. Government, *Official Records*, 50:553.

<sup>33</sup>*Ibid.*, pp. 628–630. Clarence E. Bennett to William H. Seward, July 29, 1861.

<sup>34</sup>*Ibid.*, p. 549. Carleton to Major D. C. Buell, July 31, 1861.

<sup>35</sup>*Ibid.*, p. 568. John W. Davidson to Major D. C. Buell, August 13, 1861.

<sup>36</sup>*Ibid.*, p. 559. Dimmick to General E. V. Sumner, August 8, 1861.

<sup>37</sup>See *Appendix A*.

<sup>38</sup>Winfield S. Hancock to Major W. W. Mackall, May 7, 1861. Cited in U.S. Government, *Official Records*, 50:480.

<sup>39</sup>Benjamin Hayes, *Pioneer Notes from the Diaries of Judge Benjamin Hayes 1849–1875* (Los Angeles: Marjorie Tisdale Walcott, 1929), pp. 261–262.

<sup>40</sup>*Ibid.*, p. 258.

<sup>41</sup>Los Angeles *Semi-Weekly News*, August 30, 1861.

<sup>42</sup>Cornelius Cole, *Memoirs* (New York: McLoughlin Brothers, 1908), p. 158.

<sup>43</sup>Eyewitness accounts indicated that severe flooding affected the small pueblos in Los Angeles County, especially the Indian towns of Zanja Madre and Agua Mansa. In Anaheim, water levels reached alarming proportions, and reportedly the people "had to seek flight to the uplands or retreat to the roofs of their little houses." See, Workman, *The City That Grew*, p. 81; Hayes, *Diary*, p. 280; Newmark, *Sixty Years in Southern California*, pp. 309, 331; and Col. J. J. Warner, Judge Benjamin Hayes, and J. P. Widney, *An Historical Sketch of Los Angeles County* (Los Angeles: Louis Lewin Co., 1876; reprinted: Los Angeles: O. W. Smith, 1936), p. 97.

<sup>44</sup>For a chronicle of events during this period, see Richard Dale Batman, "Orange County, California: A Comprehensive History," *Journal of the West*, 4 (April 1965):242–243; Romer, M. A., "The Story of Los Angeles," pp. 178–179; and Lynn Bowman, *Los Angeles: Epic of a City* (Berkeley: Howell-North Books, 1974), pp. 170–180.

<sup>45</sup>WPA Project, "Don Forster vs. Pio Pico," (No. 3105, Santa Ana), 2:28; also cited in Batman, "Orange County, California: A Comprehensive History," p. 242.

<sup>46</sup>Hayes, *Diary*, pp. 253–254.

<sup>47</sup>Newmark, *Sixty Years in Southern California*, p. 331.

<sup>48</sup>Luther A. Ingersoll, *Ingersoll's Century Annals of San Bernardino County* (Los Angeles: Ingersoll, 1904) p. 360.

<sup>49</sup>Robert Glass Cleland, *Cattle on a Thousand Hills* (San Marino, Calif.: Huntington Library, 1964), pp. 202–207.

<sup>50</sup>Maymie Krythe, *Port Admiral Phineas Banning 1830–1885* (San Francisco: California Historical Society, 1957), pp. 115–117; Warner, Hayes, and Widney, *An Historical Sketch of Los Angeles County*, p. 107. In addition to the *Ada Hancock* disaster, southern California suffered a severe outbreak of smallpox, particularly within the Indian communities. The situation worsened to the extent that local officials requested immediate federal assistance. See, Hayes, *Diary*, pp. 281–285.



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<sup>51</sup>Los Angeles *Star*, March 9, 1861.

<sup>52</sup>*Ibid.*, February 23, 1861.

<sup>53</sup>*Ibid.*, January 5, 1861.

<sup>54</sup>Wang, "The Mythical Confederate Plot in Southern California," p. 11.

<sup>55</sup>Judge John Brown to Benjamin Hayes, November 22, 1861. Cited in Hayes, *Diary*, p. 259.

<sup>56</sup>Marcus Katz, "Reminiscences," found in Ingersoll, *Century Annals*, p. 349.

<sup>57</sup>Los Angeles, *Court of Sessions* "Jose, an Indian, vs. H.C. Lewis," (No. 675, March 16, 1864), long-hand. Note: the defendant was found guilty and sentenced to six months in jail.

<sup>58</sup>*Ibid.*, "Augustin Ajirn et al Sevrapiro Navarro and Ramon Navarro vs. Antonio Flores," (No. 600, October 14, 1862), long-hand. Note: the defendants were found guilty. Sentence unknown. Similar cases can be found in the court files. See, "People vs. Ynoceate Garcia for Grand Larceny of clothing from E. J. C. Kewen," (No. 713, April 24, 1865); "People vs. James B. Moore for Grand Larceny of sixty head of sheep from George W. Oden," (No. 677, March 21, 1864); and "People vs. Lyman A. Smith for Grand Larceny of fifty-three dollars from Michael Woods," (No. 635, September 16, 1863).

<sup>59</sup>*Ibid.*, See "People vs. George Brewer," (No. 549, July 10, 1861); "People vs. Stephen Murphy," (No. 554, July 15, 1861); "People vs. Charles Henry," (No. 592, October 3, 1862); and "People vs. George Watson," (No. 509, July 13, 1860).

<sup>60</sup>*Ibid.*, "People vs. Charles Wilkins for the Murder of John Sanford," (No. 667, December 17, 1863), long-hand. Note: testimony of Joseph D. Bartlett, a witness on behalf of the prosecution.

<sup>61</sup>*Ibid.*, court record.

<sup>62</sup>Matthew Keller to General E. V. Sumner, August 10, 1861. Cited in U.S. Government, *Official Records*, 50:563.

<sup>63</sup>Los Angeles *Semi-Weekly News*, February 26, 1862.

<sup>64</sup>*Ibid.*, February 26, 1862.

<sup>65</sup>*Ibid.*, February 28, 1862.

<sup>66</sup>Los Angeles, *Court of Sessions*. See, "People vs. Ho Gum," (No. 611, November 8, 1862); "People vs. Ring, Ding, Fling," (No. 610, November 8, 1862); "People vs. Bum," (No. 646, November 8, 1862); "People vs. Chick Lick," (No. 614, November 8, 1862); "People vs. Al Hay," (No. 615, November 9, 1862); and "People vs. Duck Wi," (No. 616, November 10, 1862).

<sup>67</sup>Los Angeles *Star*, February 22, 1862.

<sup>68</sup>Los Angeles *Semi-Weekly News*, October 16, 1861.

<sup>69</sup>*Ibid.*, February 12, 1862.

<sup>70</sup>Wang, "The Mythical Confederate Plot in Southern California," pp. 10–11.

<sup>71</sup>*Ibid.*, pp. 11–12.

<sup>72</sup>The concept of the Confederacy as a revolutionary experience is best defined in Emory M. Thomas, *The Confederacy As A Revolutionary Experience* (Englewood Cliffs, New Jersey: Prentice-Hall Inc., 1971), pp. 23–57. Southern Californians considered independence long before the Civil War. Throughout the fifties, efforts surfaced to split the state into independent regions. See, Joseph Ellison, "Sentiment for a Pacific Republic, 1843–1862," *American Historical Association Pacific Branch Proceedings* (1929):94–118; William Henry Ellison, "The Movement for State Division in California, 1849–1860," *Texas State Historical Association Quarterly*, 17 (1914), 101–139; and Eugene R. Hinkston, "California's Fight For States' Rights," *Journal of the West*, 2 (April 1963):213–225.

<sup>73</sup>See, Clarence C. Clendenen, "Dan Showalter-California Secessionist," *California Historical Society Quarterly*, 40 (December 1961):309–310; and Spaulding, "The Attitude of California To The Civil War," pp. 108–109.

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<sup>74</sup>King, "El Monte, An American Town in Southern California, 1851–1866,": pp. 322–323.

<sup>75</sup>Wang, "The Mythical Confederate Plot in Southern California," pp. 14–15.

<sup>76</sup>Bancroft, *Works*, 7:277

<sup>77</sup>*Los Angeles Star*, January 5, 1861.

<sup>78</sup>A number of Californians, including the well-known Dan Showalter, attempted insurrection. See, Goldman, "Southern Sympathy in Southern California, 1860–1865," pp. 582–583; Clendenen, "Dan Showalter-California Secessionist," pp. 309–325; and Walters, "Confederates in Southern California," pp. 46–48.

<sup>79</sup>Several contemporary accounts indicated that Southern sympathizers traveled South. Even Mormons, reportedly pro-Confederate in sentiment, left San Bernardino in large numbers to return to Salt Lake. See, Bell, *Reminiscences of a Ranger*, p. 288; Workman, *The City That Grew*, p. 65; and Bell, *On The Old West Coast*, p. 74; For a contemporary analysis of Mormon pro-Confederate sentiment, see Newell S. Bringhurst, "The Mormons and Slavery—A Closer Look," *Pacific Historical Review*, 50 (August, 1981):329–338.

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### A P P E N D I X A

Los Angeles, *Court of Sessions* "Russell T. Hayes vs. E. J. Kewen," (No. 618, October 28, 1862).

*Petition:*

To E. J. Kewen, Esq.

Sir—

You are hereby notified that I shall contest your right to a seat in the next session of the Legislature of this state, as a member of the Assembly from the county of Los Angeles—and shall depend upon the following grounds in support of said contest:

- First — That you are not eligible to said Office, being a citizen of Central America and not a citizen of the United States.
- Second — On the grounds of disloyalty. That you have on various occasions and at different places, expressed yourself friendly to and in favor of the existing Rebellion.
- Third — That illegal votes were cast for you at different precincts in Los Angeles County.
- Fourth — That the election was illegally held and conducted at different precincts in said County.
- Fifth — That the Supervisors of said County acted illegally in refusing to count the votes of the Ballona Precinct.
- Sixth — That you did not receive a majority of the legal votes of the County of Los Angeles cast at the late election.

For all which said reasons I shall contest your right to a seat in the next Legislature.

*Response by E. J. Kewen and Henry W. Alexander.*

To the Honorable Board of Canvassers of said County—

The petition of the undersigned would respectfully represent to your Board that the returns of the election held on the third day of September 1862, from the precinct of "La Ballona" in said County, on false and fraudulent and illegal in this to wit:

The said returns represent that in said precinct two hundred and fifteen votes were cast for State and County and township offices, when upon examination of the poll list, not exceeding six names appear who are residents of said township and county and who are legally qualified voters of said precinct. That the remaining two hundred and nine votes were cast in said precinct by persons engaged in the service of the United States as soldiers, none of whom were enlisted in the said County of Los Angeles; that at the time of casting said votes, the said persons were, and still remain in the employment of the United States as soldiers, stationed in said precinct at a place known as "Camp Latham" within a few hundred yards of where the polls were held. That by reason of their proximity to the polls, and the pre-conceived and oft repeated determination of the said soldiers to vote at said election, the citizens and qualified voters of said precinct were deterred from voting at said precinct, and were thereby constrained to vote elsewhere in that township of which said precinct formed a part. That one of the undersigned to wit—E. J. C. Kewen was present during a portion of the time when said soldiers were voting and challenged their right to vote at said election for County Officers on the grounds that they were engaged as soldiers in the service of the United States and were not enlisted in Los Angeles County and were not residents of Los Angeles County at the time of their enlistment nor before, nor since, and desired and insisted that the Board of Inspectors should propound said questions to each and every soldier offering himself to vote, which the said Board refused to do, but permitted all such persons to vote regardless of said objections. The said Board then and there refused to enter upon the record of the said poll list the exception and protest of the undersigned—agreeing however to have the letter "P" representing "soldier" to be placed opposite the names of such voters—that by reason of challenging said votes, the said E. J. C. Kewen was abused and menaced in a most wanton and outrageous manner, and compelled through the advice of the officers of said men in the service of

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the United States as aforesaid, to retire from the said precinct, at or before the middle of the day of said election.

Your petitioners would further represent that a majority of the Board of Inspectors was constituted and appointed not by the qualified voters of said precinct (to wit Reese & Chapman) but by the soldiers of "Camp Latham," which said named persons were disqualified from acting in said capacity for the same reasons which disqualified the soldiers, being engaged or employed in the service of the United States, as your petitioners are informed or believe—and your petitioners further represent that one of the Clerks (Judah) was not appointed by the Board of Inspectors but by the soldiers in manner and form as was the majority of the said Board.

Therefore in the consideration of the premises, your petitioners, citizens and qualified voters in said County do hereby protest against the legality of the vote at the La Ballona precinct, and pray that the same may be excluded from the consideration of your Honorable Board.

E. J. C. Kewen  
(signed)

Filed September 8th 1862

*Court Verdict:*

Based upon "the Board of Supervisors met as a Board of Canvassers and decided on the 15, September 1862 who were entitled to certificate of election, and at that day declared that Col. E. J. C. Kewen was duly elected to the assembly."

John D. Woodworth  
Berry S. Eatin  
Justices  
(signed)

\* \* \*

### A P P E N D I X B

Los Angeles, *Court of Sessions* "F. P. Ramirez vs. Henry Hamilton," (No. 639, September 23, 1863).

*Petition:*

To Henry Hamilton

Sir—

You are hereby notified that I shall contest your right to a seat in the next session of the legislature of this state as a member of the Senate from the County of Los Angeles and shall depend upon the following grounds in support of said contest:

That you are not eligible to said office being a citizen of Ireland and a subject of the Kingdom of Great Britain and not a citizen of the United States of America.

On the grounds of disloyalty, that you have on various occasions and at different places expressed yourself friendly to and in favor of the existing Rebellion in the United States.

That illegal votes were cast for you at different precincts in Los Angeles County.

That the election was illegally held and conducted at different precincts in said County of Los Angeles.

That had the Board of Supervisors of the County of Los Angeles proceeded according to the provisions of the statutes of this state there would have been as many as 250 additional Union votes cast in said Los Angeles County, thereby giving to this complaint F. P. Ramirez 250 more votes that were cast at the late election in said county.

That the Board of Supervisors of the County of Los Angeles acted illegally in refusing to appoint Inspectors and Judges of Elections in San Gabriel County in said County of Los Angeles where one year ago there were two precincts known as the Upper and Lower mining precincts and in consequence of such refusal and neglect no election was held in said precinct.

And that said Board of Supervisors further acted illegally in refusing to appoint Inspectors and Judges of Elections as petitioned for by the citizens of El Paso and Soledad precincts in said County of Los Angeles in consequence of such refusal and neglect there were no polls opened nor elections held in said precincts.

And that said Board of Supervisors knowingly appointed an alien as Inspector for the precinct of San Fernando and they annulled the election returns because the said Henry Hamilton was badly defeated in said precinct.

And the said Board of Supervisors acted illegally in appointing an alien for the Santa Ana precinct and did not annul the election returns because the said Henry Hamilton and his associates caused to be voted as many as 75 or 80 illegal votes in said precinct.

That the said Board of Supervisors knowing that the citizens residing in the following precincts to wit El Paso, Soledad, Lower and Upper Mining precincts in San Gabriel Canyon were nearly all Union votes refused and neglected to acknowledge the right of said voters in aforesaid precincts in order to defeat the Union ticket and to elect the Democratic ticket.

That you did not receive a majority of the legal votes of the County of Los Angeles cast at the late election.

For all which said reasons I shall contest your right to a seat in the next Legislature as a Senator for the County of Los Angeles.

Yours,

F. P. Ramirez  
(signed)