

Part Seven: GUMBO TO TUCKER TO DOBS

And that odd impulse. which in
wars or creeds
Makes men. like cattle. follow him
who leads.

Lord Byron. *Don Juan*.

26. Champion of Broderick

Upon arrival at San Francisco May 15, 1854. William Walker posted bail for \$10,000 before United States Commissioner J. J. Papy. The rank and file of his "soldiers of Sonora" were immediately released without further legal proceedings, but on May 24, the Grand Jury presented true bills against William Walker, Howard A. Snow, and John M. Jarrigan. Arraigned at the U.S. District Court on June 2nd, Walker pleaded "not guilty" and filed an affidavit for postponement of his trial because a key witness, Fred Emory, was then out of town. After some discussion with Walker's counsel Edmund Randolph and District Attorney Samuel W. Inge, on June 6 Judge Ogden Hoffman ordered the trial postponed to the second Monday in August. Bail was again fixed at \$10,000.

On June 6, the Democratic State Central Committee met in San Francisco and called the Democratic State Convention to meet at the city of Sacramento on July 18, to nominate candidates for various offices. A few days earlier, Walker had begun working for Democratic party boss David Broderick, who first assigned him to assume the editorial charge of the *Democratic State Journal*, in Sacramento. But he transferred him a few days later to the *Commercial Advertiser* in San Francisco. The *Advertiser*, established as the Whig organ in 1852, had been acquired by the Broderick faction of the Democrats in the spring of 1854.

From the very first day at the *Journal*, Timothy Tucker's pen left its mark, attacking Senator Gwin's Custom House anti-Broderick faction -- the "arch-traitors" who deserted Walker's cause and sent the U.S. Navy to blockade Ensenada:

. . . those men, who, claiming to belong to the party, have no regard for its commands, and no care for its success, beyond the advancement such would bring to the Custom House, whose interests and their

own they alone seek . . . Federal officers holding commissions from a democratic administration. are using their influence and position . . . to destroy our organization in this State.

Under these circumstances. then. it becomes the duty of the democracy, everywhere to unite in opposition to these arch-traitors, and prevent them from consummating their evil designs on any locality."¹

He also flung pointed barbs at Henry A. Crabb. who was then starting a new Whig paper. the Stockton Argus. Among other things. he accused Crabb of defending the Custom House "as a sworn brother."² Crabb responded: "The notice of the Sacramento State Journal was 'rather mixed.' with one hand stroking us with kindness; with the other planting a stiletto under the fifth rib. Well. we thank the State Journal for the good-natured portion of the notice. and for that part intended to be severe. we expect to forgive it upon our death-bed." To which Walker answered:

We'll hold on to the "stiletto" for a little while. for the sake of that "rib." as we suppose it to be a component part of that journal, with which it cannot at present well dispense.

We have no objection to the death-bed being distant. for we do not expect to seek or receive forgiveness until the indefinite period so feelingly referred to.³

Walker's lampooning of Crabb and his "sworn-brother arch-traitors" of the Custom House added another twist to the Southern connection of his expedition. Betrayed by his pro-slavery confederates. Walker reacted vengeful. which made him valuable for Broderick in his political struggle with

¹"The State Convention. *Daily Democratic State Journal* 6/8/1854. p.2 c.2.

²"Whig State Convention." *Ibid.*. 6/9/1854. p.2 c.2.

³"Very Good." *Ibid.*. 6/10/1854. p.2 c.2.

Gwin for party control in California. Besides his duties as a journalist, Walker championed Broderick's political aspirations. Although he worked in Sacramento and San Francisco, he had visited his old home in Marysville, towards the end of May, intending to reside in that city. In June he was elected to represent Yuba county at the Democratic State Convention that met at the New Baptist Church in Sacramento on the 18th of July.

Several counties held Broderick and anti-Broderick local meetings and sent contesting delegations to the Convention. As chairman of the state committee, Broderick presided at the first session. His partisans, led by a "crash squad" that included "a ferret-eyed Tennessean named William Walker," came in by a small side entrance prior to the appointed moment, so that they might occupy the best seats in front.⁴ As soon as the broad doors of the church were opened, the opposing forces rushed in, and passing rapidly down the auditorium, forced their way bodily to the foot of the pulpit, where stood Broderick.

At 3 P.M., he called the Convention to order. The church, which was estimated to contain about 400 persons, was filled to its utmost capacity, although many of those present were not delegates. The first order of business was to appoint a temporary President of the Convention. The names of Ex-Governor John McDougal and Judge Edward McGowan were shouted simultaneously. When Broderick declared McGowan elected, "a scene here ensued which no pen could describe. The shouts, cheers, shrieks and tumult which prevailed for about 20 minutes, was never, perhaps, exceeded on any similar occasion."⁵

"During the fracas one excited delegate jumped on the platform and thrust a six-shooter in Broderick's face. The latter brushed the weapon aside, and acidly warned the man against being careless with loaded guns."⁶ Supporters of the

⁴Lately Thomas (R. V. P. Steele). *Between Two Empires*. (Boston: Houghton Mifflin Company, 1969). p. 105.

⁵"Democratic Convention." *Weekly Alta California* 7/22/1854. p.5 c.1.

⁶Lately Thomas. *Op. Cit.*, p. 106.

candidates hoisted them on their shoulders and bore them to the platform through brandished fists and pistols. A shot rang out, and three delegates dived through the windows.

Reenacting the comic sketch of a *double-headed body* performed by Walker and Coffroth in 1852. McGowan and McDougal both ascended the platform and took a seat side by side. Next, Walker launched the attack for Broderick, copying from the Crittenden incident of the previous occasion:

The confusion and tumult still continuing, Mr. Walker arose and said, that if reason should be heard, if reason should prevail, if this Convention was willing to be reasonable for a moment, he wanted to ask the gentleman, Ex-Governor McDougal, who is now endeavoring to fill the place of President, one question [Great confusion] He would ask him if he voted for John Bigler at the last election?

This question produced a perfect hurricane of confusion for several minutes. Mr. McDougal made no reply, but ordered the roll of the counties to be called [Loud cries of "answer the question!"]⁷

Each faction then proposed Secretaries, and Committees on Credentials, and each of the temporary Presidents declared certain gentlemen elected to fill those offices. Shortly afterwards the Committees on Credentials of both sections made their appearance and reported. Both reports were read at the same time, and both were adopted, but no one could hear a single word or a single name that was mentioned. President McGowan appointed Walker head of the Committee to nominate permanent offices of the Convention. Walker submitted the list, and then the other section did likewise.

The double proceedings continued in a friendlier atmosphere and good humor prevailed when the two rival Presidents were seen sharing a glass of brandy, each President taking an alternate sip. Walker spoke several times, amid loud cheers and yells, at one point closing his argument as

⁷"Democratic Convention." Weekly Alta California 7/22/1854. p.5 c.1.

follows:

Shall we say that all we have done has been a farce? Yet this is asked of us, that we may say that we have been mere play-men —merely trifling away our time; but if we have been endeavoring to act in the best manner — and according to custom and rule for the benefit of the party, it will be folly to attempt to elect other officers than we have already regularly appointed.⁸

As darkness fell the two factions remained without lights, except for a candle stuck on a chair in front of each rival President. The dual session continued till after nine o'clock P.M., when the Trustees of the church very politely came forward and stated that some damage had already been done to the premises and that they would consider it a great favor if the Convention would leave.

The Custom House Convention met next morning in McNulty's Musical Hall, on J street. The Broderick Convention met in Carpenter's brick building on the Levee. Mr. Walker of Yuba moved that a Committee be appointed to confer with the rival group in an attempt to reach a compromise. The resolution was unanimously adopted, and Walker headed the Committee. He personally addressed two notes to the Democratic delegates convened at Musical Hall, proposing a conference for harmonizing the Democratic party.

At half past two o'clock, Walker appeared at Carpenter's Hall to report that his Committee had met uncompromising opposition at the Musical Hall; one of the Delegates there assembled had even proposed to throw Walker and his companions out of the window.

After nominating a slate of candidates for office, the Convention reassembled in the evening and "Col. Walker, from the Committee appointed for that purpose, presented an address to the Democracy of the State, which was brief, and chiefly related to the usages of the Democratic party, and

⁸"Democratic State Convention." *Daily Democratic State Journal* 7/19/1854. p.2 c.2.

the previous nominations."⁹ Walker's opening and closing remarks reveal his dream of Manifest Destiny and a Caribbean empire remained:

Mr. President and gentlemen of the Convention —
If there is one principle more than another, one feeling, one disposition more than another, which characterizes the Democratic party — it is that it is disposed always to work. It never stops: its point of arrival to-day is the starting point to-morrow — it goes on today and forever, like the wandering Jew — time cannot weaken it: it only grows stronger, and its spirit is only strengthened by the lapse of ages: and if there is any portion of the world of which this can be more truly spoken than another, we must award the palm to American Democracy. . . .

. . . Here, then, gentlemen, we have two men who stand forth peculiarly the representatives of all the ideas which characterize not only the Democracy of California, but also the Democracy of the Union. And who dare say they are not Democrats? And who that calls himself a Democrat will dare say that he will not support them? — Messrs. McDougal and Latham, the champions of the Atlantic and Pacific Railroad, and for the annexation of Cuba.¹⁰

Walker then presented a series of resolutions. The address and resolutions were adopted, and the Convention adjourned. The Musical Hall Convention nominated another slate of candidates and adopted its own set of resolutions. On that day, the Democratic party in California was torn wide open, and the breach would not be healed for half a century. But at that moment, what mattered was the forthcoming election, six weeks away, and Walker hurried back to his

⁹"Democratic Convention." *Weekly Alta California* 7/22/1854, p.5 c.1.

¹⁰"Remarks of Mr. Walker at the Democratic Ratification Meeting, on Wednesday Evening," *Daily Democratic State Journal* 7/22/1854, p.2 c.4.

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editorial desk in San Francisco.

In the *Advertiser*, he projected his craving for inner unity on the Broderick wing of the Democracy, and splashed his own Satan over the arch-traitors of Gwin's Custom House faction. Under "The Custom House Crowd," he wrote:

'It is the nature of weakness to be violent and uncompromising.' It is so with the physical constitution, when reduced by disease. It is no less so with the mental constitution, when the subject has been repeatedly thwarted in the attainment of some cherished object. . . . disappointed ambition or avarice becomes impatient of restraint, and more determined and desperate the oftener it is disappointed. With every defeat it is ready to change its mode of operation, but never its purpose. Thus it is with the politicians of the Custom House School.¹¹

In a satire titled "The New Purchase." Timothy Tucker skillfully projected Walker's failed New Republic:

. . . For ourselves, we believe the Administration has purchased the new territory for a place of retreat for the Custom House faction of California.

. . .
The Custom House gentry can exercise all their talents and apply all their peculiar theories in the territory which has been provided for them. They can take along a sufficient number of men to have entire political control of the country. Office — the heaven to which they all aspire — will be at their entire disposal. There will be no one, except Greasers and Indians, to compete with them. They can also introduce the "peculiar institution" which is the hobby of the Coalition.¹²

¹¹"The Custom House Crowd" [*Commercial Advertiser*], *Daily Democratic State Journal* 7/13/1854, p.2 c.3.

¹²"The New Purchase." *Ibid.*, 8/5/1854, p.2 c.3.

Walker's attacks on the Custom House faction may give the false impression that he was anti-slavery. But as he aptly warned in "The Convention Scheme": "Votes and acts, not words and phrases, are the true tests of a man's political opinions."¹³ This he repeated with other words in "The Sound of the Crape." one of his last pre-election editorials:

The evidence of concert of action and design between the Custom House faction and those Whigs who seek to divide the State becomes every day stronger and stronger. It is idle for the factionists to deny it. By their deeds and not by their declarations shall they be judged. After the manner of our Custom House neighbor we quote: "The time is ripe for judgment."¹⁴

Walker knew about "the concert of action," because he had been a part of it until his confederates had discarded and disowned him. Up to election day he campaigned from the pages of the *Advertiser*, and he also took to the stump, directing all his energies against the Custom House.

On election day, September 6, the air was rife with rumors of corruption, bribery, and ballot box stuffing in San Francisco. Various fights broke out and several people were wounded. Thugs attempted to destroy ballot boxes in some of the wards. In the First Ward, outraged voters threatened to lynch the election officials, who to protect themselves planted cannons on street corners, loaded with deadly charges of pieces of iron, nails, and everything that came to hand.

When the returns came in, a new party, the Know Nothings, had swept the polls in San Francisco, electing their entire ticket with the exception of two Aldermen and one Assistant Alderman. Statewide, the Custom House nominees outdistanced the Broderick contenders by an overwhelming four to one margin. Judgment Day dealt Walker a crushing blow. Consequent-

¹³"The Convention Scheme." *Ibid.*, 8/23/1854, p.2 c.4.

¹⁴"Sound on the Crape." *Ibid.*, 9/4/1854, p.2 c.3.

ly. he fixed his sights on "The New Organization":

Until recently, men of reflection and intelligence would not believe that a society organized on the principles of Know Nothingism could seduce into its body any large number of Americans. The doctrine, principles and practices of the order are so repulsive to all our ideas of right and justice. that few credited the asserted strength of the association. . . .

Before the terrors of Know Nothingism those of all other isms vanish and disappear. Free Soilism, nay even Abolitionism — terrible as it is in its dogmas, and may be in its consequences — all pale before the consuming fire of Know Nothingism. Abolitionism aims at the destruction of slavery, and would accomplish its ends through fire and blood. But diabolical as is such a principle. its features are not so disgusting and terrible as the spirit of religious persecution.

Even the native American doctrines of this new order, bad as they are. cannot be compared in their repulsiveness to its anti-Catholicism. The Orangeism of Ireland is not so bad as Know Nothingism. because it never could be so strong as to control Parliament and the throne.¹⁵

Timothy Tucker had found a new target. and he soon promised to publish a complete list of the members of the order of Know Nothings at San Francisco. "to show who belongs to the poisonous organization which would taint the air even of the desert."¹⁶ That unmistakable odor of brimstone that tainted the air emanated from the desert of the Inner Crescent City in the wake of the demise of the New Republic and the crushing defeat of the Broderick faction at the polls. With the Know Nothings in power. the Advertiser lost the

¹⁵"The New Organization." Ibid.. 9/9/1854. p.2 c.2.

¹⁶"The Advertiser says." Ibid.. 9/11/1854. p.2 c.1.

patronage of the municipal authorities that sustained it.¹⁷ With forty-four newspapers published in California at the time, competition was too keen, and Broderick closed it down.

The *Commercial Advertiser* ceased to exist on September 27, 1854. John Nugent bid it farewell with a flattering obituary in the *Herald* next morning:

The *Commercial Advertiser* of this city discontinued publication on yesterday. While dissenting from many of the views it advanced on political questions, we take pleasure in testifying to the marked ability with which those views were supported by its late editor, Mr. Walker. The paper under his management took a new and much improved tone. We regret that the present dullness in newspaper business has led to its suspension.¹⁸

Broderick transferred Walker back to Sacramento, again to assume the editorial charge of the *State Journal*. The owners of the paper, "Redding & Snowden," would pay him about \$250 per month. Before Walker started earning that salary, however, he had to face trial in San Francisco.

¹⁷Among the bills that the Municipal Board of Supervisors ordered paid on September 11, 1854, there was one to W. Walker for \$856.00 and another to Byron Cole & Co., former owners of the *Commercial Advertiser*, for \$40.00. Two days later, the auditing committee reported to the Common Council in favor of paying sundry bills received from the outgoing Board, which included \$600.00 to Wm. Walker. Finally, on November 9, the Council ordered a last bill for \$78.50 paid to the defunct *Commercial Advertiser*. "Board of Supervisors," *San Francisco Herald* 9/12/1854, p.2 c.3; 11/10/1854, p.2 c.4; "Common Council," *Ibid.*, 9/14/1854, p.2 c.5.

¹⁸"Topics of the Day," *Ibid.*, 9/28/1854, p.2 c.1.

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27. Acquitted

Mr. Ogden Hoffman, Judge of the United States District Court for the Northern District of California, left San Francisco on the steamer of August 1st, 1854 for the Atlantic States, on an extended vacation for his health. When Walker appeared at Court on August 14, there was no Judge in attendance. Judge Isaac S. K. Ogier, of the Southern District, arrived in San Francisco on September 11 to hold a session of the Northern Court and thereafter set Walker's case for trial on the first Monday of October.

Monday, October 2nd, the parties appeared at Court but the District Attorney said he was not ready to go on with the case, and Judge Ogier postponed it again. The *Alta* observed: "From the debate that occurred . . . we should judge that with the neglect of the prosecuting officer and the little interest that seems taken either by the government or the people in the whole affair, that the case will either be shuffled off the calendar or that, if submitted to a show of trial, nothing will come of it in the end, which perhaps would be about as reasonable a result as could be expected from the court at the present time."¹

The trial finally got under way on October 9, five months after Walker had surrendered at La Tijuaana. Edmund Randolph and Calhoun Benham appeared as counsel for the defense. There was scarcely a single spectator in Court during the selection of jurors, which took three days. On the third day, Mr. Randolph made some remarks about the proper way of examining a juror, and his Honor committed him for contempt of Court. He was confined for about an hour in the City Prison by an order of the Judge.

On the fourth day the Courtroom was thickly packed with

¹The trial of Mr. William Walker. * *Weekly Alta California* 10/7/1854, p.7 c.1.

spectators who sat through long arguments on the motion to subpoena the French consul as a witness for the defense. At the conclusion of the arguments, Judge Ogier said that he needed at least two or three days to decide the question, and adjourned the Court, discharging the jury, until the following Monday.

On Tuesday, October 17, Judge Ogier ruled against the subpoena, but a note was sent to Monsieur Dillon inviting him to appear as a witness for Walker. Dillon declined, alleging urgent causes beyond his control, and his entire ignorance beyond mere hearsay, or public rumor, of all circumstances calculated to militate in favor or against the accused.

District Attorney Samuel W. Inge opened the prosecution's case, explaining to the jury that Walker was indicted under the 6th section of the act of 1818, which he proceeded to read. His first witness, Henry A. Crabb, testified that he intended to go on the *Caroline* as a passenger to Guaymas on October 16, 1853, but took his luggage off the vessel and did not go because he understood before she sailed that she was to carry a party of men who had hostile intentions towards Sonora.

The next witness, James Hamilton, was one of the forty-five *immortals*. He testified that when they went aboard the *Caroline*, they recognized Walker as their commander. They were going to Sonora for mining purposes, but there were no mining tools on board, only enough weapons for the use of all the men who were drilled while aboard, at small arms, almost every day after they left San Francisco. Hamilton then recounted the events at La Paz and Ensenada, and three other witnesses corroborated his testimony. Inge introduced as evidence the McKinstry-Walker agreement of May 8. The prosecution's last witness, the Clearance Clerk of the Custom House, established that the *Caroline* had cleared for Guaymas with eighty-five male passengers.

A large crowd filled the Courtroom next morning when Walker personally conducted his own defense. He opened by saying:

Gentlemen of the Jury, in defence of the charge brought against me, I expect to prove that at the

time of my leaving on the *Caroline*. about this time last year, my intention was to proceed to Guaymas and from thence to the frontiers of Sonora by land, and after getting to sea and out of the territory and beyond the jurisdiction of this Court, the intention was formed of landing at La Paz in a hostile manner, and that there was never previous to that time any such intention. This is part of the defence which we expect to make to the indictment.²

Walker then called three witnesses and examined them himself. In summary:

1) James L. Springer testified that he was the master of the *Petrita*; that in February, 1853, he resided in Marysville when Walker and Emory proposed to him a plan to go by land to the frontiers of Sonora to take up vacant land for ranches; that he went with Walker and Watkins to Guaymas in June, 1853; with Watkins to Ensenada in December; and to Guaymas on the *Petrita* in February, 1854.

2) Howard A. Snow testified that he was the commander of the *Caroline* when he met Walker in Guaymas in July, 1853; that he made the contract with Emory for carrying down the passengers in October; that the decision to land at La Paz was made at sea; and that he remained with Walker till the capitulation.

3) William Godfrey testified that on December 12, 1853 he printed in San Francisco some blanks in the form of scrip for the Republic of Lower California.

The defense here closed and the argument commenced:

Mr. Inge said that the jury would have to determine what was the intention of the defendant at the time of leaving the territory of the United States. The law only punished the intention, and the prohibition of the act, on which this indictment was founded, was against getting up or setting on foot an expedition against a foreign government. He

²Trial of Col. Walker. * San Francisco Herald 10/19/1854, p.2 c.4.

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thought the testimony was amply sufficient to show a hostile intention on the part of the expedition, before the sailing of the *Caroline*, and before the defendant had got beyond the jurisdiction of the United States.³

Messrs. Benham and Randolph then spoke for the defense, adducing a number of arguments, closing as follows:

Mr. Randolph continued by speaking of Mr. Walker's expedition as one of the highest character and glory. It was intended to drive back the savage Apaches: it was preceded by the noble enterprise of Count de Raousset Boulbon; and, when he had been driven back, it was left for the defendant to prosecute the same enterprise. There were heroes yet in the world, and would be for the future, although the gallant Boulbon had fallen by the bullets of his executioners, on the sands of Guaymas.

The government of the United States in a prosecution of this sort was, in fact, an ally of the savage. It is a strange partnership surely — the Army, and the Navy, and the Judiciary of the United States in league with the blood-red Apache!⁴

Then Walker arose and addressed the jury, reinforcing, among other things, his identification with Raousset (see his speech in the Appendix). Inge, Benham, and Randolph spoke again next day, arguing at length, but for all practical purposes the case had been already decided when Randolph covered Walker with the mantle of Count Raousset Boulbon. The news of the Count's death had arrived in San Francisco on October 14, brought from Guaymas by the brig *María Trinidad* with sixty-eight passengers, most of them remnants of the ill-fated *Challenge* expedition.

³"Trial of Wm. Walker for Filibustering." *Daily Alta California* 10/19/1854, p.2 c.3.

⁴*Ibid.*

For several days the incidents of the Walker trial shared the newspaper columns with stories of the "gallant and ill-starred gentleman shot at sunrise on the 12th of August, on the beach, a short distance from the town of Guaymas --standing up face to face with his executioners, looking with fortitude and composure into the muzzles of their guns, and baring his manly breast to their murderous fusillade."⁵

The San Francisco press praised Raousset as a martyr for human freedom. John Nugent eulogized him in his October 15 *Herald* editorial:

. . . In fine the petty tyrants who doomed him were actuated by no motive but a thirst for his blood, or by cowardly and unseasonable apprehensions. They hated him for his immeasurable superiority: they feared him even in his shackles. They have done a deed that will bring down the execrations of the whole civilized world. They have extinguished a life worth a thousand of the best among them. To gratify their own base, brutal passions they have deprived the world of one of the most remarkable men of the age.

. . . May his murderers be soon made to atone for his blood.⁶

In that atmosphere, no jury could have convicted Walker in San Francisco on October 19, 1854. So the jury went out and deliberated exactly eight minutes, then came into Court, and the foreman, in a very emphatic tone, rendered a verdict of *Not Guilty*. It was received with applause from the crowd, and many rushed forward to shake Walker's hand and congratulate him.

Indeed, Count Raousset stood behind Walker in Court. He did, from the grave, what he never dreamt to do when he was alive. Even when it was reported that both leaders had

⁵"Topics of the Day," *San Francisco Herald* 10/15/1854, p.2 c.l.

⁶*Ibid.*

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agreed to help each other. In December, 1853, the possibilities were nil for either one to truly assist the other in Sonora. Their personalities and nationalities made this impossible. Since the crisis in Paris, Walker was anti-French from the bottom of his heart. Count Raousset was anti-American. When Walker landed at Ensenada, Raousset was trying to persuade General Francisco de la Vega, ex-governor of Sinaloa, to join with the French against Santa Anna. He wrote to a friend in Mexico:

You must have heard the news of the departure of some Americans for Sonora. No persons of note in San Francisco have entered in that venture. You may use this point to convince Vega, although from here I could not advise you exactly how. I would have to know what Vega thinks. . . . If he fears the Americans, tell him that they intend to take possession of Sinaloa . . . If he favors the Americans, which I hope he does not, make him realize that we could easily secure their support. In other words, instead of seeing this event as an obstacle, try to turn it to our own advantage in our negotiations with Vega.⁷

Raousset would try to turn Walker's folly to his own advantage. Instead, it was Walker who took advantage of the Count's folly to win his day in Court. The profound psychological significance of his trial may be read in his address to the jury, particularly in the following passage:

In this prosecution the Government wishes to reach a man's conscience — to probe it to its depth, and ascertain what his intentions were. I am willing that it should be probed; I am willing that it should be ascertained by evidence what were my objects and intentions — because they are such that no man need be ashamed of.

⁷Rufus Kay Myllys, *The French in Sonora*. (Berkeley: University of California Press, 1932), p. 278.

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It was for this reason I was willing the Court should go to such quixotic lengths: and even adopt the strict morality of the Saviour of mankind, who said, "A man who looketh after a woman, to lust after her, hath already committed adultery in his heart." I am ready to be tried on those grounds: and it is for you to say if I had merely an intention and desire to commit an act of hostility against Mexico — that I have already committed the crime in my heart, and that therefore I should be punished for the offence.⁸

Lawyer Peter Muggins probed to the depth of Walker's conscience and brought to light the two faces of Oedipus -- the lust and hostility which were the moving springs of his expedition against Mexico. He then equated "the laws of nature and of nations." thereby expressing that the verdict of the jury in regard to his violation of the Neutrality Law. would likewise be a verdict on his violation of the natural law. In the Inner Crescent City. Not Guilty was an analgesic shot soothing the chronic pain of his oedipal guilt.

When, at the end of the speech, he alluded to "the reflections cast upon the people of California in the U.S. Senate in regard to their filibustering sympathies, and called upon the jury to vindicate the country," he was pejoratively alluding to Senator Gwin, who in January had told the U.S. Senate, in regards to the Walker expedition and President Pierce's proclamation, that "while he [Gwin] was opposed to all unlawful expeditions of this sort, it ought to be known that in a new country like California, where there were so many adventurous spirits, and where the adjoining countries were offered, simply for the going and taking them, the power of the United States ought to be vigilantly and properly executed."⁹

⁸See full text in the Appendix.

⁹"Interesting Congressional Proceedings." *New York Herald* 1/20/1854. p.1 c.2.

The trial ended in San Francisco on Thursday afternoon, October 19, 1854. On the following Monday, the *Daily Democratic State Journal* in Sacramento began to give Broderick his money's worth as Walker took charge of the paper and unleashed a virulent campaign against Gwin.

28. Ithuriel Unmasks the Autocrat

David Colbreth Broderick, the Democratic party boss in San Francisco, was a man of strong physique and concrete practicality. He had been a stone-cutter, saloon keeper, and Tammany Hall politician in New York before the gold rush took him to California in 1849. As portrayed by his biographer, Broderick was "stubborn, positive, unrelenting and unforgiving" -- personal characteristics that "made for him friends who would die for him and enemies who would make him die if possible."¹ His single aim in life was to sit in the U.S. Senate chamber in the Washington Capitol: a place where his father had worked as a stone-cutter.

William McKendree Gwin was a native of Tennessee, the son of Methodist parson James Gwin and his wife Mary. He was a doctor and lawyer whom Andrew Jackson had inducted in politics. He had served as United States Marshal and Representative in Congress from Mississippi and as Commissioner of Public Works in New Orleans, before moving to California in 1849 to become its first Senator in 1850. Six feet two inches tall, erect and powerfully framed, as portrayed by his biographer, "Gwin's countenance and bearing did suggest something of the dignity and fierceness of an Indian warrior."² According to historian Hubert Howe Bancroft, Gwin was "avaricious, heartless, and devoted to his own aggrandizement."³

By 1854, Senator Gwin's adherents had gobbled up the federal Custom House patronage in San Francisco while Broderick

¹Jeremiah Lynch, *Life of David C. Broderick*. (New York: The Baker & Taylor Company, 1911), p. 6.

²Lately Thomas, *Between Two Empires*. (Boston: Houghton Mifflin Company, 1969), p. 29.

³*Ibid.*, p. 381.

controlled the state patronage in California under Governor Bigler. Gwin's term would expire in March, 1855, and the California Legislature was to meet at Sacramento in January to reelect him or to choose a successor. As Broderick mounted his campaign to unseat Gwin, Walker took charge of the *Sacramento State Journal* on Monday, October 23, 1854, opening with two lampoons of his opponent:

CONGRATULATORY. — A paper purporting to be published in Placerville, reports that on one occasion, Mr. Toombs of Georgia, remarked "in his opinion, no man from California, could supply the place of Dr. Gwin in the Senate." . . .

Mr. Toombs was right in his remark. It is true, we have in California, many men possessed of the sort of political capacity ascribed to our Senator. It is true, we have in our midst, many men familiar with all the arts, whereby private fortunes are advanced at the public expense. But in such knowledge, they are all neophytes in comparison with our distinguished Senator. Men, who, elsewhere might be considered adepts in such arts, "pale their ineffectual fires" before the refulgent splendor of the illustrious Gwin."

THE VIRGIN. — . . . Such are the unsophisticated remarks of a country paper, about the virginal Senator. . . .

People familiar with the political history of Mississippi, understand very well the peculiar purity of motive and conduct, which characterized Dr. Gwin in that State. We pray that no one will consider this ironical. Oh, no! before his election to the Senate from California, his political character was "pure as the icicle that hangs from Dian's temple."⁴

⁴"Congratulatory," *Democratic State Journal* 10/23/1854, p.2 c.1: "The Virgin." *Ibid.* p.2 c.2.

As Gwin canvassed the mining regions, in his campaign for reelection, Walker commented:

THE DESCENT ON EL DORADO. — El Dorado has again been invaded. The mighty chieftain has again marshalled his forces, and led them out . . .

It appears that a clansman of the great Gwin clan, devised a cunning scheme for entrapping the El Dorado members, into the support of his wily chieftain. All the representatives were to be gathered together into one place — the town of Placerville — and some of the choice men of the clan, were then and there to make a descent upon the unguarded and unsuspecting assemblymen, and carry them away, captive, for the chieftain. . . .

The gentlemen from El Dorado will, however, need all their sagacity to escape the toils which the great hunter of votes is spreading for them. This mighty Nimrod — hunter of men — who chases members of the Legislature, from the Sierras to the sea, and from Humboldt Bay to the Gila, comes upon his pray unawares, and captures it before the victim is conscious of his wiles. In vain, says Solomon, is the net spread in the presence of the bird . . .⁵

Placerville seems a cover for San Vicente, showing the mighty chieftain William Walker, from Pichilingue Bay to the Colorado in the Lower California peninsula, projected on Gwin. Although Walker and Gwin were opposites in physical appearance, in other aspects they shared many things in common — Name: William; parents: James and Mary; birth place: Tennessee; profession: physician, lawyer, Jacksonian democratic politician, and filibuster; both arrived at New Orleans in 1845; both moved on to California during the gold rush; and last, but not least, Gwin's heartless devotion to his own aggrandizement, made him a perfect target on which

⁵The Descent on El Dorado." Ibid. 10/24/1854. p.2 c.1.

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Timothy Tucker's Ithuriel spear projected Walker's shadow.

Timothy Tucker's portrait of William Walker was transparently clear in his reference to *William the Wanderer*, projected on Gwin in "The Autocrat" (reproduced below, on page 332): and again, in the *great King*, in another self-portrait which Tucker titled:

THE DICTATOR. — It seems there is a self-constituted dictator of the democratic party in the State of California. There is an authority which can pronounce with unalterable decree who is and who is not a democrat. The Gwin organ of San Francisco expels a goodly number from the democratic fold. It assumes the tone of a master of the party and does not deign to hide its imperial power.

*"Upon what meat doth this our Caesar feed
That he has grown so great?"*

Oh! California, "thou hast lost the breed of noble blood!" Now thou art not "fam'd with more than with one man."

The Roman Caesar thrice did put away the crown upon the Lupercal; but our great King disdains such show of deference to his loyal subjects. With grasping hand he snatches up the diadem and claps it on his royal head. See, what a figure he doth cut with that great glowing robe of purple! what majesty is in his air and gait!

*"ye gods, it doth amaze me
A man of such a feeble temper should
So get the start of the majestic world,
And bear the palm above."*

It beats Solouque all hollow!⁶

⁶The Dictator," *Ibid.* 12/21/1854, p.2 c.3.

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Daily Democratic State Journal.

Wed. Monday Morning.....Nov. 8. 1854.

The Autocrat.

The great Gwin Press is as fickle as a woman. All last summer it was denouncing the "One-man-Power," and its virtuous indignation against the one-man principle afforded merriment to a large number of patient readers. Suddenly it changes its note—its "chirp," as the Press itself might say.

Now the Democratic party is to be converted into an autocracy. According to the organ of the illustrious Senator, nobody but Dr. Gwin has any claims upon the people of California for the office of U. S. Senator. All other democrats, no matter how distinguished their services or how brilliant their capacities, must retire and give place to the Hon. Wm. M. Gwin.

The Press must speak "by authority." Its editor has been travelling about with the wandering candidate. He is known to be deeply in the confidence of the Salathiel Senator—of him who wanders over continents and across seas in search of the golden fleeces of office. Whatever the *Times and Transcript* says, must, therefore, be regarded as emanating from William the Wanderer.

The ambition of the aspiring chieftain begins now to appear. Not satisfied with presenting himself as a candidate for the Senate, he also aims at the establishment of an autocracy. Gen. McDougall and Mr. McCorkle and a host of other able and tried democrats must bend the knee and do homage to the sovereign William, or else they will be declared traitors, and hanged accordingly.

Let the imperial robes be prepared. Let the Master of the Robes—Hon. Gen. Pen Johnston—bring forth the crown, the sceptre and the sword. Let the Primate of the realm—the editor of the great Press—anoint the monarch and proclaim him sovereign supreme over the whole democratic party of California. Another Louis Napoleon manoeuvre is about to be executed.

In some respects the coup d'état of William the Wanderer may be compared to the trick of the French Emperor. True, many had, for some time, anticipated the event, just as Louis Napoleon's coup was for a long period expected. But the Gwin movement towards imperialism is equally startling with the stroke which changed France from the Republic to the Empire.

But in other respects the Wanderer, William, does not shine as brightly as his prototype. His occasion was hardly well chosen. Nothing could exceed the tact of Louis Napoleon in acting at the proper time; William has, we are afraid, acted a little too soon. He may find, hereafter, that with more patience his success would have been more certain.

There is one other recent historical event to which the crowning of William bears even a greater similarity than to the imperial manoeuvre of Louis Napoleon. The crowning of Faustin the First and the establishment of the Haytien Empire approach nearer the grandeur and imposing moral splendor of the Wanderer's coronation. After trailing the account of Faustin's imperial ceremonies and the great glorification of William by the official press, we may equally exclaim: "Give me some civet, good apothecary!"

WILLIAM THE WANDERER



WILLIAM M. GWIN

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Gwin's betrayal of Walker in the Sonora venture can be read between the lines in Tucker's assaults on the Senator:

. . . But fidelity and reliability as a man — ah! these are the eminent qualities of the present Senator. . . . Did he ever promise one thing and do another? . . . Was there ever known any guile, or hypocrisy, or deceit or double dealing in his course towards any body? Let the numerous victims of his candor, throughout the State, answer.⁷

The Gwin press naturally defended the Senator and counterattacked on the person of Walker, which brought into the fore the Sonora expedition and Timothy Tucker's rejoinder:

WALKERIAN. — The *Times and Transcript* furnishes the public with an analysis of the character of William Walker. By this analysis it attempts to explain why Mr. Walker supports Mr. Broderick for the U.S. Senate and why he opposes Mr. Gwin.

It may be we are not as well acquainted with Mr. Walker as the editor of the *Times and Transcript* appears to be. It may be that Mr. Walker is the enthusiastic, impracticable man the Gwin press represents; but this character is scarcely compatible with the atrabilarious moroseness and superabundant misanthropy afterwards ascribed to him by the same paper. We confess that we are not able to speak with as much positiveness as the *Times and Transcript* does concerning the mental and moral characteristics of Col. Walker; but from what we do know of him, we think we can furnish far more satisfactory explanations of his conduct than any given by our San Francisco cotemporary [*sic*].

The opposition Mr. Walker makes to the reelection of Dr. Gwin is ascribed to hate. This will, we know, mortify the pride of Mr. Walker infinitely.

⁷"The Contest." *Ibid.* 11/9/1854, p.2 c.1.

To insinuate that he could condescend to hate Dr. Gwin, might wound the vanity of men even less vain than Mr. Walker . . .

It is suggested that Mr. Gwin denounced the Sonora expedition in the Senate, and that therefore the commander of the expedition opposes his reelection. Our cotemporary, however, forgets the facts. Mr. Gwin did not denounce the expedition. . . It is true he admitted such expeditions were unjustifiable. He even went so far as to admit that the expedition was criminal . . . A man who declares that the sympathies of his constituents are all on the side of expeditions he acknowledges to be criminal, need hope for little mercy at their hands.

Nor is it wise for an Administration paper to recall the fact that the President styled the Lower California expedition "criminal." . . . The friends of the Administration should avoid the mention of the Lower California proclamation as studiously as they do the mention of Pennsylvania, Ohio, and Indiana.

The *Times and Transcript* thinks that Mr. Walker is visionary and impracticable. It is eulogy to be so styled when practical ability consists in a capacity to play on all the low passions of human nature in order to acquire office and power . . .⁸

In assaulting those who betrayed Walker in the Sonora expedition, Tucker's projections from the Inner Crescent City found another easy target in President Pierce, to the point of attributing to the president a diversity of persons comparable to the multiple personalities found in Walker's psyche. Tucker wrote in "The Issue Met," without adducing any congruent bases in support of his conclusion:

. . . For ourselves we think of Pierce pretty much as the German Wolfins thought of Homer —that

⁸"Walkerian," *Ibid.* 12/8/1854, p.2 c.1.

he is a mere myth. Wolfins contended that Homer's poems were a mere collection of songs composed by different persons through a long series of years. We are disposed to think that the words and acts attributed to Pierce are nothing more than the words and acts of several politicians who are humbugging the people with the idea that there is a President in the White House.⁹

In the *State Journal* Walker extended his attacks from Senator Gwin to the Custom House federal employees, and from President Pierce to his administration. He was particularly hostile to those individuals involved with the Sonora expedition, like Secretary of War Jefferson Davis, Purser Levi D. Slamm, Collector Richard P. Hammond, Judge Isaac S. K. Ogier, and District Attorney Samuel W. Inge.

Walker's resentment led him to align himself with General Wool against Jefferson Davis and President Pierce:

GEN. WOOL. — We publish this morning a letter from Gen. Wool to the Editor of the *Washington Union*, the organ of the Federal Administration. It is a calm and moderate reply to a suggestion made to the people of California to petition the Secretary of War for the removal of the Commander of the Pacific Department. Coming as this suggestion does from the acknowledged organ of the Government it strongly marks the weakness and moral cowardice of the Administration.

Gen. Wool is charged — how unjustly his reply fully proves — with neglecting his duties; yet the Secretary of War and the President have not the courage to remove him, but instead thereof suggest to the people the propriety of praying for his removal. It is humiliating to the American people to witness such weakness on the part of its high executive officers. It calls a blush to the cheek to

⁹The Issue Net, Ibid. 11/11/1854, p.2 c.1.

be called on to record such flagrant folly and imbecility."¹⁰

In "The Columbus Contract" for the blockade of Ensenada, Walker presented serious charges of fraud and corruption against Purser Slamm and Senator Gwin:

. . . The *Columbus* was chartered of the Pacific Steamship Company for the purpose of being used on the Lower California coast to prevent any violation of the neutrality law. She was employed under certain orders sent out through Purser Levi D. Slamm to the Commander of the *Portsmouth*, and it was agreed to pay the owners \$1500 a day for her use. . . .

Whilst this very contract was being made by Mr. Slamm, Captain J. T. Wright had offered to furnish a suitable steamer at the rate of \$500 a day. Why, then, was the Government saddled with an extra \$1000 a day in the shape of the *Columbus* contract? Above all, how could Senator Gwin rise in his place and vouch for the correctness of the *Columbus* contract on his faith as a Senator and a man? Is there any virtue as a Senator and a man?

Is there any virtue in the Pacific Steamship Company which should entitle it to a bonus of \$1000 a day at the hands of the Government? Is the mail contract it has, not sufficient to satisfy the maw of this vast and ravenous monopoly? Or, like the harpies at the feast of Eneas, will it not be satisfied until it has swept the tables and devoured all the savoury dishes?

The *Columbus* contract was a fit diversion in the midst of the other engagements of Purser Levi D. Slamm. As a large proportion of his time in California was engaged in spreading false reports of the peninsular invaders, it was meet and proper for him to turn from such employments to the equally honest

¹⁰Gen. Wool, * Ibid. 12/20/1854. p.2 c.1.

occupation of defrauding the Government. . . .

. . . The honor of the State demands an inquiry into this *Columbus* affair; and the country is indignant that its representative should fully endorse, on his faith as a Senator and a man, a contract so manifestly tainted with fraud and corruption.¹¹

In reference to the Collector, Walker pointed out that Hammond had served "on the staff of his friend, the President," and "ostensibly, he has been and still is a staunch friend of Mr. Gwin," and then proceeded to thrust the stiletto under the fifth rib:

. . . But the Collector must, in his youthful days, have flung aside the glowing stories of Plutarch to dwell with delight and admiration on the pages which narrate the close designs of Monk and the crooked ability of Churchill. How his eyes must have brightened as he read over and over again the narrative of Churchill's desertion from James to the Prince of Orange?

But with all his skill and craft, the Collector may find that he is playing a dangerous and a losing game. There are times when it is better to be on the weak side than on no side at all; and the Collector may find ere long that all his secret windings and crooked courses will not preserve him from political death and destruction.¹²

Walker turned his attention to Judge Ogier when the Judge ruled in a land case against San Francisco's largest banking house, Palmer, Cook & Company. The firm's senior partner, Joseph C. Palmer, was "Broderick's paymaster and cashier."¹³

¹¹"The Columbus Contract," *Ibid.* 12/28/1854. p.2 c.1.

¹²"Strange Strategy," *Ibid.* 1/12/1855. p.2 c.1.

¹³Lately Thomas. *Op. Cit.*, p. 103.

Walker began his series of articles in defense of Palmer, Cook & Co., with an attack on the Judge:

JUDICIAL REPUTATION. — It is generally known that I.S.K. Ogier was appointed U.S. District Judge for the Southern District of California, through the active and strenuous efforts of Senator Gwin. It is equally well known that he cherishes an ardent desire for the re-election of his august patron.

Under these circumstances if Judge Ogier had a proper conception of the high office he holds, he would be careful of his conduct. A Judge should be like Caesar's wife, above suspicion, and should constantly keep in mind the divine precept, to "avoid the appearance of evil." It is unfortunate for Judge Ogier — it is unfortunate for the administration of justice in this State — that his judicial conduct has been such as to expose him to severe remark. His course on the Bench has been such as to subject him to suspicion, if not to direct censure.

We are unwilling to impute improper motives to any man, much less to a Judge. But the U.S. District Judge has, during the late term of his Court, been imprudent and indiscreet, if nothing more. He had hardly opened the term, before, in an ebullition of passion, entirely unwarranted, he imprisoned Mr. Randolph, well known as the author of the Citizen letters to Dr. Gwin. The bystanders were surprised at the conduct of the Honorable Judge, on this occasion, and could only attribute it to temporary insanity, produced by ungovernable wrath. Nor were other parts of his conduct in the course of the cause under trial when Mr. Randolph was imprisoned, less liable to censure. . . .¹⁴

Walker took on District Attorney Inge in the same case, dragging him with the Pierce Administration into a level of

¹⁴"Judicial Reputation." *Democratic State Journal* 12/11/1854, p.2 c.1.

degradation below Milton's Satan:

. . . If the Federal Administration has instructed Mr. Inge to prosecute Palmer, Cook & Co., and to let other tenants alone, it has reached a depth of degradation too low for even a Miltonian imagination to reach.¹⁵

In his attacks on the Pierce Administration, Walker repeatedly denounced the Nebraska Bill which rekindled the slavery controversy and threatened the integrity of the Union:

. . . no subterfuge nor sophistry can destroy the fact that the existing agitations of the Union are due to the introduction of the Nebraska Bill into Congress. . . . This fact stands before the people, and daily charges on the President and his advisers, the folly or worse than folly of the present disastrous condition of the democratic party.

. . . So the introduction of the Nebraska Bill —the means which were taken to pass it — the nature of the discussions which preceded its passage — all tended to re-ignite the anti-slavery feeling of the northern States. Propagandism is the father of Abolitionism; and the Nebraska Bill necessarily begets and strengthens Freesoilism.

. . . Has Nebraska given fresh vigor to Freesoilism? Has it added new disciples to the doctrine that the power of the Federal Government should be used for preventing the spread of slavery? If so, let the Nebraskals share the odium attached to Freesoilism. Let the allies of abolitionism come in for their share of the ignominy attached to its doctrines.¹⁶

¹⁵"The Consequences." *Ibid.* 12/12/1854, p.2 c.1.

¹⁶"Who are Agitators." *Ibid.* 11/27/1854, p.2 c.1.

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When assaulting the Know-Nothing party, Walker predicted its ephemeral existence:

. . . Like its prototype, the order of Jesus, Know-Nothingism aims at controlling not only all the functions of government, but also all the thousand means and agencies which determine the action of society. Not only must the secondary form of the social crystal be Know-Nothing; the primitive also must be of the same shape and angles.

But it is well for this secret despotism to seek to enlarge its powers. Let it drive on until it strikes the rock. The fuller its sails — the more rapid its course — the more entire will be its destruction when it runs ashore.¹⁷

He likewise predicted the demise of the Whigs and welcomed the appearance of a new "States' Rights Republican" Party.¹⁸ He showed sympathy for Russia in the Crimean war: "The triumph of Russia over the Allies is the triumph of Christianity over Islamism."¹⁹ He wrote on the Italian opera, the Mormons, the Chinese, the colonization of the Miskito Coast, and other subjects, but his favorite topic was Senator Gwin. Over one hundred articles against Gwin, the Gwinites, and the Pierce administration overshadowed by more than ten to one the occasional pieces in favor of Broderick.

When the California Legislature met at Sacramento on January 17, 1855, neither Gwin nor Broderick could amass a majority. After fifty ballots, a month later, it was no nearer electing a Senator than on the first day of its session. When the Senatorial Convention adjourned on February 16, the result was no Senator. By then, William Walker had written his last editorial in the *State Journal*, and the

¹⁷"Baleful," *Ibid.* 10/25/1854, p.2 c.1.

¹⁸"States' Rights Republican," *Ibid.* 1/16/1855, p.2 c.1.

¹⁹"Sympathy for Russia," *Ibid.* 12/7/1854, p.2 c.1.

Alta had announced on February 12: "We understand that Wm. Walker, Esq., has retired from the State Journal, a paper which he has conducted, editorially, during several months past, with marked ability."²⁰ The Journal gave out the news indirectly, transcribing it from the Sun on February 14:

COLONIZATION IN CENTRAL AMERICA. — It is understood that Col. Wm. Walker contemplates an expedition to establish a Colony in the Department of Realejo, Central America. He has received a grant of five thousand acres of land, on which he proposes to form a settlement, and with that object is about chartering a vessel, and offers strong inducements for two hundred men to join him in the undertaking. He is a man well fitted to carry out the plan proposed, having in view the occupation of very productive and eligible located lands under the sanction of a most favorable grant from the Central American authorities. — Sun.²¹

Thus ended Timothy Tucker's journalistic career, which he would never resume anywhere in the world. And thereupon started William Walker's filibustering descent on Nicaragua, with Dick Dobs at the helm in the Inner Crescent City. Walker's colonization grant was brought to San Francisco on February 4th, aboard the Nicaragua Transit Company steamer *Uncle Sam*. Tucker bade farewell to Journalism in the Byronic lines with which he closed his last State Journal editorial against Gwin, on February 7, 1855:

*'Twas thine own genius gave the final blow,
And helped to plant the wound that laid thee low:
So the struck eagle, stretched upon the plain,
No more through rolling clouds to soar again,
Viewed his own feather on the fatal dart.*

²⁰"We understand that Wm. Walker," *Alta* 2/12/1855, p.2 c.5.

²¹"Colonization in Central America," *Democratic State Journal* 2/14/1855, p.2 c.4.

And winged the shaft that quivered in his heart;
 Keen were his pangs, but keener far to feel
 He nursed the pinion which impelled the steel;
 While the same plumage that had warmed his nest
 Drank the last life-drop of his bleeding breast.²²

That was the final message from Walker's shadow in Sacramento, projected by Tucker on William the Wanderer when William Walker abandoned the *State Journal* and moved on to San Francisco on his way to Nicaragua.

²²"The Spoils Party," *Ibid.* 2/7/1855, p.2 c.1.

29. The Cole Contract

The story of William Walker's forays on Nicaragua began and ended in Honduras, above Nicaragua's northern border. The story began in 1850, when a young New Yorker obtained the exclusive right of mining a large district along the head-waters of the Patuca river, in eastern Honduras. After spending a whole year exploring the region, the grantee considered the sands and earth of those waters the richest placers of gold in the world, but he was unable to raise the necessary capital in the time allowed by the terms of the contract and the grant was forfeited.

His written report and correspondence led three journalists connected with the editorial department of the *San Francisco Commercial Advertiser* -- James Davenport Whelpley, William V. Wells, and Byron Cole -- to form an association called the Honduras Mining and Trading Company early in 1854. Whelpley & Wells published the *Advertiser* in 1853, but ownership changed to Byron Cole & Co. when Broderick acquired an interest in March, 1854.

When Walker took over as editor, in June, the news arrived in San Francisco that a revolution led by *democratic* elements had just started in Nicaragua. In frequent conversations with Walker, Cole urged him to give up the idea of settling in Sonora, and to devote his labors to the Central American country. In August, Cole sold his interest in the paper and left San Francisco aboard the Nicaragua Transit Company steamer *Cortes* accompanied by his partner Wells. The latter had been appointed agent of the company to investigate the Honduran gold mines and to obtain information for the purpose of establishing commercial intercourse between Eastern Honduras and the United States.

Upon landing at San Juan del Sur on August 29th, the travelers found the road to León closed to Americans by the government guerrillas operating around Granada, which forced

them to make the voyage to Realejo in an open boat fitted with a sail, and then on horseback to León. At the revolutionary capital, Wells presented letters of introduction from Governor Bigler and other dignitaries of California to Provisional Director Don Francisco Castellón before proceeding on to Honduras.

Cole remained at León. After four months of fierce fighting and heavy casualties, the rebels and the government had reached a stalemate. Cole proposed to Castellón "that he should augment his forces by sending for 'the renowned Walker,' who he justly represented as one of the bravest and most capable of American adventurers, and ready at all times to enter into negotiations to enlist with his friends in matters relating to the Spanish American Republics."¹

Castellón eagerly accepted, and signed a contract on October 11, 1854 by which he authorized Cole to engage the services of two hundred men in California for military duty in Nicaragua, the officers and soldiers to receive a stated monthly pay, ranging from sixty dollars for the commander to fifteen dollars for corporals and privates, and 21,000 acres of land in northern Nicaragua at the close of the campaign.

The mercenaries would enlist for the duration of the war, organized in a corps named "Democratic Phalanx," and were to arrive at Realejo or San Juan del Sur before the end of November, adequately armed with "fifty rifles and one hundred and fifty muskets with bayonets."² If the war should be over in Nicaragua, they would go on to Honduras to serve the Democratic faction there, under the same conditions.

Castellón also urged "Señor Byron" to bring back a mortar from California, "with two or three hundred bombs at a moderate price, and an engineer to operate it." The artilleryist would receive two hundred dollars a month beginning on the date of his departure from San Francisco. The Leonese were also in dire need of 100 quintals of powder and a propor-

¹William V. Wells, *Walker's Expedition to Nicaragua*. (New York: Stringer & Townsend, 1856), p.42.

²Castellón-Cole Contract, León, October 11, 1856. Original manuscript in private collection of Dr. Jerónimo Aguilar Cortés, San Salvador, El Salvador.

Amigo Sr. D. Manuel G. C. L.

Gran October 11 de 1856.

Muy Amigo mío?

Me impuso de las circunstancias b. o. las cuales pediera Ud. hacer venir a ciertos individuos para el servicio de los armos. En las demeridid. y habiendome Ud. expresado que, ademas de las obligaciones, propongo las siguientes.

I.º Los hombres habian de alistarse para todo el tiempo que durara la guerra, bajo el título de Falange Democrática. Ellos nombrarían los oficiales que debían mandarles bajo los órdenes del Comandante en Jefe del Ejército Democrático, a quienes estarían enteramente subordinados; así como debían estar sujetos a todo lo de su organización, y a las leyes penales de la ordenanza militar, en las órdenes, o faltas de disciplina.

II.º Propongo un repartimiento y adlocación de lugares o Cuadrantes de abastecimiento, al que perteneciera cada uno de los cuantios de Cuadrantes, y al cual se atribuyera a los sucesivos, con carácter de persona que ejerza ante destino, con tal que no sea de los dignos graduados, con tal que no lechad los Pueblos.

III.º La falange descombarria de tres a cinco dias, conitados desde el quince del corriente, con el punto del Rialto, o en otro lugar de destino, según convenga, debiendo traer a correspondiente, según de armas, o de otro concepto, y con tal que sean ciertos puntos de Comandante, todo en disposicion del Gobierno, y del General en Jefe, según va de las anteriores precedentes.

IV.º El Gobierno asignará a los individuos que se formen la falange, el sueldo diario de \$1.50 y carnes en cantidad suficiente para el abastecimiento, y al fin de la campaña se les pagará todo el sueldo que disminuya durante ella, o segun se o. por el destino al Comandante, que tendrá el título de Coronel, de otro título diario a la Exaltación, de ser posible cada Quinto, y que será el sueldo diario en cada sueldo, y de \$1.50 y de \$1.50.

V.º Consolida al tiempo del alistamiento, en el voluntarios que se armaron, o los siguientes sucesos.

costo con una forma equitativa. Otro tanto digo
 respecto a una cantidad de plomo que necesito y
 mente. Deseo lo pase Ud bien, y que mande
 a un afino de sus medidas q' lo sea con
 - } / certitud

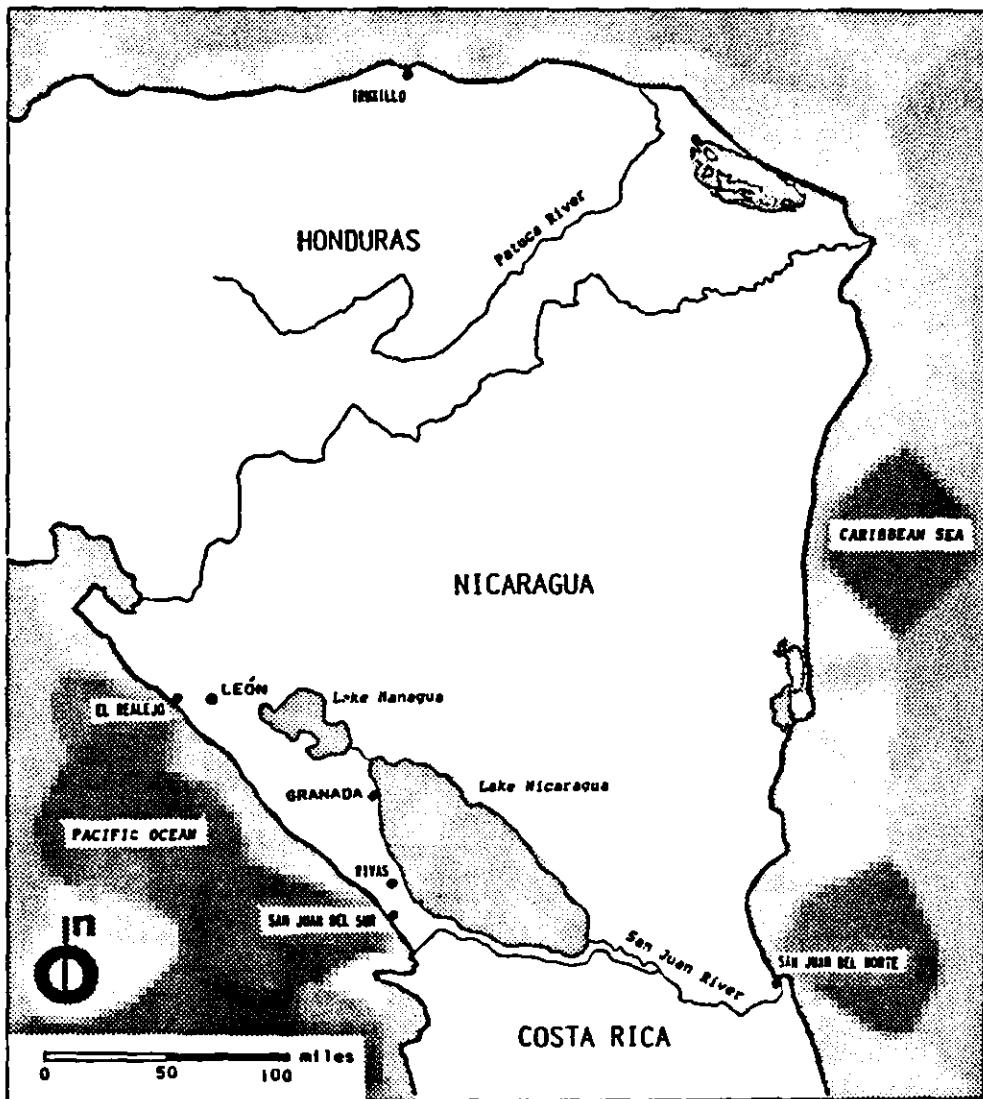
Recibí todas las bases contenidas en
 este documento bajo las condiciones, y en
 los términos que expresa el convenio celebra-
 do en esta misma fecha.
 El 10 de Diciembre de 1857.

Byron Cole

Felipe
 Martínez

THE CASTELLON-COLE CONTRACT

NICARAGUA



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tionate quantity of lead, for which they were willing to pay a just bonus above cost.

With this contract in hand, Byron Cole hurried back to California on the *Cortes*, which sailed from San Juan del Sur on October 19th and arrived at San Francisco on the 31st. He immediately proceeded to Sacramento, for the purpose of getting William Walker to take an interest in the enterprise. But when Walker read the contract he refused to act under it, seeing that it was in open violation of the Neutrality Law. "He, however, told Cole that if he would return to Nicaragua, and get from Castellón a contract of colonization, something might be done with it."³

Byron Cole went back to Nicaragua, secured from Castellón the required modifications to the contract, and the new version was signed at León on December 28th. Under that "colonization grant," 300 Americans were to be introduced into Nicaragua, and "guaranteed forever the privilege of bearing arms."⁴ Also at Walker's request, the land bounty was increased to 52,000 acres, to be selected from any unoccupied lands of the Republic. Cole went on to Honduras, after sending the colonization grant to Walker by the Transit Company steamer *Uncle Sam*, which sailed from San Juan del Sur on January 24th, 1855.

Upon receipt of the grant at Sacramento early in February, Walker resigned from his post at the *State Journal* and moved to San Francisco to organize his expedition to Nicaragua. He planned to sail on March 10. First he took the Cole grant to the District Attorney, Samuel W. Inge, who examined it and "declared that no law would be violated by acting under it."⁵ Next, he consulted with General Wool, who "shaking him heartily by the hand, said he not only would not interfere with the enterprise, but wished it entire suc-

³William Walker, *The War in Nicaragua*, p. 25.

⁴*Ibid.*

⁵*Ibid.*, p. 28.

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cess."⁶ The general's effusiveness was due, at least in part, to the fact that Walker in the *State Journal* had sided with him against Jefferson Davis.

Moreover, the Cole contract lacked the essential Southern flavor of a real filibustering project. Byron Cole and William V. Wells were true Yankees, both from New England. Their acquaintances knew that they were not interested in spreading slavery. Cole had been the editor of several newspapers in Massachusetts, and had "as many friends in Boston as any other in the community."⁷ For some observers, even Walker appeared anti-slavery in his attacks against Gwin and the Custom House faction.

But Walker's fellow slavery propagandists were then preparing their own separate descent on Nicaragua. Shortly after Crabb testified as prosecution witness at the Walker trial in October, 1854, he left San Francisco aboard the Nicaragua Transit Company steamer *Sierra Nevada* in the company of Thomas F. Fisher, founder of the Know-Nothing order in California. Fisher, a New Orleanian, was a Southern filibuster like Walker and Crabb. He was a captain in the Louisiana Regiment, under López, at Cárdenas in 1850. During the Civil War he held the rank of Major in the 6th Louisiana Infantry Regiment of the Confederate Army.⁸

Crabb and Fisher were on their way to attend the National Know-Nothing Convention in Cincinnati and to make arrangements for the organization of a new Know-Nothing "Pacific American Party" in California. Among the avowed objects of the new party, published by the *Alta*, were the division of California, the annexation of the Sandwich Islands, the acquisition of Sonora, "and as much more of the territory of

⁶ibid.

⁷"The Origin of Walker's Nicaragua Expedition," *Alta*, 2/7/1856, p.2 c.2.

⁸According to Union and Confederate Army records at the National Archives. Fisher was arrested in New Orleans in March, 1863, accused of being a Southern spy, and kept in confinement until ordered released on March 29, 1865, after the war had ended.

Mexico as we can conveniently conquer, purchase or steal."⁹

While passing through Nicaragua early in November, the California travellers were impressed by the natural wealth and advantages of the country, heard of the revolution then transpiring, and ascertained that the Leonese were anxious to enroll Americans in their ranks. Soon the news of a forthcoming filibuster expedition to Nicaragua, under Henry L. Kinney, was on the front pages, with Southern slavery propagandists maneuvering behind the scenes.

Crabb and Fisher attended the National Know-Nothing Convention held in Cincinnati from November 16th to the 27th, and returned to California by way of New Orleans. Crabb travelled via Panama, arriving in San Francisco aboard the *Oregon* on February 18, 1855. Fisher returned via Nicaragua, accompanied by two fellow filibusters: Captain Collier Clarence Hornsby and Mr. Julius DeBrissot.¹⁰ The trio came to San Juan del Norte, on the *Daniel Webster*, January 21st, 1855.

At San Juan they met the newly-arrived U.S. Minister to Nicaragua, Col. John Hill Wheeler, and accompanied him along the transit route to San Juan del Sur, on the Pacific. They wished to go to León, for the purpose of obtaining from Director Castellón a contract to engage Americans for the service of the Leonese army, but failing in their efforts to hire a boat to take them to Realejo, they escorted Wheeler to Granada instead. A Leonese army commanded by General Máximo Jerez laid siege to the city. Minister and suite crossed through the Jerez camp into the plaza, with DeBrissot in front, bearing the American flag.

Fisher promptly obtained from Jerez a contract to enlist

⁹"The New Party," *Alta*, 2/12/1855, p.2 c.1.

¹⁰Captain Hornsby, born in Wake City, N.C., commanded a company of Texas volunteers and was appointed captain in the 12th Infantry Regiment in the Mexican War. During the Civil War, he was Captain of Company D, 1 State Troops, Mississippi Infantry. DeBrissot was a merchant marine skipper, commander of the *Austerlitz* in 1849, the *Sylphidis* in 1852, the U.S. mail boat *El Dorado* in 1853, and other vessels plying between New Orleans and Caribbean ports. According to the *New York Herald*, sometime around 1852-54 DeBrissot had worked for shipping magnate George Law, stocking a large number of muskets for the use of revolutionaries and filibusters. ("Interesting from Nicaragua," *New York Herald*, 3/26/1855, p.2 c.2).

500 American riflemen for the Leonese army, "with a promise of the most extravagant pay, in both money and lands, to the officers and men who might engage in the service."¹¹ The money was \$65,600 per month; the land, 314,500 acres; Crabb was appointed Brigadier-General, Hornsby, Colonel, and Fisher, Lieutenant-Colonel. Mission accomplished, a few days later Fisher boarded the *Sierra Nevada* at San Juan del Sur, and on February 22nd he handed the contract to Crabb in San Francisco.

Crabb "generously" offered the Jerez-Fisher contract to Walker, who was already openly advancing his project based on the Castellón-Cole colonization grant, for he "had taken care that no show of secrecy should bring suspicion on his undertaking, either as to its illegality or its injustice."¹² Walker thanked Crabb for his offer, but "refused to have anything to do with the Jerez contract, preferring to act under the Castellón grant to Cole, not only because of its entire freedom from legal objections, but also because it was more reasonable, and had been given by an authority competent to make the bargain."¹³

With Walker ready to descend on Nicaragua, Crabb and Fisher dedicated their energies to the organization of the Pacific American Party in California. Crabb "adroitly managed" the party platform at the Sacramento Convention during the summer; under his leadership, the "high toned Southern gentlemen" fixed the Know-Nothing ticket, "so that there is not a man on it who is a candidate for an office of any importance who is not intensely Southern in all his views and feelings."¹⁴

Their efforts paid off when practically the entire Know-Nothing ticket was elected in September. Fisher went to Nicaragua, to join Walker, in November, and continued to

¹¹Walker, *Op. Cit.*, p. 26; "Consistency," *El Nicaraguense*, 7/5/1856, p.4 c.3.

¹²Walker, *Op. Cit.*, p. 27.

¹³*Ibid.*

¹⁴"The Union Party," *Alta*, 8/11/1855, p.2 c.1; "The Platform and Soforth," *Ibid.*, 8/9/1855, p.2 c.1.

support him till the end.¹⁵ Crabb later led an expedition to Sonora, where Mexican bullets terminated his filibustering career in 1857.

Hornsby and DeBrissot, after leaving Granada, went back to San Juan del Norte to start military operations immediately. With the help of other Americans in town, they planned to capture the government posts on the San Juan river. The authorities got wind of their intentions and they were lucky to escape alive from the country on the next steamer to California. They arrived in San Francisco aboard the *Cortes* on March 9, in plenty of time to join Walker whose original plans to sail on March 10 had been delayed because of lack of funds.

To raise the necessary capital, on March 1st he issued one hundred shares of stock at one thousand dollars each, which entitled the owner to "one undivided hundredth part of the fifty-two thousand acres of land granted to Byron Cole."¹⁶ On paper, his "Nicaragua Colonization Company" was worth one hundred thousand dollars, but unforeseen circumstances made it completely worthless when a financial crash of major proportions shook California, brought on by the failure of several large banking houses. During March, 1855, the scarcity of money was severely felt in San Francisco, and it was almost impossible to obtain loans on any securities whatsoever.

Walker's second duel contributed to delay his preparations around that time. Early reports said that the affair was to take place at 2 P.M. on Monday, March 12, at the Presidio, and the *Alta* reported on Tuesday morning:

PROSPECTIVE DUEL. — It was confidently whispered about town last evening that the *affaire d'honneur* which was to have come off yesterday and didn't,

¹⁵Thomas F. Fisher was Grand Secretary of the "Red Star League" formed in New Orleans in April, 1860, "to defend the Slave States of the Union from the various forms of hostility with which they are attacked." The League supported Walker's last expedition, and a copy of the League's constitution was found among his papers when he was captured in Honduras in September of that year.

¹⁶"Important from Central America," *New York Herald*, 7/26/1855, p.6 c.5.

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would positively take place this morning, (weather permitting,) at the Mission Dolores, at 5 A.M. precisely.¹⁷

The weather refused to cooperate when a heavy gale hit San Francisco early Tuesday morning, delaying the proceedings for two additional hours. The duel took place, anyway, in the midst of the storm:

DUEL. — A hostile meeting took place yesterday morning at the vicinity of this city [at San Souci,] between Col. William Walker and Mr. Carter, formerly of Sacramento. The weapons were duelling pistols, and the distance eight paces. At the first fire Col. Walker was slightly wounded in the left foot. The matter was afterwards satisfactorily adjusted.¹⁸

Another account added that "the storm came on, and police interfered, and further proceedings stayed."¹⁹ Walker's antagonist was identified as Mr. William H. Carter, "employee in the Custom House," but nobody mentioned the difficulty leading to the encounter. The *Alta* simply explained: "It seems that nobody knows or perhaps thinks it worth their while to inquire the cause of the affair."²⁰

Whatever the immediate cause may have been, the Custom House link indicates that the forsaking of Walker in Baja California by his Southern confederates was probably at the bottom of the issue. And on Thursday, March 15, the *State Journal* reported that another duel would take place because the difficulty had not been settled:

¹⁷"Prospective Duel," *Daily Alta California*, 3/13/1855, p.2 c.4.

¹⁸"Duel," *San Francisco Herald*, 3/14/1855, p.2 c.2.

¹⁹"Duel between Col. Walker and Mr. Carter," *Democratic State Journal* 3/14/1855, p.2 c.5.

²⁰"The Duel," *Daily Alta California*, 3/14/1855, p.2 c.2.

AFFAIR OF HONOR. — The difficulty between Col. Wm. Walker and Mr. Carter we are informed is not yet settled, and that these gentlemen will meet again today, with the distance shortened to five paces. We sincerely hope that we have been misinformed, and that the friends of the parties will be able to make amicable and satisfactory arrangements.

The conduct of both gentlemen in the affair of Tuesday morning, was calm and dignified, and every man of sense and feeling must be desirous that the difficulty should now terminate. When Col. Walker was shot in the foot, not a muscle was seen to move; and it was not till after some seconds had elapsed that his friends discovered the accident, when he quietly brushed some sand, with his right foot, over the wounded part.²¹

The friends of the parties made amicable and satisfactory arrangements, ending the affair. Walker's wound was said to be very painful but not at all serious.²² The injury kept Walker in his chamber until the middle of April, which led the *Alta* to infer in its summary of news at the end of March, that "Col. Walker's expedition to Nicaragua has not yet sailed, and it is quite doubtful if it leaves our shores at all."²³

²¹"Affair of Honor," *Democratic State Journal*, 3/15/1855, p.2 c.2.

²²Walker fared better than fellow journalist W. A. DeCoursey, editor of the *Calaveras Chronicle*, whom the same William Carter shot through the body in an affair of honor on May 8, 1852.

²³"Summary of the Fortnight's News," *Daily Alta California*, 3/31/1855, p.1 c.1.

30. The *Vesta* Immortals

While nursing his wound in March and April, Walker sold one single share of his Nicaragua Colonization Company stock to Joseph C. Palmer, Broderick's paymaster and cashier. At Palmer's house he met Colonel Frémont, whose letters from Taos had moved him when Ellen had died exactly five years earlier. Frémont, an abolitionist, was the first Republican Party nominee for President of the United States, in 1856; yet, in 1854 he had words of encouragement for Walker's expedition to Nicaragua. On recounting the episode, Walker explained: "It is due probably, to both Colonel Frémont and Mr. Palmer, to state that they were not fully aware of all the views Walker held on the subject of slavery; nor, indeed, was it necessary at that time for those views to be expressed."¹

Walker also received aid from his friends Edmund Randolph and A. Parker Crittenden, but "the pitiful sum of money" at his disposal forced him to make arrangements on the most economical scale. On April 16, when he was again able to move about, the talk of the town in San Francisco was that Col. Walker with about 150 of his followers aboard the brig *Vesta* would positively sail during the night. They didn't, because overriding economic demands prevented their departure. The scarcity of coin and the tightness of the money market, induced by the suspension of the banks, continued to be severely felt throughout the whole State of California.

As told by Nugent in the *Herald*, the brig *Vesta* finally cleared for Realejo under captain Briggs on April 21st, with 47 passengers on board, but when it was thought she was on the point of leaving, the vessel was libelled by the parties

¹William Walker, *The War in Nicaragua*, p. 29.

by whom she had been provisioned. The libel was for \$1,500, and the parties who contracted to furnish the vessel with supplies for the voyage first agreed to accept Nicaragua stock in payment for the goods, but then changed their minds and commenced legal proceedings.

As told by Tucker in *The War*:

After much difficulty, a contract was made with one Lamson for the passage of a certain number of men, aboard the brig *Vesta*, from San Francisco to Realejo. The agreement had been made through a shipmaster, McNair, and it was considered that he would sail in command of the *Vesta*. But, after the cash payment of the charter party had been made to Lamson, he and McNair fell out, and the former was obliged to employ another captain [Briggs] for his vessel. The provisions and the passengers were all aboard the brig about the 20th of April; and when it was thought she was on the point of leaving, the Sheriff seized the vessel by attachment at the suit of an old creditor of the owner, Lamson.²

The Sheriff sent down a posse of eight or ten, armed with revolvers; a sort of scuffle, more in jest than in earnest, occurred between some of the posse and their acquaintances among the filibusters; and Captain Briggs, frightened out of his wits, jumped over the rail to the wharf, taking with him the papers of the ship.

A few days afterward the United States Marshal served a writ on the brig for the price of the provisions, and a Deputy Marshal was placed on board. The revenue cutter *W.L. Marcy* pulled astern of the *Vesta*, with orders to keep her from going to sea. To make assurance doubly sure, the Sheriff had the sails of the brig unbent and put in store. Early in May, everybody thought the chances very small for the departure of the vessel on her proposed voyage. The *Alta* chronicled:

²Ibid.

The *Vesta* seems to be yet in trouble. No sooner is she relieved of one attachment than she is seized for another. Meantime the "regulators" are in high hopes, and await impatiently the order to sail. There are now some eighty men ready to go, and though numbers are constantly withdrawing, others as rapidly fill their places, and indeed the numbers are slowly but steadily increasing. So one of 'em informs us.³

Between 8 and 10 p.m. on May 1st, "San Francisco was thrown into a state of feverish excitement" by an eclipse of the moon, "of such extraordinary features, and presenting such an uncommon appearance, that at first the timid were disposed to believe that Madam Moon was undergoing a general conflagration."⁴ We ignore what effect, if any, the celestial phenomenon produced on Dick Dobs, who relied on fate and the stars. Tucker didn't mention the eclipse in his chronicle of *The War*, limiting his narrative to the external events directly related to the expedition.

Walker soon found another captain for the *Vesta* and set to work to stretch the "pitiful sum of money" in his possession. The holder of the claim against Lamson, under which the attachment issued, happened to be a friend of Henry A. Crabb, and he was induced by good will for the voyage the *Vesta* was bound on, to grant easy terms for the release of the brig. Lamson then rather hesitantly agreed to have the libel dismissed. But the sheriff's costs had run up to more than three hundred dollars, which Walker couldn't pay because he had nearly spent his last penny.

To get away, Walker tricked the sheriff into giving him the sails by keeping him in ignorance of the dismissal of the libel. He then held the deputy sheriff prisoner below deck while the *Vesta* put to sea shortly after midnight on Friday, May 4, 1855. Her departure was chronicled by the *Alta* next morning:

³Walker's Party, "Alta, 5/3/1855, p.2 c.1.

⁴The Lunar Eclipse, "Ibid., 5/2/1855, p.2 c.1.

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SAILING OF THE NICARAGUA EXPEDITION

At last the famous Walker expedition has sailed. The brig *Vesta*, Capt. Richard Eyre, left our harbor yesterday morning at one o'clock, and quietly proceeded on her passage. The brig had been lying for some days at Stewart street wharf, under attachment; after the raising of this attachment, she was still detained by the County Sheriff for fees of office, amounting to \$350.

Deputy Sheriff Purdy had the vessel in charge, and was very contentedly observing the movements of the motley crowd on board, never dreaming of the real intention of going to sea that night. About 12 o'clock, Col. William Walker requested the Deputy to step below and examine some papers which it was necessary to see by candle light, and Mr. Purdy being on the best of terms with the commander, he accompanied him, when he was coolly informed that the vessel would get under way at once, and that no violence would be offered should he (the Deputy), remain quietly below. In fact he was a prisoner to all intents and purposes.

The fastings were now noiselessly let go; the steam tug *Resolute*, (fit name for the nature of the enterprise,) glided along side, and in a few moments the gallant vessel was swiftly shooting past the city, and out to sea. The Heads cleared, the tug let her go, and away she sped under a press of sail to the southwestward, with a stiff northeast breeze after her. So the famous Walker expedition is at last off.

The character of the men composing this party is far better as regards capacity and morals than that of the Sonora expedition, and some of that number are among these. The number, including officers, is fifty-six. They are splendidly armed and equipped, have a uniform and a fine band of music, a great desideratum among the Nicaraguans who attach great importance to the "pomp and circumstance of glorious war."

Every man has a rifle, two large naval Colt's revolvers, a bowie knife and as much more armament as the fancy of the person might dictate. There are no field pieces on board. The Deputy Sheriff was kindly treated while detained below, treated with segars and champagne, and recommended to keep cool and make himself perfectly comfortable. He was carefully deposited on board the *Resolute* on her return, and landed safely in town yesterday morning.

The little army sent back repeated and hearty cheers to the steamer, after she cast off, which were heard distinctly over the sea after her distance had given her the appearance of a ghost. She was soon a white speck in the moonlight.⁵

The article went on, giving the names of some of the principal filibusters without their rank, because the organization was to be effected aboard the *Vesta* after her departure: Col. William Walker, Commander-in-Chief; Achilles Kewen, (a younger brother of E. J. C. Kewen, Esq., of San Francisco, probably to be second in command); Jas. Shackelford, (nephew of Gen. Estell); R. T. Merriman, (brother of Lieut. Merriman of the U. S. schooner *Marcy*); Edward Riggs, Charles Turnbull, (of Sacramento); Edward Rawl, (of New Orleans); Col. Hornsby, Jas. McNab, B. F. Williamson, F. Anderson, James Connelly, Geo Leonard, John Marcum, Thomas Kennedy, Chas. Brogan, James Sands -- in all 56.

Actually, when the brig got to sea, it was found that there were fifty-eight passengers bound for a new home in the tropics. In August, 1856, Walker's newspaper *El Nicaraguense* published the names of the 58 "Founders of the Republic" who enlisted in San Francisco on May 4, 1855, all of them, Walker included, earning nominal wages of \$100 per month which most of them (Walker included) never received.

Nearly all the 58 "Immortals" were Mexican War veterans; some had fought under López in Cuba or under Walker in Baja California. No person was allowed to join the expedition who

⁵Sailing of the Nicaragua Expedition," *Ibid.*, 5/5/1855, p.2 c.2.

could not bring satisfactory proof of previous military service, or who was not known for his courage and determination in San Francisco. Each had to pay \$40 passage money from San Francisco to Realejo, and most of the men paid their own expenses. Those who were too poor to do so were fitted out by Walker, who in turn borrowed what money he could from anybody willing to lend it.

Shortly after the *Vesta* arrived in Nicaragua, a *New York Herald's* correspondent reported that the expedition was "fitted out rather poorly, as many receipts of Walker appear, that show that loans of \$50 were accepted by him from various parties."⁶ And according to the *New York Tribune*, prominent among the few who gave him money were the slavery propagandists:

It is a notorious fact that Walker's special friends and abettors in California, are zealous advocates of the extension of slavery. Prominent among these is Mr. Solomon Heydenfeldt, a Justice of the Supreme Court of that State, and, according to report, a liberal contributor to the funds with which Walker's expeditions were started.⁷

Nevertheless, the *Alta's* editorial writer saw the sailing of the *Vesta* through the magnifying glass of Manifest Destiny, without detecting and exposing the slavery stigma that the same *Alta* had repeatedly denounced during Walker's descent on Mexico:

WALKER AND HIS EXPEDITION

The expedition leaving this harbor yesterday morning for Nicaragua has excited more than ordinary interest among the "manifest destiny" portion of our citizens. Central America at this moment presents a

⁶"Another Account," *New York Herald*, 7/26/1855, p.6 c.5.

⁷"If doubt were possible," *New York Tribune*, 11/28/1856, p.4 c.4.

singular picture of internal discord and disaster fully equal to her worst epochs since the Independence in 1821. Nicaragua, the centre of these unhappy revolutionary struggles, seems about to be blotted from the list of nations, as much by the frenzied and reckless character of her chieftains as by the new and extraordinary policy of introducing foreigners to fight her battles, with promises of large grants of land in the event of success.

That Walker, with the support of the most powerful and intelligent native families, will be at first successful, there is scarcely a doubt. It is believed that peace will shortly be restored by what is even at this early day known as the American party. Very many Americans are now considerable property holders, marrying into native families, whose whole influence, with all the family branches, is thrown into the Walker scale. Should the expedition arrive in time, a new party will be created in Nicaragua, Walker, and the supposed military talent surrounding him, forming the nucleus around which the better classes of the population would rally.

There can be no doubt, however, that, peace once restored by American agency, the never failing jealousy of the Spaniard would be aroused at the advance of American influence and power; the native inhabitants would soon join against the new-comers, and a series of bloody revolutions, ending in the entire subjugation of the country, would ensue between the Anglo-Saxon and Spanish races. The dislike existing between us increases as we come into more intimate relations. It is natural, and as inevitable as the superiority of our genius and institutions over the snail paced and anti-progressive policy of our Spanish American neighbors.⁸

⁸"Walker and His Expedition." *Alta*, 5/5/1855. p.2 c.3. (The *Alta* had changed hands in January, 1855, which accounts for the different editorial views on the Sonora and Nicaragua expeditions).

Other observers were not quite so proud of the "superiority of American institutions," specially the "peculiar" one of slavery. The *New York Tribune's* San Francisco correspondent scoffed at the idea when he wrote: "Mr. Filibuster Walker has gone down the coast with a company of men 'to establish a colony.' What a generous people we are, civilizing poor human nature everywhere and giving our 'glorious' 'institutions' for nothing!"⁹ From the very beginning, before Walker sailed from San Francisco, the *Tribune* exposed his covert connection with Kinney and his Southern backers:

Though not much has been said of late respecting the designs of Col. Kinney and his associates upon Central America, those enterprising individuals have not been idle. . . . Arrangements have been completed with Mr. William A. Walker, filibuster, late President of Lower California, and Commander-in-Chief of the Army and Navy of the same, by which a body of men he is to bring from San Francisco, will cooperate with the force under Kinney.

The plan of this exemplary undertaking is to conquer Nicaragua and Costa Rica at once, and Honduras as soon as possible . . . If successful, the great result of the adventure will be the establishment of three or four Slave States, to be annexed in due time to the Union.¹⁰

The *New York Herald* revealed that according to rumors in the filibuster quarters in New York, "the men engaged for the Kinney expedition expect to meet the Walker expedition [in Nicaragua]."¹¹ Likewise, in San Francisco, Walker's friend John Nugent commented that "The Walker expedition will, it is supposed, be joined by a portion of the Kinney expedition, who are to sail from New Orleans, and via the

⁹"From Our Own Correspondent," *New York Tribune*, 5/14/1855, p.5 c.4.

¹⁰"Though not much has been said of late," *Ibid.*, 4/13/1855, p.4 c.5.

¹¹"The Kinney Expedition," *New York Herald*, 6/9/1855, p.1 c.4.

San Juan river, effect a junction with their brothers in arms from the Pacific side."¹²

Reports of a private Walker-Kinney alliance were accepted unchallenged by the press, considered a most natural occurrence under the circumstances. Subsequent events showed that no alliance existed. Once in Nicaragua, Walker adamantly rejected any help from Kinney, and neither of them ever mentioned any prior collaborative agreement. Tucker made no reference to Kinney in his detailed chronicle of the Vesta expedition in *The War*, to which he appended a pertinent explanation:

I have been somewhat minute, and it may be tedious, in narrating the earlier incidents of the enterprise whereby Americans were introduced as an element into Nicaraguan society, because we may often judge best of events by seeing clearly the origin of them. The father ceases to have any direct influence over either the mind or the organization of the child after the moment of conception; and yet how often we trace not merely the features of the father, but even the delicate traits of his character in his offspring.

The fine cells which determine the nature of organic structure, have been minutely studied by the physiologist, and the manner of their development has opened to him some of the hitherto hidden laws of life. If, then, you desire to understand the character of the late war in Nicaragua, do not despise the small events which attended the departure of the fifty-eight from San Francisco.

From the day the Americans landed at Realejo dates a new epoch, not only for Nicaragua, but for all Central America. Thenceforth it was impossible for the worn-out society of those countries to evade or escape the changes the new elements were to work in their domestic as well as in their political

¹²"Sailing of the Walker Expedition," *San Francisco Herald*, 5/5/1855, p.2 c.2.

organization.¹³

Walker had expressed the same thought on studying the origin of events at the onset of his journalistic career (in the "Histoire de la Louisiane," in 1847, when he was a pacifist under Ellen's spell during the Mexican War). The great change in his character at the death of Ellen in 1849, and his subsequent dismal failures in California under Gumbo, Tucker, and Dobs, at last placed him aboard the *Vesta* in May, 1855. With Dick Dobs again at the helm in the Inner Crescent City, he was on his way to carry out his Southern Dream of a Caribbean Empire from a new base in Nicaragua.

In Tucker's recollection, "the voyage of the *Vesta* was rather long and tedious," allowing Walker plenty of time to please the fancy, perhaps perusing anew Byron's *Manfred* in the solitude of his cabin as the brig cruised past Ensenada down the Baja California peninsula:

A Voice without, singing.

*The captive Usurper,
Hurl'd down from the throne,
Lay buried in torpor,
Forgotten and lone;
I broke through his slumbers,
I shiver'd his chain,
I leagued him with numbers --
He's Tyrant again!
With the blood of a million he'll answer
my care,
With a nation's destruction -- his flight and
despair.¹⁴*

¹³Walker, *The War in Nicaragua*, p. 33.

¹⁴Byron, *Manfred* 2.3.16-25.