Introduction

> The war alone did not make America modern, but the war marks the birth of modern America.
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> – Louis Menand, *The Metaphysical Club*

When most people think about the American Civil War, California is not the first place that comes to mind: it was far from the main scenes of military action, and its remoteness in the era before the completion of a transcontinental railroad makes it seem peripheral to the war's outcome. Yet Abraham Lincoln cared enough about it that in 1863, he appointed a Californian, Stephen J. Field, to the U.S. Supreme Court, a choice suggesting that Lincoln himself believed the state's loyalty to the Union to be important. In fact, California gold played a valuable role in the Northern war effort, as Lincoln well knew. Furthermore, California's electoral votes were useful for Republicans, particularly in a state that had been solidly Democratic until Lincoln's narrow victory there in 1860. And the struggle in the state between Union supporters and Confederate sympathizers, replete with civil liberties issues that are still relevant today, echoes the better-known struggles in other states with a significant Southern-born population – a population that in California in 1860 constituted about 20 percent of the native born.

But the best reason for studying California during the Civil War years is this: the war was not merely a military struggle, and thus its meaning is not intertwined only with the sites of military action. The Northern victory required the birth of a modern, centralized nation-state, and thus the war was also a battle for the hearts and minds of citizens in the loyal states. Would Northerners overcome their parochial loyalties to support

new policies, such as in the area of taxation and monetary policy, that would make victory possible? Would the pervasive racism abate enough to make the Emancipation Proclamation and the use of black troops politically acceptable? Now, the answers to such questions might seem foreordained, but at the time, they were not a given. Indeed, as with so much of history, the Civil War is better understood if we rid ourselves of the idea of forgone conclusions and allow for contingency. This battle to overcome parochial loyalties and racism raged full-blown in California, hence the value of giving the state a closer look. Indeed, the battle was all the fiercer, given the dominance of Southern-born politicians in the state during the 1850s as well as the frequent resorts to violence. Moreover, the West, including California, played a monumental role in the coming of the conflict, inasmuch as the possible extension of slavery into new territories was *the* bone of contention during the 1850s. As it stands now, in the historical writing about the middle period of the nineteenth century, the West appears when it occasions arguments over the role that slavery will play there, and California appears owing to the gold rush. Then the region largely drops out of the national narrative, except in terms of the final conquest of the Indians in the late nineteenth century. In fact, Reconstruction and the conquest of the Indians took place at the same time, but they are treated as entirely discrete topics, rather than as being two parts of a larger whole.[1] Thus another reason for studying California and the Civil War is to begin to fold the state and the region into the national narrative. The crisis of the Union was continental, and its resolution would ultimately embrace the entire continental United States in one way or another.

Furthermore, during the war itself, California received national attention because one of the country's well-known public intellectuals, the Unitarian clergyman and lyceum luminary Thomas Starr King, had moved there from Boston in 1860. Just before his relocation, King had published a well-received book about the White Mountains of New Hampshire, thereby further burnishing his cultural authority. Once in California, he threw himself into the Union cause with extraordinary fervor and launched a speech-making campaign that caught the attention and the imagination of many of the northeastern literati who had been his friends before his move to San Francisco. I will argue that he became a cultural broker between the two regions as a way of binding California more closely to the Union. Indeed, he wrote to his close friend James T. Fields,

[1] I am indebted to Elliot West for this point.

editor of the *Atlantic Monthly*, that he wanted to northernize the state with New England poets. But most important, he was a celebrity as soon as he and his family landed in San Francisco, and he used his fame as a platform for articulating an ardent nationalism that sometimes devolved into the rhetoric of Manifest Destiny but that served as an effective counter to the prevailing localism in California at the time of his arrival. In his best moments, he also articulated an appreciative response to California's racial and ethnic diversity, a discourse that was pioneering at the time, coming from a prominent white person. It is impossible to understand the war years in California without taking the full measure of this man.

In many ways, his efforts, along with the efforts of Republican politicians, were successful – above all, in the outpouring of California's resources for the U.S. Sanitary Commission (USSC), the antecedent of the Red Cross. With King as the catalyst, California raised four times more for the USSC than New York, which ranked second in the fundraising efforts. Furthermore, nearly 17,000 Californians volunteered for military service, mostly in the West itself. In such ways, they demonstrated their commitment to the Union.

However, in other ways, Californians resisted complying with wartime exigencies. They were particularly unwilling to go along with the issuance, starting in 1862, of greenback dollars as legal tender. The dislike went so far as to lead the legislature to pass the Specific Contract Act in 1863, whereby parties could enter into a contract stipulating payment in specie.[2] This defiance of federal law inaugurated a tug-of-war over monetary policy between the national government and the state of California.

In looking at these two episodes – the donations to the USSC and the large-scale rejection of greenbacks – we can discern the lineaments of the seesaw battle between the national and the local that was also reflected in the ebbing and flowing fortunes of the political parties. As the decade began, the state was a Democratic, states' rights stronghold, with the state's most powerful politician being Southern-born William Gwin. Gwin continued to own 200 slaves in Mississippi the whole time that he represented California in the U.S. Senate, and he was only one of several influential Southerners. In fact, many Southerners – who tended to be concentrated in southern California – wanted to see the state split in two, another indication of the strength of localism. In this desire they were

[2] Several other western states passed such laws as well. I go into this subject in detail in Chapter 7.

joined by a number of the Latinos born in California – the Californios – whose strength, too, was concentrated south of the Tehachapis and who hoped to enhance their influence. However, then the politics of slavery swamped the discussion of dividing the state, and Lincoln won a narrow plurality in November 1860. Notwithstanding these developments, several prominent Californians spoke of creating a separate Pacific republic as the talk about secession began to swirl. The discussion of California separatism quickly died down, however, and Republicans and Douglas Democrats joined in a Union Party that dominated state politics for a few years. In 1864 Lincoln garnered nearly 60 percent of the vote. Then, in the late 1860s, the state returned to the Democratic fold, and it refused to ratify either the Fourteenth or the Fifteenth Amendments. In short, the state's history during the decade of the 1860s was remarkably fluid, thus rendering it a good case study of the decade's political tides.

Moreover, California is worth studying because the Civil War so closely followed the gold rush, and the gold rush had produced one of the world's most racially and ethnically diverse populations. In 1860 the foreign born constituted about 39 percent of the state's people. Indians were a dwindling but still significant portion thereof. Latinos, including those from Mexico, those from Chile, and those born in California, also made their presence felt in various ways and engendered resentment in the incoming Americans. Indeed, slightly more than 10 years after the end of the Mexican War, some political power still resided in the hands of the Californios. The Chinese composed a significant fraction of the population as well, with a variety of businesses and cultural institutions reflecting their presence. And African Americans, though relatively few in number, had a history that included some financial success – which meant that they had the resources to defend their interests from early on. As an instance of the diverse population, one man described a San Joaquin Valley hostelry in which he stayed in May 1863 in these terms: "The hotel where we stopped showed a truly Californian mixture of races – the landlord a Scotchman, Chinese cooks, Negro waiter, and a Digger Indian as stable boy."[3]

This very heterogeneous population made the political struggles in California all the more intense and volatile and made for unexpected partnerships. For example, some of the politically active Californios were Democrats and worked in tandem with the Southern born – as in the

[3] William H. Brewer, *Up and Down California in 1860–1864: The Journal of William H. Brewer*, 4th ed. (Berkeley: University of California Press, 2003), 395.

move to split the state in two. Hence the issue of how much this group of people could overcome parochial loyalties to support the policies of a strong central government was never a settled matter.

Finally, California is worth studying because the war so thoroughly remade the state. When Southern votes were no longer in Congress to block such developments, the state gained immensely by being connected to the rest of the country by a transcontinental telegraph line and by the passage of legislation to create a transcontinental railroad. In 1860, California was a remote outpost, and in 1865, it was on its way to its late-nineteenth-century incarnation of heightened tourism and exploding growth in specialty agriculture, both of which relied on the railroad. In short, the state constitutes a splendid example of Louis Menand's dictum about the war marking the birth of modern America because the war certainly marked the birth of modern California.

The book begins with the political, economic, and cultural landscape in the 1850s. The gold rush had produced one of the most remarkable bursts of growth in American history: before the discovery of gold in 1848, for example, San Francisco had a population of about 1,000, whereas in 1850, the population was 25,000. Estimates are that by 1855, about 300,000 gold seekers had arrived in the state from all over the world. As a result of its population growth, in 1850, California made a precocious and very controversial leap into the Union as a free state, bypassing the territorial stage because many powerful politicians thought that the institutions had to catch up with the population or the situation might devolve into anarchy. Even at that, there was an abundance of violence, both in the gold fields and in the cities.

Inheriting the racial hierarchy based on a distinction between unconverted indigenous people and the *gente de razón* (people of reason) that was created by the Spanish, the post–gold rush Americans built on it by, for example, enacting the Foreign Miners Tax Act of 1850, which penalized Chinese immigrants and Latinos, as well as by undermining the civil rights of people of color by other means. In the 1850s, in fact, hundreds of African Americans gave up on California and left for the Fraser River gold rush in British Columbia. The first chapter examines in brief both the adverse public policy and the institution building by people of color, with a fuller discussion appearing in a later chapter.

The 1850s saw the first growth of economic institutions, such as banks and the San Francisco branch of the U.S. Mint, as well as the launching of firms – Wells Fargo, Levi Strauss – that are still well known today. Roads needed to be built, transportation companies established, and the

first intra-state telegraph line laid for business to be carried on. Not surprisingly, the state's economy proved unstable, with fortunes being lost as well as made. I will not attempt to give an encyclopedic history of the state's economy, but because this decade was foundational, this is the time to set forth its chief characteristics.

Finally, the book begins with a close look at the dominance of the Chivalry, or "Chivs," as the pro-Southern wing of the Democratic Party was known. The Chivs' major opponents were the free soil advocates within the party because the Republican Party was in its infancy in California in these years and not yet ready to pose a political threat. The climax of the intra-party struggle came in September 1859, when Southern-born chief justice of the California Supreme Court David Terry, a Chiv, resigned to fight a duel with U.S. Senator David Broderick, who represented the other wing of the party, a wing that opposed the pro-slavery Lecompton Constitution in Kansas. Terry killed Broderick, was acquitted of murder, and went on to fight for the Confederacy. Worth noting is that the quarrel between the two men started when Terry accused Broderick of being closer to Frederick Douglass than to Stephen Douglas. Broderick had opposed the extension of slavery but clearly also accepted much of the Democrats' racist ideology.

Little more than six months after this duel, a slight and unprepossessing-looking young man arrived in San Francisco with his family to pastor the only Unitarian church west of St. Louis. Thomas Starr King told his friends that a major reason for the move was that he needed to take life a little easier than the double burden of his ministerial duties in Boston and his tours on the lyceum circuit was permitting. Needless to say, the San Francisco post did not allow any slackening of effort – far from it. After war broke out, King's engagement with the patriotic effort was total, and it probably cost him his life: he died of diphtheria on March 4, 1864, at the age of only 39.

During the brief span of King's life in California, he and his fellow Republicans mounted a powerful drive to solidify the state's loyalty to the Union, a drive that continued even after his death and that was answered by public policy changes sponsored by the federal government. In consequence, at the end of the war, California was both physically and spiritually more fully integrated into the nation than ever before. The succeeding chapters tell that story.

But this narrative cannot remain only in the mode of triumphalist history. The hypernationalism engendered by the war brought tragedy alongside the victory, tragedy that must be confronted lest we trivialize

our accounts of the past. This darker story was directly related, in fact, to the military mobilization of Californians for the war. Marching east into Arizona, Californian troops under Colonel James H. Carleton – who would eventually become a major general – were used in some of the most brutal, not to say gratuitously violent, Indian fighting in American history. As I said at the outset of this introduction, the war and the conquest of Indians are not discrete topics. Native peoples in California and the surrounding states paid a high price for the birth of the modern Golden State during the Civil War.

1

The Golden State in the 1850s

BEFORE THE GOLD RUSH

Even before the arrival of Europeans, what is now the state of California was home to a diverse, linguistically rich population. Estimates are that about 225,000 Indians lived within the region's boundaries. Gathered into tribelets of 500 to 1,000 persons each, the Indians spoke about 100 distinct languages.[1] In the main, hunting and gathering supplied their food, but trade was important to their well-being also. Their baskets and other crafts were highly skilled productions. That the population was relatively dense compared to populations in other Indian territories attests to the fact that the California dwellers had adapted well to their environment. Their lives were not easy, but they were also not so difficult as to prevent the maintenance of healthy numbers.

After a few exploring forays over the course of many decades, the Spanish arrived permanently in Alta California (as it was then known) in 1769. On or close to the coast, they founded 21 missions, at first only three pueblos or towns, and four presidios or military installations. The Franciscans, charged with establishing and running the missions, came with hearts full of love for the native peoples they so eagerly wanted to convert to Christianity – coupled with a steely determination to bend the Indians to their will. As in much of the territory in the Spanish borderlands, Alta California would have the merest suggestion of a civil society,

[1] Steven W. Hackel, *Children of Coyote, Missionaries of Saint Francis: Indian-Spanish Relations in Colonial California, 1769–1850* (Chapel Hill: University of North Carolina Press, 2005), 22.

and it would see frequent infighting between members of the religious order and the military, there to protect the missionaries and to back up their authority with arms. In fact, there were sporadic yet ultimately ineffective attempts at Indian resistance, so the military had a job to do. Taken together, all these factors – the contradiction between the padres' loving intentions and their will to dominate, the paucity of civilians, and the intermittent conflict between the two key elements of the Spanish population – meant that the colonizing effort would be plagued by multiple difficulties from the beginning.

But for the native peoples, the colonization was not merely difficult; it was devastating. In his book *Children of Coyote, Missionaries of Saint Francis*, Steven Hackel employs the concept of "ecological imperialism," to characterize the major means by which the Spanish triumphed: "Spaniards came equipped with unwitting silent armies of pathogens, plants, and animals that rendered them and their institutions nearly invincible."[2] Indians succumbed to new diseases, and the cattle the Europeans brought with them – which multiplied nearly exponentially – undermined the Indians' capacity to live outside of the missions because the cattle grazed on Indian land and rendered it unfit for other uses. The result was a demographic disaster for the Indians. Hackel provides detailed empirical data about the decline of the population within the missions and cites the "mournful" musings of Father President Mariano Payeras in 1820. Payeras looked back at the impact of the padres over the decades and found that for Mission San Carlos Borromeo in 1796, there had been 835 residents, and in 1818, there were only 390. In the intervening years, the padres had baptized many Indians from the surrounding area – some 70,000 colony-wide by 1821 – but the decline had taken place anyway. Hackel points out that the problem was not only disease but also a steep drop in the birthrate of mission Indians.[3] In consequence, the population in the mid-nineteenth century was only about one-half what it had been at the point of contact.

The racial hierarchy was complex, with the most important distinction being between the Indians and the *gente de razón*, as the padres, soldiers, and settlers were known. Yet many in the *gente de razón* category had Indian blood and would have been treated prejudicially in colonial Mexico. Indeed, very few of the soldiers and settlers were

[2] Ibid., 65.
[3] Ibid., 120, 121.

people with unmixed Spanish heritage, with the result that Alta California provided an opportunity for mestizos to move up the social scale.[4]

Both subsistence agriculture and, after 1810, trade were important to the economy. The Indians were made to till the fields and grow crops at the behest of the padres, and they also constituted the labor supply for the brisk trade in hides and tallow that developed based on the abundance of cattle. New England merchants sent ships to pick up these goods so that Alta California became part of a global economy early on. Technically in defiance of Spain's mercantilist policies – policies that prohibited commerce with any merchants except those of the mother country – the trade flourished in the absence of adequate numbers of people on the ground to enforce the policies.

Another important point is that underlying the whole mission undertaking were coercion and violence: that at night, unmarried women were kept under lock and key to protect their chastity is a good illustration. Imprisonment, flogging, and forced labor were the fate of Indians found to be recalcitrant. Yet as bad as this sounds, the sad truth is that for Indians, the succeeding regimes would be worse.

Mexico achieved its independence from Spain in 1821, and Alta California then became a Mexican province. At this point, the *gente de razón* comprised about 3,400 people, with the number of mission Indians standing at 21,750.[5] Receiving only fitful attention from the faraway capital in Mexico, Alta California became a paradise, relatively speaking, for the landowning Californios, especially after the secularization of the missions, completed in 1834, made mission land available. This was the era of vast spreads, openhanded generosity, and frequent entertaining – entertaining that would pass into legend.

Yet this idyll rested on the labor – and frequent exploitation – of the Indians. During the Mexican period, some of the rancheros bound Indians to labor on their land by debt peonage and convict leasing, "backed by extra-legal slave trading and conscription."[6] Not only was this bad in itself, but it set an unhappy precedent for the way the native peoples would

[4] Ibid., 59–62. There were always more men than women among the colonizing Spaniards, hence much intermixture took place in Mexico and Alta California. Pio Pico, governor of Alta California during the Mexican period, had African, Indian, and Spanish blood, for example.

[5] Ibid., 52.

[6] Michael Magliari, "Free Soil, Unfree Labor: Cave Johnson Couts and the Binding of Indian Workers," *Pacific Historical Review* 73 (August 2004): 352.