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Fighting Words: Censoring Civil War Journalism in California

By Dr Robert J. Chandler

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Fighting Words: Censoring Civil War Journalism in California

By Dr. Robert J. Chandler

An article in the San Francisco *Chronicle* in 1989 deplored racism on the University of California campus at Berkeley. As its lead example, the article stated that several years ago a "conservative alternate student newspaper" had referred to the new student body president as a "nig." A most revealing aspect of the anecdote was the further comment that the "paper soon went out of business." This incident illustrates that irresponsibility can lead to journalistic suicide. If a writer's exercise of freedom of speech offends readers, they will not support the paper.

In the heightened tensions of Civil War California, many aroused editors penned what the University designated on September 26th, 1989 as "fighting words"—that is, "personally abusive epithets" that were "likely to produce a violent reaction"—and forbade their use. In wartime California, popular suppression—*vox populi* or mob intimidation, depending on the observer's perspective—rather than legal measures, was the primary censorship tool, as was also the case in most Northern states.

"Unless a man is 'ultra' nowadays, he is nobody," declared the Marysville *Appeal* in the midst of the Civil War. "'Ultra' is the word," explained the paper, "meaning unequivocal support to the Administration of Abraham Lincoln, or unwavering support (though covert) to Jeff Davis." It concluded, "There is no half-way house." Although California escaped armed conflict, the political tumult was just as bitter, and newspapers were at the center.

From 1859 to 1865, California had 408 publications, with roughly 125 existing at one time. Although the state ranked 26th in 1860 among the 34 states in population, it was 11th in number of newspapers.

San Francisco, then the commercial center of California with about one-fifth of the state's 400,000 population, had 45 newspapers, representing virtually every financial, religious, ethnic and cultural



The Reverend William Anderson Scott, editor of the *Pacific Expositor*, fled California after a large mob gathered around his church to show their displeasure with his Southern sentiments.

group. The remaining 80 papers and periodicals clustered in the state's three major interior cities—Marysville, Sacramento and Stockton—or resided in the county seats and larger towns throughout California. The morning *Alta California* and *Evening Bulletin* of San Francisco and the *Sacramento Union* were the most influential dailies. These three monopolized the telegraphic news dispatches, and circulated 6,000 copies.

Most mid-century papers followed a similar four-page format: Page 1 published gleanings; news and editorials blended on the inside front page; local news occupied page 3 and the last page was devoted to literary efforts. Advertisements took up about half the space.

Their approaches to journalism were likewise similar. Papers championed local interests and political ideologies, and editors omitted or distorted events, all in a more overt fashion than today's reporting, which strives for at least the facade of objectivity. The *San Francisco Democratic Press* and *American Flag* described a Democratic mass meeting on November 5th, 1864, but from reading their respective headlines one could hardly say what happened:

The Last Grand Charge of the McClellan Men of San Francisco. — The Queen City of the Pacific in a Blaze of Democratic Glory. — Abe Lincoln is Wanted in Illinois, the People Want Little Mac in Washington. — Let the Cannon Peal, the Bells Ring and the People Shout for Joy, for the Reign of Blood and Slaughter is Drawing to its Close.

The Last Grand Scramble of the Gorillas! — Howls, Roars, Groans, Yelps, Yells, Red Fire, Rages, and Blue Blazes! — The Species on Horseback, on Foot, in Buggies, in Hacks, on Drays, in Swill Carts and Mud Boxes! — Broom Rangers, Steamship Rioters, Aliens and Reprobates Howl Themselves Hoarse! — Death on a Pale Horse, and All Hell Following Him!

When the Civil War erupted in 1861, California had three major political parties which reflected national ideologies: Southern Democrats, Republicans, and Northern Democrats. Southern Democrats, believing in state sovereignty and white supremacy, had been the dominant party of the 1850s. Republicans,

holding to the supremacy of the national government and equality under the law for all, had been a distinct minority until 1860, when the national Democratic party split and nominated two candidates for president, enabling the vibrant Republicans to forge ahead. The Northern Democrats, attempting to hold a middle ground by adopting Republican federalism and the Southern Democrats' race-based inequality under the law, had been leaderless since the death of U.S. Senator David C. Broderick in his famous 1859 duel with Justice David S. Terry.*

Just prior to the 1860 election, 30 California papers had supported the Southern Democrats, 44 chose the Northern ones, eight favored Republican Abraham Lincoln and 11 would have been pleased with a victory for either of the latter two. On election day, Republicans edged out the Northern Democrats (38,734 to 38,023) while the Southern Democrats ran last with 34,000. Respectively, in the 80-man assembly, which met on January 7th, 1861, the strengths were 19, 38 and 22.

*See "Democratic Turmoil: California During the Civil War Years" by Dr. Chandler in DTQ#31, Fall 1997, page 34, for more about the Broderick-Terry duel.

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"Epithet, in a Republican form of Government," remarked the *Alta*, "is very powerful." Unionists denounced Democrats as "Secessionists" and "Traitors," just as in the 1850s, Democrats had effectively used the smear "Abolitionists" against their foes. As early as February 4th, when the latest Pony Express news told only of the secession of four Southern states, the Sacramento *Union* designated "secession papers," explaining that "The times do not admit of hair-drawn distinctions in political newspaper nomenclature." The *Alta* asked Californians to "Mark the Traitors" in the Legislature.

Following the Confederate attack on Fort Sumter in Charleston harbor in mid-April 1861, San Franciscans purged the city of South-supporting newspapers. First, the independent *Alta California* and *Evening Bulletin* became more out-spokenly Union; a Southern-born editor left the latter paper. Then, on May 11th, 25,000 people—11,000 more than the number who voted in 1860—turned out for a great mass meeting. The San Francisco *Herald*, the Southern Democrat advocate founded in 1850, recalling its near-death in 1856 when it had opposed the popular Committee of Vigilance, prudently switched to the Northern Democrats. Only one paper—a monthly religious journal called the *Pacific Expositor*—was bold enough to exercise its First Amendment rights in publishing Southern views. On May 12th, its editor, the Reverend William Anderson Scott of Calvary Presbyterian Church, described himself as "a Southern man by birth, education, conviction and choice," publicly prayed for both presidents, thereby recognizing the Jefferson Davis government. San Franciscans were not pleased. "The liberty of the press," said the *Alta* that same day, "should not be permitted to serve as a cloak and shield for the advocacy of treason." A month later, the *Alta* refused to publish a letter advocating the Southern point of view, remarking that "An apology of treason, either direct or indirect, can find no place in these columns." That September, San Franciscans banished the last voice of the South. At a heated presbyterian meeting, the Reverend Scott exploded that "Jefferson Davis is no more a traitor than George Washington was a traitor." A competing religious weekly titled *The Pacific*, which staunchly supported the Union, published Scott's remark with delight. The following Sunday, a large mob gathered around Scott's church, persuading him to spend the rest of the war in Europe.

On at least one occasion that spring, public opinion also controlled extreme statements on the Unionist side. The exuberant and unbridled Frank M. Pixley,

editor of the erratic and unstable Republican San Francisco *Times*, became the target when, on May 29th, 1861, he directly and bluntly attacked slavery. He praised the emerging Civil War "as the excuse, the opportunity and the justification of its [slavery's] spoilation." Pixley was 18 months in advance of popular sentiment, and the owners responded to his outburst by firing him. With rapidly declining finances and party support, the paper died a few months later.



Frank M. Pixley, editor of the San Francisco *Times*, was fired after he praised the Civil War "as the excuse, the opportunity and the justification of its [slavery's] spoilation."

The 1861 election for state officers was crucial. Unionists had a majority of the press, and turned their wrath against Southern Democrats. In convention, the Democrats "opposed" the "employment of force" to keep the Southern States in the Union, and if "Constitutional guarantees" failed, were "in favor of the recognition of the independence of the Confederate States." Meanwhile, well-known former federal and state officials were appearing in the Southern army. The weakened party had only 25 journals, compared to 43 supporting the Northern Democrats, 18 for the Republicans, and 13 that just wanted a Unionist candidate. Republicans carried California for Leland Stanford with 56,000 ballots, and put 39 supporters in the lower house. Northern Democrat John Conness received 31,000 votes and elected 32 assemblymen, while Southern Democrat had 33,000 voters and 9 men

in the assembly.

Though California was firmly committed to the Union in 1861, with Republicans controlling federal and state offices, a feeling of danger always remained. Extravagant rumors of secret, plotting, armed Southern societies circulated widely and wildly. Such was the nature of a civil war when former friends became political enemies, and former political foes, in some cases, became armed, uniformed soldiers. "When Rebels are in arms, Peace is Treason!" thundered one editor in August 1861. Yet Californians were ambivalent: "How little we know of the war," wrote one. "We get all the telegrams as soon as a New Yorker gets it," (after the completion of the overland telegraph in October 1861) but, the writer continued, "At the same time the terrors of war we escape. Well, I thank God it is so. It's terrible to dwell upon & more terrible as a reality." And in a similar vein, "I am living right in the midst of Secessionists," wrote a miner from Hornitos to his mother in New Hampshire. "We try to live, and as [let] live, in harmony and peace," he wrote, even though "California," he declared, "is loyal to the extreme."

But public opinion polarized and heightened, and California's existing civil law did not meet the test of silencing dissent as well as some hoped. The first attempts at direct suppression came through modifications of the law and government decrees, but these would prove ineffective. "When the law of the land fails to come up to their standard of efficiency," warned the *Marysville Appeal* in 1861, "men take it into their hands." Some groups would turn to violence, sometimes in response to a direct insult that demanded "honor" be upheld, and sometimes out of rage against the public expression of a view so contrary to theirs. More subtle but more effective than mobbing in silencing Democratic papers was the loss of political patronage and paid subscriptions and advertising.

Community papers were also vulnerable in another way because they used the mails to reach subscribers in outlying areas. A precedent had been set in the 1830s, when the post office had banned the distribution in the South of papers advocating the abolition of slavery, such as the "immediatist" Abolitionist William Lloyd Garrison's *The Liberator*. In the first years of the Civil War the Postmaster General applied that precedent to justify closing the mails to economically cripple certain Democratic papers. On February 15th, 1862, Washington postal authorities acted on local complaints to prohibit the use of the mails to the *Los Angeles Star* and an Oregon paper, which were "treasonable publications."

Though only 11% of California's population came from the South, many Northern-born held to the Southern Democratic beliefs. Los Angeles County had a vocal Southern Democratic majority and the *Star* presented their views. In March 1861, for instance, editor Henry Hamilton* called on Lincoln to "at once acknowledge the existence of the new Confederacy," and, recalling the American war for independence, announced that the North occupied the "precise position"



of George III. The *Alta* approved the suppression: "Liberty of the press is intended for honest and loyal men; not for traitors and knaves." Hamilton saw the situation in a different light. After his own free expression was shut off by the government, Constitutional liberties, he concluded, were apparently "mere shams." He had the *Star* delivered privately.

The same postal precedent prompted General George Wright, commanding the military Department of the Pacific, to ask the San Francisco postmaster to ban a second Oregon paper due to the "lurking" secessionism in its columns. Unlike the California paper, both Oregon papers stopped publishing.

Through the spring and summer of 1862, the war situation worsened for the North. The Union drive to capture the Confederate capital at Richmond faltered and failed, casualties increased, and the demand for troops swelled. England and France threatened intervention on the South's behalf and public support for the emancipation of Southern slaves grew. As the war dragged on beyond what most Northerners had expected, increasingly disrupting their daily life, Democratic outrage grew. On August 8th, 1862 the Secretary of War, at the direction of President Lincoln, suspended the writ of habeas corpus and ordered the arrest of civilians for "discouraging voluntary enlistments" and "giving aid and comfort to the enemy."

In the Golden State, Republicans and Northern

*See "A California Copperhead: Henry Hamilton and the *Los Angeles Star*" by John W. Robinson in DTQ#32, page 38.

Democrats formed the Union party to bolster the Northern war effort. The remaining Northern Democrats sided with their Southern compatriots, but still retained a separate party organization. Only one state-wide office was up for election, Superintendent of Public Instruction.* Unionists had 54 papers, Northern Democrats 17 and Southern ones 18. The popular vote and number of assemblymen elected on September 3, 1862, showed the same relationship: Unionists 51,000 and 63; Northern Democrats 22,000 and 10 and Southern Democrats 16,000 and 7.

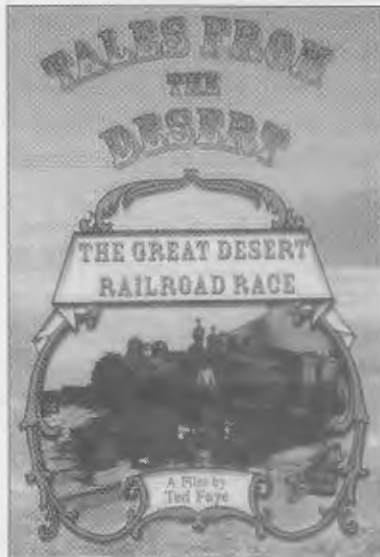
The War Department orders came by mail on September 8th, five days after the election. Their substance and arrival had nothing to do with California conditions. Had the War Department been even remotely concerned about Western secessionists, it surely would have telegraphed the commands. General Wright, though a non-alarmist moderate, promptly put the orders into effect. Unionists immediately presented Wright with four men to inaugurate the political

*See page 32 of this issue "Acquiring the Power of Ready Thought: The Educational Philosophy of John Swett" by Dr. Nicholas C. Polos.

prison at Fort Alcatraz, including the Los Angeles *Star's* editor Henry Hamilton. The U.S. Marshal charged that "persistently and publicly" the editor had "sought to array the sympathies of the good people of this community against the Government." Ten days under arrest did little either to chasten or disgrace Hamilton; he returned home to a hero's welcome.

On September 15th General Wright asked the San Francisco postmaster to exclude from delivery the daily Stockton *Argus* (adding the *Democrat*, its weekly edition, the next day), and weekly San Jose *Tribune*, the deceased Visalia *Tulare Post* and its successor the Visalia *Equal Rights Expositor*. He added three Oregon papers in early October and, on October 28th, included a fourth Oregon paper as well as the weekly Placerville *Mountain Democrat*. Though several major Union dailies withheld comment, the *Alta*, Sacramento *Union* and Sacramento *Bee* felt that the ban was at the least a "public notification" that "loyal" men should not support these papers.

In contrast to Oregon, where Unionists banned all five of the state's Democratic papers, suppression in California depended on local political usefulness, as the following Biven case will demonstrate. The five



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The Twenty Mule Team of Death Valley



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Approximately 50 minutes.

papers, all published outside of San Francisco, amounted to one-sixth of rural small-town California Democratic papers. The banned papers were not necessarily their area's most important or most vocal. The city of Stockton provides a good example.

In 1862, Stockton had three dailies: the *Argus* (a Northern Democratic paper founded in 1854), the *San Joaquin Republican* (the oldest of the papers as well as a Southern Democratic supporter since its birth in 1851) and the *Independent* (a Republican voice since August 1, 1861). In September 1862, Unionists chose to turn against the *Argus* rather than the misnamed *San Joaquin Republican*, even though one of the *Republican's* proprietors served on the Southern Democratic central committee.

New York native William Biven had put his energies into making the *Argus* a good local newspaper, and it surpassed its Southern Democratic rival in circulation. The weekly edition of the *Argus*, named the *Stockton Democrat*, proudly—and significantly—proclaimed, "Largest circulation [of] any newspaper within the range of delivery of the Stockton Post Office." Biven, noted the *Alta* in 1861, was at first "a zealous Union man" but he became disenchanted with Unionists when the Republicans, he charged, "openly swindled" him out of a nomination for the lucrative position of county sheriff. By mid-September 1861, Biven denounced the Lincoln administration as a "signal failure" enlisted in the cause of "Abolitionism." After Democrat A.C. Russell became editor of the *Argus* on February 12th, 1862, Lincoln's birthday, the paper became even more bitter.

Under the postal ban, the *Argus* ceased publica-

tion on September 16th, and the *Democrat* followed on September 20th, without much notice in the two other papers. The daily *Independent* suggested the *Argus* was "tinctured" with "traitorous proclivities," but did not think the comment was worth repeating in its weekly edition. The *Democrat* found that reasoning "simply ridiculous," and suggested instead "an underhanded attack" on the *Argus*. Republicans had not paid a \$4,000 loan needed to establish the *Independent*, which was due September 1st at 1.75% per month interest, and wished to destroy the competition.

Surprisingly, the *San Joaquin Republican* issued no flaming editorial on this abridgement of newspapers' First Amendment free speech and free press rights. In May 1862, Holmes C. Patrick and James M. Conley brought the paper more to the center by hiring Beriah Brown, a 47-year-old Northern Democratic editor possessed of a vigorous writing style. After Biven protested, Brown asserted on September 19th, "We believe in free speech." However, it seems that the *Republican* as well as the Republicans had financial reasons not to mourn the passing of the *Argus*. The *Stockton Insane Asylum's* resident physician was a political appointee, and when a Republican replaced a Southern Democrat, he withheld that institution's job printing from the *Republican*. The loss of *Asylum* patronage as well as the paper's unpopular views hurt it. The *San Joaquin Republican* published its last issue in Stockton on December 13th, 1862, and moved to Sacramento because, Patrick later recalled, the people "found its political tenets so obnoxious" that the paper "had no choice but to abandon its principles or cease to exist."

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To **STOCKTON DAILY ARGUS, Dr.**

In Stockton, Republicans knocked out one Democratic paper in September 1862 when General George Wright banned William Biven's *Daily Argus* and its weekly edition, the *Democrat* from the mails, cutting its circulation. Though certainly not the most virulent Democratic paper in California, its death enabled the Unionist *Independent* to survive.

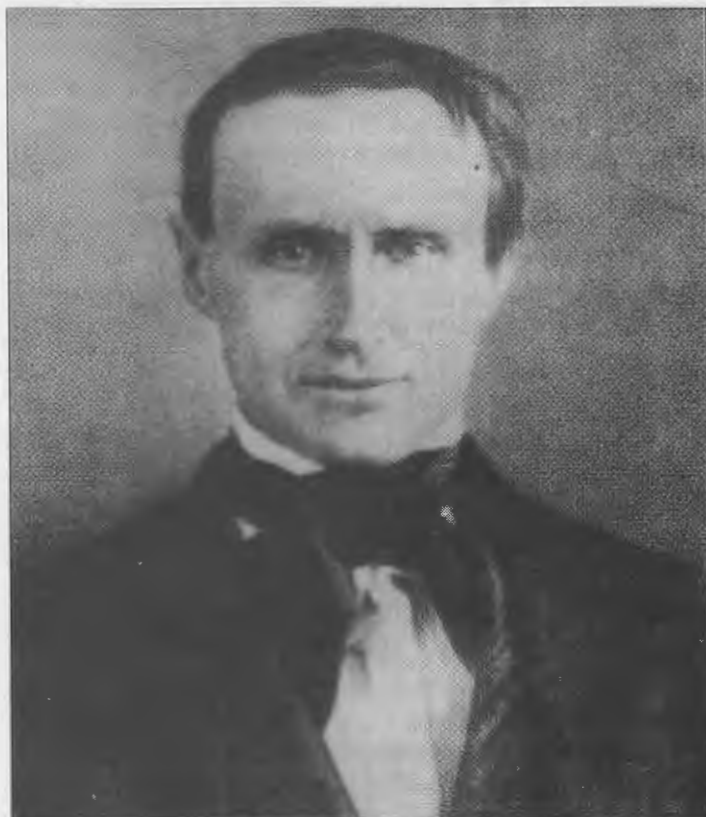
The move hardly solved the *California Republican's* problems, for conditions in Sacramento were far from ideal. On January 6th, 1863, two days after the new Democratic party "organ" appeared, one Democrat had discouraging words for another: "Times are so very hard & and [the] 'Sac Union' has such a reputation for a newspaper even among those who dislike its political views," he wrote from a mining town of 150, that he did "not believe that more than two or three subscribers could be obtained."

Along with other editors, Biven fought the exclusion of his paper from the mails. First, he visited army headquarters and appealed to have the ban lifted. When that failed, Biven leased materials and went into merchandising in San Jose involuntarily to make a living during his exile from journalism. Biven and Easley had a "fine stock of family groceries," reported a San Jose paper, but perhaps the political views of the firm were suspect. Biven's clerk, Al Glasby, joined a band of Confederate robbers who held up the Placerville stage in June 1864. In March 1863, Biven returned to Stockton and his first love, publishing newspapers, which he did until his death in 1875.

By December 1862, General Wright realized that suppression of dissent under the War Department orders of August 8th was both troublesome and ineffective. Believing it would be more efficient to aid the "organization of militia companies" and post troops in California's hot spots, on December 26th Wright asked the San Francisco postmaster to restore the use of the mails to all papers. But the end of formal press suppression in California only marked the beginning of a harsher form of censorship, as Unionists began singling out specific papers for silencing by violent, extra-legal means.

Visalia, Tulare's county seat and home of half of its 1,000 voters, set the pattern. Here, a small minority of staunch Unionists stubbornly battled the outspoken, Southern sympathizer majority. On August 16th, 1862 Democratic leader Colonel Thomas Baker insulted the American flag and dared General Wright to arrest him, according to the Unionist newspaper. Two weeks later, Democrats used the press and type of the *Tulare Post* to print the *Equal Rights Expositor*. Editors Samuel J. Garrison and Lovick Pierce ("Long Primer") Hall, not bashful about their sentiments, proclaimed on August 30th that "The south stands justified before God and before the world for the position she has assumed."

On September 15th General Wright banned the *Expositor* from the mails and ordered two companies of



Colonel Thomas Baker was arrested in San Francisco for insulting the American flag two months earlier in Visalia. He was released after posting a \$5,000 bond and taking a loyalty oath.

the Second Cavalry to Visalia. A month later, the U.S. Marshal arrested Colonel Baker in San Francisco for his August speech, and Wright sent him to Visalia for trial. Evidence was inconclusive and after a few days, the General released Baker after the latter took the loyalty oath and posted a \$5,000 bond guaranteeing his future good behavior. Outraged Visalians hurled taunts and insults at Baker's persecutors, which led to brawls and the death of an off-duty federal soldier. Naturally, Southern Democrats held the county offices and not surprisingly, Unionists received no apologies or redress either for the soldier's death or the insults to them or the flag.

In January 1863, one of the cavalry captains arrested the two editors on charges of agitating the populace, but Wright shortly ordered them released. The fiery Hall, emboldened, impugned the personal honor of Unionists in general, asserting that they were "dunghill breeds," mere "cowards and scoundrels" without the "pluck to resent a personal insult." Later, on March 5th, 1863, the *Expositor* blisteringly characterized the soldiers as "bandit warriors" who would

"hire out their services." That evening, 40 troopers invaded the *Expositor* office and destroyed it, leaving only scrap metal.

The Visalia Unionist paper blamed General Wright for the vandalism, stating that because he had failed to protect his soldiers from "insult and abuse, they had abated the nuisance themselves." Though the prestigious Sacramento *Union* condemned the "illegal and authorized attack," other Union organs such as the Sacramento *Bee* and weekly Sonora *American Flag* joined in placing the blame on Wright's "leniency." On the Democratic side, they denounced the soldiers. The Los Angeles *Star*, as might be expected, endorsed the *Expositor's* "sound Democratic doctrine." More significantly, the Jackson *Amador Dispatch* pointed out that the Democratic state central committee had "not even talked" over the arbitrary actions in California, or made "one effort for redress."

The Democratic party, supposedly champions of free speech, had done nothing. Stern, personal measures were generally approved of by Union supporters. "If the law cannot punish [Southern sympathizers]," remarked the *Alta*, "public opinion will." And public opinion became superheated in mid-March after civil and military forces seized the schooner *J.M. Chapman* before its crew of would-be Confederate privateers could try to plunder the Pacific Mail steamers. The federal authorities knew of this romantic and futile plot almost from its inception, and nipped it as the *Chapman* was getting under way. Even so, the *Chapman* incident brought the war home to California; it was no longer just a distant Eastern phenomenon. In a tempestuous reaction, the California Legislature strengthened the militia, allowed the California Volunteers to vote absentee, banned treasonable activities and became the first state in the North to pass laws requiring that loyalty oaths be taken by attorneys and school teachers. At the same time, the first statewide secret political organization, the Union League, emerged. Prominent federal and state officers were leaders, and under a charter from the national headquarters, it organized Union voters and militia companies and watched Secessionists closely. (Earlier Union Clubs were neither as widespread nor united in one organization.) Beriah Brown was one of the first prominent Democratic editors to suffer from the heightening Unionist intolerance. His Sacramento *California Republican*, claiming to be the Democrat's central party voice, "recognized" Secession as lawful state authority and "sympathize[d]" with the Southern people. Early in the morning on April 23rd, 1863,

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Catharine Tyler

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John Swett, Superintendent of Public Instruction, was elected in the only statewide contest for office in 1862. He required school teachers to take the oath of allegiance shown above to "fight ignorance and its twin sister secession until the last vestige of both shall be swept from our State."

20 soldiers from Camp Union broke into the office and scattered \$500 worth of type. (Though much more moderate than Hall's *Expositor*, and with no specific offense ever cited, the general tenor of Brown's beliefs got his paper into trouble.) The paper did not miss an issue, however, and the two Unionist Sacramento papers as well as the Marysville *Appeal* "repudiated and denounced" the vandalizing soldiers and called for them to be "punished."

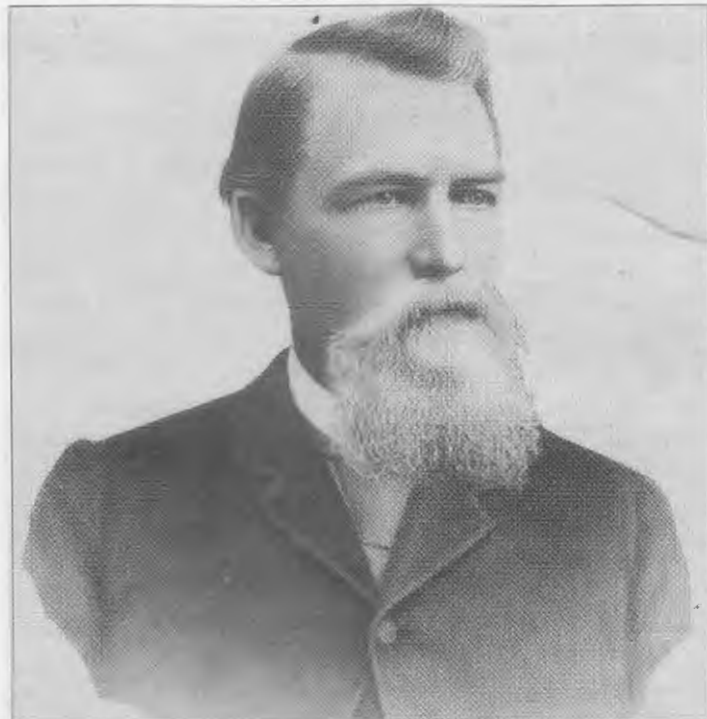
Now that their primary party paper was the victim, Democratic wrath streamed forth against the "mercenary ruffians." Brown himself charged, "Without citing evidence, that "Republican party politicians" were the "instigators." Unlike the Sacramento and Marysville Unionist papers that had condemned the bully-boy techniques of the soldiers to silence Brown, the San Francisco *Alta* and *Bulletin* and Stockton *Independent* congratulated the troops. "Lynching a Traitor — Legally Wrong — Morally Right," trumpeted the Sonora *American Flag* headlines. If newspapers "make themselves obnoxious," wrote General Wright, dismissing the attack, they "must blame themselves only if they suffer." When, on May 9th, the telegraph [mistakenly] reported the capture of Richmond and the *Republican* office refused to hoist the national colors to celebrate, angry Unionists climbed up on the paper's balcony, waving flags and yelling, "Gut the

traitor office." Inside, the newspaper staff cowered in rooms darkened by the closed iron fire shutters. Yet, somehow, despite decreasing revenues, the *California Republican* managed to continue publishing through the September election.

1863 brought a realignment of the opposing political parties. Lincoln's proclamation on January 1st, 1863, freeing the slaves within the Southern Confederacy, united California Democrats, though they remained divided on whether to openly oppose the war against the South or to tacitly support the preservation of the Union by force. Also, the emigration of party leaders to Southern armies and Nevada's Comstock Lode brought new men to power. In late spring, the two wings of the party officially united. Many editors were Peace Democrats, who favored an end to hostilities even if it meant Southern independence, and the approaching Union victory led to bitter outbursts.

Three editors in particular came to the fore this year—Beriah Brown closed down his failing Sacramento *California Republican*, and in October began the San Francisco *Democratic Press*—as the first Democratic party daily in the Bay City since 1861, the *Democratic Press*, appropriately, used the equipment of the departed *Herald*; Thomas A. Brady's weekly San Francisco *Monitor* voiced the feelings of the city's Irish working class and Catholics, and the Emancipation Proclamation put that paper and its labor-conscious constituents firmly into Democratic ranks; finally, there was New Yorker Charles R. Street, who made the old Marysville *Daily California Express*—a partisan voice since 1851—California's most vocal Peace Democratic paper.

As the Democratic party declined in strength through election losses in 1860, 1861 and 1862, the Union party pitted former Republicans against former Northern Democrats in a battle over spoils. At the Union Convention in June, Union Democrat John Conness whipped Republican Leland Stanford, and a resolution singled out Sonora's "energetic and reliable" *American Flag*. The *Flag's* pages expressed the passions of drygoods merchant Daniel O. McCarthy, a dedicated journalist who had become an abolitionist after witnessing the mistreatment of a slave in his home state of Mississippi. McCarthy accepted journalistic and physical combat as a matter of course, viewed any criticism as a personal insult, and loosed upon the Democrats his formidable chief editor Calvin B. McDonald, sometimes called the "Triple Thunderer" because of the rhetorical rumbling and lightning of his editorials. In 1863, McCarthy's circulation grew



Daniel O. McCarthy was the editor of the *Sonora American Flag* which vigorously supported the Union. He became an abolitionist after witnessing the mistreatment of a slave in his home state of Mississippi.

from 700 to 3,000 due to its vigorous support for the Union and its "deep damnation of traitors."

During the campaign, the editorial output of 62 Union papers overwhelmed that of 35 Democratic ones, considering that the vote for governor in September was about in the same proportion—Frederick E. Low received 64,000 votes to 45,000 for John C. Downey—and Unionists gathered 72 of 80 assembly seats.

In the Presidential election year of 1864, both parties reined in their most offensively extremist newspapers, and the number of Democratic papers continued to decrease. That March, the Democratic state central committee invited all "in favor of a speedy and honorable peace" to meet in convention on May 10th. The Marysville *Express* argued that "the Confederate States ought not to be coerced back into a Union moulded to Abolition principles," while the *Democratic Press* did not want "a full and distinct platform," lest they either alienate some Democrats or give Unionists a specific target.

Papers too far from the Democratic center did not survive. During the winter of 1863-64, three Democratic papers that openly supported the war effort died or passed into Unionist hands, while on the opposite side of the party, strong Peace Democratic papers fared

poorly. In Napa, the newly elected Democratic sheriff gave his patronage to the moderate *Reporter* rather than the *Pacific Echo* (the county's oldest Democratic paper). The neglect of the Snelling-Merced *Banner* was similar. Mrs. Rowena Granice Steele, wife of the editor Robert J. Steele, was the *Banner's* dominant personality. This "she-cess editress" ably demonstrated the sincerity of her politics in May of 1863, when she named their son "Jefferson Davis Lee Stonewall Jackson Richmond Steele." In 1861, the Steeles found that Auburn was not interested in reading the Southern views in their *States Rights Democrat*, and the next year they left for a more congenial, and remote locality. For a while, during Lorick "Long Primer" Hall's tenure on the staff of the Snelling paper, the *Banner* announced itself to be the "unwavering advocate" of the "Southern Confederacy." On February 2nd, 1864, some soldiers of the Second Cavalry came calling to express their displeasure in what had become their usual way. They overturned the press, scattered type and did enough damage to warn Steele of the danger in making further "scurrilous" remarks. After missing one issue, the *Banner* bravely resumed publication, accompanied by silence from both Union and Democratic papers and declining patronage. In June, the Steeles offered the paper for sale; their views were too extreme for mainstream Democratic readers.

Meanwhile, all was not rosy in the Union camp. In 1864, the *Sonora American Flag*, a John Conness paper, moved to the Republican stronghold of San Francisco. In the *Flag's* view, only soft, quasi-Unionists had resided in the Bay City until the "Slasher of the Press"—as the *Flag* called itself—appeared on April 18th as "a straightout radical Union newspaper." It very quickly demanded harsh penalties for "traitors," and coupled perceived voting patterns and old stereotypes to single out "Secesh Jews, Copperhead Irish, and other traitors." By June, Unionists had applied enough pressure to silence the *Flag's* most embarrassing outbursts of ethnic bigotry in cosmopolitan San Francisco, but approved its course that brought the arrest of two Democratic politicians. In May, just previous to the Democratic state convention, the *Flag* published a pro-Southern speech delivered by John S. Chipman to an Irish political club. It doubled its success in July when Charles L. Weller, chairman of the Democratic state central committee, gave a similar speech, denouncing "military tyranny," to the same club. As a result of the *Flag's* publicizing their activities, Chipman and Weller spent a few weeks imprisoned on cold Fort Alcatraz, greatly embarrassing the



"She-cess editress" Mrs. Rowena Granice Steele found that readers in the Auburn area in 1861 did not want to read about her Southern views in the short-lived newspaper, the *States Rights Democrat*.

Democratic party through the "disloyalty" of their leaders. The *Flag*, however, became known for its wild, unsupported charges on a variety of topics. After a few Unionist oxes were similarly gored, the once friendly *Sacramento Bee* complained that the *Flag* "does not appear to have the faculty of distinguishing friends from foes."

The North's battlefield victories raised Unionist hopes and dropped the demoralized Democratic press to 31 papers during the Presidential campaign, compared to the Unionists' 66. Charles R. Street, chairman of the Yuba County central committee as well as editor of the *Marysville Express*, very reluctantly supported the party candidate, War Democrat General George B. McClellan. Only pressure from politicians and advertisers persuaded the Peace Democratic *Colusa Sun*, *Jackson Amador Dispatch* and *Napa Echo* to do the same.

Henry Hamilton, who earlier in the year had been a state senator and peace delegate to the state convention, preferred to sell his Los Angeles *Star* to Unionists.

Most of the Democratic papers were financially weak. Collecting subscriptions for Democratic journals, said the Sonora *Union Democrat*, was "labor thrown away." In August the Marysville *Express*, that preeminent peace paper, appealed for funds to keep going, while Beriah Brown remarked that his reward for editing Democratic dailies since May 1862 was a "large" debt. Such well-known weeklies as the Auburn *Placer Herald*, Jackson *Amador Dispatch*, Napa *Reporter*, Placerville *Mountain Democrat*, Santa Rosa *Sonoma County Democrat* and Sonora *Union Democrat* survived only by the labor of their editors and proprietors; they could not afford to hire journeymen printers. Not surprisingly, on November 8th, 1864 Abraham Lincoln carried California with 62,000 votes to McClellan's 44,000.

Lincoln's re-election and the war's end in sight calmed down the Union press but increased the bitterness of Southern sympathizers and those holding to the Confederacy's political principles. In San Francisco, neither government authorities nor the public had, so far, suppressed a newspaper through physical violence, though Unionists despised several. But now, when support of the faltering Southern cause drew a half dozen diverse papers together, the Sacramento *Union* condemned these "rebel agents" for what it saw as their "shameless disregard of the truth."

In early 1865, the *Democratic Press* and *Monitor* praised "Lee's gallant army," while Beriah Brown refused to raise the federal flag to celebrate the capture of the Cradle of Secession, Charleston, South Caro-

lina. Beginning in March 1865, the DeYoung brothers' widely dispersed free theater paper *The Dramatic Chronicle* joined the *Flag's* attack on Brown's *Democratic Press*, claiming that it was "chock full" of "hatred of our Government." Zachariah Montgomery, a former assemblyman who was the most consistent friend of the South to remain in California throughout the war, also became a target. Refusing to take the loyalty oath demanded of attorneys, he turned to journalism. Montgomery's *Occidental* appealed to Southerners, the Irish and Catholics.

When the British and French governments threw their support to the South, Unionist anger grew. It increased when the British built Confederate commerce raiders, such as the *Alabama*, *Florida* and *Shenandoah*, and the Emperor Napoleon III of France set up a puppet government in Mexico under Maximilian. In late 1864, Brown and Montgomery asked California Southerners to join the White Man's Colonization Society and take refuge in Mexico. The next year, Brown became the most avid public supporter of former Senator William S. Gwin's proposal to have Southerners, in alliance with the French and Mexican imperial governments, colonize the northern Mexican states.

The journalistic representatives of these segments of the population supported their home governments. Frederick Marriott, who was frequently charged but never convicted of blackmail, turned the biting sarcasm of his *News Letter* against Unionists generally. Étienne Derbec's *Echo du Pacific*, drawing support from the French consul, was naturally an imperial spokesman, while the *L'Union Franco-Americaine* was equally zealous but less able. In opposition, Unionists supported the Mexican Liberals under President Benito Juarez.

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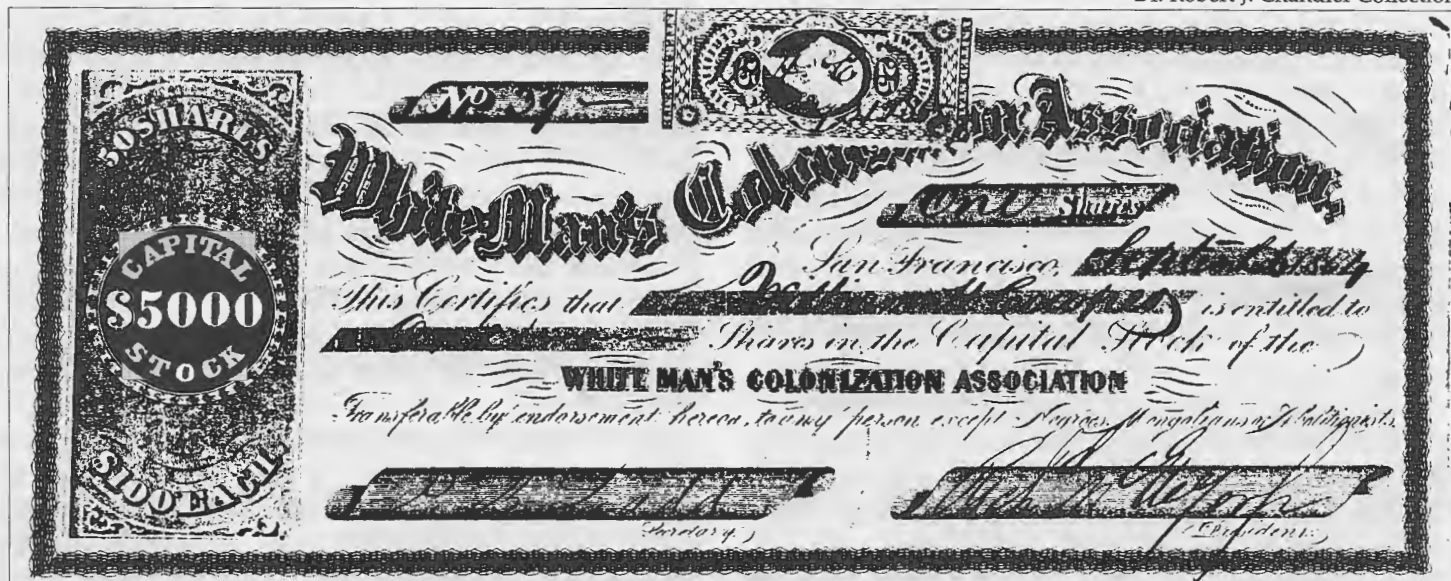
San Jose, *May 19th* 1864.

The Administrator in Estate of James Brown

TO OWEN & COTTLE, Jr.

Editor James Jerome Owen, Republican, Spiritualist, educator, assemblyman, and general reformer, became the first in California to advocate the emancipation of Southern slaves (October 1861) and black and women suffrage (1865).

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In 1864, Democrats became bitter, and sought to escape Republican abolition despotism. Editors Beriah Brown and Zach Montgomery were two of the four principals forming the White Man's Colonization Association. Brown had charge of the daily *San Francisco Democratic Press*, the preeminent party paper in the state. Montgomery, a former legislator, was the most consistent Southern politician to remain in California during the war. Refusing to take a loyalty oath for attorneys, he founded the weekly *San Francisco Occidental* in 1864 to pour out his Confederate views. This association, which excluded "Negroes, Mongolians, or Abolitionists," proposed to establish a colony in Mexico. It failed to materialize, and following the war, Montgomery became a leader in the anti-Chinese movement. Shareowner William Cowper worked at a news agency.

Through the spring, the major Union dailies called for the "mighty influence" of public opinion, rather than "inept" authorities or civil law to "thoroughly blast and punish" their foes, setting the stage for what followed. A shocking event brought popular outrage to a boil: the assassination of President Abraham Lincoln on April 14th, 1865. The telegraph brought the news mid-morning on April 15th, plunging San Francisco into mourning. About 3pm, sorrow turned to anger, and a mob took up the shout, "Down with the *Press*. Come on!" The *Democratic Press* was soon in the street, and during the next two hours, San Francisco mobs also destroyed the *Monitor*, *Occidental*, *News Letter* and *L' Union Franco-Americaine*, and besieged the *Echo du Pacific* in the *Alta California's* building. That evening, the Provost Guard occupied the wrecked offices, and soon completed the work of the mob by scrambling and ruining the French type of the *Echo* office. "It would have been better had the obnoxious papers, so long permitted to pollute the city, been strangled sooner," wrote an observer of the tumult, "and by the legal or military authorities. But as it is, the work was certainly done in a radical and effectual manner."

San Francisco civil authorities felt powerless to

calm the mobs and asked General Irwin McDowell, who in 1864 had replaced General Wright in command of the Department of the Pacific, to take action. On April 17th, he ordered the arrest of anyone and the "suppression" of "any paper" that was "so utterly infamous as to exult over the assassination."

No mobbings occurred outside of San Francisco, in part due to circumstances. Charles R. Street, in shock over the death of his wife, sold the *Marysville Express* to Alexander Montgomery of the *Napa Pacific Echo*, and returned to Long Island. Montgomery, in turn, published his last issue on April 15th, which probably prevented residents of Napa from tossing it into the creek. However, "Long Primer" Hall was not cowed. He worked with William Penry, who had two brothers in the Confederate army, on the *Jackson Amador Dispatch*, the only paper in California that did not reverse its column rules to express grief for President Lincoln's death. On April 29th, Hall & Penry's three-column editorial proclaimed, "Assassination the Legitimate Offspring of Abolitionism." Snide remarks about "His Bull-Run-ship" McDowell did not exactly inspire military forbearance, and the two Mississippians were soon on their way to Fort Alcatraz. There

they joined 37 other exulters who, wearing ball and chain, excavated the foundation for the still-standing brick casemated barracks as punishment for expressing their unpopular opinions.

By June 1865, the journalistic situation had returned to normal. The army released the prisoners, and four of the six San Francisco papers had resumed publication, two under different names. General McDowell forbade Beriah Brown to edit any paper called the *Democratic Press*, so proprietor William S. Moss changed its name to the *Examiner*, and chose a strong Southern Democrat as editor. He was Benjamin Franklin Washington, who had retired as collector of the port in 1861 calling for Californians to recognize the Southern Confederacy, and had remained quiet on an isolated Tehama County ranch during the conflict. In 1866—a year to the day of its destruction at the hands of the mob—Zach Montgomery revived his *Occidental* to, among other things, support a pro-labor working class point of view, and encourage the growing anti-Chinese movement. Only the *L' Union Franco-Americaine* never reappeared.

The war ended, the Union was preserved and the Democratic party revived. Stressing that this was a

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white man's country, it gained strength from those who opposed Republican Reconstruction of the South and legal rights for blacks and Chinese in California. In September 1865, though, the Democratic party press had only 20 papers to oppose 78 Unionist ones, the Democrats elected 19 assemblymen. In 1867 the Union party split, because many of its members felt their candidate for governor was too closely tied to the Central Pacific Railroad and other corporate interests. Democrats, on the other hand, pragmatically chose wartime moderates rather than redhot rebels. Now, 42 Democratic papers faced 65 Unionist ones, but the major Unionist dailies repudiated the nominee as a man felt to be allied with "a gang of plunder-seekers." The *Examiner* saw the battle as one over "Negro and Chinese suffrage." Democrats gained victory with 50,000 votes, compared to 40,000 for the Union party and 2,000 for the Republicans, and captured control of the assembly with 52 members. In 1868, while 50 Democratic papers battled 64 Unionists, the Republican Presidential candidate, war hero General U.S. Grant, only narrowly won in California, 54,588 to 54,069.

The wartime editors and papers faded away within two years. Street of the *Marysville Express*, as noted earlier, had left before the end of the war. In November 1865, Thomas A. Brady sold the *Monitor* and in 1866, Beriah Brown went to the Pacific Northwest, eventually settling in Seattle where he founded the *Puget Sound Dispatch* and became mayor. When Alexander Montgomery moved his dying *California Express* away from Marysville in December 1866, it marked the demise of the last of the three great Democratic dailies begun when the state was young. At least 20 important pre-war dailies and weeklies also did not survive, largely because of their wartime political views. Only 10 well-known Democratic names were left. After the war, with the parties' legislative power nearly in balance, the 1868 and 1870 Legislatures finally granted the proprietors of the mobbed San Francisco papers and the *Visalia Expositor* permission to sue the city or county for damages.

The Southern partisan press on the Democratic side were not the only ones to disappear: the *American Flag* finally destroyed itself by making too many charges it could not support against too many powerful people and institutions. On February 17th, 1866, the *Flag* announced that "seven subsidized scoundrels" in the Legislature voted against a bill the paper favored. Jailed for contempt, publisher McCarthy preferred to remain imprisoned for a month rather than substantiate his accusations. The *Flag* went from cri-

sis to crisis until its suspension in December. "It 'pitched in' to almost everything and everybody," said a sympathetic paper, "until many who would gladly have sustained it, were compelled to abandon it to its fate. All that the *Flag* lacked was a balance-wheel to have made it an eminent success."

The California state constitution proclaimed that "no law shall be passed to restrain or abridge the liberty of speech or the press." Even without this injunction, however, government efforts to suppress papers through banning them from the mails or arresting the editors had generally failed. Although Democratic editors and publishers suffered imprisonment or financial loss from these legal efforts and other extralegal, violent efforts at suppression, none were physically injured. Once the pressure was off, most resumed publishing. Several were continually subjected to the wrath of public opinion, illustrating both these journalists' perseverance and dedication to principle as well as the tolerance of society to let them continue: no one, it seems, cared enough to completely silence the opposition. Or perhaps even in its worst excesses, the mob retained in its subconscious the knowledge that what is done to one can be done to everyone. Still, newspapers could not and cannot transcend the limits of their readers' beliefs. Lack of financial support from subscribers and advertisers killed more papers than did suppression. When the smoke of battle finally ceased, around California two-thirds of the more significant Democratic papers were war casualties. The average individual, then as now, will not pay to read an opinion with which he disagrees.

From author to reader: This revised article was originally published in *The Californians*, Volume 8, Number 1, May/June 1990. Much of the research comes from my dissertation, "The Press and Civil Liberties in California during the Civil War, 1861-1865" (University of California, Riverside, 1978). Published portions concerning the press include "The California News-Telegraph Monopoly, 1860-1870" *Southern California Quarterly* 58 (Winter 1976), and "Crushing Dissent: The Pacific Coast Tests Lincoln's Policy of Suppression, 1862," *Civil War History* 30 (September 1984). A study of one California paper usually in trouble with the authorities is William B. Rice's *The Los Angeles Star, 1851-1864* (1947), while the flavor of a San Francisco daily during the 1864 presidential campaign is captured in *Clemens of the "Call"* (1969), edited by Edgar M. Branch. For Northern journalism during the Civil War see Robert S. Harper's *Lincoln*

and the Press (1951).

For examples of the manner in which the California press treated ethnic and racial issues, see my articles, "Friends in Time of Need: Republicans and Black Civil Rights in California during the Civil War Era," *Arizona and the West* 24 (Winter 1982); "'Anti-Coolie Rabies': The Chinese Issue in California Politics in the 1860s," *The Pacific Historian* 28 (Spring 1984); and "Some Political and Cultural Pressures on the Jewish Image in Civil War San Francisco," *Western States Jewish History* 20 (January 1988).

The best history of gold rush journalism is still Edward C. Kemble's long article published in the Sacramento *Union* December 25, 1858, well edited by Helen Harding Bretnor in 1962. Also, the California State Library has produced two significant studies: *Newspapers in California* (1985) and Marianne Leach's *Newspaper Holdings of the California State Library* (1986). Robert H. Harlan draws intriguing conclusions in "Printing for the Instant City: San Francisco at Mid-Century," in Michael Hackenberg's *Getting the Books Out* (1987). General histories ranging from scholarly to popular include Ella Sterling Cummins Mighels *Story of the Files* (1893), Franklin Walker's *San Francisco's Literary Frontier* (1939) and John Bruce's *Gaudy Century* (1948).

About the Author:

Dr. Robert Chandler received his doctorate in 1978 from the University of California, Riverside, for his dissertation on "The Press and Civil Liberties in California During the Civil War, 1861-1865," which this article is derived from. Since that time he has been the senior researcher for Wells Fargo Bank Historical Services in San Francisco. He also serves as a historical advisor to the *California Territorial Quarterly*.

Dr. Chandler has also written several other articles that have appeared in the *Dogtown Territorial Quarterly* since 1997. "Emma Hardinge: A Spiritual Voice for the Slave and the Union" appeared in DTQ#29, Spring 1997; "Democratic Turmoil: California During the Civil War Years" in DTQ#31, Fall 1997; "José Chico: Bearing a Bi-Cultural Burden" in DTQ#32, Winter 1997; and "California Stagecoaching: The Dusty Reality" in DTQ#47, Fall 2001.

Dr. Chandler was recently awarded the Westerners International's Coke Wood Award for the Best Journal Article Published in 2001. See the next page for full details.