

The monthly newsletter is a service to the community and our members. We welcome requests to research specific topics from the public and accept articles on local history. Please note that the Society reserves the right to accept or decline any article or material at its discretion. The Society is not responsible for the loss of or damage to any submitted material so please keep a copy for your records. Please include a note authorizing Anderson Historical Society to publish the material. We need two things from all members or those interested in local history: please be sure the Society has an updated email address and please spread the word to friends and neighbors about the Newsletter. Please contact us at:_____.

Question: Old Shasta County maps listed Justice of the Peace Court jurisdictions. What happened to them?

The Justice of the Peace Courts were the part of the California judicial system that most rural residents of Shasta County had contact. The office started with Richard the First of England in 1195 when certain knights were authorized to dispense summary justice and deal with local administrative problems. The practice of a Justice of the Peace transferred to the United States along with much of our common law. The system fit the vast area of California because it usually dealt with cases faster, less formally so that parties could represent themselves, and avoided the time in traveling to the county seat to settle small debts, landlord-tenant disputes or minor criminal actions. In California a Justice of the Peace was not required to be a lawyer and usually were not.

The Second Constitutional Convention established the current Constitution of the State of California that went into effect in 1880. Under the new statutes Justice Courts (Class B) had jurisdiction over minor criminal cases where the penalty did not exceed six months in the county jail or civil cases where the damage did not exceed \$300.00.

Ono was the seat of one of the Justice Courts in Shasta County. The judicial district covered the area from Igo westward to the Trinity County border. The Justice of the Peace were elected for four years and initially paid \$25.00 per month. Ono claimed the longest serving female Justice of the Peace in the history of the Court. Martha Couey (nee Taylor) was appointed to the office in 1936 at the death of her husband, George Marion Couey. At Martha's death in 1956, she and George had forty-two years of combined service.

It was the fact that a Justice of the Peace need not be a lawyer that led to the demise of the Court. In 1974 the California Supreme Court held that it was a violation of due process to allow a non-lawyer to preside over a trial that could result in incarceration of the defendant. The United States Supreme Court in 1976 disagreed but California had already begun to dismantle the system. The final blow to Justice Courts was Proposition 220 in 1998 that merged all lower courts into the Superior Court that and required all judges to be lawyers. There are still Justices of the Peace within California but they do not function within the court system.

Note: Alta California July 5, 1856: Fatal Affray – Mr. James T. Williamson, writing from Horsetown, June 14, to the Shasta Vigilante, says: it is my painful duty to inform you of an affray that took place this afternoon in Horsetown. A dispute took

place about the ownership of the Artesian well that is to supply this place with water instead of the Ditch Company, in which three men were killed and ten wounded. I have not been able to learn the names of the parties.

Note: San Francisco Bulletin February 3, 1887: Special to the Bulletin: a miner's head blown off. Anderson, February 3 – Yesterday at 5 o'clock, Hayes Dunham, the brother of Doc Dunham of Igo, was warming giant cartridges in the blacksmith shop at the Hardscrabble Mine. He warmed them by putting them in hot water. He had just put some in the bucket when they exploded, blowing off his head and wrecking the shop. Dunham was aged forty-five and leaves a wife and five children.

The October 2017 Newsletter contains three articles: 1) Salt Lake Rangers, 2), Dueling and 3) Ferdinand and August Hurst

Salt Lake Rangers

Shasta County has raised a number of militia units but none was harder to trace than the Salt Lake Rangers, reportedly raised in 1857. Research finally provided a strange history: the unit consisted volunteers that were not called into service for a war that didn't technically occur.

The "War" was known by various names: the Utah War, the Utah Expedition, the Mormon Rebellion, or the Mormon War. The war had no large battles although it did have civilian casualties and was resolved through negotiations. The potential confrontation lasted from May 1857 to July 1858 and centered on the Utah Territory.

The Mormon relationship with California began in 1846. The Federal government needed troops for the Mexican American War and the Church of Jesus Christ of Latter-day Saints (LDS), generally called Mormons, needed assistance to move westward from Iowa and Missouri to avoid continued persecution. The agreement was to raise the Mormon Battalion, a force of just over 500 men for one year of service. Much of the enlistment money was donated to the church for wagons to move followers westward while the troops marched from Council Bluffs, Iowa to San Diego capturing Tucson along the way. The majority of the Mormon Battalion upon discharge in California marched eastward from central California to the new Mormon settlements in Utah thus pioneering first a southern route to California, then a central route to California.

While the war was being fought, LDS President Brigham Young began the immigration into the area between the Rocky Mountains and Sierra Nevada Mountains. In 1849 Young petitioned the United States to form the State of Deseret but the petition was denied due to the vast area requested and the fact that the area was under exclusive control of the LDS Church. The United States formed instead the Utah Territory that ran from western Wyoming to the California border. To avoid a crisis the President appointed Brigham Young as the territorial governor. Over time the issues of plural marriage, popular sovereignty, and slavery slowly eroded the initial amicable relations.

Positions within the territorial government quickly became filled with political appointees from Washington rather than letting members of the local population fill the offices. The shrinking number of Mormon members became defiant towards the increasing number of appointed "representatives." The Mormon use of ecclesiastical courts rather than the federal court system for civil matters and for disputes over land titles and water rights brought Mormons into continual disputes with federal appointees. Brigham Young finally pronounced, "I love the government and the Constitution of the United States, but I do not love the damned rascals that administer the government."

The issues propelled a large anti-Mormon propaganda machine in the rest of the United States that demanded decisive action against the Mormons and pressure was put on newly elected President Buchanan to act after his inauguration in March of 1857. Buchanan decided to appoint a new territorial governor and send a force of 2,500 soldiers to establish a military post at Salt Lake City to ensure the enforcement of federal laws.

The Mormons with limited information on the purpose of the federal troops, called in out-lying communities in Carson Valley and San Bernardino and prepared to defend themselves. In August Young activated the Mormon militia, the Nauvoo Legion, and attempted to persuade the Native Americans within the territory to join their cause. Although some Native Americans aided the Mormon militia many took advantage of the "war" and attacked Mormon settlements. Young publicly urged emigrant wagon trains to keep away from the Utah Territory.

The federal troops reached Fort Leavenworth, Kansas in July 1857 under the command of General William S. Harney. The conditions in "Bleeding Kansas" between pro-slavery and anti-slavery groups altered the expedition. By the time some of the troops were free to move forward under Colonel Albert Sidney Johnston the winter had begun. Meanwhile Young had declared Martial Law in Utah. Local Mormon militia under the pretext of being Paiute Indians attacked an emigrant wagon train with a large herd of vital horses that had stopped at Mountain Meadow killing all the adults (17 children survived). Shortly afterwards, the Nauvoo Legion attacked and burned fifty-two provision wagons of the U. S. Army in a delaying action. Faced with a loss of provisions and a severe Wyoming winter the federal commander held the troops near old Fort Bridger (Camp Scott and Camp Eckelsville) until a summer campaign could be resumed. The eastern and California press used the situation to encourage a stronger response and encouraged states to seek volunteer militia units.

In July 1857 Captain Van Vliet (who had previously served at Ft. Reading) had been sent ahead to organize supplies for the expedition. Having left his escort he went to Salt Lake City. Upon his return he advocated for the Latter-day Saints and expressed Governor Young's desire to avoid further conflict. During the winter pause, Young was able to contact Thomas Kane (who had helped organize the Mormon Battalion) who was authorized by President Buchanan to undertake a mission to Salt Lake City. Kane arrived in February 1858 and after fruitful talks returned first to Fort Bridger to inform the military commander of a tentative agreement, then on to Washington D.C. in May 1858. In Congress a large body led by Senator Sam Houston of Texas was pushing a negotiated settlement. In April the

President issued a pardon (one member of the Mormon militia was later executed for the Mountain Meadow Massacre) and the army was allowed to proceed into Utah Territory. Johnston wisely moved the troops quickly to Camp Floyd about fifty miles southwest of Salt Lake City where there would be little interaction with the majority of Mormon civilians. Brigham Young surrendered the post of Governor to Alfred Cumming and the peace commission arrived in June 1858 to resolve the remaining problems.

In California the period was one of excitement with the attitude of the press being mostly anti-Mormon. By the end of 1857 there was wide spread speculation that the federal government would call on California to raise troops. In anticipation multiple communities petitioned Governor Weller to activate volunteer units for service. Some of the communities included Yankee Jim's, Auburn, Grizzly Flat, Tulare, Mount Ophir, Springfield, Downieville, Los Angeles, San Francisco, and Horsetown.

On January 14, 1858 Captain Isaac Hare, Company Commander of the Shasta Guards wrote to Governor Weller volunteering his company for active service in the event the federal government called on California for troops to put down the "Mormon Rebellion." Hare's company was part of the organized militia of California and was raised in Shasta and Horsetown. The Shasta Guards continued in militia service until after the Civil War but as far as is known were never activated for State or federal service.

A newspaper article in 1857 mentions raising a company called the Salt Lake Rangers but the unit is not mentioned in the organized militia list. The name Salt Lake Rangers suggests a volunteer unit raised for service in Utah rather than to combat local Native Americans. The newspapers could have been referring to volunteers from the Shasta Guard. When the crisis faded away without the call for California troops the unit became an obscure note in history.

(Note in addition to raising a volunteer unit to fight in the Mormon War and Captain Van Vliet serving at Fort Reading there was another connection to Shasta County. The wagon train that was massacred at Mountain Meadow split off from a larger wagon train. A number of the families from that portion of the wagon train that pushed on to California rather than stopping at Mountain Meadow initially settled at Texas Springs.)

Dueling

In November 1859, a Trinity County judge, R. T. Miller, and a James Gallagher, a former District Attorney of Trinity County, participated in a duel outside of Shasta. All the formalities were in place, a challenge carried by seconds, two seconds standing by for each man, a physician standing by for each man, and a choice of weapons. Everything was done just as in Europe or the old South to satisfy the honor of gentlemen. The rules were one shot at fifteen paces using Colt Navy revolvers. Judge Miller's shot struck the ground immediately in front of him, while Mr. Gallagher's shot passed through the judge's lower leg below the knee doing only minor damage. Both parties then shook hands and "expressed satisfaction."

The former District Attorney James Gallagher and his seconds, Mr. McNiell and Mr. J. P. Jones, were quickly arrested by the Sheriff of Shasta County who was on his way to stop the duel. The Sheriff had forced the cancellation of the contest the previous night at Tower House and all the participants had retired to Shasta. Judge Miller and his seconds, Mr. John Cuss and Mr. John Owens, were not arrested. It seems there was never any thought of arresting the physicians, Dr. Bates for Miller and Dr. Gordon for Gallagher. Those arrested were quickly released: after all duels were not brawls in the street disturbing the general public or causing harm to innocent bystanders. Duels were for gentlemen and even though illegal they had some popular acceptance.

The strange thing about the case was that the "dishonored" party was not even at the duel. Comments had been made about the status of a Mr. Watson and Mr. Gallagher as Watson's second took the challenge to the judge. The judge refused to accept Watson's challenge as he did not recognize Mr. Watson as a gentleman. When asked, the judge conceded that Mr. Gallagher was a gentleman and Gallagher offered his own challenge. Judge Miller accepted and organization of the duel proceeded.

Another famous duel in 1848, brought the legality and the sanity of dueling into question. State Senator W. I. Ferguson, the author of California's anti-dueling legislation, was in a dispute with the editor of the San Francisco Globe newspaper, Mr. Johnston. As dueling regulations were enforced in the city of San Francisco a well publicized "meeting" was arranged on Angel's Island in San Francisco Bay. The meeting was complete with large crowds and hawkers selling drinks, sandwiches and souvenirs.

As the duel commenced the crowds were respectfully quiet as Ferguson and Johnston faced each other from thirty feet. Both men fired and missed the other by a wide margin. Places were moved up to twenty-seven feet and the pair fired again with the same result. The crowd began to express its displeasure and the places were moved up to twenty-three feet. Again the pair missed each other and with the crowd jeering the places were moved up to twenty feet. When the poor shots fired that time each hit the other a wounding blow thus ending the "duel." Ferguson subsequently died of his wound leaving his opponent, Mr. Johnson, to face murder charges under the legislation enacted by his dueling partner.

The affair only served the purpose of creating a public desire to put a stop to dueling. County Sheriffs began to make arrests but it wasn't until the court system started convicting participants of murder that the practice stopped. But prior to the end of dueling there continued to be more daffy duels. There were duels for the near-sighted using shotguns and duels for miners throwing dynamite. There were men armed with axes and women were not to be left out: a few dueled with guns but the more successful used knives at close range. There were strange locations such as on the top of a moving train but my favorite duel was using potatoes. I can just see two "gentlemen" standing in the middle of the street pelting each other with potatoes until one party conceded and "honor" was won. The story did not relate if the job of the seconds was to carry buckets of potatoes or if a cook was substituted for a physician but whatever the case dueling rapidly came to an end in California.

Ferdinand and August Hurst

Two local residents were listed in the book, History of New California by Lewis Publishing Company, 1905: Ferdinand Hurst and his brother August Hurst. Both men were cited as discovering the Midas Mine at Harrison Gulch but something seemed a little off in the statement, so I rechecked the data. For some reason Ferdinand has abundant history and his brother August simply disappears later in life.

Ferdinand Hurst was born on February 18, 1862, in Renchen, Grand Duchy of Baden (Germany). He was the son of Leopold Hurst and Caroline Spuler. His father was a long-term alderman in Renchen. His father died in 1901 leaving a widow and daughter in Germany.

Ferdinand was educated to the 8th grade before immigrating to the United States in 1878. In 1879 he was living in Cincinnati, Ohio. He probably started out living with an older brother as Leopold was known to have a son who was a druggist in New York and another son who was a wine merchant in Cincinnati. By June 1880 Ferdinand was in Redding and listed as a miner. He was naturalized in the Shasta County Superior Court in July 1884. In the 1886 voter registration Ferdinand was listed as a miner in Buckeye. There was a note attached to Ferdinand's records that states by 1888 " he had developed two properties that were beginning to pay well," but the location was not identified. In Shasta County Marriages, Ferdinand married Sarah J. Williamson in August 1887. Sarah was the daughter of William W. and Sarah Amanda Williamson of Millville. She was born in 1854 in Nebraska but no death or divorces information was found. In the 1892 voter registration the couple were living in Millville.

The next data was confusing and related to the discovery of the Midas Gold Mine. One entry stated, that gold was discovered in Harrison Gulch in 1893 by Leonard Benton, John Isaac Fowler and a man named Rhodes. Reportedly the three sold their claim to the Hurst brothers who named the claim the King Midas, later shortened to Midas. Some geology books have the mine discovered in 1894 and run continuously from 1896 to 1914 by the Midas Gold Mining Company which sold it to the Victor Power and Mining Company after a disastrous fire in 1914. The biographic entries cited the Midas Mine was discovered in 1895 by the Hurst brothers. One newspaper entry cites Ferdinand as selling his half interest to Captain J. H. Roberts in 1897 while another article cites A. J. Fowler and F. Hurst as selling the Lucky Baldwin at Harrison Gulch to Captain J. H. Roberts for \$86,000.

The Midas Mine came to consist of three veins, two of which were the Gold Hill and Baldwin. The Lucky Baldwin was owned by the J.H. Roberts & Company in 1896. The Midas Gold Mining Company was formed with J. H. Roberts and Captain McIntosh as the primary shareholders and Roberts as president. The company owned the Lucky Baldwin and Lucky Baldwin Extension. In short Ferdinand and August could have bought up multiple claims in Harrison Gulch, developed them, and found one of the main veins that became the prime interest of the Midas Gold Mining Company. The exact dynamics of the early development of Harrison Gulch and the Midas Mine needs more research but it is clear that Ferdinand sold his interests and "retired after the sale" to establish a life as a capitalist.

There was a newspaper article dated May 10, 1897 that related to Ferdinand. It appears Ferdinand loaded a sack of gold bullion, valued at \$6,000, into wagon at Harrison Gulch but it was gone upon reaching Redding. Ferdinand searched for the sack without success. An old prospector named Jim Montgomery found the sack and returned it to Ferdinand. Ferdinand gave Montgomery \$500 as a reward for his honesty. It seems Ferdinand was well liked and had a history of helping old prospectors one of whom having no other kin at his death willed Ferdinand \$1,500.

After selling his portion of the Midas Mine, Ferdinand purchased the Golden Eagle Hotel in Redding in January 1897 for \$21,000. Ferdinand took over management of the hotel that stood on the corner of California and Yuba Streets. As a capitalist Ferdinand invested in other properties such as mining property at Coffee Creek.

In 1898 Ferdinand married a new immigrant named Marie (Maria) and the couple set up house on the corner of Butte and West Street. The couple also had a summer home at Sweetbriar. Marie died sometime before 1940. Ferdinand was a progressive and owned the first automobile in Shasta County. The couple maintained their ties to Baden returning at least in 1898, 1903 and 1929.

With "retirement" Ferdinand became more involved in various community events. In 1902 he was elected a trustee of Redding. In 1909 he was listed as serving as a Lieutenant Colonel in the California National Guard. In 1910 he was a director of the Bank of Shasta County (C.C. Bush, Junior was President). At least from 1909 to 1914 Ferdinand served as a County Supervisor. In the 1920 U.S. Census he was listed as a manager of a newspaper.

Ferdinand was long affiliated with the Masons and the Independent Order of Odd Fellows. Ferdinand died on July 4th 1951 in Redding.

Ferdinand's brother August was born in August 1867 in Renchen, the Grand Duchy of Baden. He immigrated to the United States in 1883 where he settled in Cincinnati possibly as a baker. In about 1886 August moved to Redding where he was employed as a miner. In January 1889 August was naturalized in the Shasta county Superior Court.

In 1890 "Gus" as he was commonly known, was mining in Squaw Creek west of Kennett. Some sources have him mining at Middle Fork prior to his being associated with the Midas Mine in 1895. Gus seems to have had a longer association with the Midas Mine and Harrison Gulch than Ferdinand. Gus owned the Grey Eagle Quartz Mine in 1903 which became part of the Midas Gold Mining Company in 1905. Gus was also associated with the Mabel V Mine in 1902-3 that also became part of the Midas Gold Mining Company. After Ferdinand sold his interests, there was a January 1899 article that stated, "Gus Hurst, well known miner from Harrison Gulch" was developing property a short distance south of the Midas Gold Mining Company property with Mr. Morrissey (Thomas Morrissey of the Kaufman General Merchandise Store in Knob).

Gus was cited as owning many other mining properties in the Coffee Creek area of Trinity County and in Shasta County, such as the Sheandoah Quartz Mining Claim. He was associated with four mines operated by the National Consolidated Mining Company: Garfield (1901-1902), Logan (1900-1902), Potosi (1896) and

Washington (1901). Biographical entries also state Gus mined in Mexico and South America but were not specific about where or when.

In addition to mining properties he owned an interest in the Golden Eagle Hotel. Gus was associated with the Masons and the Knights of Pythias.

Gus married in 1893, Amelia (Emelia) Frederika Knol who was born in Saxony in 1871 and immigrated to the United States in 1892. The couple had two children born in Redding: Emelia Maria (1901) and Ferdinand Otto (1903).

In May 1912 the family returned to Renchen, Baden. In March 1915 Gus filed an application with the U.S. Consulate that he intended to return to the United States within one year. World War I broke out for Europe in 1914 and nothing after 1915 was found on Gus. He may have stayed to help his widowed mother (his father died in 1901) or his younger sister. The evidence just ends for a man who played a big part in the mining history of Shasta County. If anyone has additional data we would very much like to hear it.