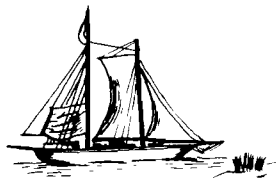


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MINUTE BOOK A - COURT OF SESSIONS (Civil) SAN JOAQUIN COUNTY - CALIFORNIA - 1850-52

Annotations by Robert Bonta

(Continued from the July-September 1979 Issue)

- 188 It is ordered that Aasan Van Camp be allowed two hundred and six dollars for committing two persons on a charge of Grand Larceny, and ranching [boarding] their animals as per bill rendered.
- 189 It is ordered that A. L. Williams be allowed fifty dollars for services at different county elections as per bill rendered.
- 190 It is ordered that David O'Niel, N. D. Tate, John Forrest and E. S. Beacham each be allowed twenty dollars for serving on Coroner's jury as per bills rendered.
- 191 It is ordered that M. Endecott [sic] be allowed one hundred and eighty-nine 50/100 dollars as costs in state cases, per bill filed.
- 192 It is ordered that George A. Hudson be allowed three hundred and twelve dollars on account for weights, etc., furnished county as per bill.
- 193 It is ordered that the sum of two hundred dollars per month be allowed the County Treasurer as extra compensation for services in collecting license taxes.
- 194 It is ordered and decreed, in accordance with the petition of G. A. Shurtleff and H. W. Gillingham, a committee on behalf of the Common Council of the City of Stockton, that the collection of taxes from vessels selling goods or persons selling goods from vessels within the limits of the City, be transferred to the City Council; and
It is further ordered and decreed that the order of this Court imposing said tax upon vessels or persons vending goods from vessels--made at the June term 1850--be, and the same is hereby, repealed.

the town on July 25, 1850. Judge Williams declared the city incorporated, and August 1 was set as election day for filling the city's offices. The City Council met for the first time on August 5. Needless to say, one of the first problems to be addressed was that of raising the revenue necessary to support city government. The reader will recall that on the previous June 25 the Court of Sessions had tackled the problem of raising county revenue by assessing property and poll taxes on everything and everyone in sight (a seemingly inevitable turn of events)--including vessels being used for the vending of goods. The right to tax the vessels lying at anchor within the new city was, by this entry, transferred to the new city government.

- 195 It is ordered that a County road be and the same is hereby laid out from the House of Noble and Stevenson at the French Camp and running thence in a direct line to the Tule House at the border of the high prairie in a southeasterly direction:
Thence in a south westerly direction to the lower ferry about two miles below Bonsall [sic] and Scott's Ferry, as laid out and now travelled.

The "high prairie" was the relatively high and dry (in all but the rainy season) land lying east of and paralleling the San Joaquin River, extending from French Camp southward into today's Stanislaus County. Swamp and overflow lands ("tule" lands) lay west of the San Joaquin and north of Banta's settlement, and included a low "overflow" strip along the east side of the river. The "lower ferry about two miles below Bonsall [sic] and Scott's Ferry" would have been Slocum's ferry near the confluence of the Old River and the San Joaquin River [see entry 164]. On the west side of the river the road skirted the tule lands to the right (north) and joined the established road somewhere near

The Court of Sessions, sitting as a judicial court, established the City of Stockton upon acceptance of a petition for incorporation presented by residents of

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Banta's.

- 196 It is ordered that Thayer and Williamson be allowed seventy dollars for services rendered as officers of different elections as per bill.
- 197 It is ordered that Lucas Gavidea be allowed one hundred and forty dollars for County Treasurer's office rent--as per bill.
- 198 It is ordered that Lucas Gavidea be allowed seventy dollars for rent of County Clerk's office as per bill rendered.
- 199 It is ordered that Mrs. Sleeker be allowed Twenty five dollars for license overpaid.
- 200 It is ordered that Court be adjourned to Court in Course.

Benj. Williams
Judge, C. S.

Court of Sessions

May, Special term, 1851

Be it remembered that heretofore to wit, on Monday the fifth day of May in the year of our Lord one thousand eight hundred and fifty one, a special term of the Court of Sessions was held pursuant to law for the transaction of county business.

Present: Hon. Benj. Williams, Judge
R. P. Ashe, Sheriff
A. C. Bradford, Clerk

- 201 It is ordered that Baker and Hickman be allowed one hundred and fifteen dollars for iron and locks furnished county prison as per bill rendered.
- 202 It is ordered that Charles Brown be allowed twenty-five 40/100 dollars for sheet iron furnished to the County prison as per bill.
- 203 It is ordered that John O'Neal be allowed twenty-five dollars for two tables furnished Court House as per bill.
- 204 It is ordered that the sum of one hundred and sixty dollars be allowed Gilbert B. Claiborne for services rendered as per bill filed.
- 205 Notice of Special Term
- 206 It is ordered That Osmond B. Taylor be appointed assessor of and for the County of San Joaquin.

Osmond B. Taylor (not to be confused with a later sheriff of San Joaquin County, Dr. Nelson Taylor) assumed the County Assessor's position upon the resignation of B.F. Whittier. He was a partner in the merchandising firm of Read and Taylor "on Main Street west of Centre." He was replaced the following February (1852) by John MacNish. Taylor came to Stockton from Virginia, and in the 1850 census he gave his age as 28 and his occupation as "merchant."

- 207 It is ordered That the sum of twenty-five cents on every one hundred dollars be assessed on all taxable property in the County of San Joaquin to defray the current expenses of the County for the present fiscal year--and the sum of twenty-five cents on every one hundred

dollars on all taxable property to defray the indebtedness of the County for the previous year.

The fiscal year began on April 1; since inception of county government the previous year the Court of Sessions had been doing a juggling act, trying to cover expenditures which always seemed to exceed income. The situation became critical in 1852, forcing the county to issue scrip in place of warrants and finally necessitating legislative action in Sacramento.

The Poll tax for County purposes is hereby fixed at the highest amount allowed by Law not exceeding the sum of four dollars.

- 208 It is ordered: That the sum of thirty dollars be allowed C. W. Bradford for services rendered as per bill filed as deputy sheriff.
- 209 It is ordered: That S. Neall, Jr., be allowed the sum of twenty-four dollars for services rendered as per bill filed.
- 210 It is ordered: That the sum of four thousand one hundred and seventeen dollars and fifty cents be allowed R. P. Ashe for services rendered as per bill filed.
- 211 It is ordered: That the sum of six hundred and forty-five dollars be allowed A. C. Bradford for services rendered as per bill filed.
- 212 It is ordered: That the sum of forty-six dollars be allowed R. P. Ashe for the expenses incurred by him in procuring in the case of the People vs Baker, as per bill rendered and filed.
- 213 It is ordered: That so much of the Territory included within the limits of Township No. 4, County of San Joaquin, as lies North of the Calaveras river, excepting the claims lying upon said river, be and the same are hereby created a new Township, to be known as Township No. 5.
- 214 It is ordered: That an election for two Justices of the Peace and one Constable be held at Staples' Ranch in and for Township No. 5 on the 24th day of May, 1851.
- D. J. Staples is appointed Inspector of Election.
- 215 It is ordered: That the resignation of Marcus L. Ward, Justice of the Peace in and for Township No. _____, be and the same is hereby accepted.
- 216 It is ordered: That a license be issued to Wm. Montgomery to carry on the business of Auctioneer for one year from date.

It is ordered that Court be adjourned to Court in course.

Benj. Williams
Judge, C. S.

Court of Sessions

Special June Term 1851

Be it remembered that heretofore to wit, on Monday the ninth day of June in the year of Our Lord one thousand eight hundred and fifty-one a Convention for the purpose of electing

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Associate Justices of the Court of Sessions of San Joaquin County was held pursuant to law and notice legally given.

Present: Hon. Benj. Williams, Pres't. Court
 Benj. G. Weir } Justices of
 Geo. W. Wood } the Peace
 F. J. Sullivan }
 A. C. Bradford, County Clerk

The Convention proceeded to ballot for Associate Justices and the ballots having been counted:

Benj. G. Weir received two votes
 G. W. Wood received one vote

Whereupon Benj. G. Weir was declared duly elected one of the Associate Justices of the Court of Sessions in and for the County of San Joaquin for the term prescribed by law, and received his certificate from the Judge and Clerk.

It is ordered that Court be adjourned.

The convention method of selecting two justices of the peace to serve each year with the County Judge on the Court of Sessions was spelled out by an act of the Legislature passed at its second session (1851). Actually it was mandated beginning with the first Monday in October of 1851 "and on the first Monday of October in every year thereafter," with a record of each one entered in the Court of Sessions' minutes. Judge Williams chose to hold his first "convention" on June 9 -- four months before it was actually required.

It is perhaps interesting to note that of the two associate judges selected by their peers to serve with Williams when the Court opened on June 3, 1850, one (Amyx) attended only two meetings before he resigned on October 8 (1850), while the other one (Emory) remained on the Court but attended only 5 of the meetings, the last one back in August -- hardly a commendable record for either one of these public servants.

And although Amyx had resigned in October, no replacement was chosen until this June 9th convention -- eight months later. In the interim, it was business as usual -- usually with the County Judge (Williams), the Sheriff, and the County Clerk legislating for the people of the county and serving as the "Court." This despite section 3 of the Court of Sessions Act of 1850 which required the County Judge to call together all of the justices of the peace in the county whenever a vacancy occurred for the purpose of selecting a replacement.

Passing ordinances and transacting the usual business of the county did not legally require the attendance of the two associate judges -- and this is why Judge Williams acted on county business even though he seldom ever had an associate judge sitting with him. Section 4 of the same Act stated, "The County Judge, OR the two Associate Justices, SHALL FORM A QUORUM of said Court for the transaction of business [*italics added*]."

Benjamin G. Weir was serving as a Justice of the Peace in the Stockton Township at the time of his

election to the Court of Sessions on June 9, 1851, joining Judge Williams and Oliver C. Emory -- both of whom left much to be desired. Weir proved to be a little more honest than the other two, perhaps, but judging from George Tinkham's description of him he wasn't much better as a public servant.

Weir was in and out of politics and public office much of his adult life, beginning with his selection as a vice-president of the Democratic Party of San Joaquin County when it was founded in April of 1851. He was re-elected to the Court of Sessions by convention on October 6 (1851) and again on December 6, 1852 (the October, 1852, convention mandated by the state was evidently delayed until after the permanent replacement of the presiding County Judge, William A. Root, who passed away on the preceding August 30th). Weir's attendance record left much to be desired. While sitting on the Court he carried on a real estate business on the side, maintaining an office on Center Street.

In 1855 he served a one-year term in the California Assembly, and soon after joined a relatively small group of men under the command of William Walker in the overthrow of the Nicaraguan government. He returned to Stockton when Walker's scheme failed (and Walker was executed in Honduras). George Tinkham relates, in his HISTORY OF SAN JOAQUIN COUNTY, an interesting incident concerning his father and Benjamin Weir, and also gives his opinion of the character of the man:

The Judge, as I remember him, was one of those easy-going Missourians [he was actually born in Virginia circa 1802] who was contented with a mere living and the easiest way of obtaining it. He was a politician and social with all classes, floated into office, having been elected justice of the peace several times, and twice a court judge. By what hypnotic influence Walker aroused the latent energies of the Judge I know not, but he joined the expedition. One morning my father, who kept a meat market, was surprised to see a strange man, to all appearances, walk into the shop. His clothing was in rags, his boots were worn out, his stockingless toes showing through the leather, he was without a hat and his hair and whiskers looked as if he had not seen a hair cut or shave for many months. Making himself known to my father he exclaimed, "For God's sake, Tinkham, lend me fifty dollars, I can't go home looking this way." Recounting the terrible experience through which he had passed, he said, "No more Nicaragua for me."

During the Civil War Weir moved to Stanislaus County and once more, as a states' rights and pro-slavery advocate, became active in local politics.

Years after the War he served a term (1876-77) as County Recorder and Auditor.

Court of Sessions

June Special Term 1851

Be it remembered that heretofore to wit, on Tuesday the Tenth day of June, in the year of

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our Lord one thousand Eight hundred and fifty-one, a Special Term of the Court of Sessions was held pursuant to law for the transaction of County business.

Present: Hon. Benj. Williams, Judge

O. C. Emory

and

Benj. G. Weir, Associate Justices

R. P. Ashe, Sheriff

A. C. Bradford, Clerk

- 217 It is ordered: That there shall be, and hereby is created, a Township in the County of San Joaquin, to be called Township No. 6. Said Township shall be bounded as follows, to wit; on the North by Weber's Grant, so called, -- on the West by the San Joaquin River, -- on the South by the Stanislaus River, --and on the East by a line commencing three hundred yards East of the "Windmill Ranche," so called, on said River, and running thence in a direct course to the House known as the Four Mile house on the road leading from Stockton to Heath & Emory's Ferry.
- 218 It is ordered: That the District Attorney be allowed the use of the Grand Jury rooms for an office, until the same shall be required by the Grand Jury, or until the further order of this Court.
- 219 In the matter of the Petition of Chas. M. Weber, et al, praying for the location of a nearer road from Stockton to Sacramento City, crossing the Calaveras and Moquelumne rivers at certain points defined in their petition;
It is ordered: That C. M. Weber and Thomas Baker be appointed to view out the road petitioned for.
- 220 It is ordered: That G. W. Wood, Justice of the Peace, be allowed Two hundred and Sixty-five dollars for fees in State cases, as per bill rendered and filed.
- 221 It is ordered: That Walter Herron be allowed Sixteen dollars for a record book, as per bill filed.
- 222 It is ordered: That G. D. Dickenson be allowed the sum of two hundred and three dollars and twenty cents on account of lumber furnished for jail as per order filed.
- 223 It is ordered: That Baker and Hickman be allowed the sum of sixty dollars for four dozen chairs furnished for Court House as per bill filed.
- 224 It is ordered: That Stratton P. Hamblin be allowed the sum of five dollars for an eye bolt for gallows furnished for the execution of George Baker as per bill filed.

On the night of October 14 (1850) George (Mickey) Baker, a young man just past his teen years, had exchanged words with several card players in the El Dorado saloon following an outburst of profanity on the part of one of the players. Mickey and a friend then left the saloon and went to the St. Charles' Hotel where they sat and drank until they decided to

return to the El Dorado to play cards. As they approached the saloon they passed two men, and upon hearing one of them refer to Baker and his friend as "damned Texas sons of b----," a brief verbal exchange ensued between the two parties, Baker being called derogatory names in the process. This angered the young man, and he knocked the offender to the ground. The second adversary, a man named Corney, pulled his pistol and fired at Baker, the shots barely missing his head. A scuffle between the two then took place, and Baker pulled his knife and struck Corney twice. The wounds proved fatal, and Baker was duly arrested by Sheriff Ashe and charged with murder. The court found him guilty of murder and he was sentenced to death by hanging.

Baker was duly executed--in the presence of an estimated 800 Stockton spectators--at 3:00 p.m. on May 29, 1851, "on the plain near Mormon Slough, west of Centre Street." This was an open area behind the new Methodist Church, then located on the southwest corner of Commerce and Washington streets. A gallows had been erected temporarily on the site, and Baker had the dubious distinction of being the first of ten men to be legally executed in Stockton (before the state prohibited local executions).

- 225 It is ordered: That A. A. Mix, County Recorder, be allowed the sum of ninety-seven dollars and twenty-five cents for stationery, etc., for the use of the Recorder's office, as per bill filed.
- 226 It is ordered: That John Canavan be allowed the sum of seventy-two dollars for shackles and chains furnished for jail as per bill filed.

Wednesday morning June 11th 1851

Court met pursuant to adjournment.

Present: Hon. Benj. Williams, Co. Judge

O. C. Emory, Associate Justice

R. P. Ashe, Sheriff

A. C. Bradford, Clerk

- 227 It is ordered That an Election for two Justices of the Peace and one Constable be held at Clark and Sirey's Ferry in and for Township No. 6 in said county on Monday the 23d day of June Instant.
- 228 It is ordered that so much of the County revenue for the current year as is not otherwise specially appropriated by law be and the same hereby is appropriated to defraying the expenses of the County for the fiscal year commencing on the first day of April, 1851.
- 229 It is ordered That the Sheriff of the County be instructed to proceed forthwith to collect the poll tax for the present year.
- 230 It is ordered That all monies collected by the Sheriff as a poll tax for County purposes for the present year be appropriated to defray as far as the same will be sufficient the gaol [jail] expenses for the current year commencing on the first day of April last.
- 231 It is ordered That the County revenue

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- accruing from Licenses be appropriated so far as the same may be necessary to defray the expenses of renting buildings for the use of the County commencing on the 1st day of April aforesaid.
- 232 It is ordered that the above appropriations are upon the express condition that all warrants issued for the above expenses shall be surrendered by the holders thereof, that said accounts shall be re-examined by the Court of Sessions, and that the Sheriff shall not demand for boarding prisoners more than seven dollars per week for each prisoner--and that the lessor of the buildings used for a Court House and gaol shall not demand for the same more than \$250.00 per month for the rent thereof.
- 233 It is ordered that Wm. F. Nye, City Recorder, be allowed the sum of one hundred and thirty dollars for fees in criminal cases as per bill filed.
- 234 It is ordered that Dan'l. S. Clark, City Marshall [sic], be allowed the sum of thirty-five dollars 10/100 cts [cents] for fees in criminal cases as per bill filed.
- 235 It is ordered that Samuel Langdon, M. D., be allowed the sum of fifty dollars for professional services rendered at Coroner's inquest as per bill filed.

Thursday Morning

12th June A. D. 1851

The Sheriff and Clerk met pursuant to adjournment, but neither the Judge of [sic] the Associate Justices being present, the Sheriff adjourned the Court until tomorrow morning ten o'clock.

Friday Morning June 13th 1851

The Sheriff and Clerk met pursuant to adjournment, but neither the Judge [n]or the Associate Justices being present, the Sheriff adjourned the Court till tomorrow ten o'clock.

Saturday Morning

June 14th A. D. 1851

Court met pursuant to adjournment.

Present: Hon. Benj. Williams, Judge

O. C. Emory, Associate

R. P. Ashe, Sheriff

A. C. Bradford, Clerk

- 236 It is ordered That the County Auditor be and hereby is authorized to draw his warrant upon the County Treasurer monthly in advance, in favor of G. D. Dickenson for the sum of two hundred and fifty dollars for rent of Court House and gaol, said warrant to be drawn payable out of the revenue accruing from the County tax on Licenses, and to commence for the month beginning on the First day of April, 1851.

On April 1 (1851) the county evidently moved all of its offices (including the County Court and the jail) into a building owned by G. D. Dickenson (see

footnote 6). From this date forward rent was no longer paid to Lucas Gavidea as it had been since the previous August, and likewise, Jailer B. F. Lee no longer received rent payments for housing county prisoners as he had since their removal from Captain Junge's brig (the SUSANNA) on October 9, 1850. For the first time, then, all county offices and the jail were housed under one roof. It is not clear where Dickenson's building was located. It could not have been the popular Dickenson House (a hotel on Center Street near Weber Avenue), however, as it had burned to the ground in the big fire of May 5, 1851, while the county was still renting from Dickenson at least into the late fall of the same year.

- 237 It is ordered That a license issue to John Chapman to carry on the business of Auctioneer for one year from date.
- 238 It is ordered That Sam'l. Langdon, Constable, be allowed on his three bills for fees in criminal cases the sum of One hundred and eighty-four dollars and fifty cents.
- 239 It is ordered That John Sizo, special Deputy Constable, be allowed the sum of Sixty-two dollars for services.
- 240 It is ordered That the sum of thirty-four dollars and fifty cents be paid to R. P. Ashe out of the revenue for the current year expenses in bringing Fairchild, a witness, from San Francisco.
- 241 It is ordered That the sum of one hundred dollars for lumber for the jail be allowed R. P. Ashe, payable out of revenue for the present year.
- 242 It is ordered That the sum of Thirteen hundred and sixteen dollars, payable out of the poll tax for the present year, be allowed R. P. Ashe on his three bills of jail expenses.
- 243 It is ordered That the sum of Eight hundred and fifteen dollars be allowed R. P. Ashe for services rendered at the April Term of the District Court as per bill filed this day, payable out of the revenue of the current year.
- 244 It is ordered that the sum of Fifty dollars be allowed Huntley and Peck for services in the execution of George Baker as per bill rendered and filed, payable out of current funds.

The firm of Huntley and Peck furnished the wagon, or dray as it was called, for transporting Baker from the jail to the gallows site. He was accompanied by the Presbyterian minister, the Rev. James Woods, Sheriff Ashe, and Deputy Sheriff Blount, all three being seated on the empty coffin which had been prepared beforehand.

Court of Sessions

July Term 18th A.D. 1851

Court met

Present: Hon. Benj. Williams, Judge

B. G. Weir [&] Associate

O. C. Emory, Justices

R. P. Ashe, Sheriff

MINUTE BOOK A - COURT OF SESSIONS (Civil) (con't)

- A. C. Bradford, Clerk
- 245 It is ordered that Geo. Kerr proprietor of the **San Joaquin Republican** be allowed for County printing the sum of Five hundred and eighty-six dollars payable out of the revenue of the present fiscal year as per bill filed.
- 246 It is ordered that Radcliffe & White be allowed for County printing the sum of Two hundred and sixty-three dollars payable for services rendered during the last fiscal year and one hundred dollars payable out of the revenue of the present fiscal year as per bill filed.
- 247 It is ordered that Wm. F. Nye, Recorder of the City of Stockton, be allowed for commitments in criminal cases the sum of one hundred and eighty dollars, payable out of the revenue of the present fiscal year as per bill filed.
- 248 It is ordered that Benj. G. Weir, Justice of the Peace of this township, be allowed for fees in criminal cases as per bill filed, the sum of one hundred and eighty dollars.
- 249 It is ordered that Orlando Ware be allowed for attendance at coroner's inquest at Bonsel's [sic] Ferry in April last the sum of fifteen dollars.
- 250 It is ordered that J. D. Stapleton be allowed the sum of fifteen dollars for services as above.
- 251 It is ordered that Silas Beckwith be allowed the sum of fifteen dollars for services as above.
- 252 It is ordered that R. J. Potts be allowed the sum of fifteen dollars for services as above.
- 253 It is ordered that J. C. Lawrance be allowed the sum of fifteen dollars for services as above.
- 254 It is ordered that C. H. Worden be allowed the sum of fifteen dollars for services as above.

Ware, Stapleton, Beckwith, Potts, Lawrance, and Worden participated in a coroner's inquest held following the hanging of five Mexicans near Banta the previous April. See entry 292 (October 8, 1851) and following annotation for details.

Court of Sessions

Saturday July Term (19th) 1851

Court met pursuant to adjournment.

Present: Hon. Benj. Williams, Judge

Benj. G. Weir [&] Associate

O. C. Emory, Justices

R. P. Ashe, Sheriff

A. C. Bradford, Clerk

- 255 It is ordered that so much of the revenue of the County as is not absorbed by specific appropriations be paid out upon general County warrants.

Court of Sessions -- Civil matters

Monday July 21st 1851

Court met pursuant to adjournment.

Present: Hon. Benj. Williams, Judge

Benj. G. Weir [&] Associate

O. C. Emory, Justices

R. P. Ashe, Sheriff

A. C. Bradford, Clerk

There being no business before the Court

It is ordered that Court be adjourned until tomorrow morning ten o'clock.

Court of Sessions--Civil Matters

Tuesday 22d July A. D. 1851

Court met pursuant to adjournment.

Present: Hon. Benj. Williams, Judge

Benj. G. Weir [&] Associate

O. C. Emory, Justices

R. P. Ashe, Sheriff

A. C. Bradford, Clerk

- 256 It is ordered that R. P. Ashe, Sheriff, be allowed the sum of four hundred and thirty-five dollars, for board of prisoners as per bill filed, payable out of license tax.
- 257 It is ordered that R. P. Ashe, Sheriff, be allowed the sum of four hundred and nineteen dollars for services upon the Courts as per bill filed, payable out of the current revenue of the present year.
- 258 It is ordered that R. P. Ashe, Sheriff, be allowed the sum of three hundred and fifty dollars for services of self and deputies as jailors, payable out of the current revenue of the present year.
- It is ordered that Court be adjourned until tomorrow morning ten o'clock.

Court of Sessions Civil matters

Wednesday July 23d A. D. 1851

Court met pursuant to adjournment.

Present: Hon. Benj. Williams, Judge

Benj. G. Weir [&] Associate

O. C. Emory, Justices

R. P. Ashe, Sheriff

A. C. Bradford, Clerk

- 259 It is ordered that the resignation of Walter Herron, County Surveyor, be accepted and that Jasper S. Whiting be appointed to fill the unexpired term.

Herron had been elected County Surveyor in the first election (April, 1850). While serving with the county he ran for the office of City Recorder in Stockton's first election (August, 1850) and was elected. But for some reason or other he resigned his new position within weeks - only to accept election again to the same office on November 11, 1851. But in the meantime (July 23, 1851 - the date of the above entry) he resigned his surveyor's position.

He had an interesting background, having been a survivor of the famous and ill-fated Donner Party of 87 men, women, and children. He was, in a very real sense, one of the few lucky ones, having crossed the Sierra with James F. Reed ahead of the main party. They arrived at Sutter's Fort about the end of October, hastily organized a relief party and headed back into the Sierra Nevada. They were unable to penetrate the snow, however, and turned back. Reed later organized a second relief group, but it does not appear that Herron participated.

"Major" Walter Herron was a native of Springfield, Illinois. During the Mexical War he served in the California Battalion, Company B, and

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was mustered out of the service in April of 1847. He joined Jasper O'Farrell soon after in surveying the Weber grant and laying it out in sections. It is not clear where he picked up the military title of major, nor does there seem to be any information on his later years.

Jaspar S. Whiting succeeded Herron upon the latter's resignation, and was later elected for

several full terms. He was still holding the position when the civil affairs of the county passed from the Court of Sessions to the Board of Supervisors in May, 1855. It was unusual for these early office-holders to stay in office more than a year or two at the most.

(To Be Continued in Next Issue)

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