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INSIDE: The Graham Affair

Frontis piece - This engraving of Isacc Graham by W. G. Jackman first appeared in Thomas Jefferson Farnham's "The Early Days of

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THE GRAHAM AFFAIR

By Betty Curry

The order came right from the top, signed by Governor Juan Alvarado himself: "Arrest the foreigners!"

The time was April, 1840; the place was Monterey, then capital of the Mexican province of Alta California. Actually the governor claimed to be only after the foreigners — the non-Mexicans — who were in the province illegally. But then, that was just about all of them. The move was so unexpected that it caught the scofflaws with their pants not just down, but off — most were in bed sleeping when the blow fell.

Up to that moment, enforcement of immigration laws in California had been mostly nonexistent. There were more important things to keep a governor busy. For one thing, just hanging onto the governorship was practically a full-time job. And Alvarado's three predecessors had failed miserably at it. Alvarado himself, a brilliant politician and strategist, had managed to topple them one after the other, driving them back to Mexico with their tails between their legs.

And the foreigners could be very useful with such projects, Alvarado had found. He had relied heavily on the help of two of them in particular. These were John Sutter of Sutter's Mill, and one Isaac Graham. In honor of this latter character, an unruly legend in his own time, the arrest and expulsion of foreigners came to be known as the Graham Affair.

Although Alta California had some pretensions to law and order, as the West went, in 1840 there was still a thriving market in gunslingers. Most such rifleros, or riflemen, were Americans, mainly sailors who had jumped ship in Monterey. And most had been hired on by Sutter and Graham. It was with the support of these rowdy armies that Alvarado, a native son, had come to power in Monterey just a few short months before. So why now his move to arrest and deport these riflemen, among others?

To simplify a rather a tangled tale, let's just say the motives of Sutter, Graham and the riflemen in helping Alvarado gain power were not entirely altruistic. Compensation of some kind was assumed, and Alvarado had made promises of land and privileges. But there was no follow-through. In the words of a chronicler of the time, Alvarado "rewarded them (only) with the most heartless ingratitude." A dangerous lapse. Doubtless Alvarado's uneasiness about these well-armed, trigger-happy gangs was well founded.

There were other grounds, too. There was the Americans' ill-concealed contempt for all things Spanish or Mexican (with the exception, of course, of the señoritas). The young, hot-headed Alvarado himself was enraged at the patronizing treatment he received from the merest hooligans on the street corners, who addressed him familiarly as "Juan" and taunted him in English.

Worse yet, it seems that when it came to matters of the heart, the local swains didn't stand a chance next to the bumptious newcomers. And with marriage to local señoritas often came enviable lands and property. In the view of Captain Jose Castro, Alvarado's close friend and confidant, "A Californian cavaliero cannot woo a señorita if opposed in his suit by an American sailor. These heretics must be cleared from the land!"

No doubt the Americans were the chief offenders, but the British residents were also open to suspicion. If nothing else, they were entirely too friendly with the despised Americans for Alvarado's taste.

Tension in the politically unstable province was already high when Alvarado and Castro were given the perfect excuse to act. Word arrived from a nearby padre, supposedly gained from the confessional, that the foreigners were plotting a revolt. An unlikely rumor, historians say, but it was all the anxious governor and his militant friend needed. With the blessing of his powerful uncle, General Mariano Vallejo, Alvarado passed the order: "Arrest the foreigners!"

And it was done. Some 100 men were summarily rounded up, most in one April night. There were some rifleros among them, and other disorderly types, but there were also offenseless farmers, businessmen and everyday workers.

And there was Isaac Graham. Graham was in a class by himself. Where a plot might be afoot, Alvarado saw this formidable tycoon as the likeliest suspect. With plenty of money, and chutzpah to burn, Graham bossed a large bunch of hired guns and was a law unto himself. At his arrest he, like the others, was dumbfounded. He describes his capture at Natividad, where he had a profitable distillery (as quoted by H.H. Bancroft):

"We slept quietly until about three o'clock in the morning, when I was awakened by the discharge of a pistol near my head, the ball of which passed through the handkerchief about my neck. I sprang to my feet and jumped in the direction of the villains, when they discharged six other pistols so near me that my shirt took fire in several places.

"Fortunately the darkness and the trepidation of the cowards prevented their taking good aim; for only one of their shots took effect, and that in my left arm. After firing they fell back a few paces and commenced reloading their pieces. I perceived by the light of their pistols that they were too numerous for a single man to contend with, and determined to escape. But I had scarcely got six paces from the door when I was overtaken and assailed with heavy blows from their swords. These I succeeded in parrying off to such an extent that I was not much injured by them.

"Being incensed at last by my successful resistance, they grappled with me and threw me down, when an ensign drew his dirk, and saying with an oath that he would let out my life, made a thrust at my heart. God saved me again. The weapon passing between my body and left arm, sunk deep in the ground! And before he had an opportunity of

repeating his blow they dragged me up the hill in the rear of my house, where Jose Castro was standing. They called to him, 'Here he is,' whereupon Castro rode up and struck me with the back of his sword over the head so severely as to bring me to the ground; and then ordered four balls to be put through me. But this was prevented by a faithful Indian in my service, who threw himself on me, declaring that he would receive the balls in his own heart!

"Unwilling to be thwarted, however in their design to destroy me, they next fastened a rope to one of my arms and passed it to a man on horseback, who wound it firmly around the horn of his saddle. Then the rest taking hold of the other arm endeavored to haul my shoulders out of joint! But the rope broke. Thinking the scoundrels bent on killing me in some way, I begged for liberty to commend my soul to God. To this they replied, 'You shall never pray till you kneel over your grave.' They then conducted me to my house and permitted me to put on my pantaloons...

"After having robbed me of my books and papers, which were all the evidence I had that these very scoundrels and others were largely indebted to me, and having taken whatever was valuable on my premises, and distributed it among themselves ... (they) then put me on horseback and sent me to this prison. You know the rest. I am chained like a dog, and suffer like one."

Other versions of the arrests were in the same vein. Thomas Larkin, a businessman from Boston and later the American consul in Monterey, described how the "goods, cattle and other property (of those taken) were scattered over the countryside," leaving their families destitute. The toll of prisoners included almost equal numbers of Americans and British. Many of these were confined in dismal circumstances in Monterey, awaiting deportation to prison in Mexico.

Larkin himself was among the few foreigners who escaped arrest. Well-educated and a born diplomat, he had managed to stay in the good graces of Alvarado. Sutter was beyond reach, and in any case was Swiss, a favored nationality. The issue of immigration documents apparently never was raised at the time of the arrests. Most of those picked up had absolutely no idea why they had been yanked out of bed in the middle of the night and thrown into irons.

Larkin describes the makeshift Monterey prison in which some fifty captives were held, including Graham, as "a low, damp room less than twenty feet square, without floor or window." Many of the bruised and battered prisoners were heavily chained and left for the first 48 hours without food or water, except for "the charity of them that pities us." Their suffering must have been extreme. On the third day the commandante contracted with Larkin to provide meat, bread, beans and tea for the prisoners.

An investigation of the "plot" against the government followed. No real evidence was ever found. Nevertheless, Alvarado had no intention of turning these furious men loose. He made arrangements with the

master of the bark *Joven Guipuzcoana*, then in Monterey Bay, to transport them into exile in Mexico.

Aboard ship, they were again kept in irons. At Santa Barbara more unhappy prisoners were loaded.

When they reached San Blas, some rough weeks later, one prisoner wrote Castro appeared aboard ship and proposed a master stroke: he offered to bring things to a clean end by scuttling the bark, prisoners and all, on the theory that dead men bring no complaints. The British master, unswayed by the fact that half those in the hold were his own innocent countrymen, was said to have been quite willing to comply, for the right price. Fortunately for the prisoners, the story went on, his price was too high for Castro.

So the bedraggled group found themselves on dry land at last, but the hard times were not over. Bancroft recounts a prisoner's version of the trip's finale, with the zealous Castro himself in charge:

"Heavily ironed, barefoot, and without food, they were driven under the lash to Tepic — sixty miles in two days, with the thermometer at 90 degrees!" (But Bancroft warns us to take the prisoners' words on any phase of this matter with a grain of salt.) There is general agreement that it was a torturous trip, with cattle prods being used to speed the exhausted prisoners.

In Tepic, however, there was a sudden change of climate. The local British consul, unable to believe his eyes or ears, lodged an immediate strong protest. The Mexican government was responsive. It was not looking for trouble with England, which always seemed to have a man-of-war around where least wanted. The American government too was shortly heard from, responding to a complaint lodged, if tardily, by Larkin.

The prisoners continued to be held, but were at last comfortably put up and well treated. They even had the pleasure of seeing their former guards shackled and placed under arrest. And seeking a more important scapegoat, the Mexicans then settled on Castro, who had the virtue of being close at hand. However he was held for only a day or two. It appeared obvious that Castro was only following the orders of his superiors, if with a few flourishes of his own.

Back in Monterey, where he was now maintaining a low profile, Alvarado was taken to task by authorities (but only by dispatch) for creating an international incident in sending prisoners to Mexico without legal proof of wrongdoing.

In September, over five months after they were arrested, all but four of the surviving prisoners were released. Those who had Mexican wives, were naturalized citizens or had legal immigration papers were allowed to return home. The rest were expelled from Mexico and forbidden ever to return to California. Many shipped out as crew on passing vessels. And there were some, of course, who did not survive the ordeal.

Graham was one of the four prisoners retained. They were held in Tepic until June, 1841, when they were found innocent of all charges

and entitled to compensation. Graham's original claim, according to Larkin, was for \$31,000, a fortune for that day. But only a start for Graham. By 1846 — still uncompensated — he was demanding \$109,000. But his dreams of making a killing from the Graham Affair were never to be realized. There is no indication that any of the claimants ever received more than \$250 from the Mexican government, with the possible exception of a few British. Graham himself turned down that insulting offer.

In the end, Alvarado's purpose had been served — to some extent. His territory had been cleared of many of its undesirables, at small political cost. However he did have Isaac Graham back on his hands. That hardy soul was returned to California at the expense of Mexico, its one concession to the damage done him. Probably the worst-treated of all the captives, he was, ironically, one of the few whose papers were actually in order.

Once home, Graham re-established himself in business and continued to be a thorn in the side of the ruling authorities. One of these was the ambitious Castro, who was eventually to become California's renowned General Castro.

And once the foreign heat was off the government in Mexico City, it issued its official congratulations to Governor Alvarado for his zeal in enforcing the immigration laws. He was also warned to admit no one into California in the future without the proper papers — a problem that is still haunting governors to this day.

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