

Peninsula Diary Mayo Hayes O'Donnell

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### **Signing the Constitution**

An interesting and timely item in California history appeared in the Sacramento Union in September 1859, relating to Monterey history as well, which we are happy to use in the Diary today. It relates in detail the historic event which took place in September 1849, in Monterey and describes the beauty of the day on which the signing of the Constitution took place. So we have a guest writer today who must remain unknown because the writer did not have a "by-line."

"In an article on the Pioneers on Friday allusion was made to the signing of our State Constitution by the members of the Monterey Convention. It was stated that the constitution was signed on the 3rd of September, a mistake which we were led into by similar bad authorities to those which we have seen disputing as to whether the State was admitted on the 9th or 10th of September. The event, which is very gracefully portrayed in the following sketch from an old number of the Alta California, took place on the 13th of October. We believe the article copied below has never been published before." The foregoing is the introduction to the article of 1849.

"Signing the Constitution - the 13th day of October, in the year 1849, was one of those eventful epochs in the history of California which will ever be a day of remembrance and interest - the beginning of a new era:

"It was a day of beauty and sunshine. The sun rose in all his might, and as he went higher and higher in the heavens, the ocean mist that hung lazily upon the pleasant town of Monterey, and seemed dallying softly with the placid waters of the lovely bay, gradually shrunk from his amorous embrace, until it had rolled up the hillsides, and died away, leaving its last kiss upon the crests of the stately pines. And as the day grew brighter and hotter, a balmy breeze gently swept past - so gently that it did not ripple the quiet waters - so cool that it seemed to soothe and calm all unworthy and restless desires - and yet so potent that it filled the mind with great thoughts that appeared to have been called into being by the softened booming of the mighty breakers of the Pacific, which the zephyr bore ever with it."

Such was the day on which the Constitution of the State of California was signed by the delegates in Convention assembled at Colton Hall, in the City of Monterey.

"According to previous arrangements, at a little before 3 o'clock, the President of the Convention appeared in the hall, leaning on the arm of his son, having risen from his sick-bed to be present at this last important act in the drama. At a few minutes past three, preliminary matters having been disposed of, the delegates commenced the signing. Scarcely had the first man touched his pen to the paper when a loud booming of cannon resounded through the hall. At the same moment the flags at the different headquarters, and on board the shipping in the port, were slowly unfurled and run up. As the firing of the national salute of 21 guns proceeded at the fort, and the signing of the Constitution went on at the hall, the captain of an English bark then in port paid a most beautiful and befitting compliment to the occasion and the country, by hoisting at his main the American flag above those of every nation, making, at the moment that the 21st gun was fired, a line of colors from the main truck to the vessel's deck. And, when, at last, that 21st gun came, the first for California - three as hearty and as patriotic cheers as ever broke from human lips were given by the Convention for the new State."

The enthusiastic report continues: "It was an hour of patriotic and noble feelings - an hour fraught with impulses and resolves such as pen can not describe. Those who had labored to lay the foundations for a new State - coming from different nations and climes - felt that, from the hour, they were one. One hope animated them - one wish nerved them - one impulse that hope, that wish, and that impulse was - California! The American hearts beat strongly and proudly, as they felt that they had planted the flag under which they were born and reared upon this wild western shore of the new continent - the alien felt that only where that flag waved was found the home of those who fled from tyranny - the Californians were convinced that they were conquered but to become brothers and friends of the conquerors.