



*Western Edition*

"Memorializing the West: Remembering a Northern California Duel"

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(MUSIC – SEARCHING FOR TIME)

BILL DEVERELL (HOST): Hi, I'm Bill Deverell. Welcome to "Remembering a Northern California Duel," the second episode of *Western Edition* Season 3: "Memorializing the West". If you think about famous duels in American history, you might think of Lin-Manuel Miranda's hit musical *Hamilton* and that fateful encounter between Aaron Burr and Alexander Hamilton in 1804 just outside New York City, when Burr shot and killed Hamilton. This episode takes place far away from there, in Northern California by a large freshwater lake – Lake Merced – near the southwestern corner of San Francisco. This spot is tied to a duel, and a famous one at that. But we're less interested in the duel itself and more interested in why the duel took place: the contested nature of the institution of slavery in mid-19th-century California. We visited the site on a very blustery day and spoke to passersby.

ANN DAYTON: I don't know if they're really aware of it. I found the park when I was looking at a real estate map of the area and I noticed a historic marker here. And so, this is before I even lived here. So, I sought it out and figured out what it was. I thought that was pretty cool. And coincidentally noticed that there was a house for sale in the neighborhood. That's how we ended up moving here.

ELIZABETH LOGAN: We have a lot more to learn as Californians and a lot more to talk about, this particular mid-19th century era and these conversations in California about what kind of state we wanted to have.

DEVERELL: Western Edition producer Stephanie Yi reads the plaque for us.

STEPHANIE YI: "The famous duel that ended dueling in California was fought in a ravine east of here, near the shore of Lake Merced. In the early morning of September 13, 1859, the participants were U.S. Senator David C. Broderick and Chief Justice David S. Terry of the California Supreme Court. Senator Broderick was mortally wounded. The site is marked with a monument and granite shafts where the two men stood."

DEVERELL: This plaque dates to 1932. In the summer of '32, roughly 90 years after the duel, during the Great Depression and the administration of Franklin Roosevelt, the site of the duel was registered as California Registered Historical Landmark number 19. It wasn't the first plaque to mark the site. In 1917, the Native Sons of California had planted a plaque – which is now missing - and the two granite shafts. The original plaque's text survives thanks to a photograph at the San Francisco Public Library. Unfortunately, it doesn't offer us much more information as to the core of the dispute.

(MUSIC – CLIFFSIDES)

DEVERELL: It is autumn of 1859, the middle of September. California has been a state for less than ten years and the Gold Rush - while less chaotic than in its earlier years - is still going on. San Francisco, which had grown with astonishing speed following the 1848 discovery of gold, has more than 50,000 people. The country is splitting apart over the future of slavery both in and beyond the South, especially in regards to its possible expansion westward. Abraham Lincoln and Stephen A. Douglas engaged in their famous debates just months earlier, and Douglas defeated Lincoln for the US Senate. Now Lincoln had embarked on a mid-West speaking tour, aiming to become the Republican Party's nominee for President in the election of 1860. Section 18 of California's first constitution stated that, "Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this state." And yet, one of the two sitting US senators from California, Senator Gwin, is pro-slavery and while serving as California senator maintains his land holdings out of state and enslaves more than 200 Black Mississippians. Back to the duel: once friends, two distinguished Californians - both attached to the Democratic Party, both named David, and both have moved to California to capitalize on the Gold Rush - dashed their friendship over differing views of slavery and the future of the nation. United States Senator David Broderick was an abolitionist, intent upon slavery's demise or, at the least, holding the West as a free labor region. The former Chief Justice of the California Supreme Court, Kentucky-born and Texas-raised David Terry, was pro-slavery, extremely tall, and a notorious hothead. Joined by ICW Associate Director Elizabeth

Logan, we visited the memorial of this duel in Daly City on a rainy morning to discuss what happened, what's marked, and what is missing.

DEVERELL: So, take us through the setup. We know they're both Democratic Party stalwarts but take us through the setup of the perceived insult and what the context was in the summer of 1859, then leading us into the fall here at this site.

LOGAN: Leading up to the election, there are all types of political conventions going on. And David Terry, who at the time was attempting to run for re-election for his Chief Justice of the California Supreme Court seat, went to a Lecompton Convention conference in Sacramento, and he gave a speech there. He did not end up winning the bid for re-election. But in the context of his speech, he says two related things. The first is that the competition, so the other Democrats, which would include Broderick, were "miserable remnant of a faction sailing under false colors..." And he frames them as the personal chattels, and he uses that 19th century word, which is very loaded at the time of a single individual. And he says "these individuals belong heart and soul, body, and britches to David Broderick." So, he's framing those supporters in a very specific way. And then the second piece is, he plays with the concept that Broderick and his followers are claiming that they are aligned with Stephen Douglas, the senator from Illinois. But according to Terry's framing, that might not be the truth. And so, he says in that speech, "I am mistaken in denying their right to claim Douglas as their leader, perhaps. Perhaps they do sail under the flag of a Douglas. But it is the banner of the Black Douglass, whose name is Frederick, not Stephen." And you see the speech written slightly different; sometimes it's just the "Black Douglass" and the name Frederick is not included, but sometimes it's right there.

DEVERELL: Let's pause here and talk with Pulitzer Prize winning Yale historian and Frederick Douglass biographer David Blight about the framing of an alliance with Douglass as an attack on Broderick. We start first with a quick review of what those listening to Terry's speech would have likely known of Stephen A. Douglas and Frederick Douglass.

DAVID BLIGHT: Stephen Douglas, of course, has enormous fame by even the early 1850s. He was the senator from Illinois. He had been chairman of the Territories Committee in the Senate. He was the author and lead sponsor of the Kansas-Nebraska Act - the infamous Kansas-Nebraska Act - and then eventually faces off against Abraham Lincoln for the U.S. Senate in Illinois in 1858. And everybody understood Stephen Douglas as eventually a candidate for president, and he surely will be by 1860. So, he's a very much a national figure. But Frederick Douglass - two s's, not one - was himself becoming pretty much a national figure as well as an abolitionist, as an orator, as an editor, and a writer. By 1855, Douglass had published his second autobiography, *My Bondage and My Freedom*, which would end up selling almost as well as the first one, which was published ten years earlier. Both were bestsellers, so he was widely known

as the former slave autobiographer, radical abolitionist, and orator. Two of them start getting named, though, at least in my understanding and my own research. The two start getting named in the same discussions or political jabs as early as 1854, in the year of the Kansas-Nebraska Act. In the newspapers, especially a paper like the New York Tribune - which was an anti-slavery paper attacking the Kansas-Nebraska Act - they published a poem, an extraordinary little ditty that ran like this: "Let slavery now stop her mouth and quiet be henceforth. We've got Fred Douglass from the South. She's got Steve from the north." Now, that's a terrible poem, but it shows how the two names are already appearing used in such a way as - I mean, the intent here is pretty clear - the audience must know who both of them are.

(MUSIC – WHEN ALL OF THIS IS OVER)

DEVERELL: David helps us get even closer to the issues surrounding Terry's use of the two Douglas-es by drawing on the Lincoln-Douglas debates from summer and fall of 1858.

BLIGHT: I don't know how deeply either David Terry or Senator Broderick followed this, but in the famous Lincoln-Douglas debates - which got enormous press coverage - one of the tactics that Stephen Douglas used – and he did it in almost every debate – is to accuse Abraham Lincoln of being a close friend of Frederick Douglass. And he never called him Frederick, he always called him Fred. For example, in one of the debates, Stephen Douglas said that Abraham Lincoln was "worthy of a medal from Fred Douglass". Meaning black abolitionists should give Lincoln a medal because Lincoln is all about racial equality and the mixing of the races. It got even worse: there was a press report that said that Lincoln was "an ally of the N-word chief who is out for him". Meaning Frederick Douglass; Frederick Douglass is called the N-word chief. And Stephen Douglas was himself very fond of that N-word, and he would use it. So, and there was another debate in which Stephen Douglas claimed - I mean, oh to have been there to witness these debates. But Stephen Douglas at one point said, "I saw the other day, you know, Abraham Lincoln riding around in the carriage with Fred Douglass, his good friend Fred Douglass. They were riding in a carriage." Well, that's not true, but it didn't matter. There were 8,000 people there listening. But this shows the significance of Frederick Douglass as this symbol of radical abolitionism and especially a black abolitionist that they wanted to paint Lincoln with Frederick Douglass as much as they possibly could. So, if this duel emanated in part because of a similar accusation by Terry of Broderick, it's a well-practiced political trick or tool by 1859.

DEVERELL: Returning to Elizabeth Logan and setting the foundation for the duel, Terry has given his speech. We now need to understand Broderick's reaction.

LOGAN: He is in San Francisco having breakfast at the International Hotel and reading the newspapers, and he comes upon the speech. He's in a crowded room and he begins to openly, as some have put it, just kind of vent his anger as to what had gone on.

DEVERELL: So, Terry knew exactly what he was doing.

LOGAN: Terry knew exactly what he was doing. Absolutely. He's intending to insult, although later he does claim it was not meant to be a personal insult. But I think we can just let that go.

DEVERELL: But he calls out a single man.

LOGAN: He does.

DEVERELL: And he names David Broderick.

LOGAN: Yes, exactly. Yes. Broderick is talking out loud to this group of people that are having breakfast, and he basically says something along the lines that "I had supported Terry previously," when Terry got into some legal trouble when he almost killed someone with a Bowie knife during the Vigilance Committee era. And then the piece that apparently really stuck with Terry was Broderick said, "I once considered him the only honest man on the Supreme bench, but I take it all back."

DEVERELL: That's an insult.

LOGAN: That is an insult.

DEVERELL: Terry is a Southerner, so he's raised chivalric, we would expect.

LOGAN: Yes.

DEVERELL: Is overheard by people on Terry's camp.

LOGAN: Yes, by Duncan Perley, who had been an attorney in Stockton with Terry, who's at that restaurant that morning and immediately confronts Broderick and says, you know, "you better take that back or I'm going to tell Terry that you've said this." And Broderick pretty much just encourages the man to tell Terry what he said. He's not going to take that back.

DEVERELL: So, this man reveals Broderick's outburst to Terry.

LOGAN: Right.

DEVERELL: Terry does what then?

LOGAN: He writes him. And there's a series of letters over a couple of months where Terry demands a retraction of the statement. And Broderick's, one of his responses is, "you're going to need to be more specific." There's humor in this awfulness in many ways, and Terry writes

the specifics of the kind of two separate slights - the one that he had been previously supported and then the second piece about being an honest person. It looks like Broderick may yield slightly on the initial one but is not willing to yield on the second. And then Terry basically challenges him to the duel. And one of the things that Terry is talking about to others at the time is that had it really just been contained and between the two of them, or even possibly this conversation had been contained within California, the duel might've not needed to happen. But because people across the country are now reading about this, including people that were his friends and family back in Texas, the duel was necessary for his honor.

DEVERELL: It is part of the just great convulsion that the country is undergoing here on the cusp or doorstep of the Civil War. And part of the surprise and why we're here on this rainy, beautiful day is to remind people that the hurts and heartaches that provoked the Civil War have a place in California to be sure. Right?

LOGAN: Yes.

DEVERELL: Okay, so the challenge is accepted, and they agree to meet not far from this spot on the day before the actual duel takes place. What happens?

LOGAN: They are arrested, and they are brought into court before a judge, Judge Coon. He reasons that even though dueling was not permitted by law in San Francisco, that attempted dueling was not something that they could be held for. So, he releases them.

DEVERELL: So, you are trained as a lawyer. What do you make of that decision?

LOGAN: It's a complicated one. I mean, I think any person at the front of that courtroom would have wanted to make sure that these people were cooling off, would've potentially tried to mediate even informally. And it does appear that Broderick's attorney and those that were there in support of him thought that that might happen, that being dragged into court the day before might end things, but no.

DEVERELL: Right. Okay, so they don't fight the duel that day. They don't cool off. Take us through the next 24 hours or so.

LOGAN: So, they arrive here where we're standing on the 13th. It's supposed to be a beautiful, sunny day. Broderick wins the toss to pick his position.

DEVERELL: Toss like a coin?

LOGAN: Yes.

DEVERELL: Okay.

LOGAN: So, he picks a position with the sun behind him, strategically speaking. And that leaves Terry to pick the pistols that he will shoot with.

DEVERELL: It's like a toss at a tennis match. You win the toss; you get to serve. The other team chooses which side they want to receive.

LOGAN: Yes.

DEVERELL: Wow. So, he chooses the pistols and I assume there's two pair of pistols brought to the site?

LOGAN: Right. We think they're Belgian made eight-inch barrels with Derringer sized balls. But you know so much more about weaponry than I do.

DEVERELL: Well, the only thing I know for certain is these are very large marble-sized projectiles of lead being fired at one another in very short distance.

LOGAN: Yes.

DEVERELL: Okay. So, at that point: win the toss, choose your pistols; this is going to happen.

LOGAN: This is going to happen. Right.

DEVERELL: Okay. And what do we think actually happened?

LOGAN: It's not 100% clear what happened. We know that the pistols were brought, one set by a colleague or a friend of Terry and one set by a local gunsmith named Andrew Taylor. We think that because Terry was able to pick his pistols, when he picked the ones of his friends, he had possibly even fired that particular weapon before. When Broderick's weapon is checked, someone raises the concern that his trigger is set too finely such that if he just jerks the gun improperly

DEVERELL: Possible.

LOGAN: It could misfire. They decide to proceed. Broderick is known as being a really good shot, but some accounts of the day say that he was in not great health and that he appeared more nervous than Terry. So, they do the pacing. They walk it out.

DEVERELL: I walked it out, ten healthy strides from me. So, it really is ten paces.

LOGAN: It's incredibly close. And then they count down.

(MUSIC – THE BATTLE OF 1066)

LOGAN: Broderick gets off the first shot. He raises his arm and the bullet fires before his arm is fully raised to make a good or decent shot. And the bullet lands about nine feet in front of him. So, we can see that's probably two-thirds of the way to Terry.

DEVERELL: Makes me wonder if the bullet's still in the ground under our feet right here. Possible.

LOGAN: That's a quest for another day, perhaps.

DEVERELL: Yeah, exactly.

LOGAN: And then Terry, seconds later, gets his shot off.

DEVERELL: Shoots Broderick where?

LOGAN: In the right-hand section of his chest.

DEVERELL: And initially, the thought is that he's not grievously wounded.

LOGAN: Right. He's able to maintain his balance for a short amount of time and then he collapses to the ground. And there are surgeons, doctors here and a wagon, and they put him in that wagon, and they take him not too far from here.

DEVERELL: Probably right out this path right here. It's the only way out of here.

LOGAN: Probably.

DEVERELL: This path now, that's a walking path; a dog walking path.

LOGAN: Absolutely. He goes to a private home near Fort Mason, and he's examined by the doctors, and they think he may survive. Terry leaves the space believing he has not mortally wounded Broderick. Broderick seems to have a sense that he's been injured more gravely than the others. He complains of a heaviness on his chest, a weight, and he survives three days before he lapses into unconsciousness and then passes. Afterwards they do an autopsy, and the bullet went through his left lung and landed near his left armpit. So, I think significant internal damage.

DEVERELL: Right, because that bullet is tumbling through him, and it probably didn't exit. It did not exit.

LOGAN: It did not exit.

DEVERELL: So, it's tumbling through organs and vital parts of his torso.

LOGAN: Right.



DEVERELL: So far, we've added critical historical context to the basic information we found on the plaque. At the center of the conflict is differing stances on slavery during the primary year ahead of the election of 1860. We return to the site to try to sort out what happened after the duel that might have led to the monument in this specific spot and the erasure of the historical context. We try to get a feel for the space both on that sunny day amidst the gathered crowd of around 80 people and across time during the rain on the day of our visit.

LOGAN: We're fairly certain this is where the duel took place. There are a couple of other alternative sites that were not marked and were basically set aside in the 1930s. The land after the duel in 1859 was occupied by the Spring Valley Water Works as of 1877. So, one of their head engineers and hydrologists, a man named Hermann Schussler, was tasked in the 1930s to come up with a site to figure it all out. So, he looked at newspaper accounts from the time. He attempted to find first person witnesses - some surveying - he took the descriptions of those that were present, and basically pinpoints this place. And he prints his findings in a pamphlet that's at The Huntington Library. And he also includes a map that we have on our website to accompany this episode of the podcast.

DEVERELL: So, Elizabeth, let's describe the site a little bit. We're at the low end of a ravine and just behind the Terry obelisk is a rather steep hill that goes up, oh, maybe 50 yards. Tell us about that topography.

LOGAN: Right. Especially on the side behind the Terry plinth, I imagine it looked like that when they fought that duel. There's not a lot of construction behind it that we can see, at least. So, you can imagine the people that have come to watch, that is the vantage point probably where they were standing and perhaps on the other side they stood as well, which is now a series of homes.

DEVERELL: So, describe the plinths and the obelisks here for us. It's all that's here besides some beautiful clover and yellow flowers. And, you know, we've gotten a lot of rain this season, so things are in bloom. But describe the two monuments themselves.

LOGAN: They are about two and a half or three feet tall. They're very plain granite plinths. The name of each person, just the last name is written on a diagonal. So, one says Terry and one says Broderick. They're pretty worn; they've been here a very long time and they are paced again about ten paces apart. And they're at the end of what is now a paved path into a kind of larger park area that leads us to where the more detailed plaque sits.

DEVERELL: Right, so if you didn't see the more detailed plaque, which is a ways down this pathway and you just happened upon these two plinths with two names on it, what are you supposed to make of that?

LOGAN: I think you would be confused.

DEVERELL: I think so too.

LOGAN: I think you would be very confused.

(MUSIC – LOBE)

DEVERELL: Take us to Broderick's last hours.

LOGAN: As you can imagine, there might be kind of stories that spin around that ending. Before he lost consciousness, the reporting is that he spoke final words to his friends that were gathered around, and those formal words were purportedly, "they have killed me because I was opposed to slavery. I die to protect my honor."

DEVERELL: Perhaps apocryphal.

LOGAN: Perhaps.

DEVERELL: But have echoed down through the decades as his last words.

LOGAN: Yes, and certainly an excellent summary of how we would understand this place and what happened.

DEVERELL: While newcomers might be confused, we wondered how the monument functioned within the local neighborhood. We were lucky to encounter a local resident to ask about the neighborhood's relationship to this memorial and history.

DEVERELL: I'm here with Ann and her darling dog, George. And we're at the obelisks that don't mark the site. So Ann, just tell us about your sense of the neighborhood.

DAYTON: You're only about probably less than a thousand yards from the border of the city and county of San Francisco. And the reason why the duel was fought here is because dueling was outlawed in the city and county of San Francisco in 1850.

DEVERELL: Well, the duel was 59.

DAYTON: 59. So they literally just walked across the border into San Mateo County to fight the duel, is my understanding.

DEVERELL: And you use this park, obviously with George for daily kind of just get out and walk around.

DAYTON: Yeah, it's a pretty safe area so I can take them off leash here and he can wander around a bit on his own, which he likes.

DEVERELL: And do you ever overhear people talking about the site as a dueling site?

DAYTON: No. You know a lot of people, I think, just use this park to recreate in

DEVERELL: Come on, George.

DAYTON: Come on, George.

DEVERELL: So, you say you were a history major, and that's part of the attraction for you is just to be here with this kind of unusual markers.

DAYTON: Yeah, it's also near my house, so it's a handy place to walk into, especially in days like today when the weather is very iffy.

DEVERELL: He's right here. And it's not that easy to find. It's tucked in here. Yeah, we're very, very interested in just why these markers - do you know anything about the obelisks back here?

DAYTON: I don't. I think I was just guessing that they put that there because so few people knew about the actual duel site. They put that there as a marker to let people know that there was something going on up over here.

DEVERELL: And surely these obelisks and the plaque and all, predate the construction of the neighborhood.

DAYTON: Well, this neighborhood was a big booming area right after World War II. A lot of the homes in the neighborhood were built for returning GIs. In fact, the house I live in was built in 1949. And the house next door to us - up until several years ago still had the original owners living in it - he returned from World War II. These were Doelger houses - Henry Doelger was a famous builder - yeah, I was going to say architect, but I think he was more of a builder.

DEVERELL: Builder, right.

DAYTON: In the area and got some really nice homes.

DEVERELL: Ann seems to have a full picture of the duel, a sense of why the markers were placed, and how many in the neighborhood use the space. She was open to talking to strangers about that history. Let's pick back up on the aftermath of the duel and the last days of both Broderick and then later, Terry.

LOGAN: Terry does have his supporters, but really, Broderick is almost canonized. Both the Senate and the U.S. House of Representatives enter into long periods of mourning, flags fly at half-staff. There's a parade in San Francisco towards his memorial service. And we're also - remember, it's 1859 - so, we're in that moment when the possibilities for an alignment between a Broderick Democrat and the Republicans would be very appealing. So, for his eulogy, they bring in a man who would then become the Republican Senator from Oregon in the next couple of months to do that eulogy.

DEVERELL: David Terry, on the other hand, walked away from the duel. He was eventually arrested, though he was protected by a phalanx of armed pro-slavery allies who had to be convinced to stand down. No criminal penalty was assessed. David Terry moved back to Texas and fought for the Confederacy in a cavalry unit in the Civil War. From there, he went to Mexico

to raise cotton, returned to the U.S., ranching in Nevada and California. During this time, his first wife passed away and he re-established his law practice. Almost thirty years after the duel, he also met a violent end. We return to Elizabeth Logan to hear more.

LOGAN: He involves himself in a dispute with a woman named Sarah Althea Hill, who was in a very, very public and very well covered proceeding with regard to a contract marriage that she claimed she was in with a man very much her senior named William Sharon. She was fighting him over his assets, possibly as much as \$30 million. Terry was representing her, among other people representing her in that suit. And at one point, they go before Terry's, basically his replacement after he left the California Supreme Court, Stephen J. Field. And in the interim years, Justice Field was appointed to the federal bench and was serving on the US Supreme Court. Basically, Field issues a ruling in that proceeding with Sarah Hill that angers both Hill and Terry to the point where they have to be removed from the courtroom and they're threatening violence. And so, Justice Field is given a federal protection detail.

DEVERELL: During this time, members of the U.S. Supreme Court performed some of their work in Washington D.C. and some in the circuits they were assigned to. Justice Field had to travel or ride circuit all the way to California.

LOGAN: In the late summer of 1889, they all find themselves back in California and riding a train, and they stop near Stockton to have a meal. Terry approaches Justice Field and his bodyguard, Deputy Marshal David Neagle, appears to be on high alert. Some accounts say that Terry slapped the judge. Neagle announced himself as a federal officer and urged him to stop and retreat, and he did not. And Neagle shot him twice and killed him.

(MUSIC – MEETING AGAIN)

DEVERELL: As we wrap up our time at the duel site and return to the omissions from the plaque, I asked David Blight how he would mark this space.

BLIGHT: I suppose you've got to do both the local and the national. If you have space on plaques or on exhibition material to develop both that local story – Who are these two men? What are the circumstances there in Northern California? How did Broderick become senator and so forth? How could both of them be Democrats at this time in history and yet so opposed to one another? And then, you know, I would really want to help people understand just why these would be fighting words - worse than - these are killing words. Being associated with a famous black abolitionist was enough to get a challenge to a duel. But then I would hope there would be space too, Bill, to have some kind of exhibition or some address to the national context. Because without the national context of this huge struggle in the 1850s - this political struggle - this wouldn't have been happening out in California.

DEVERELL: At the heart of thinking through this memorial is the question of why the plaque reads as it does. We return to Elizabeth Logan to think through why the text on the markers only include the names, date, titles, and occurrence of the duel.

LOGAN: A sense that Californians were ready to move on and forget their Civil War, their much more complex Civil War relationship with the institution of slavery. But that almost seems like too easy an answer because there was quite a lot that was published in the 1930s, around the time that the plaque was put in that does tell this full story, that does talk about Frederick Douglass, that does talk about how fragile freedom was in California. So perhaps it was the people behind the plaque itself.

DEVERELL: Well, it does suggest that the plaque making and memorialization is also the subject of tension, much like the tension that led to the duel. So, if you were charged to redo the Broderick Terry duel site, what do you do?

LOGAN: I would talk to the people in this neighborhood, talk to people like Ann, and try and see how the space is used. But in the nitty gritty, I would leave the plaque as it is, and I would put another plaque next to it that points out that it took more than 90 years since the plaque that was placed there to give this place the context that it needs. And, you know, there might even be space for using some of their own words - Terry's words that he wanted to amend the California Constitution and make it a place that was welcome to the institution of slavery. And perhaps Broderick's words as a Free-Soil Democrat pushing for freedom, fighting against the California version of the Fugitive Slave Act, to really reground this place.

DEVERELL: Yeah, we could hope that happens. I mean, that's the purpose of rethinking these sites of historical importance and trajectory is what does our generation, what does the neighborhood, what do we as visitors on this rainy day up here, what do we think of this site? What does it make us feel and what would we want old and young alike to think about as they come through here, walking their dogs or running and playing, etcetera. And as of now, it's eerie. And thanks to you, Elizabeth, it's sad with the ways in which you've characterized a really violent moment, but there's not a lot of purchase to hold on to as to what this is supposed to mean.

LOGAN: I agree. And it's been raining quite a lot the last month, so it's very green. There are these stunning little yellow flowers, but the two plinths are just confusing. If you really didn't know what you were looking at, it almost looks like some type of marker into a driveway of a very nice mansion.

DEVERELL: Yes, or maybe even geodetic.

LOGAN: Right.

DEVERELL: Yeah. So, there's a lot that could be done here. You've helped us immensely. I will say that our team, our ICW team, Elizabeth, myself and our two colleagues, Stephanie and Jessica, we worked hard to find our way here. This was not easy to find, so being here makes all the difference. But it does remind you how tucked away it was - deliberately - to escape the long arm of the law in September of 1859.

LOGAN: It does feel very distant from downtown San Francisco and all of the hustle and bustle there.

(MUSIC – FAIRY MEETING)

DEVERELL: What's it mean to you to actually be here?

LOGAN: This place is fairly empty and almost peaceful. I think it's contemplative, this space. There's so much anger and violence and rhetoric and high stakes in the conversations and in the primary source documents. And it just feels more settled, which might be a false sense of security and settlement in this space, in this moment.

DEVERELL: I agree with you. The peaceful nature, the bucolic nature of the site belies the act of violence that took place there and feels to me at least a little bit like a Civil War battlefield today.

LOGAN: Definitely. And I think it is the weather that's also helping with that feeling and the kind of eeriness of the spirits moving.

DEVERELL: Violence permeated the institution of slavery. And that violence spread into every aspect of political and social life. There's a growing interest in weaving the American West into the coming of the Civil War. This event, and the commemorative response to it, drives home the fact that the Civil War was everywhere – its causes and consequences – and that the history of California is very much part of all that the country wrestled with on the road to disunion and war. The violence of the duel cannot be separated from the underlying violence of slavery. While this plaque and the plinths tell us that politically powerful men dueled in this spot, opportunities remain to weave together those details with the larger conversations about 19th century-visions of the role of the institution of slavery in California and broader cautions of the violence inherent in failing to recognize the humanity of those around us. I'm Bill Deverell. Thank you to our guests David Blight, Elizabeth Logan, and Ann Dayton. Coming up on the next episode, we move from Lake Merced to Jackson, Wyoming to ask questions about western conquest, overland migration, religion, and interactions between white settlers and the Indigenous people of the northern Rocky Mountains.

SARAH KEYES: The important thing about this monument is the plaque that's facing us. It was erected in September 1948 to commemorate what the Daughters of the Utah

Pioneers saw as the founding - the beginning of this place - and this beginning of this place is Jackson Hole.

DEVERELL: If you're interested in seeing images related to today's episode, please visit our website at [dornsife.usc.edu/icw](http://dornsife.usc.edu/icw). *Western Edition*'s team includes Avishay [ah-vee-shy] Artsy, Katie Dunham, Jessica Kim, Elizabeth Logan, and Stephanie Yi. *Western Edition* is a production of the Huntington-USC Institute on California and the West. Thank you for listening and be well.