

1860

Family + Military
Correspondance

1860

Family Correspondence; Venecia Barracks;

Walter Riggold

President of San Francisco
Jan 5th 1860

Dear Mr. Whaley

Happy new year and may
you never want for any thing Blackwood
tells me he has joined the Dashaway party
for I will not be able to trade a dollar with
him any more. While in your celler I saw
a pair of Indian Rubber boots who in the summer
I am at a loss to say but I would like
you to send them out to me if any body wishes
to sell them at a reasonable price by the
bearer of this note So good bye

old country

And May the angels watch you
respectfully
Walter R. ...

Walter Ringgold to Thos. Whaley

Presidio of San Francisco

Jan 5th 1860

Dear Mr. Whaley, Happy new year and may you never want for anything. Blackwood tells me he has joined the Dashaway foolish boy I will not be able to taake a drink with him anymore. while in your celler I saw a pair of Indian Rubber boots who is the owner I am at a loss to say but I would like you to send them out to me if anybody wishes to sell tham at a reasonable price by the bearer of this note So
goodbye

And may the angels watch you old cout

respectfully

Walter Ringgold

Walter Ringgold to Thos. Whaley

Presidio of San Francisco

Jan 5th 1860

Dear Mr. Whaley,

Happy new year and may you never want for anything .
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be able to taake a drink with him anymore. while in your celler I
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Presidio of San Francisco

Jan 5th 1860

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be able to take a drink with him anymore. while in your celler I
saw a pair of Indian Rubber boots who is the owner I am at a loss
to say but I would like you to send them out to me if anybody wishes
to sell them at a reasonable price by the bearer of this note So
goodbye

And may the angels watch you old cout

respectfully

Walter Ringgold

Fernia Parack
March 1st 1861

Mr. Whaley

Dear Friend

I wish I knew if any funds had
arrived by the steamer or even if
the steamer had arrived, but in
this particular locality it is impossible
to hear until a week or two after
the accident whether any body
has been hurt or not I give you any
news regarding money received from
the East let me know.

Be so kind as to buy me
two lbs a number one tea if
it cost \$1.00 a lb best. Do
not buy Japanese Tea as that
is not good also 4 Day Knives & Tools
worth \$4. I bought some from
Jacob Underhill He will be known

the kind I thought they were
strong and well made
I thought them for soldiers
use and I only got about
half enough of the kind
they were for Capt Garnette
Company and if you will
make a bundle of this and
send it to me you will
help your old friend

Walter Piggott

Genies Barracks
March 12th 1861

Mr. Whaley
Dear Friend

I must beg of you more favours
will you please buy me a second
hand cooking stone with a six inch
griddle if you can buy such a one,
if not, get the best you can get to
the size you can - I wish Parotillo
desires to get a plain coal oil
lamp for his bed room but of
plain glass and no fancy colors
or work about it also 1 can fall
and also 5 gallon Pine Oil
best quality 1 bag of shooter
balls and you will oblige

Your Friend
Walter Figgels

Benicio Barrack's
April 1st 1864

Mr. Whaley Dear Friend

Well that man that we bought
the stone from that he did
not send the zinc and if
you have time please make
him send it up to the Commissary
Dep and Mr. Williston can
see it safely on board the
boat for Benicio —
I gave Mr. G. D. R. the two
dollars and he told me that
he thought that there was more
and I must see one please
see him and explain it to
him And I will be
Gives Est. Serob
W. Duggles

Bencia Barrack's
March 10th 1860

Mr. Whaley

Dear Friend

I received your kind note containing
a list of goods from the Commissary
Department and also a warning
to send back that pot chisel
or I might expect the Sheriff
at my heels well so gives the word
now as I have sent the chisel
back I want you to do me
another favour Buy for me at
L. Merrill & Co 20 lb Tripoli
20 lb Rotton Stone 20 lb Crocus
6 Doz Gun Powders more or less
according as they have them packed
Get duplicate bill enclosed one of
them to me give the other to Pa
and he will give you the cash
Enclosed please find a letter to
Gaupe M. Leaville & Co

Hand it to them and tell them to
ship by the ~~middle~~ I. hull.

Yours Respectfully

Walter Russell

E. W. Russell
of no help
I have a pile of 1000
as of the 10th 1874
C. W. Russell
Sawyer
Said to
100

Benicia Barracks

March 10th 1860

Mr. Whaley

Dear Friend

I received your kind note containing a list of goods from the commissary Department and also a warning to send back that Box chisel or I might expect the Sheriff at my heels well so goes the world Now as I have sent the chisel back I want you to do me another favour Buy for me at C. Morrill & Co. 20 lbs Tripclo 20 lbs Rotton Stone 20 lbs Crocus 6 Doz Ink Powders more or less according as they have them Packed Get duplicate Bill enclosed one of them to me give the other to Pa Enclosed please find a letter to Taaffe M. Cakill & Co. hand it to them and tell tham to Ship by the Maria In haste -

Yours Respectfully

Walter Ringgold

Benicia Barracks

March 10th 1860

Mr. Whaley

Dear Friend

I received your kind note containing a list of goods from the commissary Department and also a warning to send back that Box chisel or I might expect the Sheriff at my heels well so goes the world Now as I have sent the chisel back I want you to do me another favour Buy for me at C. Morrill & Co. 20 lbs Triplic 20 lbs Rotton Stone 20 lbs Crocus 6 Doz Ink Powders more or less according as they have them Packed Get duplicate Bill enclosed one of them to me give the other to Pa Enclosed please find a letter to Taaffe M. Cakill & Co. hand it to them and tell them to Ship by the Maria In haste -

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Walter Ringgold

Benicia Barracks

March 10th 1860

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Yours Respectfully

Walter Kinggold

Bensin Barracks
March 16th 1860
Mr. Whaley

Dear Friend

More favour I have to ask
I guess you are beginning to think
that I took you at your word
when you said you would do
any thing that you could for
your humble servant — or beginning
to ask when will this favour
cease but how soon never

I want you to buy at
Regans for about 10 lb
of Choice Candies they will
deliver them to Messrs Eddy & Co
who will send them to me
Present the bill to Major G H
Ruggold and he will give you the
yellow stuff called by each proper
trash but by me heavens
Hutter Ruggold Your Truly

Benicia Barracks

March 16th 1860

Mr. Whaley

Dear Friend

More favours I have to ask I guess you are beginning to think that I took you at your word when you said you would do anything that you could for your humble servent or beginning to ask when will these favours cease but how sone never I want you to buye at J Segars ~~fer~~ about 50 lbs of Choice Candies they will deliver them to Moses Ellis & Co. who will send them to me Present the bill to Major G.H. Ringgold and he will give you the yellow stuff called by rich people trash but by me heaven

Your Truely

Walter Ringgold

Benicia Barracks

March 16th 1866

Mr. Whaley

Dear Friend

More favours I have to ask I guess you are beginning to think that I took you at your word when you said you would do anything that you could for your humble servant or beginning to ask when will these favours cease but how soon never I want you to buye at J Segars ~~ere~~ about 50 lbs of Choice Candies they will deliver them to Moses Ellis & Co. who will send them to me Present the bill to Major G.H. Ringgold and he will give you the yellow stuff called by rich people trash but by me heaven

Your Truly

Walter Ringgold

Benicia Barracks

March 16th 1860

Mr. Whaley

Dear Friend

More favours I have to ask I guess you are beginning to think that I took you at your word when you said you would do anything that you could for your humble servant or beginning to ask when will these favours cease but how soon never I want you to buy at J Segars ~~few~~ about 50 lbs of Choice Candies they will deliver them to Moses Ellis & Co. who will send them to me Present the bill to Major G.H. Ringgold and he will give you the yellow stuff called by rich people trash but by me heaven

Your Truly

Walter Ringgold

Benjamin Burrard
March 21st 1861

Mr. May

Dear Friend

I wrote to you to do me more favour
in the way of buying some goods
I presume you got the letter if not I
will have to write again I am getting on
swimmingly but a great drawback was the
Company going away you heard of this
no doubt but I am in hopes they will
soon return that is say in about 3 months
or more, It is dull as the devil up here
for me as I do not drink or play
hallelu I have knocked off as I found
it was very expensive but I jester
in a few weeks to be able to come down
or go down I should say

Yours truly
Benjamin Burrard

Benicia Barracks

March 21st 1860

Mr. Whaley

Dear Friend

I wrote to you to do Mr. More favours in the way of buying some goods I presume you got the letter if not I will have to write again I am getting on Swimmingly but a great drawback was the Company going away you heard of this no doubt but I am in hopes they will soon return that to say in about 3 months or more, It is as dull as the devil up here for me as I do not drink or play billiards I have knocked off as I found it was very expensive but I hope in a few weeks to be able to come down or to go down I should say

Good bye until we Meet again

Yours Truly

Walter Ringgold

Benicia Barracks

March 21st 1860

Mr. Whaley

Dear Friend

I wrote to you to do Mr. More favours in the way of buying some goods I presume you got the letter if not I will have to write again I am getting on swimmingly but a great drawback was the Company going away you heard of this no doubt but I am in hopes they will soon return that to say in about 3 months or more, It is as dull as the devil up here for me as I do not drink or play billiards I have knocked off as I found it was very expensive but I hope in a few weeks to be able to come down or to go down I should say

Good bye until we Meet again

Yours Truly

Walter Ringgold

Benicia Barracks

March 21st 1860

Mr. Whaley

Dear Friend

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I am getting on Swimmingly but a great drawback was the Company going away you heard of this no doubt but I am in hopes they will soon return that to say in about 3 months or more, It is as dull as the devil up here for me as I do not drink or play billiards I have knocked off as I found it was very expensive but I hope in a few weeks to be able to come down or to go down I should say

Good bye until we Meet again

Yours Truly

Walter Ringgold

Banica Barracks

March 25th 1848

Mr. Thomas Ashley

Dear Friend

I presume you think that I am very formal
but Thomas is such a pretty name to write
that it comes natural to my hands,

Since I've written to you but as yet
received no answer, but, now will do as
well as any time, I want you to buy me
a few goods. If you can find the time
I want them if possible to be put in one
not accepting such things as may be in
order. At present my Ex. acct. I am out of

Joseph Ashill (See and specify different dates
1st time from Thomas

Show with your Ex. acct.

4 . . .

"C.H." Remond's Co

256-2nd Cross Rollin Stone Emery Pickle

Buy them at some apothecary store

24 boxes knives

3 box Candy 20 1/2 - mixed drops

3 25 1/2 - Choice Candy

1 Case of Captives

6 Bags Pickles

The Candy I would buy from J. Legan
Montfort and you can get it cheaper
pay him, present the bill to old dad
and he will compliment you on
your good looks. Good buy I am
going down in two months and have
a night or two in San Francisco

Love
Walter C. Niccoll

P.S. Ship by Stockton Post

Benicia Barracks

March 26, 1860

Mr. Thomas Whaley

Dear Friend

I presume you think that I am very formal but Thomas is such a pretty name to write that it comes natural to my hand, Twice I've written to you but as yet received no answer, but, now will do as well as anytime, I want you to buy me a few goods if you find the time I want them if possible to be put in one box excepting such things as may be in boxes. At Taffe A. (Cahill's I have credit

Taffe A Cahill (500 asst needles different sizes

(1 lb white Linen Thread

I have credit Moses Ellis & Co. (2 boxes raisins
" " " " " (3 box candy 30 lbs mixed drops
" " " " " (& 25 lbs stick candy
" " " " " (1 case oysters
" " C.H. Rumwell & Co. (6 bags Potatoes

25 lbs each Crocus Rotton Stone Emery Tripoli

Buy these at an apothecary Store

The candy I would buy from J Regan Mont. St. and you can get it cheaper pay him present the bill to Old Dad and he will compliment you on your good looks. Good buy I am going down in two months and have a night or two in San Francisco

Yours Truly

Walter Ringgold

P.S. Ship by Stockton boat.

Benicia Barracks

March 26, 1860

Mr. Thomas Whaley

Dear Friend

I presume you think that I am very formal but Thomas is such a pretty name to write that it comes natural to my hand. Twice I've written to you but as yet received no answer, but, now will do as well as anytime, I want you to buy me a few goods if you find the time I want them if possible to be put in one box excepting such things as may be in boxes. At Taffe A. (Cahill's I have credit

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Yours Truly

Walter Ringgold

P.S. Ship by Stockton boat.

Benicia Barracks

March 26, 1860

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25 lbs each Crocus Rotton Stone Emery Tripoli

Buy these at an Apothecary Store

The candy I would buy from J Regan Mont. St. and you can get it cheaper pay him present the bill to Old Dad and he will compliment you on your good looks. Good buy I am going down in two months and have a night or two in San Francisco

Yours Truly

Walter Kinggold

P.S. Ship by Stockton boat.

Seneca Barracks
March 30th 1860

Mr. Whaley

Dear Friends

I received your kind note, of few days since, I know you must have been some mistake, or that the letter was not directed properly, however, all in sight, I have another small list for you to fill, which you will oblige me by supplying by the Marine, naming

✓ Every Pair small quantity
✓ Large Paper 25 25

✓ One Or Blue Print 16 small sheets
✓ by 32 long

✓ 1 Piece of each of the samples (large) (Small)
✓ 1000 Paper, Sausage

✓ 2 Long Print Brick

✓ 3 Long, Still Under Sheet Marine (Small)

✓ 1 Iron Lancet with a Key brass cylinder
✓ 100 stamps or 3rd Stamp (Small)

Benecia Barracks

March 30 th 1860

Mr. Whaley

Dear Friend

I received your kind note , of few days since, I knew there must have been some mistake, or, that the letter was not directed properly, however, all is right, I have another small list for you to fill, which you will oblige me by shipping by the Maria namely I recd Walter Ringgold

Emery Paper small quantity

Sand Paper do do

6m Pr Blue Pants 16 inch waist by 32 long

1 piece each of the samples (Taffe M Cahill

50 lbs Bolonge Sausages

2 doz Bath Brick

2 doz Wite Under Shirts Merino) T.M. C

1 Iron faucet with a key brass corrodes

10 P stamps \$5.00 34 Stamps \$5.00 worth

Please get a duplicate Bill send one to me give the other to my father Your Friend Walter Ringgold

1 Doz Military Blue Pants Such as Inf wear for the non Commissioned Officers.

1 Pr for me, blue 32 in by 16 in blue Cloth common kind worth about 5 to \$6.00 Such as I might visit in

Maj. Alvord paymaster at Fort Stevenson

Ask if troops have been paid within Six

Batchelder Oct. 31, 1859 -

Benecia Barracks

March 30 th 1860

Mr. Whaley

Dear Friend

I received your kind note , of few days since, I knew there must have been some mistake, or, that the letter was not directed properly, however, all is right, I have another small list for you to fill, which you will oblige me by shipping by the Maria namely I recd Walter Ringgold

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Sand Paper do do

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Batchelder Oct. 31, 1859 -

Benecia Barracks

March 30 th 1860

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Maj. Alvord paymaster at Fort Stevenson

Ask if troops have been paid within Si

Batchelder Oct. 31, 1859 -

Bremen Barracks
April 5th 1861

Sir Thomas Whaley
Dear Friend

I received your note and the Bill thousand Times obliged, as for that gentleman at Goaffe M. Caswell not understanding what I want that is all in my eye, can not he understand Blue military cloth pants such as the soldiers wear on parade, does pants for Inf. Soldiers, I should think this ought be plain enough. As regards the Candy soldiers are fond of nice Candy and I would buy a bag per cent on it, please buy next time the Maria comes up the following articles. Also buy a present for the Capt of the Maria Capt Pierce and present it to him for me, and Obed

Your Friend
Walter Kuyper

- 1 Box with 1st quality Candy worth 25¢
- 1 Peg cutter
- 3 Doz tea spoons common kind for soldiers use

For these things get duplicate Bills one for Credit pay the other for me and the said gentleman will refunde the same. Obed Give my respects to Mrs Whaley tell her I will soon be in San Francisco

Benecia Barracks

April 5th, 1860

Mr. Thomas Whaley

Dear Friend

I received your note and the Bill thousand times obliged, as for that gentleman's at Taaffe & Cahill not understanding what I want that is all in my eye, can not he understand Blue Military cloth pants such as the soldiers wear on parade, dress pants for Inf^e Soldiers, I should think this ought to be plain enough . As regards the candy soldiers are fond of nice candy and I make a large per cent (on it please buy next time the Maria comes up the following articles , also buy a preasant for the Capt of the Maria Capt. Piercen and present it to him for me, and Obge

Your Friend

Walter Ringgold

1 box 25 lb 1st quality candy worth 30¢ lb

1 Peg cutter

2 Doz tea spoons common Kind for soldiers use

For these things get duplicate Bills one for Grad pa the Other for me --- and the old gentleman will refund the same Adios Give my respects to Mrs. Whaley tell her I will soon be in San Francisco

Bonacia Barracks

April 5th, 1860

Mr. Thomas Whaley

Dear Friend

I received your note and the Bill thousand times obliged, as for that gentleman's at Taaffe & Cahill not understanding what I want that is all in my eye, can not he understand Blue Military cloth pants such as the soldiers wear on parade, dress pants for Inf. Soldiers, I should think this ought to be plain enough . As regards the candy soldiers are fond of nice candy and I make a large per cent (on it please buy next time the Maria comes up the following articles , also buy a presant for the Capt of the Maria Capt. Piercen and present it to him for me, and Obge .

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Walter Ringgold

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1 Peg cutter

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Benecia Barracks

April 5th, 1860

Mr. Thomas Whaley

Dear Friend

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1 Peg cutter

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For these things get duplicate Bills one for Grad pa the Other for me --- and the old gentleman will refund the same Adios Give my respects to Mrs. Whaley tell her I will soon be in San Francisco

Barracks
April 12th

Off. Whaley

Dear friend

Since I sealed the last letter this
morning the sergeant of St. Camp's
informed he had two lbs of Pork
which he would let me have at
Common say price if I want to buy
Please find out the price of pork
in town and if it is cheap let
me know

Yours Truly
Walter Keuffeler

Benedic Barracted
April 11th 1842

Mr. Whaley

Dear Friend

What fine weather we are enjoying,
it really seems that Providence
does every thing for our welfare
although we sometimes think to the
contrary not withstanding
Easter partridge, "blew great grass up
here, I thought it would certainly
take the roof of the house off, but
however it did not and I am alive,
yet, though, I assure you this is
a dull place I sit here and
look, and all I can see is a few
soldiers sometimes, but, I do not
mind it, I came here for a purpose
and I am going to carry it out,
or die, Please buy for me a pr of shoes
like the ones that I was wearing

in San Francisco when I was
there, they are marked on the inside
the size of them after this style
6 1/2 I bought them on the corner
of Kearney & Washington at that
large shoe store and paid \$8.00
for them, mind they are not like my
father's they are a little too heavy
I do not recollect the name of the
store now I say not like my
father's, they are like them, in every
respect except the sole are not as
heavy, if you cannot get these
then get a pair that is of
the same size and like my father's

and Obey
I stand in need of
in deed

Walter Fitzgerald

Bonita Barrack's

April 17th 1860

Mr. Whittley

Dear Friend

I received two letters enclosed in
one envelope dated April the 15th
from you, I appreciate your kindness
do not think for a moment I doubt
your motives, I know full well when
any goods that I might have written
to you for, do not come, it arises
from the fact of your not receiving
my letter but after this I will make
you appear in the eyes of the Post
office department U.S.A. and any
thing under this santimonious garb
will be, or it, looked upon as belonging
to the realms Save Us or Die is
My goods up to date want to hand and
all in good order except the sassafras
which was spoiled so much so that

the live stock were feasting on it, if
my meaning is not broad enough, I will
say magots plain bugs when you buy
again dry smoked Sausage that
Frenchman fooled you. Leto is very
well and every body admires her she
is in heat I think or has been which
is, no one can come around at night
I assure but she is too affectionate
and wishes to nap on me all the time
no matter what clothes you may have
on I give my love to all believe
Love Truly
Walter Reed

San Francisco
Benjamin Burraett
April 28th 1861

Mr. Whaley

Dear Friend you will wonder at the
appearance of this hand drawn in the paper but I
want you to be a pair Buckram gloves the gentleman
inured rights of this gloves but seems of his hand
will in doubt tell you what to buy, he does not
want gauntlets he wants a neat pair of
Buckram riding gloves such as gentleman
ride out with Ladies. Can I be more explicit
or not. All the goods come to hand and I am
obeyed
Love
buy

Your Affe. Friend

Walter Tappan

Spencer Barracks

May 14th 1846.

Mr. Whaley

Dear Friend

Your today was paid off by Soldiers
and succeeded pretty well in collecting
my money & I would write a full
account but some men will be here
in a minute and I must be in haste
but in a few days I will tell you all

Please inform the following firms
when the Marine arrives in San Fran

Moses Eves

James Smith

George McCulloch

Respectfully
Walter Sargent

Camp Barracks
May 23^d 1860

Mr. Whaley

Dear Friend

For some time I have been suffering
with foot ache but have managed to
get the sleep out and it does not pain
me so much now, and I am going down
town this evening to get a new sleep
put in. I send to Messrs Ellis
to buy five lbs of Green five lb of
Black tea but they have none in such
small packages. Now if you will be so
kind as to buy a case artist
of Black & Green tea
I will be obliged, 5 lb of Black tea
5 lb of Green tea
These teas are for Col Anderson's
and he wants the very best art
that can be had. Ship by Macken Book
and send the bill. Yours &c
Wm. H. R. R. R.

~~Postage~~

5
MAY 1862

Mr. Thomas Whaley
Commissary Storekeeper
San Francisco
Calif. U.S.A.

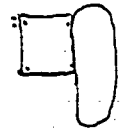
Biviera Barracks
May 26th 1860

Mr. Whaley

Dear Friend

You called my letter bloody, I will not
be a Christian, and return good for evil
by saying your kind note came to hand
about an hour ago, you anticipated
my desire in not wanting more ^{than} the
amount specified in my note of the other day
& reduced the balance amount to \$10. and
enclosed please find shipping list.
& It is very dull, I can scarcely sell
enough to pay my board, but I will
continue to try, and no doubt
when the men return of Camp St. I will
do well. Good bye Give my much
respects to Mr. Whaley and tell her
I was sorry I could not go to see her
when I was in San Francisco but I
trust you tell her how best, I was

When I arrived at home next night
 I was almost dead from running
 around of Adas Ameyo mio
 Walter Ruppert



15 m. Miley
 14 m. Miley
 15 m. Miley
 15 m. Miley
 12 m. Miley
 100 - 76
 24
 100

15 m. Miley
 14 m. Miley
 15 m. Miley
 12 m. Miley
 100 - 76
 24
 100

Mr. Thomas H. Kelly
Care of Major G. H. King
Paymaster U. S. A.
San Francisco
Cal.

Geniein Barrack
Sep 26th 1860

Mr. Anthony

Dear Friend

All the goods come to hand and
the difference in paying cash and
buying on credit is quite manifest
also your kind letter I will be
down to see you about the first
of next month Give my
respect to all my friends

Ever Truly yours

Walter Fitzgerald

Sept 10. 1877

Mr Thomas W. Haly
Store Keeper Com. Mis. and Dep
U. S. W. San Francisco
California



- 1 Bot Long and Cakes
- # 1 Lot Curved wood Pipe Stand
- 6 Cin Herrins
- # 2 Long North Industries Comm Unit
- # 1 Gross Bekalan Pipes small sizes
- # 5 Bags Kinkmick Sabu cevis
- # 2 bag Seta Hill and Sp. Rice
- # 2 do do do Common Rice
- # 4 Profes Manilla Lizard
- # 1 Kit Maclurel
- # 2 Long Chisel for other or last

The sent was not from enough
 for duplicate bills given out to
 the old man and send me
 the others

Received from 65
 ...
 ...
 ...

P. S. Ship by Stockholm boat
or the French ship in it

Francis Barracks

Sept 20th 1860

Mr Thomas H. Kelly

Dear Friend

As I have said all I owe my
creditors I desire for the future
to buy for cash, and I would
like you to buy me the enclosed
piece of goods, in future I will come
down and buy them myself so that
you will not have so much trouble
The cheese I would buy from
Sumrell's Washington Market
The other things I would buy when
you can get them in a package
The mail man is waiting for me
Col Andrew Wood of the Green &
you to take him the same as you
sent before, Go to El Mingo for
the cash to pay for them the
In haste
C. Barracks

Jessie Garrack

Nov 2nd 1860

Mr. Sibley

Dear Friend

While in San Francisco last
I bought two curtains and
also a piece of carpet if he
could get any, the curtains
were paid for, but the carpet
was not, the man did not
send either not withstanding
I wrote to him, I wish you
would see about it and
have them shipped to me
The name of the firm is
C. A. S. S. S. S. S.
Carpet-Importer and
Dealer in Carpets &
No 134 Washington St. S.F.
As Ever Yours
Walter Garrison

P.S. Capt. McCall will ship the 27th

Benicia Barracks

Mar 26th 1846

Mr. Whaley

Dear Friend

Please keep for me and send or ship them as soon as possible the following Art^s & I received your letter regarding the curtains the gentleman who bought them was in San Francisco since and attended to it himself, but I am about to go & how is Mr. Wmely & the baby you ain't pay in your note. Adieu Amigo

Friend Walter Buggald

Hem-st

30 lbs Common Elk Plug Chewing Buds @ 30th

1 Box Apples worth about 7 to 8th for the 2nd

1 do do " " 24 " 5th do

2 Boxes Soda crackers

Elam

1 doz Common Shaving Brushes

Elam

4 do Adam's Blacking Brushes @ 10th each

do

2 do Whisp Brushes

do

1 Box Buds

The Cox gentleman will be here this evening, but presents the bills to him Monday morning on his return, please buy and ship these things as soon as possible. As the men will have money

Amigo

1st Whaley

No. _____

In the Supreme Court

OF THE

STATE OF CALIFORNIA.

EMILY CASEMENT,

APPELLANT,

vs.

WALTER RINGGOLD ET AL.,

RESPONDENTS.

Respondent's Brief.

PATTERSON, WALLACE & STOW,
Atty's for Respondents.

SAN FRANCISCO:
PRINTED BY TOWNE & BACON, BOOK AND JOB PRINTERS,
No. 530 Clay Street, opposite Leidesdorf.
1865.

J. W. C. H. C. C.
No.

In the Supreme Court

OF THE

STATE OF CALIFORNIA.

EMILY CASEMENT,

APPELLANT.

VS.

WALTER RINGGOLD ET AL.,

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No. 538 Clay Street, opposite Leidesdorf.

1865.

SUPREME COURT.

EMILY CASEMENT,

vs.

WALTER RINGGOLD ET AL.

Appeal from an order refusing, on motion, to set aside judgment.

The cause was tried, the *findings* and *judgment signed*, by the Judge who tried the cause, an *order made and entered*, directing judgment for defendant, and the judgment and findings were *filed* by the Clerk of the Court.

The judgment was not entered in the Judgment Book, nor attached to the papers, which the statute, § 203 provides shall constitute the Judgment Roll. The defendants (respondents) had done everything, in their *power*, to complete the judgment; and notwithstanding the neglect or omis-

sion of the Clerk to enter the judgment in the Judgment Book, and to file the Judgment Roll, it was on the day signed by the Judge, and filed, the *judgment of the Court*.

9 Howard's P. R., 86.

2 Sandford, 645.

2 Code Reporter, 125.

Goldstein v. Davidson, 18 Cal. R., 41.

If the Clerk's force was insufficient to copy the judgment into the Judgment Book on *that day*, the party should not suffer for it; so if he neglected to do so; so if he had *lost* the judgment as signed; so if it had been *stolen* from his custody.

The District Court had no power to set it aside on motion made at a *subsequent term* to that at which it was rendered.

Jas. Bell, Ex., v. Thompson, 19 Cal., 706.

Castro v. Richardson, Ap. T., 1864.

II.

The moving affidavits (see Louderback's affidavit) show that plaintiff's attorney of record was in Court when the case was called for trial.

Plaintiff should then have moved for a *continuance*; Turner v. Morrison, 11 Cal., 21.

The case had been specially set for the day it was tried.

It is not pretended that Louderback did not know of the *illness of Satterlee then*.

Satterlee's affidavit to, or was *unable*, by Louderback, or the Court, to attend on account of illness from attending. We quote: "That (Satterlee) was ill, until after the trial (he) he was incapable of attending, and other counsel, sufficient to attend for the trial of this case. All this is not incontestable. It is not incontestable that he might have been advised of his illness, and asked for other counsel. He had a brother-in-law, who was with him; it would have been reasonable to have made an application to the attention of the Court. It is not claimed that other counsel was advised of his illness."

But the defendant's averments of the illness of the plaintiff is not entitled to weight. The trial would have been adjourned, and if so, the motion for a continuance. Blake v. Heald, 11 Cal., 21. Patterson v. Heald, 11 Cal., 21. We make a certificate of the appendix. An affidavit.

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ment-Roll, it was
d filed, the *judg-*

Cal. R., 41.

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on *that* day, the
he neglected to
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on, 19 Cal., 706.
T., 1864.

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of record was in
or trial.
ved for a *continua-*
l., 21.

or the day it was

nderback did not

Satterlee's affidavit does not show that he forgot to, or was *unable*, by illness, to send word to Louderback, or the Court, that he was prevented by illness from attending Court on the twenty-third. We quote : "That from the time when he became ill, until after the twenty-third instant, (September) he was incapable of giving instructions to any other counsel, sufficient to enable them to prepare for the trial of this cause, and to try the same." All this is not inconsistent with the fair inference that he might have informed the Court of his illness, and asked for a continuance on that ground. He had a brother and physician in attendance upon him ; it would have been an easy matter for either to have made an affidavit, and brought his illness to the attention of the Court.

It is not claimed that the Court or the opposite counsel was advised of the illness.

III.

But the defendants insist, that taking all the averments of the complaint to be true, and the plaintiff is not entitled to recover, and that a new trial would have been an unprofitable ceremony, and if so, the motion was properly denied.

Blake v. Howe, 1 Aiken's, 310.

Patterson v. Ely, 19 Cal., 36.

We make a certified copy of the complaint an appendix. An abstract shows :

1. Plaintiff married to H. C.
2. Acquired the lot in controversy as community property, in 1852.
3. Occupied the same as residence, or homestead.
4. The lot mortgaged by the husband, H. C., which was foreclosed, and defendants hold title under it.
5. It is not pretended (and the finding of fact negatives the idea) that there was a "declaration of homestead" filed by plaintiff.

Her claim to recover is on the assumption that she had a homestead, which survived to her on the death of *her husband*.

She cannot recover on that assumption.

Laws of 1860, p. 311, § 5.

" 1862, p. 520, § 6.

Bartholemew v. Hook, 23 Cal., 277,

Noble v. Hook, 24 Cal., 638.

Estate of Reed, 23 Cal., 410.

PATTERSON, WALLACE & STOW,
Attorneys for Respondents.

ask of the
how appropriate
Davit

Mr Thomas W.

- sented with a the
Court in case of
costs amounting
has paid 1/48 of
us to call upon
1/24 being 1/3
the amount by
of

1. Plaintiff married to H. C.
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PATTERSON, WALLACE & STOW,
Attorneys for Respondents.

Att. of - res
hooked on
How about it
Daw

Mr Thomas W.

- sent with a bill
Court in case of
costs amounting
has paid 148 - of
into the court
124 being 75.
The amount he
1 of

Assignment in
the case of
the debt

Now about the Trade.

San Francisco

Dec 1st 1865

Mr Thomas Whaley
Sir.

We have been pre-
sented with a Remittitur from the Supreme
Court in case of Baumert vs Ringgold, the
costs amounting to \$72. Genl Nagler
has paid \$48. If the amount used required
us to call upon you for the balance -
\$24 being 73. Will you please send us
the amount by the bearer?

Yours &c

Patterson, Hallam, & Stone
per Hallam

as community

nce, or home-

usband, H. C.,

hold title un-

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nption.

Jan., 277,

8.

9.

& STOW,

Respondents.

APPENDIX.

*In the District Court of the Twelfth Judicial District
of the State of California, in and for the City
and County of San Francisco.*

EMILY CASEMENT,
vs.
WALTER RINGGOLD and
STANGER TATE. }

Emily Casement, the above-named plaintiff, complains of Walter Ringgold and Stanger Tate, for that heretofore, to wit: on the eighteenth day of February, eighteen hundred and forty-nine, she was lawfully married to Hugh Casement; that afterwards, to wit, in the year eighteen hundred and fifty-two, the said Hugh and the said plaintiff acquired and became the owners of that certain one-hundred-vara lot, in the City and County of San Francisco, known and laid down on the official map of said city and county, as one-hundred-vara lot, number two hundred and ninety, situate on the southerly corner of Folsom and Eighth (formerly Price) streets, and being one hundred varas on Folsom Street and one hundred varas on Eighth (formerly Price) Street; that in the year last-mentioned, the said Hugh and the said plaintiff inclosed said lot with a fence, and erected thereon a dwelling-house and outhouses of great value, and then and there established their residence, and made

roversy as community

residence, or home-

the husband, H. C.,
hdants hold title un-

and the finding of fact
was a "declaration of

a the assumption that
survived to her on the

nt assumption.

1, § 5.

0, § 6.

ok, 23 Cal., 277,

Cal., 339.

Cal., 410.

LLACE & STOW,
eys for Respondents.

said lot their homestead ; that said Hugh and said plaintiff being married, actually occupied said lot as a homestead, and resided thereon, together, from the year 1852 up to and until the summer of 1855, when the said Hugh departed from the State of California, and left said plaintiff, his wife, residing upon and occupying the whole of said lot as a homestead ; that said Hugh never desired nor requested said plaintiff to quit said premises, and never afterwards provided said plaintiff with any other homestead ; that said plaintiff remained upon said lot, and continued to occupy the same as her homestead, from the time of the departure of her said husband, up to and until the year 1856, when plaintiff left said premises, but did not relinquish her claim to the same as her homestead ; but, on the contrary, plaintiff has ever since she entered upon said premises, claimed the same as her homestead ; that as plaintiff is informed and believes said Hugh Casement died out of the State of California, in the year 1861, and she so avers the fact to be ; that said defendant Ringgold now claims to be the owner of said lot, under and by virtue of a mortgage and the foreclosure of the same, which mortgage was executed by said Hugh Casement solely in his lifetime upon said lot ; that such mortgage, if any, was made and executed by said Hugh while he and plaintiff were husband and wife to each other, and actually residing upon and

occupying the whole of and that said plaintiff gave. That defendants no right to the said lot they now hold and occupy adversely to plaintiff, therefrom, and unlawfully from said plaintiff. Plaintiff's death of her said husband became the sole and actual owner of said lot, and entitled to the possession thereof, and that she still is the owner of said lot, and is entitled to the whole thereof as of right.

Plaintiff therefore may be summoned to answer the complaint, and that judgment entered in favor of said plaintiff, for the possession thereof, and that the Court to eject the said defendants and to put the said plaintiff

hat said Hugh and said
 actually occupied said lot
 and thereon, together,
 and until the summer of
 departed from the State
 plaintiff, his wife, resid-
 -whole of said lot as a
 never desired nor re-
 quit said premises, and
 said plaintiff with any
 plaintiff remained upon
 occupy the same as her
 of the departure of her
 until the year 1856, when
 but did not relinquish
 her homestead; but, on
 ever since she entered
 d the same as her home-
 informed and believes
 out of the State of Cal-
 and she so avers the fact
 Ringgold now claims to
 under and by virtue of a
 sure of the same, which
 by said Hugh Casement
 upon said lot; that such
 deed and executed by said
 plaintiff were husband and
 actually residing upon and

occupying the whole of said lot as a homestead;
 and that said plaintiff did not join in said mort-
 gage. That defendants Ringgold and Tate have
 no right to the said lot nor any part thereof; that
 they now hold and occupy the same, unlawfully,
 adversely to plaintiff, and exclude said plaintiff
 therefrom, and unlawfully withhold the possession
 from said plaintiff. Plaintiff avers, that upon the
 death of her said husband Hugh Casement, she
 became the sole and absolute owner of the whole
 of said lot, and entitled to the possession thereof;
 and that she still is the owner of an undivided por-
 tion of said lot, and is entitled to the possession of
 the whole thereof, as against defendants.

Plaintiff therefore prays, that said defendants
 may be summoned to appear and answer this com-
 plaint, and that judgment may be pronounced and
 entered in favor of said plaintiff as against said
 defendants, for the recovery of said premises and
 the possession thereof; and for the process of this
 Court to eject the said defendants therefrom, and
 to put the said plaintiff in possession thereof.

D. LODDERBACK,
 Plaintiff's Attorney.

CITY AND COUNTY OF SAN FRANCISCO, ss.

Emily Casement, the plaintiff named in the foregoing complaint, being duly sworn, deposes and says, that she has heard said complaint read, and knows the contents thereof; and that the same is true of her own knowledge, except as to the matters which are therein stated, on her information and belief or belief as to those matters she believes it to be true.

EMILY CASEMENT.

Subscribed and sworn to, before me, this first day of April, 1863.

ALFRED BARSTOW,
Notary Public.

[L.S.]

I hereby certify the foregoing to be a true copy of the original complaint, on file in my office, in the above entitled cause.

Attest, etc.

W. BARTLETT, Clerk.

Per Wm. Satterlee, D. C.

{ Internal Rev. Stamp, }
10 cents—canceled.

Assessment of
the
debt

How about the Guade.

San Francisco

Dec 1st 1865

Mr Thomas Whaley

Sir.

We have been pre-
sented with a Remittance from the Supreme
Court in case of Baumert vs Priggold, the
costs amounting to \$72. Paul Magler
has paid \$48 of the amount and requests
us to call upon you for the balance -
\$24 being \$3. Will you please send us
the amount by the bearer?

Yours &c

Patterson, Wallace, & Stone
per Kamm

of the mortgage? Was not the tender
of my $\frac{1}{2}$ of principal and interest
prevent in case of refusal to ac-
cept and a continuation of the suit
stop interest and expense of suit
So far as my $\frac{1}{2}$ is concerned
When Jones sold the property
to Ringgold he promised to de-
fend him against all suits against
the property and this I think
can be proved by Mr Carter, Mes-
srs Stone & Pallen, and the opin-
ion of Hall in McCallister vs which
he refers to a letter from Stone &
Pallen that they will defend
the parties purchasing at a sale
of the property made by Ringgold
These suits Castleton vs Ringgold
at all times McQuinn vs Stone
& May et al have long been
pending and are still pending,
at present in the Supreme Court
Owing to these suits, which may
not have been properly attended

Walter vs. Satterlee. Substantive on the merits & petition for rehearing on the merits.

Carroll vs. Burt

Twelfth District Court—FRATT, J.
 Benj. Schloss et al. vs. Morris James et al.—Plaintiff's motion for a commission to John K. Hackett, in New York City, to take testimony of witnesses. Interrogatories to be settled before this Court on Wednesday next. 19th inst.
 E. R. Carpenter vs. The City of Oakland.—Plaintiff's motion for judgment on verdict, and that said judgment be discharged payable in gold coin, argued and submitted.
 Emily Casement vs. Walter Ringgold et al.—Plaintiff's motion to set aside finding and judgment on cause for restoration of calendar, argued and submitted.
 John A. Bauer vs. A. B. Thompson et al.—Plaintiff's motion for default and sentence to Commissioner to compute amount due, etc. granted.
 John C. Ayre vs. John Bentley, et al.—Defendant's motion for a new trial, submitted on briefs to be filed in five days, by consent of counsel.

Fifteenth District Court—DWINNELL, J.
 Rickelson vs. McCreery. Plaintiff's motion to strike out portions of answer withdrawn.
 Caroline Buell vs. R. T. Buel.—Motion for alimony and counsel fees, argued and submitted.
 Selena Long vs. David Long.—Motion for alimony and counsel fees, argued and submitted.
 Laas et al. vs. Savings and Loan Society.—Order overruling demurrer vacated and set aside, and demurrer reinstated on law calendar.
 Annie C. Stott vs. Charles Stott.—Motion for alimony and counsel fees. Continued till Monday next.
 Wormsar et al. vs. Hardy.—Motion to strike out answer and for judgment. Continued until Monday next.
 Kelscher vs. Campbell.—Plaintiff's motion for costs, argued and submitted.
 Hans Barnhart, William Jagan, of Holstein, Denmark, and John Morgan, of County Galway, Ireland, were admitted citizens of the United States.

NEW SUIT.

John McQuade vs. Anna Eloise Whaley et al.—Plaintiff claims the ownership of a hundred vara lot on the southerly corner of Folson and Eighth streets, by title derived from one Emily Casement. Plaintiff further claims that defendants hold said property illegally. He therefore prays for judgment against said defendants; that he recover the whole or some premises, from, or against defendants, and for costs of suit, etc.

Carpenter vs. Gardner.—Further argued by Hayes and Carpenter, and submitted; six days to appellant, and six days to reply.
 Casement vs. Ringgold.—On motion of Carpenter, cause submitted on briefs to be filed by respondent in twenty days; twenty days to appellant after service. 19th inst.
 Jenkins vs. Frink.—Submitted by Howe on briefs on file by respondents.

THE COURTS.

Supreme Court.—Present, CHERRY, C. J.; SAWYER, J.; HUNOES, J.; SANDERSON, J.
 Wednesday, February 14, 1866.
 Bond vs. Hickman.—Judgment reversed. Cause remanded.
 Walter vs. Satterlee.—On motion of Plaintiff, Ringgold stipulation, cause placed on the calendar for the present term; and on like motion and stipulation, cause submitted on briefs to be filed by appellant in twenty days; twenty days to respondent to reply.
 Heyman vs. Babcock.—On motion of Whiston.—Petition assenting.—Cause placed on the calendar for the present term; and on like motion, cause submitted on briefs to be filed in thirty days.
 People vs. English.—On motion of Whiston and filing transcript, cause placed on calendar for the present term; and on like motion, cause submitted on briefs to be filed in fifteen days; fifteen days to respondent to reply.
 Henry vs. Duncan.—On motion of Reynolds.—Temple assenting.—Cause submitted on briefs to be filed by appellant in thirty days; fifteen days to respondent to reply.
 Carpenter vs. Small.—On motion of Brown and filing stipulation, cause submitted on briefs to be filed by appellant in forty days; forty days to respondent, and twenty days to reply.
 Norton vs. Basigiano.—Continued; no appearance.
 Ryan vs. Dougherty.—Continued; no appearance.
 Balknap vs. Hyington.—On motion of Whiston and filing stipulation, cause submitted on briefs to be filed by appellant in ten days; ten days to respondent and ten days to reply.
 Bond vs. Pacheco.—On motion of Wallace, cause submitted on briefs to be filed by respondent in ten days; ten days to appellant to reply.
 Maxfield vs. Johnson.—On motion of Catlin and filing stipulation, cause submitted on briefs to be filed by appellant in thirty days; thirty days to reply.
 Miller vs. Stearns.—Continued. No appearance.
 Patterson vs. Keylone Company.—On motion of Caldwell, cause submitted on briefs to be filed by appellant in twenty days; twenty days to respondent, and twenty days to reply.
 Donner vs. Palmer.—Argued by Wilson, Sloan and Reynolds for appellant, and Dwinelle and Houghton for respondent, and submitted; thirty days to appellant; twenty days to reply, and fifteen to answer.
 Donner vs. Palmer.—Argued by Lawrence, for intervenor, and Houghton for respondent, and submitted; thirty days; twenty days to answer, and fifteen days to reply.
 McQuade vs. Whaley.—Motion of Wallace, for respondent, to disqualify, argued and submitted. Submitted on the merits, on briefs to be filed by appellant in twenty days; twenty days to reply.
 People vs. Dalton.—Argued by Lawrence for appellant and submitted; briefs to be filed by respondent in fifteen days; fifteen days to reply.
 Murphy vs. Green.—Motion of Wallace, for affirmation of judgment with damages, taken under advisement.
 Jones vs. Green.—Argued by Lawrence, for appellant, and Patton for respondent, and submitted; twenty days to appellant to file brief; ten days to reply.
 Le Roy vs. Rodgers.—Argued by Brooks, for appellant, and submitted; twenty days to respondent to file brief; twenty days to appellant to reply.
 Carpenter vs. Gardner.—On motion of Carpenter, ordered twenty days further time to the respondent to stipulate to remit damages as a condition of refusing a new trial.
 Carpenter vs. City of Oakland.—On motion of Carpenter, ordered twenty days further time to respondent to file brief.
 Dana vs. Jackson Street Wharf.—Argued by Bates, for appellant, and continued for further argument.

Supreme Court—Feb 27, 1865
 The following orders have been made in the Supreme Court:
 Casement vs. Ringgold.—On motion of Satterlee & filing petition for rehearing, ordered stay of proceedings until the same is determined.
 Caldwell vs. Center.—On motion of Wilson, ordered ten days further time to appellant to file brief.
 Wolf vs. Center.—On motion of Wilson, ordered ten days further time to appellant to file brief.
 Robbins vs. Bond, del. Rose.—On motion of Dwinelle and filing stipulation, order ten days further time to appellant to file brief.
 Townsend vs. Tallant.—On motion and order.
 The case of S. H. King on appeal was argued before Judge Sanderson and McCullough for the petitioner, and McCullough for the defendant. The petitioner is a resident of Los Angeles State. One of his brothers had been assaulted by a man named Carlisle and terribly injured. The petitioner and another brother afterward met Carlisle in a saloon and a fight ensued, in which Carlisle and the brother were killed and the petitioner was badly wounded. He is now held in Los Angeles on a charge of murder, and bail has been refused. His release on bail is now asked on the grounds that the evidence in the case cannot make the offense murder in the first degree. Submitted.

TRANSFERRED TO THE FOURTH DISTRICT COURT.—The case of John M. Quade vs. Antoinette Ringgold et al., in the Fifteenth District Court, has been transferred to the Fourth District Court, the Judge of the Fifteenth District Court being incapacitated for trying the case, he having been heretofore engaged as counsel in the subject matter of the action. **Nov 1864.**