

AUGUSTUS S. ENSWORTH
LETTERS
1859-1865
8 BUSINESS FILES

LETTERS OF AUGUSTUS S. ENSWORTH

1859 - 1865

Augustus S. Ensworth

Census of 1860 (See Census Reports of 1860 in Serra Museum Files) states that A.S. Ensworth was born in Connecticut, 1810; he was 50 years of age; occupation, lawyer. He was a partner of Judge Benjamin Hayes.

See Serra Museum Library - Pioneer Notes Diaries of Judge Benjamin Hayes, 1849-75, privately printed at Los Angeles, California, Copyright 1929, by Marjorie Tisdale Wolcott Page 242, as follows :

"...By the bye, for the first time, I think, I have mentioned A.S. Ensworth, Esq., of San Diego in these notes. An early settler of Texas, who has many tales of it's battles; a waggon master at Camargo at the critical hour of the war; a good lawyer; full of common sense, and gentle feelings, and just principles; once a member of our Legislature, but lately beaten by a single vote; an old bachelor withal, and much more that might make him long remain fresh in my recollection. But I was just now thinking of his remark on the state of the country.

"...Disunion may come; I will not stay to see it. I have seen trouble confusion, war enough ---at my time of life I wish to see no more. I will go to the Sandwich Islands, or elsewhere."

See: Biographical Files Serra Museum, Notebook marked "En"-- contains a letter written by A.S. Ensworth to Hon. M. Kirkpatrick, Downieville, California, Sept 30, 1859, regarding a man who came with Ensworth to California in 1848, man was named Lane.

See Serra Museum Library Files - Smythe's History of San Diego, Page 273 as follows:

"A.S. Ensworth came to San Diego as a teamster in government employ. He was elected justice of the peace in 1856 and assemblyman in 1859. He was a "self-made man", who studied law after being elected justice, and later engaged in the practice of law, with considerable success. He was quite a reader and had a large library, for the times. He died in a hospital at Los Angeles."

From the "WhaleyPapers" Files in the Serra Museum the following extracts from the correspondence. A.S. Ensworth was the business manager for Thomas Whaley during the years he served in the Commissary Dept., U.S.A.

Under date of : November 12, 1861 Ensworth wrote to T. Whaley as follows:

"...I live quite contented in this big house of yours- & no matter what part of the county (for most probably I shall die in San Diego,) it will be my lot to live, I hope I may be contented. Riches I do not desire, but prefer the middle state- neither riches or poverty. If I were married, & half dozen young ones, I might, without impropriety, strive at this late date for wealth."

Under date of: February 14, 1863 Ensworth wrote to T. Whaley as follows:

"...Inclosed herewith you will find a photograph of Miss Sarah B. Ensworth, the only surviving sister of the subscriber -(father, mother, brothers & sisters all save this dear one are dead,) living in the city of Detroit, Michigan."

Under date of: Sept. 13, 1865 Letter from Judge Benjamin Hayes written to T. Whaley describing Ensworth's death, as follows: Letter is dated Sept. 16, 1865:

"...Immediately upon hearing of the event, I went to the hospital, and at the request of the Sisters, and perhaps being the only person in Los Angeles particularly long before acquainted with the deceased friend, I made arrangements for the funeral, which took place on Tuesday, at 8 o'clock, a.m."

Under date of Sept. 16, 1865, Benjamin Hayes Letter to T. Whaley (cont.)

".... I took pains myself to make the selection of the spot for his interment, and the selection contented the good Sisters, who wished him to be bruied on the side of the Cemetery, nearest to their own view."

".... He left no directions to the Sisters, concerning his affairs: they have his various letters; his memorandum book etc!"

Under date of September 17, 1865 Letter from E.W. Morse to T. Whaley concerning the death.

"....I received the sad intelliegence of the death of our friend Ensworth, he died Sept. 13, 1865 at Los Angeles."

"....I opened his will today & find I am appointed Executor. I presume he settled all your business up himself."

Diaries of Judge Benjamin Hayes- Pioneer Notes Edited & Published by Marjorie Tisdale Wolcott-
Text Mc Bride Printing Company, Los Angeles, California Page 266.

Under date of Jan 20, 1862 : Entry from Judge Hayes diary as follows:

A.S. Ensworth , Esq., writes me from San Diego of the date the 20th :

".... For several days we have had the rain falling in large quantities. The San Diego river overflowed the flats, so that a boat went to the houses and brought away the women and children. One house washed away entirely. Lyon's garden is entirely destroyed, one bed of the river running through it."

This letter came by steamer, received the 28th. The land mail has not yet arrived.

Diaries of Judge Benjamin Hayes - Pioneer Notes, Edited & Published
by Marjorie Tisdale Wolcott -Tex. Mc Bride Printing Company, Los
Angeles, Calif. Page 266

Letter from A.S. Ensworth to Judge Hayes : Subject : Weather

Jan. 30th :

A.S. Ensworth , Esq., writes me from San Diego of the date the
20th: (Jan. 20 1862)

"....For several we have had the rain falling in large quantities.
The San Diego river overflowed the flats, so that a boat went to
the houses and brought away the women and children. One house
washed entirely away. Lyon's garden is entirely destroyed, one
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mail has not yet arrived.

Letter from Judge Benjamin Hayes to Thomas Whaley describing
A.S. Ensworth's death, which occured Sept. 13, 1865

Letter dated:Sept. 16, 1865

"... Immediately upon hearing of the event, I went to the hospital,
and at the request of the Sisters, and perhaps being the only
person in Los Angeles particularly long before acquainted with
our deceased friend, I made the arrangements for the funeral,
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Extracts from Whaley Papers Re: A.S. Ensworth Sept. 17, 1865

Letter from E.W. Morse to Thomas Whaley concerning death of Ensworth.

".....I received the sad intelligence of the death of our friend Ensworth, he died Sept. 13, 1865 at Los Angeles."

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The sudden death of A.S. Ensworth caused three San Diegans to become involved in the settlement of his affairs:

1. Judge Benjamin Hayes- who took care of the funeral arrangements,
2. Ephraim W. Morse- who was appointed executor
3. Thomas Whaley- who employed Ensworth at San Diego to take care of Whaley's local affairs, and who attempted to finish up some of Ensworth's cases. One example was the Escajadillo case.

Three men therefore had reason to correspond frequently.

Morse wrote Whaley June 23, 1866 asking for information on the a/c Ensworth had with Whaley- saying:

".... In regard to your bill against Ensworth's estate--I consider it a very doubtful matter."

"....Judge Hayes had assigned about \$1200 of a mortgage to Ensworth, which may collected in the course of a year or perhaps less, perhaps never, but there are other debts which by law have precedence of yours, and which will take the largest portion of that -if it is collected--"

"Then his expenses in Los Angeles were heavy." "The bill of Dr. Griffin who killed him was 5710--"

Augustus S. Ensworth

1860 Census : Born in Connecticut , 1810, was 50 years old at time of 1860 census , occupation, lawyer (Partner of Judge Benjamin Hayes) who practiced law in San Diego. See: Pioneer Notes -- Diaries of Judge Benj. Hayes , 1849-75 , privately printed at Los Angeles, Calif., 1929 Copyright, by Marjorie Tisdale Wolcott Page 242. the following:

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A.S. Ensworth to Thos. Whaley - Letter dated : Nov. 12, 1861

Subject: A.S. Ensworth's Marital Status

"... I live quite contented in this big house of yours- & no matter what part of the county (for most proba ly I shall die in San Diego,) it will be my lot to live, I hope I may be contented. Riches I do not desire, but prefer the middle state- neither riches or poverty. If I were married, & a half dozen young ones, I might, without impropriety, strive at this late date for wealth."

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Subject : Family

"Inclosed herewith you will find a photograph of Miss Sarah B. Ensworth, the only surviving sister of the subscriber- (father, mother, brothers & sisters all save this dear one are dead,) living in the city of Detroit, Michigan".

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"Then his expenses in Los Angeles were heavy." "The bill of Dr. Griffin who killed him was ~~710.~~ \$ 710.00

Augustus S. Ensworth who served during the Civil War period as Thomas Whaley's business manager wrote to Whaley who was then in San Francisco speaking of a man named "Selden" who was trying to develop San Pedro as a port.

"Selden's identity is revealed in the diaries of Judge Benjamin Hayes , 1849 , page 263, he was Jonathan Warner,

1859

A.S. ENSWORTH LETTERS TO THOMAS WHALEY

SEPT 22, 1859 ; DEC. 22, 1859

San Diego, Cal.,

Sept. 22.

Yours is rec^d - Dist. Court in session -
will write you in a day or so at large,
& send statement - Merchandise is some-
thing I know nothing about - expect
easy moment when Hays will call me
into Court, as he is attempting to wind
up his business to leave on the Post -
Doyle says he owes something - no time
to settle with him now -

Will write

you overland

Affectionately
A. J. [Signature]

A.S. Ensworth

to
! Thomas Whaley

San Diego, Cal.

Sept. 22, (1859)

Yours is rec'd- Dist Court in session- will write you in a day or so at large, I send statement- Merchandising is something I know nothing about- expect every moment when Hays will call me into court, as he is attempting to wind up his business to leave on the Boat- Doyle says he owes something- no time to settle with him now-

Will write

you overland

A.S. Ensworth

A.S. Ensworth
to
Thomas Whaley

San Diego, Cal.

Sept. 20, (1959)

Yours is rec'd- Dist Court in session- will write you in a day
or so at large, I send statement- Merchandising is something I
know nothing about- expect every moment when Hays will call me
into court, as he is attempting to wind up his business to leave
on the Boat- Doyle says he owes something- no time to settle with
him now-

Will write

you overland

A.S. Ensworth

A.S. Ensworth
to
Thomas Whaley

San Diego, Cal.

Sept. 27, (1859)

Yours is rec'd- Dist Court in session- will write you in a day
or so at large, I send statement- Merchandising is something I
know nothing about- expect every moment when Hays will call me
into court, as he is attempting to wind up his business to leave
on the Boat- Doyle says he owes something- no time to settle with
him now-

Will write

you overland

A.S. Ensworth

3 o'clock P. M. — On second
thought, & after I had received the
letter to you, I have taken it
out of the Express office to
open it & take from it the
bundle of papers for Mr. Bar-
bank, as I find the Clerk ~~will~~
~~not~~ want to make some
allusion in the Transcript
in the case of Breeze vs Boye,
(~~of~~ ^{of} which the bundle was a copy)
I will not send it until next
Mail, But the \$50 I will not
take from the office. You will
keep it (it belongs to Breeze) until
further notice to pay it to Mr.
Barbank. I have paid the Express
on the way —

W. Capron

A.S. Ensworth to

1859

Thos Whaley

3 o'clock P.M. --On second thought, & after I had mislaid this letter to you, I have taken it out of the Express office to open it & take from it the bundle of papers for Mr. Burbank, as I find the Clerk will-~~not~~ wants to make some alteration in the Transcript in the case of Breese vs Doyle, (a of which the bundle was a copy) & will not send it until next Mail. But the \$50 I will not take from the office. You will keep it (it belongs to Breese) until further notice to pay it to Mr. Burbank. I have paid the Express on the moving -

A.S. Ensworth

A.S. Ensworth to

1859

Thos Whaley

3 o'clock P.M. --On second thought, & after I had mislaid this letter to you, I have taken it out of the Express office to open it & take from it the bundle of papers for Mr. Burbank, as I find the Clerk ~~will not~~ wants to make some alteration in the Transcript in the case of Breese vs Doyle, (2 of which the bundle was a copy) ~~I will not~~ send it until next Mail. But the \$50 I will not take from the office. You will keep it (it belongs to Breese) until further notice to pay it to Mr. Burbank. I have paid the Express on the moving -

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A.S. Ensworth

Boyle goes up on the Boat - Since
I wrote my letter to you of this date, I have
recovered judgment against Boyle in favor
of Breede for nearly \$3000 - He has taken
up his books with him & can settle with
you up there - He has paid the rent up
to May 16th 1860 - Iota recovered judgment
of Rose, Herrick, Gerson, Morse, S. Goldman
& Schneider & wife for \$27,500, & foreclosed
his mortgage - Boat off -

A.S. Ensworth to Thos Whaley

1859

Doyle goes up on the Boat - Since I wrote my letter to you of this date, I have recovered judgment against Doyle in favor of Breese for nearly \$3,000 - He has taken up his books with him & can settle with you up there - He has paid the rent up to May 16th 1860 -- Soto recovered judge vs Rose, Ferrall, Gerson, Morse, S. Goldman & Schneider & wife for \$27,500 I foreclosed his mortgage ----Boat off-----

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San Diego, Cal.,
Dec. 22. 1859.

Mr. Geo. Whaley & Co
San Fran -

Dying! — Yours of the
19th inst. is rec^d —

Most Certainly.

Yours in haste,
A. J. Spurr