

Linda K. Jack

DAVIS

High in the Mountains with Nathan H. Davis Part I by Linda K. Jack

ON MARCH 31, 1852, CALIFORNIA IMMIGRANT Nathan Hervey Davis wrote to his sister Mary that he had decided to abandon his law practice in San Francisco to seek his fortune in Nevada County: "I have been high in the mountains of late in the snow, in vigorous health and cheerful enough and am going back to try for gold again."

The cheerfulness expressed in Nathan's letter may have been a bit forced. His decision to try his luck at mining followed a series of financial losses in Sacramento, losses that had wiped out the funds provided by friends and family and left him with debt that would take many years to clear. He was definitely in need of a fresh start.

By June 1852 Nathan had arrived in Centreville—soon to be renamed Grass Valley. For his first two years in California Nathan had lived a transient life, moving from one locale to another as perceived opportunities presented themselves. Therefore, it's not surprising that he was tentative as to how long he planned to stay in Grass Valley. "I will remain in the mountains this summer," he wrote on July 8th, "but you will continue to direct your letters to me at Sacramento City." It wasn't until September 12th that Nathan directed Mary to send her letters to Grass Valley.

In the summer of 1852 Grass Valley had already begun transforming itself from a rough and tumble mining camp into a town with many of the attributes of the communities its residents had left behind in the East: law courts, churches, fraternal and cultural organizations, and the "civilizing" influence of white women. However tentative Nathan's commitment to his new community, his timing was good. He was a young man of thirty-two with ambition, education and the right social credentials. The newcomer would soon find Grass Valley to be a town in which he was able to move directly into important roles within the community.

Nathan was a dedicated letter writer. Thirty-seven of his California letters have survived, of which eleven were written from Nevada County. He was a highly educated and well-traveled man, and his letters reflect his wide-ranging cultural interests. They also reveal a dry, and often acerbic sense of humor. Most of the letters were written to his youngest sister, Mary Glenn Davis. She was four years his junior, and would be Nathan's devoted correspondent throughout his time in California. Nathan

Nevada County Historical Society *Bulletin*

VOLUME 69

NUMBER 2

APRIL 2015

and Mary's deep affection for one another survived what became a nearly decade-long separation.

In his letters Nathan often focused on political matters, especially the issue of slavery. International affairs, religion and philosophy and, of course, family and friends were other favorite topics that dominated his letters. On occasion, however, Nathan provided details about his life in Grass Valley, which coupled with information from other sources, offer us a window into a community in transition, and an opportunity to meet some of Grass Valley's early residents.

Nathan had arrived in San Francisco on June 23, 1850, on the steamer *California*, three weeks before California became a state.² By that time the likelihood of getting rich quickly in California was not a realistic expectation for the vast majority of immigrants, if indeed it ever had been. This Nathan learned first hand from an older brother, Jonathan "Jona" R. Davis, who had arrived before him, and had been prospecting in the southern mines. Jona had yet to strike it rich, and by the time Nathan arrived in California had exhausted all of his money. Nathan seems to have adopted a balanced view of his own chances when he wrote on July 30:

No man can stay still here . . . He must keep kicking or he will sink surely. If he gets sick he must perish or beg unless he has partners in his business to work for him. Success in business here as well as in mining is very much a matter of accident. . . . Industry and perseverance, however, will decide ultimately. And if one *can* economize in this most extravagant country will succeed eminently.

The California frontier was a world apart from Nathan's South Carolina home of Monticello, in the Fairfield District of Richland County. He was the eighth of eleven children born to Jonathan Davis and Rebecca Kincaid, both second generation South Carolinians. Jonathan Davis was a planter and Baptist minister. In 1830 he owned 108 slaves, but by the time Nathan left for California the family had fallen onto hard times, and remained financially distressed during Nathan's absence.³

As a younger son, Nathan was educated to take up a profession. He attended South Carolina College, then the preferred educational institution for that state's elite, and funded by the legislature with the express aim of educating the state's leadership class.⁴ Freshmen entering the college were expected to have knowledge of English, Latin, and Greek grammar, geography, arithmetic, and to have read the whole Virgil, selected works of Cicero and Homer, and a number of works in Greek.⁵

The college's formal curriculum was only part of the education of its students, for it was a highly competitive and even combative environment. Violence and unruly behavior toward fellow students and faculty was common. In his report to faculty in 1838—the year Nathan graduated—the college's president remarked, perhaps wistfully, that he hoped that "some vicious habits" of the students had been corrected.⁶ (Apparently these corrections did not take hold. On March 25, 1853, the South Carolina College students' behavior again was newsworthy enough to be reported upon nationally, including on the front page of the *Nevada Journal*, where Nathan may have read it with considerable interest.)⁷

Following his graduation Nathan attended Harvard University's Law School. Harvard at that time was a preferred school for the sons of South Carolina's planters, but only a minority graduated. Nathan was exceptional for completing his degree in 1842.⁸

Upon his arrival in California eight years later, Nathan immediately reestablished himself in his profession. On July 6, 1850, the *Daily Alta California* reported that N. H. Davis had been admitted to practice as an attorney and counselor at law in all the courts of the new state.⁹ Over the next two years Nathan practiced law in San Francisco and Sacramento, was president of an elaborate riverfront race course at Brighton, invested in cropland along the Sacramento River, and held shares in at least two gold mines.

In South Carolina Nathan had practiced in a state that had been under settled law since 1788. In California he apparently failed to grasp the risks of doing business in the chaotic legal landscape that followed the state's admittance to the Union. During the transition to statehood, California and Mexican land titles were challenged, laws concerning mineral claims were uncertain, and the administration of justice entirely undependable. Following devastating mining and real estate losses in the summer and fall of 1851, Nathan's frustration was palpable when he wrote on July 31st:

The mineral lands of this state are in a deplorable condition. . . . Men and companies are lawing and fight-

ing every day and it is counted exceptionally dull if some men are not hanged and killed every few days.

And on October 11th he wrote:

The certainty of a stupendous fortune could never induce me to stay here for life. I have nothing here to love and I despise this country. There is no society, no love, no morals, no religion in it—and I am tired of it.

As a South Carolinian, Nathan joined an influential political segment of California's population comprised of southerners who favored the expansion of slavery into the western states and territories, Mexico, Cuba, and Central America. Like many of that group, Nathan viewed California's admission to the Union as a free state to be a regrettable but amendable situation. He and his fellow "Chivs" (of the Chivalric South) held out hope that California might split in two, half free, half slave. Or, as he wrote on July 31, 1851:

South Carolina will probably become quiet and wait patiently for the other southern states several of which will come to their way of thinking in a few years. Meantime don't be surprised if the institution of slavery should be established here and all further causes of discontent removed. If the south secedes we will have an independent Republic of the Pacific.

Although Nathan would make friends from different regions, and associate with people who held differing political views, he consistently selected for his closest associates men from America's southern states.

At the time of the 1852 census Nevada County certainly had its share of southerners, including around three dozen South Carolinians.¹⁰ Just six weeks after his arrival in Grass Valley Nathan had the unhappy responsibility of writing a letter of condolence to the family of one of his fellow South Carolinians, Colonel William F. English, who had died in a gun accident on August 27, 1852.¹¹ English was an owner of the Kentucky Ridge Mine, located between Rough and Ready and Newtown. Now often referred to as the "old slave mine," the Kentucky Ridge Mine was indeed operated by slaves that English had brought with him around the Horn in 1850.

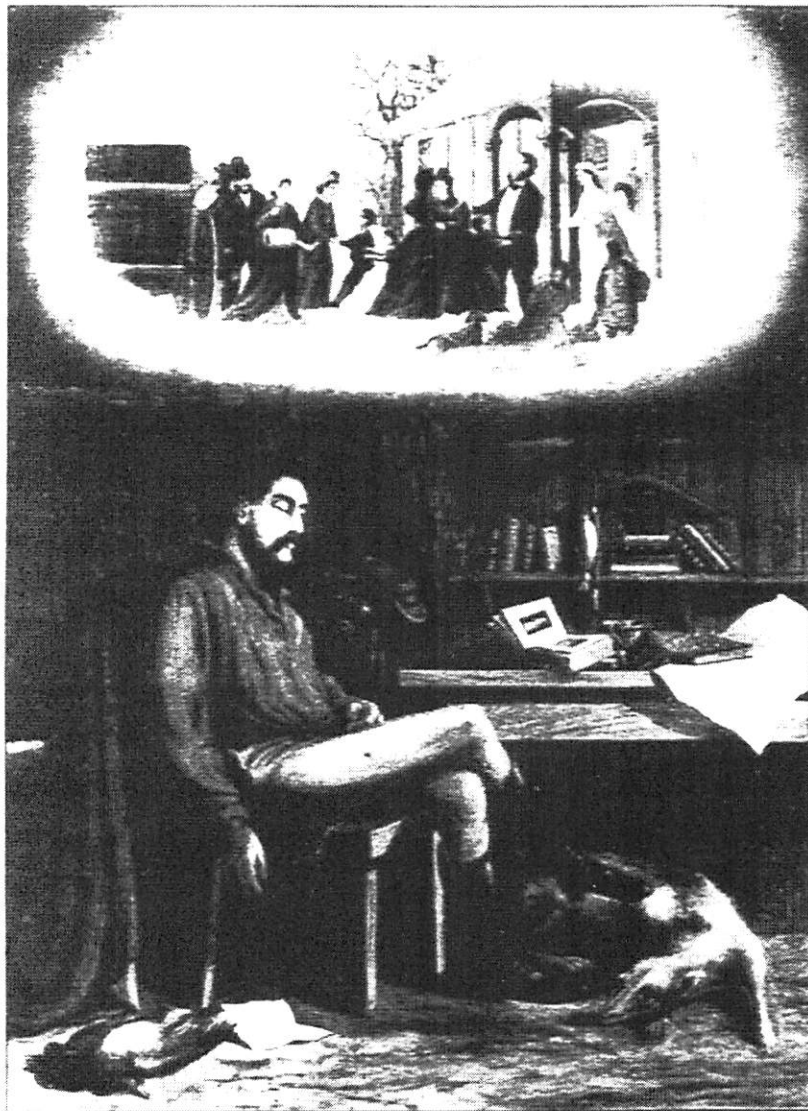
Nathan's letter of condolence to English's brother John, written the next day, included a personal expression of sympathy to the English family: "I have known so much of the kindness of your family that I feel this misfortune almost as one of your own family."¹² English was thirteen-years Nathan's senior, and had resided in Florida for nearly two decades before heading west. But Nathan had attended college with William's brother Franklin.¹³ Harriet English, their mother, kept a home in

the capital of Columbia to be close to her sons while they were at college, so whatever kindness the English family bestowed upon Nathan may have been in that setting.¹⁴

Shortly after arriving in Grass Valley Nathan decided to both practice law and engage in mining. On September 3, 1852, he was listed as one of three candidates for the position of Justice of the Peace for Grass Valley Township and Nathan was the successful candidate.¹⁵ He may have also formed a law partnership, as a notice of a debt settlement meeting for the firm Woodbury & Co. was to be held in the offices of "McKae & Davis" in Centerville.¹⁶

The security of having regular employment may have rekindled Nathan's taste for risk-taking. In response to the scarcity of beef in California—a topic often covered by the local press—Nathan wrote to Mary on December 27, 1852, to suggest that an older brother, James, invest \$10,000 in a scheme to bring cattle and sheep across the plains, with their youngest brother, Jonathan Bunyan

"The Miner's Dream." Oil painting. (Bancroft Library photo.)



"Bun" Davis, heading up the drive." Nathan guessed that the enterprise "will make [Bun] \$10,000 within a year after he leaves." Downplaying the risk of such an endeavor, Nathan suggested that any "loss to Indians and disease on the plains would not be more than 1/5." There is no evidence to suggest that Bun, then a newly practicing physician, took Nathan's proposal to heart.

For many California immigrants, being far from home on birthdays and holidays was particularly difficult, and Nathan was no exception. In that same letter, Nathan expressed regret about being separated from the family:

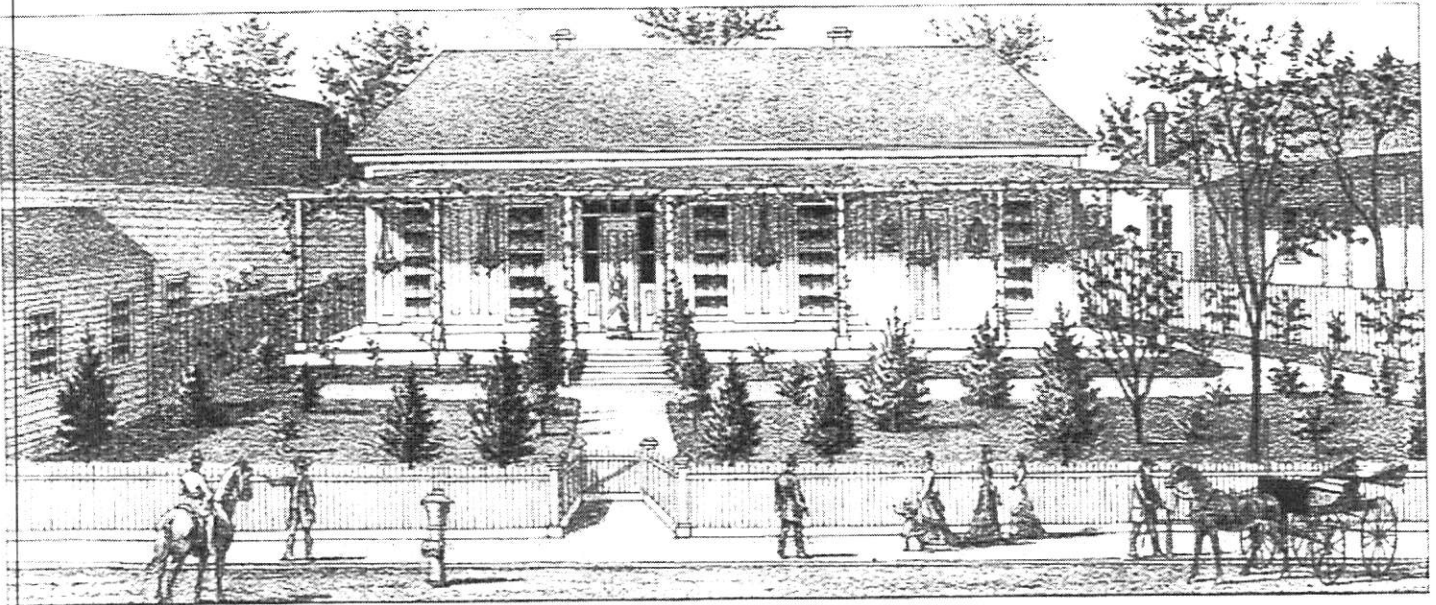
Two letters are before me, one following close on the other and to be answered this second day after Christmas which sacred day is never joyous away from home. And every one is ever referring back to his younger days, and regretting absence from his mother, who taught him to be merry that day. And his playmates who used to be happy with him. But God has ordained it otherwise and mindful as I am of that God and regardless of his will I am, I believe, possessed of this idea (may it [be] the glorious truth) that he is mindful of us and will bring about a happy result from this long separation trial. At any rate, it gives me heart, and I go on hoping and offending, and working and wasting still!

Nathan also gave his family a brief and rare description of the physical world he inhabited in Grass Valley:

This morning the snow is nearly two feet deep and the lower Sacramento flooded. It is assumed Sacramento City will again be inundated, which will be death to the people following directly after the awful fire a few months ago. There is some game here and I have the old gun I brought from home so that I am not altogether without amusement. It is no little exercise to walk in snow up to the mine and over the mountains.

As a Justice of the Peace, one unique aspect of California law that Nathan administered was the right of a married woman to act as a sole trader—that is to conduct business under her own name. California's law was unusual and the most progressive of the few sole trader laws in the States. Assemblyman Edward Fortescue Warrington Ellis of Nevada County had introduced the bill on February 6, 1852, and it was passed by the state legislature on April 12th.¹⁸

In order to become a sole trader a woman had to meet a number of criteria, including making a public declaration to an authorized official



The Church Street home of Mary T. Hamilton as it appeared in 1880. Most likely it is the same boarding house she and her husband Gavin were building in the spring of 1853 when she applied to Justice of the Peace Nathan Davis to become a sole trader in her own name. (Lithograph drawing from the 1880 History of Nevada County, California.)

and paying for the notice to appear for three weeks in a local newspaper.” The law was intended to allow women to sustain themselves and their children in a world where husbands were absent for long periods of time, or had lost the family’s money by drinking or gambling – or had simply disappeared. In the spring and summer of 1853 Nathan certified the declarations of three such Grass Valley women as sole traders: Clara F. Smith in March, Mary T. Hamilton in May, and Priscilla Scott in June.²⁶

The timing of Clara Smith’s declaration is particularly interesting. On March 4, 1853, her husband Ebenezer G. “Sneezer” Smith had advertised to sell the Golden Gate Saloon, located on Main Street in Grass Valley, so he and his family could return to the Atlantic States.²⁷ The saloon was a going business with a bar and restaurant open from 6:00 o’clock AM until 12 o’clock PM. Plans for relocating the family apparently changed, or were not fully endorsed by Clara, for on March 18th she declared her intention of keeping a public saloon and restaurant. By the fall of that year Clara advertised that “Prices, in spite of hard times, always moderate. Another thousand customers can be accommodated.”²⁸

The saloon was also used that fall for public events such as a constable’s sale and a wedding fete involving three happy couples.²⁹ Banker Alonzo Delano remarked about Clara’s saloon:

What do you see now that is so curious? Why, that picture of a gate, ready to swing open with the word “Golden” before it on the sign, is purely Californian in conception, original, graphic, and nice as the oysters

and cold and hot toddies that you swing into your mouth from the counter of the saloon.³⁰

If Ebenezer Smith did go East, he was back in Nevada County by February 11, 1855.³¹ Mary T. Hamilton, wife of Gavin Hamilton, had ambitious plans. She declared that she would be in the business of conducting and keeping a boarding house then being built by her on Church Street, buying and selling and trading in merchandise, raising stock and poultry, and mining by the use of hired labor. The Hamilton family home, perhaps the same one originally used as the boarding house, is illustrated in the 1880 *History of Nevada County*, along with the auditorium and theater, Hamilton Hall, built in 1855 by her husband Gavin.³²

The third sole trader was Priscilla Scott, who declared she would be in the business of doing laundry, raising poultry stock, keeping a dairy, and selling milk on her Grass Valley property. Since milk then sold for more than twice as much as whisky, Mrs. Scott could reasonably have anticipated considerable profits.³³ She was likely the “Mrs. Scott” of the couple that Bean’s *Directory* described as the “first family in Grass Valley,” and the person described in the 1880 history as “the first [white] woman to shed the light of her passage upon Grass Valley.”³⁴

Nathan made no comments in his letters concerning the self-employment of Mmes. Smith, Hamilton or Scott, but elsewhere in his letters his views on a woman’s role in society were clear. He disapproved of women of his own class working outside the home – most especially

of the idea of his sister doing so. Nathan's view on this subject was a conventional one in American middle and upper class society, but the mass migration of men to the Gold Rush had upended gender roles, both in California and in the East.

It is estimated that about thirty percent of California immigrants were married men. All but a tiny percentage left their wives at home to run the family farm or business, a situation that created financial pressures and tensions between husbands and wives that were often reflected in their diaries and letters. The families of the seventy percent of immigrants who were single men or widowers were not exempt from these pressures and tensions, for they too left women behind: sisters, mothers, daughters, and other female relatives whose financial conditions were negatively affected by the man's departure for the West.²⁵

Such was the case with Mary, who was unmarried and living at home with aging parents in impoverished circumstances. Although we don't have Mary's letters, it is clear from Nathan's responses that during his time in Grass Valley she expressed a desire to be more "useful," and had proposed taking employment as a governess or teacher outside the home. The idea was clearly distressing to Nathan, who wrote an emotional letter to Mary on September 12, 1852:

I do not see that your life is not as useful as anybody's. Are you not the prop and solace of Father and Mother, and doesn't Bun value your good opinion above all else, and don't you write to this poor "critter" when no one else does, and keep him from doing a great many wrongs, and doesn't he send your letters down to Jona who thinks that everybody has forgotten him, and don't everybody love you and don't you show the world that you have a good father and mother else you couldn't have been so good yourself. And don't the world know that your wandering brothers might have been good too if they had stayed at home and attended to their precepts and examples of their parents and submitted to the influence, the prayers and entreaties of their little sister? Go on my good sister, and be happy and content and it will all come right yet.

Mary, however, was apparently not deterred. A series of letters between March and December illustrate the insoluble dilemma for male immigrants who chose to remain in the West without offering viable solutions for women whose "wandering brothers" were unable to send much-needed money home. Eventually, in January 1853, Mary seems to have abandoned her plans, and a much relieved Nathan wrote:

Your last letter . . . gave me such pleasure to find that you had abandoned the idea always so unpleasant to me of leaving home to seek your fortune. I know you were activated by the best motives, but my dear Mary, if men find it hard to succeed in a changed land and to suffer the ills and inconveniences of fortune seeking, what must it be for a delicate girl [Mary was then 28 years old] unused to rough and tumble life. I hope you will never be used to it. I do not like the idea of my sister knowing of all the sin of this life which rough contact with the world teaches.

(To be continued in the July 2015 *Bulletin*)

Author's Postscript

I encountered Nathan H. Davis purely by accident. My initial research focus was on William F. English and the Kentucky Ridge Mine, so Nathan's connection to him, and the possibility that he had been involved in English's legal affairs in California was a line of inquiry that I wanted to follow. Once I discovered the collection of Nathan's letters housed at Furman University in Greenville, South Carolina, I was hooked on his distinctive voice and his perceptions of the California frontier. Eventually, I became fascinated by the entire Davis family and more generally by the roles that South Carolinians and other southerners played in the early years of the California Gold Rush.
L.K.J.

Endnotes:

1. Unless otherwise noted, the Nathan H. Davis letters are courtesy of Special Collections, James B. Duke Library, Furman University, Greenville, South Carolina. The author would like to thank Julia Cowart, Special Collections Librarian and University Archivist, and her staff for their invaluable help in obtaining the letters.
2. <http://www.maritimeheritage.org/passengers/ca062350.html>
3. 1830; Census Place: Fairfield, South Carolina; Series: M19; Roll: 169; Page: 408; Family History Library Film: 0022503.
4. Drew Gilpin Faust, *James Henry Hammond and the Old South: a Design for Mastery*. Baton Rouge, Louisiana State University Press, 1982, p. 13.
5. Maximillian La Borde, *South Carolina College from Its Incorporation, December 19, 1801, to November 25, 1857*. Carlisle, MA: 1859, p. 207.
6. *South Carolina College*, p. 219.
7. *Nevada Journal*, 2:45, March 4, 1853, p. 1.
8. *Catalog of the Students of Law in Harvard University From the Establishment of the Law School to the End of the First Term in the Year 1842*, Cambridge: Harvard University, 1842, p. 16.
9. *Daily Alta California*, 1:161, July 6, 1850, p. 2.
10. Ancestry.com. California State Census, 1852 [database

on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2010.

11. *Nevada Journal*, 2:20 September 3, 1852, p. 2. It was also reprinted in the *Sacramento Daily Union*, 3: 456, September 8, 1852, p. 1.

12. *Descendants of Joshua English, Irish Quaker*, Elisabeth Doby English, comp., 1927-34, Salt Lake City: Utah, Filmed by the Genealogical Society of Utah, 1988, p. J30

13. *South Carolina College*, p. 454.

14. *Descendants of Joshua English* p. J25

15. *Nevada Journal*, 2:20, September 3, 1852, p. 3.

16. *Nevada Journal*, 2:23, September 24, 1852, p. 2.

17. See for example, *Nevada Journal*, 3:8, p. 1, June 17, 1853, p. 1

18. Oscar T. Shuck, *History of the Bench and Bar of California*, Los Angeles: Commercial Printing House, 1901, p. 311.

19. *Bancroft's California Lawyer and Book of Forms*, San Francisco: H. H. Bancroft & Company, 1860, p. 402-3.

20. *Nevada Journal*, 2:48, March 25, 1853, p. 3; *Nevada Journal* 3:5, May 27, 1853, p. 3; and *Nevada Journal* 3:8, June 17, 1853, p. 3

21. *Nevada Journal*, 2:45, March 4, 1853, p. 3. The ad also ran in the *Sacramento Daily Union*, 5:620, March 19, 1853, p. 3.

22. *Nevada Journal* 3:23, September 30, 1853, p. 4.

23. *Nevada Journal* 3:23, September 30, 1853, p. 2 and *Marysville Daily Herald*, 4:54, October 8, 1853, p. 2. The couples were James McCune and Jenne Ten Eyck, Levi S. Wakefield and Maria F. Compton, and George D. Dornin and Sarah A. Baldwin

24. Alonzo Delano, *Alonzo Delano's Pen-Knife Sketches or Chips of the Old Block*, San Francisco: Grabhorn Press, 1934, p. 69.

25. David Comstock, *Lives of Nevada County Pioneers. Version 1.1*, p. 394.

26. Harry L. Wells, J. Albert Wilson, H. B. Rice, and Allen M. Freeman, *History of Nevada County, California*. Oakland: Thompson & West, 1880 (reprinted Berkeley: Howell North Books, 1970), p. 64.

27. Ralph Mann, *After the Gold Rush Society in Grass Valley and Nevada City, California 1849-1870*, Stanford, Stanford University Press, 1982, p. 26.

28. *History of Nevada County*, p. 64, and Edwin F. Bean, *History and Directory of Nevada County, California*, Nevada City: 1867, p. 186.

29. Brian Roberts, *American Alchemy: The California Gold Rush and Middle-Class Culture*, Chapel Hill: University of North Carolina Press, 2000, p. 71.

An Invitation to Our Bulletin Readers

Authors and/or suggestions for topics are needed for future *Bulletins*. Members and non-members are invited to submit manuscripts or ideas for consideration to "Bulletin Editors, Nevada County Historical Society, 161 Nevada City Highway, Nevada City, CA 95959."

NEVADA COUNTY HISTORICAL SOCIETY 161 Nevada City Highway, Nevada City, CA 95959

Bulletin Editors: Maria Brower and David Comstock www.nevadacountyhistory.org email: info@nevadacountyhistory.org

EXECUTIVE BOARD

President	Daniel Ketcham
Vice President	Carolyn Jones-Rogers
Executive Secretary	Linda Jack
Treasurer	David Bard

DIRECTORS

Firehouse Museum	Wally Hagaman
North Star Mining Museum	Rudy Cisar
Searls Historical Library	Pat Chesnut
Public Relations	
SCNGRR Transportation Museum Division	Madelyn Helling
NCHS Books Division	Desmond Gallagher
Membership	Wayne Teague
Archivist	Gay Conner
Bulletin	Maria Brower
Fundraising	
Director-at-Large	Al Dittmann
Director-at-Large	Brita Rozyanski
Director-at-Large	Brian Blair
Director-at-Large	Rolf Laessig

Searls Historical Library

161 Nevada City Highway, Nevada City (530) 265-5910
Open Mon-Sat 1 pm-4 pm. Closed Sundays and Holidays

Firehouse No. 1 Museum

214 Main Street, Nevada City (530) 265-5468
May 1 to Oct. 31: Open Tues-Sun 1-4 pm. Closed Monday
Nov. 1 to April 30: Open by appointment

North Star Mining Museum

933 Allison Ranch Road, Grass Valley (530) 273-4255
May 1 to Oct. 31: Open Tues-Sun 10 am-4 pm.
Nov. 1 to April 30: Open by appointment

Nevada County Narrow Gauge Railroad Museum

5 Kidder Court, Nevada City (530) 470-0902
May 1 to Oct. 31: Open Fri-Tues 10 am-4 pm. Closed Wed-Thur
Nov. 1 to April 30: Open 10 am to 4 pm Saturday and Sunday

NCHS Books

Send orders to:

161 Nevada City Highway, Nevada City, CA 95959
books@nevadacountyhistory.org (530) 265-6394

High in the Mountains with Nathan H. Davis Part II by Linda K. Jack

NATHAN RARELY WROTE ABOUT PRACTICAL MATTERS concerning his day-to-day life, but in a letter of March 28, 1853, he provided uncommon detail about his employment as Justice of the Peace and his expenses:

My sister, know it would give me infinite pleasure to go home, but I have come here for a certain purpose, viz. to make some money for mother and yourself. And you surely wouldn't like to see your brother play the child to go home before he has tried California thoroughly?

I am not going to remain here if I find nothing can be done. I am not going to waste my life in a dream. But when I have done all that I can I'll go home as contentedly as if I had \$100,000, and if I am out at the elbows I expect you will darn them-will you not? I am making & loosing money in various ways. For example, I am just this moment acting Justice of the Peace, and in the interim between the session of the District Court I sit as judge and try all cases involving the right of mining claims with juries-whatever may be the value of the property. I tried a case last week where quartz claims of the value of \$50,000 were at stake. Trials of cases involving from one to five thousand dollars come before me every week. I practice law in the district court of this (Nevada) County and I suppose to make from \$5000 to \$7500 a year. That is one side of the picture. I pay about \$500 a year for my office. My board and lodging (I live comfortably) independent of extras are at least \$1000. I make a trip now and then to San Francisco on business at the cost of about \$250 a trip.

In the same letter, Nathan also reported on his mining activities:

I buy a mining claim occasionally and sell it again. I sometimes miss, sometimes hit. I made \$400 clear the other day, and shall try it again next week. It is raining hard and looks black and ugly and I have had no "Blues" today, and do not often receive such visitors nowadays. If I could get out of this office (as I am sick of Law & Lawyers!) and get down into some deep gulch with plenty of provisions for the summer, and diggings rich enough to employ some five or six men, I'll be happy and make money. I have some men out in the mountains prospecting for me now and I think I'll "strike" something good before long, pocket the proceeds and quit the mines.

In the summer of 1853 there were two social events that engaged Nathan's attention and merited reporting to

Nevada County Historical Society Bulletin

VOLUME 69

NUMBER 3

JULY 2015

Mary. Early in June newspaper ads began appearing for a grand Masonic Ball to be given on the evening of the Anniversary of St John's Day on June 24th.³⁰ The ball was a countywide event with nineteen event "managers" representing Grass Valley, Rough and Ready, French Corral, Nevada City, Cherokee, and Randolph Hill.³¹ The notice requested that all ladies throughout the county attend. The ball was to be held at the Alta Saloon in Grass Valley, which banker Alonzo Delano had described six months earlier as a "large and spacious building [that] is neatly fitted up, the drop curtain, and scenery from the hands of an artist, with foot-lights, and orchestra."³²

The *Nevada Journal* saw the event as a milestone of social advancement for Grass Valley, when it reported: "The community are highly interested in it and it may be anticipated as the great social reunion of the season, which will be as being distinguished by display, magnificence, and as a new era in the progressive development of refined and excellent society."³³ On July first Nathan wrote to Mary that the Mason's Hall was a fine building, and that ball had indeed been splendid.

The other social event of the season concerned a fundraiser for the new Congregational Church in Grass Valley being planned by Reverend John G. Hale.³⁴ The event was a "Ladies Fair" sponsored by the Ladies Sewing Circle, which was to commence on the afternoon of July 4th and continue for two to three evenings.³⁵

"What would you think," Nathan wrote, "of our having ice cream up here in abundance and all of the luxuries of life, and most of the vices, and a few of the virtues. And on the 4th of July we are to have a grand Ladies Fair, the proceeds to be applied to the completion of a large Presbyterian Church. It is odd but true we have three large churches in this little town."

Prior to 1853 the congregation building the new church had been labeled "Presbyterian," but it was changing its name to reflect the affiliation of its new preacher.

The *Nevada Journal* suggested that using a Ladies Fair for fundraising might be considered unseemly, but the editor was apparently resigned to the process: "As

long as 'they' [the public] do not object to this method of paying for needed church instrumentalities we presume it will be resorted to even if the 'straighter sort' do object."³⁸

The public apparently did not object, for the Ladies Fair was reported as having been a happy occasion, with visitors attending throughout the greater part of the evening. \$1,000.00 was raised for the new church.

The Spirit of '76 was also appropriately remembered on the Fourth by the firing of the cannon on Winchester Heights.³⁹ Yet in spite of the distraction of the summer's social events, Nathan seemed ambivalent about his prospects for success in Grass Valley:

I get along well enough even if I don't make a fortune. . . . I am so used to this curious world that it doesn't bother me much anyway. If I make my board and I get a good bed to sleep in and hear from home occasionally and feel that I am loved why the world may go along. I'll help a poor creature when I can. If he doesn't thank me be it so! Let him go his way! My prospects are about as usual, neither very bright nor sufficiently gloomy to make me contemplate suicide or anything so horrid. The only regret is that I can't make money to pay off my old debts fast enough in order to send some money home.

Shortly thereafter Nathan resigned his position of Justice of the Peace. There is no explanation offered in his letters as to his reasons for doing so. On July 16th a notice in the *Nevada Journal* announced his resignation, and gave notice that an election had been scheduled to replace "Col" Davis.⁴⁰ "Colonel" was an honorific title

that Nathan had adopted in Sacramento as early as the fall of 1850, and one that he would continue to use the rest of his life.

One reason for Nathan's resignation may have been his involvement in Democratic party politics. On July 1st he had written to Mary that he had "been induced to go to the State convention to aid in procuring good nominations for state offices." On that occasion Nathan may have traveled to Sacramento with a group of six other Nevada County citizens, who all checked into the New Orleans Hotel in Sacramento on June 20.⁴¹ The convention, which was held in Benicia, commenced on June 21. Nathan's experience at the convention was, however, not a positive one. He reported: "I have been most thoroughly disgusted with politics and so far as the *honor* goes I am done with this field of enterprise."

Yet Nathan must have had a change of heart, for shortly thereafter he participated in the Nevada County Convention held in Nevada City on July 16th, where he was named a member of the Democratic Central Committee. Nathan was listed as Chairman when the proceedings of the convention were published on July 22nd. "We deem the interests of the Democratic party of the United States," he reported confidently, "identical with those of the people of California."⁴²

Apparently party politics was not enough to hold Nathan in Nevada County, for on September 11, 1853, he wrote Mary that he had decided to leave Grass Valley:

I have determined to return to San Francisco to prac-



Looking south on Church Street, the building on the left is the Congregational church built in 1853 at the corner of Neal Street. On the far right is the Methodist church and in the center is the Christian church, each built at a later time.

...tice my profession, and give up quartz mining, and the mountains. I shall start to San Francisco in a few days where I expect to remain as long as I am in the states. This rambling life is growing tiresome and I feel disposed to live in the city for the rest of my California life.

By November 30th Nathan was doing business in San Francisco. He likely had an expectation of some continued legal work in Nevada County after his departure, for advertisements for his services ran in the *Grass Valley Telegraph* well into 1854:

**N. H. Davis, Attorney at Law, San Francisco:
Will give prompt attention to all business
entrusted to his care.⁴¹**

Nathan's short tenure in Nevada County was an example of a pattern of transiency common to Gold-Rush era immigrants: both miners and businessmen frequently moved from one community to another as they sought new opportunities to make their illusive fortunes. Grass Valley in the early 1850s was no exception to this pattern. Ralph Mann estimates that only eight percent of the professional or business people who were present in Grass Valley in 1850 were still there in 1856.⁴²

Nathan's move to San Francisco began a new and more lucrative phase of his life when he entered into a partnership with a prominent South Carolinian lawyer and former judge by the name of Edward W. F. Sloan. Nathan and Sloan worked on at least one Mexican land grant case, which may have provided Nathan the opportunity to master some aspects of California law that he had failed to grasp when he had first arrived in California.⁴³

In the late summer of 1855 Nathan became the attorney for John Bidwell, who was then engaged in a lawsuit concerning portions of his large grant, Rancho Los Ulpinos, in Solano County. Following the settlement extra tracts were offered for sale on December 3, 1855, in front of the Benicia Court House. Nathan Davis was among the buyers, picking up six of the twenty tracts that fronted the Sacramento River.⁴⁴

In the fall of 1857 Nathan platted a portion of his land to create the town Los Brazos del Rio (Arms of the River), which would be renamed first Vista del Rio, and finally Rio Vista. In addition to Nathan's residence (which he referred to as the ranch), the community soon contained a hotel, mercantile storehouse, butcher shop, blacksmith shop, drugstore, salmon cannery, and other residences. Taking advantage of his property's location, about midway between Sacramento and San Francisco, in the spring of 1858 Nathan built a wharf. He later sold a half interest to the California Steam Navigation

Company, which expanded the wharf to accommodate the busy steamer traffic that plied the river.⁴⁵ Nathan also established a U.S. Post Office in town, which made Rio Vista a center for the entire area.⁴⁶

Based on his letter to Mary of October 18, 1858, one reason Nathan had begun selling his Solano County property was his intent to cover his obligations in South Carolina and the debts of his father. He was also concerned about providing a home for Jona, who had remained in California but still had not made his fortune. Nathan continued selling off his Solano County property personally through November 16, 1859, at which time his attorney and fellow southerner, Robert R. Provines, began executing the deeds on Nathan's behalf. Nathan's timing was excellent: in 1861 and 1862 storms and high water inundated Rio Vista forcing residents to relocate the town to higher ground.

Regrettably, there is only one letter from Nathan during this period, and it does not provide us any insight for his reasons for leaving the state other than his concerns with financial matters. However, throughout his stay Nathan had remained a true South Carolinian, and as that state moved toward secession from the Union, it is possible that Nathan, like many other southerners, wished to be at home when secession became a reality. From the time of Nathan's departure from California, probably in late November 1859, his attorney routinely executed the deeds of sale by listing Nathan as a citizen of the State of South Carolina. The place of residence on the first deed that Provines executed following South Carolina's secession on December 20, 1860, read differently.⁴⁷ It listed Nathan as a citizen of *The Republic of South Carolina*, a designation South Carolina used during the period between its secession from the Union and the formation of the Confederate States of American on February 4, 1861. Whether the designation on that single deed was at Nathan's instruction, or simply an act of secessionist fervor on the part of Provines is unknown.

By the time Nathan left for South Carolina he had experienced much of California and the west. Although his time in Grass Valley had been short, he had won and held public office and participated in the increasingly contentious politics of the antebellum period. He had lived in Nevada, Sacramento, San Francisco, and Solano Counties; visited the Southern Mines, and the Oregon and Washington territories; and founded the town of Rio Vista.

Nathan arrived in Charleston, South Carolina on the steamer *Carolina* via Fernandina, Florida, on February 27, 1860, probably after a stay in that state, which had

for many years interested him.⁴⁸ During his decade-long absence much had changed: his father and brothers James and Frank had died; Mary had married James C. Furman, and in 1858 had given birth to her first son, who she named, Nathan Davis Furman; Nathan's mother, had moved to Greenville to live with Mary and her family; and, of course, war with the Union was imminent.

In Charleston on September 1, 1863, at age forty-one, Nathan enlisted in the Confederate army as a private in Company D (South Carolina Rangers), 5th South Carolina Cavalry. On June 1, 1864, he was detailed as private secretary to one of the Confederacy's audacious cavalry officers, Major General Wade Hampton III. Hampton's forces remained in the field until the very end of the war, for the general was reluctant to stand down even after Robert E. Lee had surrendered. Nathan was finally paroled at the rank of captain at Greensboro, North Carolina, on May 1, 1865.⁴⁹

To date, no images of Nathan have materialized. Throughout his stay in California he had resisted sending a likeness to Mary, although his letters indicate that she had asked on more than one occasion. On July 4, 1852, for example, he wrote from Grass Valley:

I have not sent the likeness you have asked for several reasons—amongst others, for the last six months I have had such a beard that the likeness would not have been recognized, and now I am in the mountains and out of the reach of likeness tokens.

The latter excuse may have been disingenuous—or perhaps Nathan had not yet learned that G. O. Kilbourn had just a week before begun offering Daguerreotypes in nearby Nevada City.⁵⁰ Certainly prior to leaving Grass Valley, having a likeness taken could not have been more convenient, for on September 1st George D. Dornin opened a studio in Grass Valley on Mill Street.⁵¹ When Nathan



An early 20th century painting of one of the Davis family homes in Monticello, Fairfield County, South Carolina. The Cashmere Goats in the foreground were brought from Turkey, where Nathan had accompanied his older brother, Dr. James Bolton Davis, who then was the U.S. Agricultural Envoy to the Sultan of the Ottoman Empire. The Brahman cattle were obtained from the Zoological Gardens in London when the brothers stopped on their way home to America in 1849.

(Special Collections and Archives, Furman University)⁵²