

*The Locality of the  
Broderick-Terry Duel  
on September 13, 1859*

*by  
Hermann Schussler*



*Printed for Distribution by  
the Historic Landmarks Committee  
of the Native Sons of  
the Golden West*





HERMANN SCHUSSLER



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Native Sons of the Golden West  
by John Henry Nash  
San Francisco  
1916*



### Note

*I have attached hereto a blueprint copy of a map which I made to show the locations of the different points of interest including the old roads; and also a photographic copy of a portion of the old United States Coast Survey Map of 1869, on which I have delineated the county line, in black, and the other points also shown on the blueprint, in red.*

H. S.



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HERMANN SCHUSSLER  
CIVIL AND HYDR. ENGINEER  
SAN FRANCISCO

*San Francisco, March 24, 1916.*

TO MR. JOHN F. DAVIS,  
*Grand President, N. S. G. W.*

*My Dear Sir:*

*When I received your letter of December 24, 1915, I was confined to my house by illness, which, as I subsequently informed you, kept me from beginning my investigations in re: "THE LOCALITY OF THE BRODERICK-TERRY DUEL"—(the subject of your letter)—until about the middle of January.*

I.



WHILE the duel took place at early dawn of *Introduction.*  
September 13, 1859—supposedly at or near  
Laguna de la Merced, located in the south-  
west corner of San Francisco County—the  
Spring Valley Water Works did not acquire  
a substantial foothold there until about 1877, or some seven-  
teen years after that memorable event, and not until after I—  
as the company's engineer—had urged the acquisition of  
the lake and surrounding properties, for a nearby emergency



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supply, during the preceding decade. As practically my whole time was taken up before, during and after the year 1877, with keeping the water supply of San Francisco ahead of the constantly increasing demands of our rapidly growing city, I did not give the matter of the locality of the duel much thought.

Besides, not until the request made by you in your letter of December 24, 1915, for my assistance in that matter was this question brought up to me in a concrete form.

I felt, therefore, highly honored by your request and immediately concluded to assist you and the Native Sons in the very laudable undertaking of locating, if possible, the spot where one of our best California citizens met his untimely death.

### II.

*Mr. Peter Quinlan.*



PERSONALLY knew only one of the witnesses to the duel — Mr. Peter Quinlan — (for several years in the early sixties the Registrar of the old Bensley Water Company, and thereafter, up to the time of his death on July 7, 1903, Registrar of the Spring Valley Water Works).

Mr. Quinlan maintained that it took place near the shore of the southerly end of Lake Merced, just south of the county line.

This beyond doubt placed the location into the westerly end of the ravine in which the outlet or discharge end of the water company's Ocean View drainage flume is located. (*III* on blueprint and contour map.)



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Being intimately acquainted since 1866 with the topography of the lands surrounding Lake Merced and the above locality (mentioned by Mr. Quinlan)—corresponding closely with other general information I had from time to time received on the subject,—I became practically convinced that the duel took place in or very near the particular locality mentioned by Mr. Quinlan.

The comparatively short ravine (*f-g* on contour map), lying “just south” of the county line, has its westerly terminus but a short distance eastwardly from the above mentioned present “Ocean View drainage flume.” The duel, therefore, in all probability, took place within one hundred yards eastwardly from the said present flume outlet (at about the place marked *III* on map).

### III.



HAVING, about a year ago, read the interesting book by Mr. Jeremiah Lynch, entitled, “A Senator of the Fifties,” I perused this book carefully in order to find a clue to the definite locality of the duel.

*Mr. Jeremiah Lynch's book, "A Senator of the Fifties."*

It appears from Mr. Lynch's account that the duel was prevented by “the Sheriff” (the county is not mentioned), early Monday morning (September 12, 1859). On page 212, Mr. Lynch then continues, that on the same day it was arranged that the encounter “should be next morning, at about the same time and place.”



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## IV.

Clippings from  
contemporaneous  
newspapers.



ON FEBRUARY 6 and 10, 1916, you mailed me some clippings from newspapers contemporaneous with the duel, which you had obtained from Sacramento, which clippings I perused with great interest in order to detect, if possible, a fairly detailed description of the locality of the duel.

Generally speaking, their various statements regarding this important point are more or less vague and leave a wide margin as to the locality, between the different papers, as will be seen from the following extracts:—

(a) *Alta*, September 14, 1859:

"In a valley about two miles from the south end of the lake beyond the Lake House."

(b) Another account in the *Alta* of September 14, 1859 (perhaps taken from an extra issue of that date), says:

"met in a small valley about one mile and a half from the south end of the lake, beyond the Lake House, and about ten miles from the city. The ground selected afforded only a small level space sufficient for the distance agreed upon."

(c) *The Bulletin*, September 13, 1859:

"in a ravine on Davis Ranch, San Mateo County, about two miles south of the east end of Lake Merced, and ten or twelve miles from this city."

(d) *The Herald*, September 14, 1859:

"in a beautiful ravine on the Ranch of Mr. Davis, in San Mateo County, two miles from the dividing line between the counties of San Mateo and San Francisco."



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### (e) San Francisco *Daily Times*:

1. "at a small dell or valley some two miles distant from Merced Lake."
2. "Mr. Broderick was at the Lake House and slept there."
3. "This was in a small valley some two hundred yards in extent. To reach this place it was necessary to pass out over the great county road towards San Jose, and turning off at the Lake House road, make a detour of the lake, whence a circuitous by-path led to the ground."
4. "It was a small valley surrounded by low hummocks or hills."
5. "It was sheltered from the winds and as secluded as could be desired."
6. "The spectators were directed to withdraw from the immediate scene of the duel, which they did, posting themselves upon two hillocks about four hundred yards distant."
7. "Ten paces were marked off and tested by the seconds" (that being the distance agreed upon), "and the principals placed in their relative positions," etc., etc.

### V.



ON PAGES 239 and 240 of Mr. Lynch's book, "A Senator of the Fifties," he gives a long list of names of prominent men and of books as authorities consulted by him in the preparation of his book, and he also states that he includes "every paper published in San Francisco during the week of the duel and death."

There is no doubt, therefore, that Mr. Lynch has given the question of the circumstances surrounding the Broderick-

*Quotations from  
Mr. Lynch's book.*



## The Locality of the Broderick-Terry Duel

Terry duel a most thorough study. Still, the actual locality of the duel is not indicated by him with sufficient detail so as to assist in its definite determination.

On page 216 et seq. of his book—in describing the movements of Mr. Broderick and his party on the evening of September 12th and the morning of September 13, 1859,—Mr. Lynch says:

- (f)
1. "Monday night" (September 12th), "Colton and McKibbin, with a surgeon and Broderick, entered a carriage and were driven out to the Lake House, a little inn on the old Mission road, some two miles from the sea, and the same distance north and west of the rendezvous."
  2. "——in the raw and foggy morning"——(September 13th).
  3. "——the quartette, mounting the vehicle, drove to the spot where they descried Terry and his party. The latter had also passed the night in the vicinity, but it was in a comfortable farmhouse hard by."
  4. "a group of men who had arrived on foot, on horseback and in carriages, stood at a distance on the knoll."
  5. "The seconds of Broderick won the position and the giving of the words."
  6. "The ten paces were measured and white marks placed to establish the distance. The men were told to take their stations."
  7. "He" (Broderick) "stood with his back to the rising sun."
  8. "Fronting the ocean like himself was California."
  9. "The latter" (Terry) "had also passed the night in the vicinity but in a more comfortable farmhouse hard by."



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### VI.



IN TWO of the quotations taken from the contemporaneous newspapers (sub *c*, *d*), the "Davis Ranch" in San Mateo County is mentioned as containing the locality of the duel.

*The Davis Ranch.*

Inquiry, which I made at the County Courthouse in Redwood City for a county map of the early sixties, on which a "Davis Ranch" might be found located, was without result, as no such old map existed there.

### VII.



THE "Lake House," which is mentioned in *b*, in *e* and in *f*, was the old roadside inn, in which, according to Mr. Jeremiah Lynch's account, Mr. Broderick and party spent the night from September 12th to 13th, preceding the day of the duel on the latter day.

*Location of "The Lake House."*

According to the oldest county map of San Francisco, in my possession (Stoddard map of 1869), the "Lake House" (*I* on blueprint and on contour map) is shown to be located to the south of the road, originally called the "Lake House Road" (and subsequently called the "Ocean House Road" and thereafter "Ocean Avenue"), leading from *b* on the old stage road to San Jose (marked on maps *a-b-k-h*), to the ocean (*b-c-l-I-m*), the last half mile of this road following the northerly bank of "Merced Creek," which at that time formed the only outlet of Lake Merced into the ocean.



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## VIII.

*Location of the  
original "Ocean  
House."*



FROM this old Lake House road, a branch road forked off at *c*; one of these forks, *c-d-II*, terminated at the original "Ocean House," built at *II* on the narrow neck of the peninsula between the north and south branch of Lake Merced.

## IX.

*County line near  
Lake Merced.*



IN ORDER to reach the county line, and particularly the portion nearest to the easterly shore of Lake Merced, by the shortest passable wagon road—from the old "Lake House" at *I*—it was necessary to leave the old "Lake House road" at the forks at *c*, follow the old road leading to the original Ocean House, from *c* to *d*, and then branch off to the south along the foot of the hills, via *e*, thence across the county line and thereafter follow it in a westerly direction, along the bottom of the shallow ravine (paralleling the county line on its south side) until, after passing *f* and *g*, the southeasterly shore of Lake Merced was reached at a point in San Mateo County and a hundred yards, more or less, south of the county line.

On the other hand, if anybody wished to drive from San Francisco at that time (1859) to the county line just east of Lake Merced, by the shortest route, he would probably come out of town by the "old stage road from San Francisco to San Jose," and after following it (see maps), past *a* to *b*, would



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turn westwardly at *b* on to the "old Lake House road," follow it to *c*, then turn off southwestwardly and drive along the sandy wagon road from *c* to *d*, and thereafter follow the southerly branch of this road, above described, along *e* and *f* to *g*, on the "old branch road to county line and lake."

By another but more circuitous road a team coming from San Francisco could reach the same spot *g* near the county line and the extreme southeast corner of the lake by driving along the old San Francisco-San Jose stage road (see blueprint) along *a*, *b*, *k*, *h*, at which latter point he would turn off to the west, and after driving to *i*, near a farmhouse, would turn northwardly to *g*, located just south of the county line and on the east side of the lake.

By continuing a little further along the road *h-i* in a westerly direction, he would arrive at another farmhouse marked *IV* on blueprint.

It is possible that either the farmhouse at *i* or the one at *IV* might be the "*farmhouse hard by*" (see Lynch, f 9), in which Terry spent the night before the duel.

### X.



HAVING arrived at this point of my investigations, I concluded to call on Mr. Jeremiah Lynch, the author of the book, "A Senator of the Fifties," quoted from above.

*Mr. George Barron.*

Accidentally I met Mr. Lynch on Montgomery Street, and after telling him of the object of my mission,



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he became much interested in the subject and advised me to call on Mr. George Barron, the Curator of the Golden Gate Park Museum,—as from a late conversation with the latter, Mr. Lynch was led to believe that Mr. Barron knew of a man who either had been a witness to the duel or who had been reliably informed of its exact locality by some one who had witnessed it. I at once concluded to interview Mr. Barron at the Park Museum, knowing that he would give me his most enthusiastic help.

### XI.

*Two trips to Lake  
Merced region with  
Mr. Barron and  
Mr. McKee.*



IN COMPANY with Mr. Donald McKee (a native of this city and a Stanford engineering student, temporarily working in my office as my assistant), we drove out to the Park Museum and were fortunate enough to meet Mr. Barron.

The latter not only offered to assist me in every way, but offered to accompany us at once to the neighborhood of Lake Merced Ranch, in order to find a gentleman named George Green, residing on the north side of Balboa Boulevard and not far from its junction with Corbett Road. Mr. Barron having heard from either Mr. George Green, or otherwise, that the latter had authentic information on the subject, we felt quite sure that the latter would be an important personage to assist in the definite settlement of the question of the exact locality of the duel. We drove out that day, and again a day or two later, to Mr. George Green's residence, but did not find him in, but we fortunately met his younger brother instead. The



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latter promised to inform his brother of our mission, and if possible to arrange a meeting between Mr. Barron or me with Mr. George Green, for a day in the near future.

### XII.



ONDAY afternoon (March 13th) Mr. George Green called at my private office in San Francisco and offered to accompany me to the spot where the duel had taken place in the fall of 1859, which offer I gladly accepted.

*Trip to Lake region with Mr. George Green, locating the place of the duel.*

Before starting for Lake Merced that afternoon, being desirous of having Mr. George Barron accompany us on the trip, I telephoned to the latter's office at the Park Museum, but found that he was absent from San Francisco.

About four o'clock that afternoon I started in company of Mr. George Green and Mr. Donald McKee for the Lake Merced Rancho; and in the hope that Mr. Barron might have meanwhile returned to the Park Museum, we called for him there with the auto.

Mr. Barron not having returned as yet from across the bay, we three started for the Lake Merced Rancho via Nineteenth Avenue, I taking a roll along with me containing my old contour map of that property, on which map I had marked the spot where, judging from my investigations up to that time, the duel must have taken place.

After arriving at the junction of Nineteenth Avenue and Sloat Boulevard, Mr. George Green asked us to drive east-



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wardly to the junction of Ocean Avenue and Junípero Serra Boulevard; and there he pointed out that on the fatal morning, the Broderick party having spent the night at his father's house, the "old Lake House" (*I* on blueprint), drove up *eastwardly* along the "old Lake House road" (*I-l* to *c*), thence turned off at *c* in a southwesterly direction following a sandy country road (*c-d-e-f-g* on blueprint) to *III*, the spot selected for the duel.

The point *c*, where the Broderick party turned off from the "old Lake House road," in order to reach the rendezvous at the lake, as near as I have been able to locate it by the use of my old maps (a photographic copy of one of which is hereto attached), and also from Mr. George Green's description, was at or near the point where the present "Faxon Avenue" joins the present "Ocean Avenue," being two blocks easterly from the easterly boundary line of the subsequent "Ingleside race-track property."

This sandy branch road at that time crossed the latter property diagonally in a southwesterly direction, and then followed the general route, *c, d, e, f, g* to *III* (see blueprint and contour map), the place of the rendezvous hereinbefore described under the head of "The County line," etc.

As this old road is now practically obliterated by the many improvements made since in that region, we (Mr. Green, McKee and I) turned our auto southwardly, at Mr. Green's suggestion, from the junction of the present Ocean Avenue and Junípero Serra Boulevard, and followed the latter to a



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point near the county line, which separates San Francisco from San Mateo County. We then turned westwardly into a farm road constructed of late years, and following Mr. Green's direction we drove westwardly, and after crossing the county line into San Mateo County at a very oblique angle, we entered the upper or easterly end of a shallow ravine (f-g on contour map), in the lower or westerly end of which, near the former east shore of Lake Merced, I had concluded from my previous investigations that the place of the rendezvous must have been located, as noted on my map above referred to.

You can imagine my delight when, after arriving near the westerly end of this ravine, Mr. George Green asked the auto to be stopped, and we all got out,—he stepped across a small ditch, and after walking southwardly five or six steps, he said:

*"This is the spot where Mr. Broderick fell at the duel."*

I then unrolled my map and showed my companions that the spot indicated by Mr. Green on the ground not only corresponded with the same ravine, but also very closely with the spot which I had selected and previously marked on my map.

Mr. Green related to us that when he was still a young man (he being now over sixty), *his father* (who died a number of years ago), in riding with him past the fatal spot, had definitely pointed it out to him—his oldest son—with the injunction not to forget it, so that some day in the future he could transmit this authentic knowledge to others.

Mr. Green also stated that his father (who had been an eyewitness of the duel) had told him that Mr. Broderick's car-



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riage stood but a short distance up the ravine, as they had to carry the fatally wounded man but a short distance before reaching his carriage.

Mr. Green did not remember about his father saying anything about the place where the spectators had stood. But judging from the topography on both sides of the ravine, I concluded that most of them probably stood on the northerly slope of the ravine and just below the crestline of the hill and perhaps just south of the county line, and from one hundred to two hundred yards away from the scene of the duel.

We then drove a stake into the ground on the spot indicated by Mr. Green, and Mr. Donald McKee and I proceeded to pace off the distance between this spot and the outlet-end of the Spring Valley Water Company's "Ocean House drainage flume," which distance turned out to be about fifty yards.

In order to have a further temporary check on the location, we also paced off the distance from the fatal spot to a low water-tank to the southwest, which distance measured between twenty-five and thirty yards.

Referring back to several of my quotations hereinbefore made—mainly, that the duel took place at early morning or sunrise; that Mr. Broderick had the choice of place; that the distance between the combatants was ten paces,—this would place Mr. Broderick on the south side of the bottom of the ravine (with his back to the sun or the east), and his antagonist Terry on the north side of the bottom of the ravine and ten paces from Mr. Broderick.



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So that, in all probability, while Mr. Broderick was to fire in a northerly direction, Mr. Terry would fire towards the south.

### XIII.



AFTER accomplishing this task, we again entered the auto with the view of locating the old "original Ocean House," which had preceded the one subsequently built, and for years maintained on the south side of the "old Lake House road," and about three-fifths of a mile westerly from its intersection with the present Junípero Serra Boulevard.

*Locating on the same trip the sites of the original Ocean House and Lake House.*

I being anxious to have Mr. Green point out the location of the original "Ocean House," we, after leaving point *III* (see blueprint), followed the new road, built in the nineties, skirting the easterly shore of South Lake Merced,—and after passing the Lake Merced Pumping Station, followed the top of the bluff along the northeasterly shore of the South Lake, until we arrived at the narrow neck of the peninsula between the South and North lakes.

At Mr. Green's request the auto was stopped at point *II* (see blueprint and contour map), where we found the ruin of an old brick fountain-basin, which, according to Mr. Green, had stood in the small garden of the "original Ocean House."

He also found a number of pieces of broken crockery in the same locality.

Mr. Green also pointed out the direction of the old road formerly leading from the "old Lake House road" at point *c*



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(see maps) and running via *d*, to the above peninsula location of the original "Ocean House." I thereupon asked Mr. Green to also point out to me the exact location of the "old Lake House," which, according to him (in 1859), was occupied by his father and his family; this being of great interest, as according to the evidence heretofore presented by me and corroborated by Mr. George Green, Mr. Broderick had spent the night preceding the fatal duel at what was then known as "the Lake House."

From the site of the "old Ocean House" (*II*), we drove westwardly across the dam now separating the North and South lakes, then turned northerly driving along a road skirting the North Lake, until we came to its intersection with the "old Lake House road," which road—although not now used by the public—is still intact.

We followed this latter road in a westerly direction until at the first abrupt turn of the old road to the northwest Mr. Green stepped out of the auto, walked about a dozen steps to the south of the road, and as he stopped, said: "Here is the place where the old Lake House stood, and where we children spent a part of our youth, and enjoyed playing around the small northerly branch of Lake Merced, which, in those days and before the drifting sand-dunes filled it up, formed the natural outlet of the lake" (see *I* on maps). And he furthermore added, that, according to his father's account, the Broderick party spent the night before the duel under their roof there.



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The location of the *old Lake House* so pointed out by Mr. George Green corresponded exactly with the location which I had found marked "Lake House" on Mr. Stoddard's map of 1869, as I have mentioned heretofore, and as is also shown at I on United States contour map of 1869.

This final definite location of the "Lake House" of 1859 not only completed the chain of evidence which I had been gathering up to that time, but also definitely determined the location of the "old Lake House road" of those early days.

Great credit is due to Mr. George Green for the invaluable assistance he has so cheerfully rendered in the above investigations, and upon parting I expressed to him my high appreciation and gratitude for the same.

### XIV.



SINCE writing the foregoing, I have come into possession of additional evidence of the correctness of my conclusions as to the location of the spot where the duel took place:—

*Extracts from  
Hittell's "History  
of California."*

On the morning of March 16th last, having occasion to call on my friend, Mr. E. S. Heller, I mentioned to him that I had carried on a systematic investigation as to the locality of the Broderick-Terry duel; and as he took great interest in this question, I asked him if he could put me on the track of additional evidence.

He at once advised me to call on Mr. James H. Deering, the Librarian of the law library in the City Hall, and to ask for



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the chapter in Mr. Hittell's "History of California" relating to this subject.

I telephoned to Mr. Deering and he told me that he would have the special volume and page ready for me if I could come up to the library,—which I promised to do at once.

Upon my arrival at the law library, Mr. Deering placed the book and page at my disposal, as well as a place at his desk where I could make the required extracts. The following is a copy of the specific portion of Mr. Hittell's book, which relates to the place of rendezvous between the two combatants on the early morning of September 13, 1859.

Mr. Hittell in his "History of California," in Vol. IV, pages 224 et seq., says:—

- (g)
1. "The principals to stand ten paces apart, facing each other."
  2. "The place of meeting was to be near a farmhouse occupied by William Higgins at the most southerly end of Laguna de la Merced in San Mateo County, and the time half past five o'clock on Monday morning, September 12, 1859."
  3. "Among others, Martin J. Burke, Chief of Police of San Francisco, who had obtained warrants of arrest from the authorities of San Mateo County as well as from San Francisco, was present; and when the principals stepped forward he advanced and placed them under arrest. They were of course obliged to submit and at once returned to the city where they forthwith made their appearance before Judge Henry P. Coon of the Police Court, attended by their respective counsel. An effort was made to show that they had violated the law, or intended to violate it, and an attempt was made to compel them to give bonds to keep the peace, but Coon decided that no breach of the peace had been committed and that the testimony was not sufficient to hold them; and therefore he ordered them to be discharged.



## *The Locality of the Broderick-Terry Duel*

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"Directly afterwards it was arranged that the meeting should come off at the same hour and place the next morning, Tuesday, September 13th. Aylette, supposing the affair stopped for a longer time, had returned to Stockton; but he left Beard's pistols; and Dr. William Hammond was selected to take his place. At the appointed time the parties and their friends again reached the ground. There were about eighty other persons present."

4. "Broderick won the choice of ground and the giving of the word."

Mr. Hittell, as above quoted, mentions that the place of meeting "was to be near a farmhouse occupied by William Higgins at the most southerly end of Laguna de la Merced in San Mateo County."

As this was the first time that I had heard the neighborhood of Mr. Higgins' house mentioned in connection with the duel, I inspected the old county map of San Mateo County of 1868, in the archives of the Spring Valley Water Company, and found the name of John Higgins inscribed in a large tract of land located just north of, and adjoining, the county line, and reaching from the extreme south end of Lake Merced towards or to the Pacific Ocean.

The tract on which, according to practically all the above evidence, the duel took place, was the most northerly portion of the northeast quarter of Section 2, T. 3 S., R. 6 W. This tract adjoined that of John Higgins (above described), both tracts having the county line as a common boundary between them for a distance of nearly one-fourth mile.

On this San Mateo County map of 1868 (published nine



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years after the duel) this tract stands in the name of one John Earl.

It is therefore possible,—if, as Mr. Hittell mentions one William Higgins as the owner in 1859 of the land on which the duel took place,—that the latter (perhaps a relative or brother of John Higgins) transferred or sold it to one John Earl during the nine-year interval between 1859—the year of the duel—and 1868—the date of the oldest San Mateo County map.

### XV.

*Extracts from  
Mr. Truman's  
book, "The Field  
of Honor."*



WAS about to conclude this letter with the quotation from Hittell and his reference to the "Higgins" Ranch, when I encountered Mr. Allen Knight, who I knew took great interest in San Francisco's history.

After mentioning to him the subject of my investigations he at once offered to bring me some books from his library, which referred to the Broderick-Terry duel.

The first book which Mr. Knight brought me was "The Field of Honor," by Truman (1884).

Regarding the locality of the duel, Mr. Truman says (p. 396 et seq.):

"A meeting had been arranged for the 12th of September, at sunrise, near the boundary lines of San Mateo and San Francisco Counties."

After stating that the meeting was postponed until the following morning, Mr. Truman says:



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"and at midnight several vehicles left the city and drove towards Laguna de la Merced, about ten or twelve miles from the city."

"—— other carriages were seen coming from different directions and skirting the lake."

The surface of Lake Merced in those days was considerably lower than at the present time. Two dams constructed by me during the nineties (one at the outlet of each of the two branches of the lake) have raised the former water surface. It is therefore probable that some of the carriages, after driving along the road—*b-c-d* (see blueprint)—in the dark, missed the old branch road—*d-e-f-g*—and instead went southwestwardly along the "old road to Laguna Merced," and, after striking the east shore of the lake, skirted along the same in a southerly direction along the foot of the bluff, where the much lower stage of the lake at that time left a broad flat sandy margin on which horses and carriages could freely pass until they had crossed the "county line," and thus arrive at point *III*, the place of rendezvous.

Mr. Truman then mentions that this party arrived at the "Davis milk ranch."

"vaulting over the fence" (which fence in all probability marked the *county line* at that point near the lake), "the party went up the valley, the center of which had been selected as the scene of the encounter. Mr. Broderick had slept at the Lake House, near by, and with his friends was early on the ground. Judge Terry and his friends were also prompt. About eighty spectators were present."

"Mr. Hayes marked off the prescribed distance, ten paces, and warned spectators to get out of the line of fire."



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### XVI.

*Extracts from  
Mr. O'Meara's  
book, "Broderick  
and Gwin."*



THE second book loaned me by Mr. Allen Knight, "Broderick and Gwin," by James O'Meara (1881), on p. 232 et seq., regarding the terms of the combat as proposed by Mr. Broderick, makes the following reference to the place where the duel was to take place:—

"Second,—place of meeting on the farm adjoining the Lake House Ranch. The road to the farmhouse leaves the old Lake House road, where you strike the first fence of the Lake House property about a mile before you reach the Lake House. There you take the road to the left, which brings you to the farmhouse, on the upper end of the lake (Laguna Merced), occupied by William Higgins. This is the general neighborhood; the precise spot to be determined when the parties meet."

"Fourth,—Distance ten paces."

(September 12, 1859) "San Mateo, in which county the field" (of honor) "was situated, just across the San Francisco line,"—

(September 12, 1859) "That night, however, as the parties were free to go on and conclude the matter, it was arranged that the meeting should come off the next morning, at the same place and hour."

"Broderick's seconds won the choice of ground and the giving of the word."

"The sun was just rising above the neighboring low hills. Mr. Broderick was placed with his back to the sun, Judge Terry facing it."



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### XVII.



OSCAR T. SHUCK, in his book, "Representative Men of the Pacific" (1870), in speaking of the locality in which the Broderick-Terry duel took place on September 13, 1859, says on page 394:

*Extracts from Oscar T. Shuck's book, "Representative Men of the Pacific."*

"On the 12th of September" (1859) "they met at the Lake House Ranch, near Laguna Merced, about six miles from San Francisco, and were arrested. No offence having as yet been committed, Police Judge Coon released the parties, and the meeting took place the next day, near the same locality."

### XVIII.



NOT having been able to find a copy of Judge Currey's paper in San Francisco, I wired to the State Librarian in Sacramento, with the request to kindly wire me a quotation from that paper relating to the locality where the duel took place.

*Extract from Judge Currey's Monograph, "The Broderick-Terry Duel."*

I promptly received the following answer by wire:

"From Currey's Monograph":

"The duel took place in San Mateo County near the boundary line between that county and San Francisco not far from Laguna de Merced."

J. L. GILLIS,

State Librarian.



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### XIX.

Conclusion.



SINCE Wednesday, March 15th, when I had the pleasure of your company on a trip over the Lake Merced region, on which occasion I pointed out to you on the ground the locations of the various important points hereinbefore described, I came into possession of Truman's book, "The Field of Honor"; O'Meara's book, "Broderick and Gwin"; Shuck's book, "Representative Men of the Pacific," and the above quotation from Judge Currey's monograph, "The Broderick-Terry Duel."

The additional information gleaned from these four authorities, and quoted by me sub XV, XVI, XVII and XVIII, respectively, confirms me in my above conclusion, that the Broderick-Terry duel was fought on the morning of September 13, 1859, *in the lower or westerly end of the first small ravine, which connects with the easterly shore of Lake Merced, just south of the county line between San Francisco and San Mateo.*

So

*Please accept my hearty thanks for having given me the impetus to carry out the above investigations of this most interesting problem.*

*Most respectfully yours,*  
HERMANN SCHUSSLER.











