

Location, Location, Location

“Out of the Frying Pan into the Deep Blue Sea” was to be the title of this paper.

But giving it a 2nd thought I decided to go a different direction, thus the current title “Location, Location, Location.” This is due to the recurring theme involving three (3) different locations in this story I want to share with you. I hope you will find it as interesting as I do.

This is about **Rufus Allen Lockwood**, (1811-1857) a very talented and eccentric lawyer from Indiana. So, the first “Location” is Indiana during the early days of statehood. In his all too brief (only 46 years) Lockwood traveled the world experiencing different adventures and occupations. He was given to spending extensive periods of time away from his family. Even so, during his 25 years of marriage, he was in Indiana long enough to father 5 children over 15 years. The first of those children was born in Thorntown, my hometown in Boone County, Indiana. And, most remarkable is that this Indiana lawyer became an early California lawyer, thus the second “Location.” He was destined to earn a well-deserved reputation as one of the finest lawyers in California. But tragically within a year of successfully litigating a precedent setting California real estate case before the U. S. Supreme Court, he met his demise in the deep blue sea of

the Atlantic Ocean. There we find the third of my “Location” consisting now of Indiana, California and the Atlantic Ocean. The story I will share involves the sinking of the ship Lockwood was sailing on during a “storm of the century” hurricane, within a year of his successful U.S. Supreme Court case, “Field v. Seabury,” decided December 1, 1856.

I cannot recall the very first time I became aware of the name Rufus Allen Lockwood. Only recently I learned he lived in my hometown of Thorntown, in northwestern Boone County. He owned 7 acres measured off the east side of Front Street, the first street in town as one approaches Thorntown from the east on State Road 47. It was somewhat unusual to find a record of his 1838 deed in the Boone County Recorder’s Office. Most of the land records of Boone County were destroyed in a fire on November 26, 1856. I was amazed to find the record of this Lockwood transaction in the “Heretofore” book. This is an official Boone County Recorder’s ledger book prepared for landowners who had retained possession of their original deeds and re-recorded them for the official county land records. Lockwood had purchased the land in 1838 in his name alone and sold the property 11 years later by a joint deed with his wife, Harriet, dated February 3, 1849. The original land records burned in 1856 and Mrs. Lockwood

must have brought the original deed to her Thorntown property which was then re-recorded in 1859, 2 years after the demise of her husband.

Upon reading *The Thorntown Centurial*, the book published for the town's 1930 centennial, I discovered Lockwood is listed as a teacher and the first attorney in town in 1830. The county birth records indicate his first child, Eldon Erskin Lockwood, was born in Thorntown on August 3, 1834. Lockwood's other 4 children were born in Lafayette over the next 11 years from 1837 to 1848. I have found no record as to his reason for moving to Lafayette. I believe it would be safe to presume he moved to Lafayette, 35 miles north of Thorntown, as it was a larger commercial center on a somewhat more navigable river representing greater potential for his practice law. While in Lafayette his wife Harriet Hill Lockwood became the owner of over 1,000 acres with original land grants from President Tyler in 1841 and President Polk in 1848.

Rufus Allen Lockwood was born February 2, 1811 in Stamford, Connecticut and I have not discovered how or why he came to Indiana. He was a rather eccentric individual having been born as John Turnbull Jessup. At some point in time he assumed parts of a cousin's name and his mother's maiden name, perhaps as a result of issues of a premature departure from military service on a

man-of-war ship due to unjust treatment of crew members. But he was known to be well-traveled to various countries over his lifetime, so Thorntown was an interim residence of a few years before moving on with his growing family. Eventually Lockwood became dissatisfied with a court case he lost in Lafayette that he moved to California where he participated in what would soon be known as "The California Gold Rush." He travelled to California in 1849, my second "Location," but his family may not have moved west until the mid-1850's. His three (3) youngest children were baptized in Old St. Mary's Catholic Church in San Francisco in March 1857.

During his years in California's early statehood, he became well known for his expertise in real estate law practicing before the highest courts in California as well as before the U.S. Supreme Court. This had to be a "far cry" from his legal practice of the Indiana cases he filed in the circuit courts of Boone, Clinton, Cass and Tippecanoe Counties. His knowledge of the Spanish language along with Mexican real estate law, proved invaluable in establishing case law in California, as California had recently been acquired from Mexico. In 1855 he successfully litigated the case known as the "famous Mariposa Gold Mine" case.

It was in researching the history of the Lafayette & Indianapolis Railroad (L&I) which was being built in 1852 through Boone County, that I became aware of Lockwood's law partner, the Honorable Albert S. White, a principal in the railroad and a well-known politician at the time. I had been doing this research in development the recreational trail over the former rail corridor in Boone County. This railroad would eventually connect Chicago to Cincinnati. Mr. White was the first president of the Lafayette and Indianapolis Railroad (L&I) and the namesake of Whitestown.

In this research I noticed references to Mr. White's law partner, Rufus Allen Lockwood, who has turned out to be an early Boone County resident, of whom I had never heard. I noticed the reference to his having perished in the sinking of the steamship, the SS Central America, in my third "Location," the Atlantic Ocean. (Further research revealed this was one of the largest civilian maritime disasters in nineteenth century America.)

A few years prior to my retirement from practice of law in 2010, a friend loaned me a novel he thought I might find interesting titled "Ship of Gold in the Deep Blue Sea" by Gary Kinder. It was an historical novel full of fascinating technical detail involving deep sea exploration, in other words searching for

shipwrecks on the bottom of the ocean. The book chronicles the developments of equipment necessary for searching for the SS Central America lost in 1857 in the Atlantic Ocean. Besides explaining in great detail, the technology developed in this search, the author provided a limited number of individual family histories of the 477 passengers and 101 members of the crew. "Ship of Gold in the Deep Blue Sea" was a book that did in fact pique my interest. As I finally got around to reading the book something was beginning to seem strangely familiar.

The book went into great detail about the history of the discovery of gold in January 1848 and how the news of this information would eventually reach the East Coast resulting in the California Gold Rush. Interestingly enough, this was about the same time the U.S. was negotiating the treaty with Mexico for the land we now know as Arizona, California, western Colorado, Nevada, New Mexico and Texas. Several days after the discovery of the nuggets of gold in the stream bed at Sutter's Mill, the U.S. ratified the Treaty of Guadalupe Hidalgo with Mexico and their Congress approved the treaty in May 1848 ending the Mexican-American War. News of these two (2) events, gold discovery and the treaty signing, would not intersect for another six (6) months. There was no 24/7 news cycle back then.

As gold fever spread across the nation, thousands would travel to the gold fields with dreams of riches beyond imagination. The pressing issue that had to be faced was how to get there. It would either be the arduous overland journey of 6 months or taking the 8 months of sailing around the tip of South America, known as the *Tierra de Fuego*, battling waves of 80 to 90 feet high. But get there they did, swelling the population of northern California by the 10's of thousands. And one of the participants of this mass migration was none other than Rufus Allen Lockwood from my hometown of Thorntown, then more recently of Lafayette, Indiana.

Now let's fast forward about eight (8) years from that era of the early "49ers" back in 1849 to August 20, 1857. By then hundreds of thousands of miners had made it to Northern California and were finding gold. While many were disappointed in their goal of getting rich instantly, some obviously did see their dreams come true. But their gold had to be processed into manageable forms so various private mints were established, prior to the U.S. Mint of San Francisco being chartered in 1854. This gave the mining companies and miners a way to turn their gold dust and nuggets into some more negotiable forms of "gold bullion" such as ingots, bars and coins. It must have been tricky business to walk into a shop with a bag of gold dust to purchase mining equipment or a bottle of

whiskey or to pay the bar bill for an evening of riotous fun with a pinch here and a pinch there.

Having all that wealth of gold accumulating in Northern California created the need for it to be shipped to the East Coast and have it become part of the national financial markets. There were the two (2) methods of getting from San Francisco to the financial markets in New York City and the U.S. Mint in Philadelphia. There was that arduous overland journey but now there was a shorter ocean voyage to western coast of Panama. A railroad had been built across the Isthmus of Panama in 1855. Then sailing from Aspinwall to the burgeoning financial centers of the East Coast of the U.S. There wouldn't be a trans-continental railroad across the United States until 1869. This was about the same time as when Mark Twain took the paddle steamer, the SS: Quaker City to Europe and the Holy Lands. From Twain's experiences on this first 'Pleasure Excursion' to the continent, his recorded observations produced "Innocents Abroad or the New Pilgrims' Progress" would become a "best seller."

August 20, 1857 was "steamer day" for the San Francisco harbor when the bi-weekly U.S. Mail ships were either arriving from or departing for Panama bound for New York. Rufus Allen Lockwood, his wife Harriet and his 3 youngest

children boarded the SS: *Sonoma* and left the San Francisco harbor with freight consisting of U.S. Mail, millions of dollars-worth of gold, and approximately 600 passengers and crew. These mail ships had been running regularly between San Francisco and Panama City for several years. From Panama City it was now a 5-hour train ride (instead of 5 danger-filled days by boat and horseback) over to the east coast city of Aspinwall, Panama.

From Aspinwall it would be a two (2) week sailing trip to the New York City on the SS: *Central America*. After five (5) days of smooth sailing the ship stopped at Havana, Cuba for supplies. On September 9th they continued on for New York City. This first leg of the voyage enjoyed pleasant weather but then two (2) days out of Havana the weather began to turn. We may recall that the month of September is now well-known for hurricanes that can blow up in this area of the Atlantic Ocean.

The very seaworthy SS: *Central America* had been in the U.S. Mail service sailing between Aspinwall, Panama and New York City for 5 years. It was 278-foot-long, (almost a football field long) had 3 sailing masts, and was steam powered by dual paddle-wheels. For two (2) days it foundered in crests and valleys of the over 90-foot waves of the hurricane. The sailing masts were

stripped off right as the storm began. The tossing and turning of the ship caused water to leak into the hold which eventually put out the fire in the boilers. Even though a bucket brigade was formed by every man on the ship, they were never able to keep ahead of the flooding and after 3 days all knew they were to be lost.

On September 12th the process of abandoning ship was implemented, women and children first. Of the several large life boats on the ship only two (2) were successfully deployed and about one hundred (100) of the women and children were saved with only 2 exceptions. When it became clear of the pending disaster the men were allowed to cease bailing and begin dismantling the ship for anything that might float. On September 13th the ship sank into the deep blue sea at a 45-degree angle around 8:00 PM just as the storm was beginning to lessen.

Fortunately, there happened to be other ships in this area of the Atlantic gulf-stream. These other ships, although damaged, had survived the storm, and were able to rescue those in the life boats along with some men found floating on the debris from the SS Central America. Remarkably three (3) men were found nine (9) days later. In all there were 425 dead and 153 survivors left to tell their story of one of the largest American civilian maritime disasters at that time.

News of this tragic event quickly spread via telegraph from New Orleans to Boston and in a relatively short time to newspapers all across the United States. There was much local interest in this story as the passengers were from 31 states and several foreign countries. In particular it was quite a newsworthy story for even the Indiana newspapers such as the statewide Indiana State Sentinel and the local *Journal and Free Press* of Lafayette.

It was after reading the novel "Ship of Gold in the Deep Blue Sea" about this shipwreck that I eventually connected the dots with the attorney from Thorntown who was "lost at sea." I was disappointed to realize there was no reference to the Lockwood family in the novel. Of course, not all of the 578 individuals could have a starring role in the novel or the book would be too long. I was resigned to the fact that not only was Lockwood at the bottom of the ocean, his family's story must have been assigned the "cutting-room floor" as far as the story of the SS Central America was concerned. But as so often happens, I was wrong.

There was so much research done on all facets of this "Ship of Gold" story that the "treasure hunting organization" put out a companion coffee-table book titled "*America's Lost Treasure.*" As part of the exploration team a professional

photographer chronicled every step of the discovery. In the beginning this was done using film and by the time they were finished they were using digital technology. The discovery of the shipwreck in 1988 consisted not only of millions of dollars-worth of gold bars, ingots, coins, etc. but also, some of the personal artifacts belonging to passengers. These artifacts allowed the story to be fleshed out with the personal tales of the survivors. The coffee-table book has 205 pictures of the gold and the personal artifacts along with brief biographical descriptions of some of the passengers. And right there on page 41 appeared the family picture of Rufus Allen Lockwood, the first attorney in my hometown of Thorntown, along with his family who were rescued consisting of his wife and his three (3) youngest children. The picture was reproduced from a daguerreotype. This was a very exciting discovery--at least for me.

Now that I had read the novel and had possession of the companion coffee-table book, I knew that someone had in fact done a lot of research into the passengers of the SS Central America. Of course, I had to share this development with everyone who would listen to my story about this other attorney from Thorntown. But sometimes stories take unexpected turns as time goes on.

While I had been telling friends about this interesting story there were other things were going on with the gold from the SS: Central America. In 2014 my wife and I attended an exhibition at the Eitlejorg Museum in downtown Indianapolis titled *"Gold! Riches and Ruin."* As we walked into the exhibition there were cases with large amounts of gold from the SS Central America. Obviously, some of the gold had been marketed to put together such a large exhibit along with pictures similar the ones in the book *"America's Lost Treasure."* In addition to the extensive gold exhibit there were displays explaining the ill-fated voyage of the ship in the 1857 hurricane. I must admit I felt a rather smug connection to this story of the gold as I knew more details about the sinking and some the passengers on the ship, those who died along with the lucky few who survived.

But it wasn't long after that I received an email from my friend in California who had first shared the story of the "Ship of Gold." He said I needed to read a recent story from the "Columbus Dispatch" newspaper of Columbus, Ohio, concerning the engineer-explorer who had headed up the effort to discover the SS Central America with its fabled treasure trove of gold.

At this point of the story enters Tommy Thompson from Defiance, Ohio. Mr. Thompson was a young eccentric senior engineer who had become interested in deep sea exploration. At the time he was working for the research and development firm Battelle Memorial Institute of Columbus, Ohio. In the mid-1970's he began researching shipwrecks and by 1981 had settled upon the goal of finding the fabled SS Central America. To do something of this magnitude requires a lot of money and having little himself, he set about raising money to bankroll this research. He formed a general partnership with 161 investors of Columbus, Ohio named the Columbus Discovery Group. By the late 1980's he raised around 12 million dollars and in 1989 he actually located the ship in over 8,000 feet of deep blue sea, 200 miles east of Charleston, South Carolina. The tedious process of searching for anything on the bottom of the ocean is fraught with obstacles; both natural and man-made.

It is well understood among the deep-sea exploration community everything within these types of ventures must be done under a heavy veil of secrecy due to certain uncontrollable human instincts. And not unlike the California gold rush days, as soon as word leaked out gold had been discovered, seven (7) years of maritime litigation involving international waters and over 100 plaintiffs was underway. It seemed for a time everyone was claiming their slice of

this very large piece of America's lost treasure. Ultimately, Mr. Tommy Thompson's Columbus Discovery Group would be awarded 95% of the recovered treasure that had stayed on the bottom of the ocean floor for 130 years. And he was the one who caused the development of the equipment and techniques to combat the lack of light, the pressure, the salt and the cold of the of the deep blue sea and he had labored at this for 20 years. Suffice it to say that perhaps Tommy Thompson may have had a right to become paternalistic about this particular treasure trove.

But what my friend of California was alerting me to was the recent discovery of Tommy Thompson, himself. It turns out that among the many things he had accomplished there were a few things left undone. For several years as his investors had been seeking some return on their investment he had failed to properly respond to their inquiries. Eventually he failed to appear in court as ordered by the local federal district court judge. It turns out he was living "off-the-grid" out of reach of the U.S. Marshalls who had been tracking him for 3 years. In January 2015 he was arrested after being discovered in a Hilton Hotel in Boca Raton, Florida where he had been living as a "bum on the lam" with \$450,000 cash in the hotel room but no gold.

In America we do not have debtor's prison "per se" so you may not be incarcerated for failure to pay a debt. Since 2005 Tommy Thompson had refused to tell his investors what he had done with the gold or the reported \$50,000,000 from which a part of the gold had been marketed. For "Failure to Appear" in court as he was ordered to do back in 2012, an arrest warrant was issued. Since the time of his subsequent arrest in 2015 he remains in federal prison on a Contempt of Court charge. To the best of my knowledge, he still remains in the federal penitentiary in Milan, Michigan by order of the Federal District Court of Ohio as of mid-2018. It has been over 40 years after he started to research deep sea exploration and eventually finding millions of dollars' worth of gold.

While some of this story may be of interest regarding deep-sea exploration along with some local history, let me wrap up with this. When we last left Lockwood, a sturdy and robust man of 47 years, he had been part of the heroic bucket brigade attempting to save the ship and their lives. In the evening of September 13th when the captain called off efforts of saving the ship it was every man for himself. Contemporary reports of the survivors have Lockwood topside on the quarter-deck smoking a cigar, looking out toward the horizon where his family had been picked up by the passing ship, the SS: Marine, calmly resigned to his fate. His family would eventually make their way back to Lafayette, Indiana.

In Lafayette in 1865 St. Mary's Cathedral was constructed and today features a beautiful stained-glass window above an entrance door dedicated to Rufus A. Lockwood 1811-1857.

During my research in 2014, I happened to notice a recent entry on the Lockwood Find-A-Grave website by a Monica Hockersmith. Using the Private Message option on that site I inquired as to her interest in Rufus Allen Lockwood. I explained that I was also a retired lawyer from Thorntown, Indiana. She responded Rufus Allen Lockwood was her great-great grandfather. Her great grandfather was Rufus Albert Lockwood, the son who was rescued with his mother and two (2) sisters from the ship wreck. And he was also the young boy in the family portrait taken in 1855 that was re-published in "America's Lost Treasure." In November 2017, I had the opportunity to meet Monica Hockersmith and her husband, in Carlsbad, California. As a result, we may eventually be able have the portrait of Rufus Allen Lockwood as a young man, make its way back to Indiana. This story seems to never end. The End.

Presented by David Cook to the Indianapolis Literary Club on October 15, 2018.

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