

“Shall Law Stand for Naught?”: The Los Angeles Chinese Massacre of 1871 at Trial

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In the space of a few hours on an October night in 1871, the town of Los Angeles, with a population of under 10,000 persons, was the scene of a night of horror, which was unprecedented and one of the most sordid moments in the city’s history.

After a dispute internal to the Chinese community went awry and led to the death of an American bystander and the wounding of a city policeman, a frenzy of hatred and destruction centered on an older area of town along the short lane known as *Calle de Los Negros* led to the death of eighteen Chinese, all but one of them innocent in the affair that led to the tragedy. In the confusing aftermath of the incident, one hundred fifty persons were named in indictments secured after an exhaustive coroner’s inquest and the convening of a grand jury. Even-

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tually, however, only seven men were tried at the Los Angeles District Court for their involvement in the murder of a single victim. While convictions on a lesser charge of manslaughter were secured and sentences ranging from two to nine years imposed by Judge Robert M. Widney, an appeal to the California Supreme Court led to a reversal of those convictions and the matter was remitted back to Widney's court. District Attorney Cameron M. Thom, however, decided not to retry the case and the seven men were freed in the late spring of 1873.

While there have been many references to the Massacre in the historical literature, few make use of surviving court records, haphazardly arranged and jumbled as they are, to fully flesh out the incident, which serves as one of the significant signposts of a tumultuous era in the frontier town.¹ This essay mines existing court materials and newspaper coverage of inquest and trial proceedings to provide a greater understanding of the role the criminal justice administration system played in the sad affair.

I. Summarizing the Chinese Massacre

The immediate proximate cause of the Massacre is generally recognized as the flaring up of fighting between members of two Chinese *tongs* over claims to a woman named Yit Ho. Rivals of the two companies exchanged gunfire on both Monday, the 23rd and Tuesday, the 24th, the latter of which brought at least one Los Angeles police officer, Jesus Bilderrain, and others, including bystander Robert Thompson to the scene.² Though the factual sequence of events varied in the reporting, the gist of it was that Bilderrain was wounded and Thompson killed in the resulting gunfire.

¹ The most comprehensive published treatments of anti-Chinese sentiment and of the Massacre by historians are William R. Locklear, "The Celestials and the Angels: A Study of the Anti-Chinese Movement in Los Angeles to 1882," *Historical Society of Southern California Quarterly*, 42:3 (1960): 240-41, 244 and Paul M. De Falla, "Lanterns in the Western Sky," *The Historical Society of Southern California Quarterly* 42:1-2 (March and June 1960): 57-88, 161-185. The topic is also extensively covered in Paul R. Spitzzeri, "The Retirement of Judge Lynch: Justice in 1870s Los Angeles," unpublished Master's thesis, California State University, Fullerton, 1999.

² All of the following descriptions of the Thompson and Chinese inquests,