

“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,

Within minutes, as darkness descended on the town, a large crowd of persons gathered around the Coronel Block, the adobe building on Sanchez Street adjoining *Calle de Los Negros*, where the activity was centered. Estimates of the rapidly enlarging mob vary from several hundred and up and the indiscriminate slaughter included several shootings and more than a dozen hangings, these latter occurring in at least three locations nearby.

Among the significant incidents attendant to the massacre were reports that some individuals made efforts to calm the crowd and prevent the murders of the Chinese. Among these was Robert M. Widney, the man who would, in December, win election as District Judge and preside over the trials of the seven men charged with involvement in the Massacre. Meanwhile, the *Los Angeles Star* claimed that crowds at both Los Angeles Street where it met Negro Alley, and at Main Street “were addressed by parties who called attention to the fact that a Vigilance Committee was still in existence, and suggested that those members present repair to the headquarters of the organization.” There had last been a vigilance committee in the town in December 1870 for the lynching of Michel Lachenais, but it is unknown to what extent any such committee was involved in the Chinese Massacre.

According to news reports, the last of the murders were committed at about 9:30 p.m. or not long afterward. Sheriff James F. Burns and other community members rounded up enough support by then, though it was some four hours or longer since the Massacre started, to secure the scene, disperse the mob, and put a guard around the area overnight. From here, the criminal justice administration system, which was completely ineffective in preventing the Massacre, began its operations to try to sort out the factual details and seek to secure some measure of justice for a heinous blot on the town’s history.

as well as those of the scenes of carnage at the Coronel Block and the burial of the Chinese victims are from the *Los Angeles News* and *Los Angeles Star*, October 26, 1871.

II. The Coroner's Inquest

The next step, in the legal sense, was the coroner's inquest, which covered an extraordinary four days, from October 25th through the 28th, and involved the interviewing of dozens of witnesses.³ Unfortunately, there are no records from the inquest that have survived, known to date, and newspaper reporting is the only source. There were two proceedings: the first was over the body of Robert Thompson and lasted about two hours, which was quite typical in length and scope. Only one witness, Constable Bilderrain, was questioned and his version of the incident was matter-of-fact and concerned only the fact that Thompson was shot as he came to the constable's assistance.

The inquest over the nineteen dead Chinese, however, included the testimony of dozens of witnesses, many of whom recalled specific actions, but provided little or no identification of perpetrators, while others were able to give names. Ultimately, there were one hundred persons that the jury identified as participants. Of these, there seemed to be a few who were notable in the minds of witnesses. These included shoemaker Alexander R. Johnson, railroad depot employee Norman L. King, blacksmith J. Clement Cox, cemetery sexton Jesus Martinez, Charles Austin, Ramon Dominguez, Refugio Botello, Adolfo Celis, Edmund Crawford, D. W. Moody, Andres Soeur, A. L. Crenshaw, Samuel Carson, Enoch Griffin, Louis Mendel. Many of these accused were interviewed at the inquest and, naturally, all denied being involved in any lynching, though Johnson claimed that intoxication clouded all memory of the evening, even as he cited examples where he tried to help maintain order. Austin, Cox, King, Moody, Carson and Dominguez also testified that they joined the citizen posse to try to cordon off the Coronel Block. Moody even had a jury member provide an impromptu character reference during his testimony. Cox, who had been identified by King as a participant, admitted to throwing a lit ball dipped in alcohol into the Coronel Block and to being on the building's roof with Carson, though only to put out the fire. Moreover, he claimed that he offered assistance to a wounded Chinese man and

³ J. Albert Wilson [alternate author, Thompson and West], *History of Los Angeles County, California (1880)*, 85, states that seventy-nine witnesses were questioned at the inquest.

thwarted looting.⁴ There were suggestions that *Los Angeles Daily Star* reporter Henry M. Mitchell, who received acclaim for his role in the 1874 capture of *bandido* Tiburcio Vasquez near Los Angeles, openly cheered the lynchings and that City Council member George M. Fall may have participated in an attempt to use a city water hose to flush Chinese out of the Coronel Block. Nothing came of these insinuations, though Fall was not reelected to office in the December 1871 election, if that had any connection to the Massacre's aftermath.

An interesting sidenote to the inquest concerns the possible presence of a vigilance committee, one that had organized a lynching in December 1870, and the association with it of prominent citizen Robert M. Widney. The significance is that Widney was appointed District Judge in December after the death of Judge Murray Morrison and presided over the trials that stemmed from it. After testifying to his role in preventing further lynching, Widney told the inquest jury that despite the comment of one of the rioters that they were all vigilantes, he wanted to make it clear "that none of the Old Vigilance Committee were engaged, except in rescuing Chinese from the mob" and that the aforementioned rioter was definitely not from the Committee that participated in the December 1870 lynching.⁵

⁴ *Los Angeles News* and *Los Angeles Star*, October 28, 1871.

⁵ Widney's son-in-law, Boyle Workman, wrote that the judge "was president of the Law and Order party, which substantial citizens had recently organized to suppress crime and violence. He sent word for members of the part to collect at the Arcadia Block, which stood on Los Angeles Street [at Arcadia Street], near the beleaguered adobe." This seems to verify Horace Bell's accusation about Widney's involvement in the lynching of Lachenais. See Boyle Workman, *The City That Grew* (1935), 145. Horace Bell claimed that he attended the inquest and "that every one summoned as a witness was a person that had participated in the affair on the side of the attackers. There were but a few examined that volunteered their testimony who were not of the active mob." What proof there was for this statement is as hard to find as most of his statements about the Massacre. For example, he quoted John M. Baldwin as stating "As I passed Mr. Hicks' store he was dealing out rope," but the statements by Baldwin in the newspapers make no mention of this. See Horace Bell, *On the Old West Coast; Being further Reminiscences of a Ranger; Major Horace Bell*; edited by Lanier Bartlett (1930), 174. Some of the men identified as participants appeared in the Los Angeles County enumeration of 1870 federal census, including: J. Clement Cox, a thirty-five year old plasterer from Pennsylvania with a wife and three children; Enoch Griffin, an eighteen year old laborer and California native; Alexander R. Johnson, a thirty-six year old boot maker, born in Ireland; and Norman

On Saturday the 28th, the Coroner's inquest concluded, undoubtedly one of the longest, most intricate and fascinating of these proceedings ever to be held in the city. Foreman Henry T. Baker and his eleven colleagues, all of whom appeared to be Americans and Europeans, rendered the verdict that

We find the mob consisted of all nationalities as they live in Los Angeles, and find that we have sufficient evidence to accuse the following persons as having taken part in the destruction of the lives and property of the Chinamen. And we further direct the attention of the Grand Jury to the reported testimony in which they will find many names of such persons who seemed to have encouraged the mob by their sympathy with them in their expressions.⁶

As the *News* expressly stated, the reason it and the *Star* ended their accounts with a statement that the names of the accused were attached to the verdict, but not printed in their pages was "so as not to defeat the ends of justice."⁷ Unfortunately, because the inquest file was lost, it will never be known who the over 100 persons were who were identified by the jurors as direct or supporting participants in the Massacre.

III. The Grand Jury and Indictments

In the aftermath of the coroner's inquest, the next legal action appears to have been a complaint filed on November 4 in the Justice Court by Tong Yu, widow of Chinese doctor Gene Tong, murdered in the Massacre, accusing *tong* leader Yo Hing of "inciting and participating" in the riot that killed her husband. Yo was eventually charged, but, in early December, the Grand Jury failed to find a true bill against him and he was released.⁸

L. King, age twenty-four from the District of Columbia, whose occupation was "Works at Depot." There were five men named Jesus Martinez in the 1870 census old enough to have been possible participants.

⁶ Los Angeles News, October 29, 1871; Los Angeles Star, October 30, 1871.

⁷ Ibid.

⁸ Ibid., November 6, 1871 and Los Angeles *Daily News*, December 4, 1871.

On November 8, County Court Judge Ygnacio Sepulveda convened a special Grand Jury to investigate the Massacre.⁹ The jury included long-time resident Juan Jose [Jonathan Trumbull] Warner; building contractor William Perry; merchant Kaspare Cohn; saddle maker, councilman and future mayor and city treasurer William Henry Workman; and only one juryman who was not American or European, farmer Martin Sanchez. Referring to the city's often violent past, Judge Sepulveda noted, "Lawlessness has again raised its monster head in our midst, and in the most inhuman manner has satiated its barbarous instincts." Employing the metaphor of a book of history, Sepulveda correctly identified the Massacre as "a page . . . marked . . . forever indelible, making the name of this community a reproach to humanity and civilization." Invoking verbatim the language he used to the grand jury in the aftermath of the December 1870 lynching of Michel Lachenaix, regarding the primacy of law and "constituted authority" over "injustice, cruelty, dissension, anarchy, and immorality," the Judge plainly stated "that Grand Jury saw fit not to act in the matter. Will you do likewise in this instance? . . . Will you challenge the vengeance of Divinity by violating your oath? Shall law stand for naught, and immorality and crime have high carnival in our community?" Sepulveda further implored the jury to "be true to your manhood, to morality, and to mankind" and do their legally constituted duty in bringing Massacre participants to justice. He concluded, "[I]n this way only can you satisfy an offended God, violated law, and outraged humanity."¹⁰

Whether Sepulveda's stirring plea moved them to action or whether the horrid circumstances of the Massacre were more than enough of an imperative, the Grand Jury set about their work. On December 2, after twenty-three days in session, the jury issued its report, which included the full statement of affairs, aside from the Massacre inquiry. Appended to the report were forty-nine indictments, about half for murders and the others for a variety of felonies, most likely a record for any such jury to date, and these contained over 150 names.¹¹ Some of the persons were in custody and the ones known to be so

⁹ *Los Angeles News*, October 27, 1871.

¹⁰ *Los Angeles News* and *Los Angeles Star*, November 9, 1871.

¹¹ Thompson and West, 85, indicated that 111 witnesses were examined by the Grand Jury and that the 150 indicted persons represented all nationalities.

detained included Charles Austin, Charles [Edmund is the name that appears in the trial record] Crawford and A. R. Johnson [Johnston in the court case file], who appear to be the first three arrested. Subsequently, five more were held: Jesus Martinez, Louis Mendel, D. W. Moody, Patrick McDonald and Andreas Soeur. Perhaps the last arrest was made in late December when David Thompson, arrested for robbing the Episcopalian church, also confessed to being involved in the Massacre and the stealing of a watch from one of the lynched victims. Yet, it appears that Thompson was never tried for this self-confessed action.¹² In late October, it was reported that three Chinese and two whites, all unnamed, were also held on lesser charges. It seems that Soeur was released for a short time, as he and Carmen Lugo, another scion of a prominent Californio family, were arrested for the assault on Gene Tong. Additionally, Carmen Sotelo (who was likely the Romo Sortorel identified in the early press reports in the papers) was reported as arrested in mid-November.¹³ Yet, the majority of those indicted were still free and most of these were never apprehended and held for trial.

Judge Sepulveda praised the jury for its work and made the interesting decision that he would not call any of the twelve back for service “during the time he occupied the bench,” a rather remarkable action since he served as a judge for thirteen more years.

IV. The Trials: *People v. Kerren*

The earliest case among those extant in the criminal court files is *People v. Kerren*, brought as an assault with a deadly weapon case before the County Court, which concluded on January 5, 1872. Kerren was charged with shooting at two Chinese women, whose names were

¹² Los Angeles *Star*, December 20, 1871. The case file in *People v. David Thompson*, Case 1108, January 24, 1872, Los Angeles County Court, Los Angeles County court records, Huntington Library, makes no mention of the Chinese Massacre.

¹³ Los Angeles *News*, November 13-14, 1871. Soeur, according to inquest testimony, was seen in a saloon waving a queue in his hands. The paper reported that Lugo, another of those arrested who hailed from prominent Californio families, like Sotelo, was held for stealing the herbalist’s watch and chain. Bell falsely claimed that, among the indicted and charged rioters “all of them were against poor Mexicans without influence, and a lone Irishman, a shoemaker [Johnson],” Bell, 175.

given in the file as Cha Cha and Fan Cho, during the Massacre. An indictment was filed on November 29 by District Attorney Cameron E. Thom, and Kerren was released on December 5 on \$1000 bail.

The file seems incomplete with two indictments, jury instructions, a verdict, bail recognizance and what seems to be only partial testimony. Surviving witness statements are marked by continuous objections by both defense counsel (who are not identified in the case files) and District Attorney Thom on the grounds that the questions were irrelevant, calculated to mislead the jury, and based on hearsay. When witness Benjamin McLaughlin was called by the people, for example, he was asked if Constable Kerren was by legal authority stationed at hay scales near the Coronel Block to guard the area during the riot. When the defense objected on the grounds that the question was irrelevant and calculated to mislead the jury and as not the best evidence because of hearsay, Judge Sepulveda sustained the objection and McLaughlin was asked to step down.

Sheriff Burns was called for the defense and the first question was simply whether or not there was a riot. To this, Thom objected as a leading question, because a riot was a matter of a legal proposition, could not be proved or disproved by the witness and was irrelevant. Asked to rephrase the query, the unknown lawyer asked Burns why he was at Arcadia and Los Angeles streets on the night in question. This also brought an objection from Thom that this was also leading and irrelevant, but was overruled by Sepulveda. Burns then started to answer: "I was informed by two parties" upon which Thom objected on grounds of hearsay. The question was rephrased to ask what Burns did that evening, a question which finally allowed for a fuller answer. Yet, when Burns concluded his statement that he placed men around the Coronel Block with orders to remain there through the night and that Kerren was ordered to proceed to a nearby street to call Mayor Cristobal Aguilar, Thom moved to strike out this testimony, but was overruled. Another defense question was, "In the summoning of a posse to your assistance did you not do so as much with the purpose of preventing a riot as to preventing Chinamen from escaping?" Thom objected yet again and this was sustained. A query to Burns on cross-examination was whether he authorized anyone to shoot a Chinese woman. The defense objected as irrelevant and misleading, but was overruled. Burns's response was a terse "No, sir." When asked if he

saw anyone other than a Chinese person commit a felony that night, this brought another objection on irrelevance, but this was overruled. Burns elaborated slightly by answering “Yes, sir, I saw a good many.”

Next to the witness stand was Constable Bilderrain who was asked what brought him to the Coronel Block, to which Thom’s seemingly obligatory objection was overruled. The officer’s banal answer was “I was there in the discharge of my duty as a policeman.” The next question regarded Robert Thompson’s role in the attempted arrest the two were in the process of making and, still again, Thom’s objection was struck down, yet there was no record of an answer. Nor was there a recorded response to the last question regarding how much of a crowd had gathered around the Block, which, of course, brought an overruled objection by the District Attorney. Not surprisingly, Thom moved to strike Bilderrain’s testimony and this was also overruled.

Marshal Baker was also on the stand and one question’s answer survives: What brought him to the scene of the Massacre? He answered that he had been in front of his nearby soda factory, when he heard a shot and ran to Negro Alley. There he saw Constable Sanchez trying to arrest a Chinese man, who was shooting. There was a crowd present, but not Sheriff Burns. Unfortunately, this is all that survives in the case file. Others who testified included Constables Bryant and Harris, Mike Madigan, Ed Huber and the defendant, but none of their testimony is in the file.

The instructions by Judge Sepulveda were that possible verdicts included guilty as indicted, a lesser finding of assault and battery or not guilty. He also stressed that, as an officer, Kerren must have felt “there was an apparent necessity for assaulting the Chinawomen” and that a “reasonable necessity for the violence” must be demonstrated if he were to be found not guilty. It is not known how long they deliberated, but Kerren was acquitted.¹⁴

V. The Trials: *People v. Quong Wan and Ah Yeng*

In February, there were two trials relating to the Massacre. The first, which does not have a surviving case file, but was reported on in detail by the *Los Angeles Daily News*, was conducted on the 14th,

¹⁴ *People v. Richard Kerren*, Case 1101, Los Angeles County Court, January 5, 1872, Los Angeles County Archives, Huntington Library.

involving Quong Weng and Ah Yeng, said to be “the originators” of the riot and charged with the murder of Ah Coy on the day of the Massacre. Ah Coy was the man shot in the neck in the later afternoon and this action brought Jesus Bilderrain to Negro Alley. In his testimony, Bilderrain stated that he was stationed “at Higby’s saloon . . . because I had been informed by some Chinamen that there was going to be a row among the Chinese that afternoon.” Moreover, after Constable Gard and he went to *Calle de Los Negros* after Justice Gray adjourned court, Bilderrain stated that he went to Samuel Caswell’s store and was told by the proprietor that “he had sold a large number of pistols during the last few days,” though Bilderrain did not state, at least by the transcript published in the *News*, who were the buyers of the weapons. Rumors in the papers at the time of the Massacre were that Chinese were buying guns in large amounts in the preceding days. Another interesting, if undocumented, statement by the constable, upon a redirected question, was that “I had been informed that a party of Chinese were expected from San Francisco to do some fighting.” Yet, Bilderrain, however, could neither identify Quong Wan or Ah Yeng as present at Justice Gray’s court the afternoon of the Massacre or recall that he had ever seen them before, though he did admit that he was “somewhat familiar with the Chinese in this city.” The vagueness as to the culpability of the defendants in the death of Ah Coy was repeated in the testimonies of Officers Sanchez, Harris and Gard. Others who were present at the time of the shooting also were unable to identify the killers and were only able to say that there were many Chinese milling about *Calle de Los Negros* at the time. For example, Ventura Lopez, who was in a bakery, saw Ah Coy fall after being shot and noticed a Chinese man running from the scene. Although he knew the defendants, Lopez could not identify them as present at the time of the shooting.

A notable occurrence in this trial was the calling of Ah Ling as a prosecution witness. When he was brought to the stand, the defense objected, claiming that

[H]e is incompetent to testify in any case where the People of the State of California are a party; and further, because he does not believe in the Christian religion; does not understand the nature of an oath or the responsibilities thereunder according to our laws, customs and civilization; he does not

believe in God, nor in the form of any religion prescribed and practiced by civilized nations, and that he is not sworn according to the forms prescribed by heathen or uncivilized nations.¹⁵

In spite of this all-encompassing motion, Widney allowed the testimony to continue, because the relevant 1863 statute stated that the Chinese could not testify against a white person and, therefore, the other defense claims were not legally at issue. It is also interesting that it was the defense counsel who objected to Ah Ling and on grounds that were racist, but were ostensibly intended to protect the Chinese defendants, although precisely how is not revealed in the case file. Ah Ling was called because he told one of the constables that Quong Wan shot Ah Coy. Yet, he also stated that he was told this by an unidentified person, not through his own observation of the incident. Further, Ah Ling testified that, although he saw both defendants at the scene, he did not see weapons in their hands.

With Ah Ling's testimony on the stand concluded and other equally flimsy prosecution witnesses finished, District Attorney Thom stated the obvious and admitted "that the prosecution having signally failed in establishing their case, he would proceed no further with it, as he had to depend entirely upon unreliable Chinese testimony." Unless the defense wished to offer evidence, Thom stated, he would submit the case to the jury. Naturally, the defense waived the right of presenting witnesses or evidence and Judge Widney ordered the jury to bring in a verdict of not guilty "as there was nothing in the evidence adduced that could possibly justify conviction." After a few minutes away to write out the verdict, the jury returned as ordered and the prisoners were discharged. The *News*, in concluding its coverage, offered the obvious editorial comment that "[t]he trial itself was a complete farce, and resulted in an utter failure on the part of the prosecution to establish the guilt of the accused."¹⁶

¹⁵ Los Angeles *News*, February 15, 1872.

¹⁶ *Ibid.*

VI. The Trials: *People v. Crenshaw*

Meanwhile, the matter of the indicted rioters began to coalesce in February as well, although trying to follow the proceedings is somewhat complicated. Initially, there were separate trials pursued for nine men accused of aiding and abetting the murder of one victim, Gene Tong, and Judge Widney set several court dates in the middle and later parts of the month. First, however, he had to deal, on the 8th, with a defense demurrer to the indictments of Austin, McDonald, Johnson and Celis. The *News*, citing “the interest manifested in all the proceedings,” presented the entire texts of the demurrer and Widney’s overruling statement. It is fortunate that the latter was reprinted in its entirety, because, while the case file contains the demurrer, it does not include Widney’s statement.

The three objections to the indictment were: non-conformity with the provisions of the Criminal Practice Act, that more than one offense was charged, and that the facts of the case did not constitute a public offense. Widney’s reply was in the form of three main points concerning the forms and rules of pleadings, and the judge addressed the sections of the Criminal Practice Act that the demurrers referred to, regarding indictments and pleadings, especially as to the acts committed, the manner in which they were committed and the form used to describe them. A main point of issue for the defense was that the indictment did not actually say that Gene Tong was dead, only that the accused were charged with encouraging others to kill and murder him. Widney, however, pointed out that the section of the Act concerning language only stated that “[t]he words used in an indictment shall be construed in the usual acceptance in common language, except such words and phrases as are defined by law, which are to be construed according to their legal meaning.” To the judge the language in the indictment sufficiently indicated that Tong was dead, even if not explicitly stated. Regarding the fact that the actual murderers in the case were not known and that the men charged in the indictment were accessories, the judge used precedent in California case law to show that, even if charged murderers were found innocent, an accessory could be found guilty, as per section 6 of the Act. Citing other sections that prohibit a distinction between an accessory and a principal, that the crime of the latter be made the crime of the former, who aids, abets and

encourages him, Widney addressed section 246 of the Act which stated that language in an indictment shall be enough “to enable a person of common understanding to know what is intended.” Concluding, the judge stated that “[i]f the Court had any reasonable doubt as to the sufficiency of the indictment, it would not put the county to the expense of a trial, but would remand the defendants to await the action of a new Grand Jury.” It is important to recall this technical challenge in the light of what the state Supreme Court ruled on appeal in 1873.¹⁷

By request of defense counsel, A. L. “Curly” Crenshaw was tried separately from two other rioters originally indicted with him for the murder of Gene Tong, and separate trial dates were granted for each, with Crenshaw’s beginning on February 16th. Once again, the *News* devoted significant coverage to the case and claimed that, “the whole country has been looking forward to this event. The progress of the trials, step by step, will evidently be keenly watched by the entire civilized world, and it will no less anxiously await the result.” Further, the case was cited as unique, with questions “that have never before appeared in any criminal proceeding on record, and that have never occupied the attention of any tribunal.” While this hyperbole is certainly questionable, the paper was correct that “we may reasonably anticipate a long and tedious trial because of the great publicity of the strangling itself,” at least by the standard of the short trial lengths usually experienced at the time.

Especially notable on the first day was the questioning of jurors, some of whom sat on the Quong Wan and Ah Yeng trial, which was concluded three days previously, about any affiliation with vigilantism. For example, when one of Los Angeles’s wealthiest citizens, rancher, banker and businessman F. P. F. Temple, was called and examined, he stated “that he was not a member of any secret organization known as a Vigilance Committee; [and] never have been.” Pursuing the matter, the defense asked Temple “if not a member of such organization on the 24th of October, 1871, are you now, or have you ever sympathized with such or a like organization?” After an objection from the prosecution as a repetitive question “which catechised the witness and juror as to

¹⁷ Los Angeles *Star*, February 9, 1872.

his association, affiliation and sympathy with all concealed classes of organization and committees,” the objection was sustained, exceptions taken and Temple was accepted and sworn in as a juror.

Several other panelists, including Louis Duror, George Gerkins, T. C. Campbell, William McKee, and Henry Wartenberg, the last a former city councilman, admitted to having been members of vigilance committees. In each case, pointed questions by the defense about the ability of these men to impartially try the defendant were objected to by the prosecution and generally sustained, which is interesting given that Widney was sometimes accused, notably by memoirist Horace Bell, of participating in the lynching of Michel Lachenais in December 1870.

Duror was released when he answered “I don’t know” to the question of whether he could hear the case impartially, while Gerkins who answered affirmatively was impaneled. Even though the prosecution objected to further consideration of McKee, Widney overruled, although the defense issued a peremptory challenge to release him.

Wartenberg was released to a peremptory challenge after his less-than-convincing “Yes, I think so” answer to his impartiality was offered. Campbell, who offered that he “would frame my opinion from the evidence adduced” in the case, was recommended by the defense to be subject to a panel of three triers to determine his potential bias, when the prosecution withdrew any objection and Campbell was set aside. After the next juror was accepted, the panel was complete and trial proceeded.

Although there was one question posed to one juror about a bias against or in favor of Chinese, the obsession by defense counsel regarding the sympathies or allegiances of jurors toward vigilance committees is significant, as is the number of those who responded as having been vigilantes in the past. While there had been, as above mentioned, rumors of vigilante involvement in the Massacre (questions about the judge and his alleged involvement in vigilantism in late 1870), the questioning of jurors in the Crenshaw case is the only significant indication that it was even tangentially related, if only in the minds of the attorneys for the defense.

Witness testimony for the prosecution began soon after the impaneling of the jury and the first person on the stand was Henry M. Mitchell. After the *Star* reporter gave his version of the early events of the Massacre, the defense objected to further questions not

related to the charge in the indictment. District Attorney Thom argued that the line of questioning was to demonstrate that there was a mob that gathered at *Calle de Los Negros* and that this mob, including the defendant, summarily executed Gene Tong. Mitchell concluded his testimony by stating that he witnessed the first hanging at Tomlinson's corral and stated that he heard many threats against the Chinese (recall that Mitchell was identified at the coroner's inquest as one such vocal supporter of violence against them.) Yet, nothing in his statement dealt directly with Gene Tong, other than that Mitchell saw him dead in the jailyard the next morning when he did his report for the *Star*.

Similarly, although Andrew J. King, former assemblyman and one-time proprietor of the *News*, gave testimony on general events at the Massacre and identified Samuel Carson as saying he killed three Chinese, he provided no information about the hanging of the herbalist. Coroner Joseph Kurtz could only identify Gene Tong as one of the men who was lying in the jailyard the morning after the Massacre and did not see him killed. With Kurtz's testimony concluded, the first day of the trial concluded.¹⁸

The second and last day of the Crenshaw trial continued with the testimony of prosecution witnesses, starting with Constable Kerren, who was the only law enforcement officer not questioned at the coroner's inquest and who was six weeks removed from his acquittal of the charge of assault on Chinese women at the Massacre. Yet, again, although Kerren heard Norman King give an oration against the Chinese and recognized Alexander Johnson as among those who seized the first Chinese victim from Harris and Kerren, he swore that he heard no one say they had shot or hanged any Chinese and did not know who killed Gene Tong.

Indeed, the problem of identifying Tong's killers was encapsulated in the testimony of attorney Henry Hazard, who stated that the herbalist's office was the target of indiscriminate firing (his estimate was fifty to one hundred shots) by many in the mob and he did not witness Gene Tong's hanging or whether Crenshaw took part. Even Constable Emil Harris, who saw a crowd of men seize the herbalist and his wife between 7 and 8 o'clock and instructed them to take him to jail, did not see him murdered and could only state that he saw Crenshaw on

¹⁸ Los Angeles *News*, February 17, 1872.

the roof of the Coronel Building when a group was hacking holes into the roof and shooting in the house and the rear yard. Harris could not say, although, whether Crenshaw was armed and if he did any of the shooting, but did say that, when a fire broke out in one of the rooms, he instructed Crenshaw and another man to put out the fire, which they did immediately. One witness, however, Benjamin McLaughlin, implicated Crenshaw by testifying that “‘Curly’ was there; he said he had killed three; he talked considerable about shooting Chinamen for some time.”

The last witness in *People v. Crenshaw* was the defendant. His story was simple. Watching from the sidelines as the mob gathered around the Coronel Block, he said he heard the cry of fire and rushed up to the roof of the adobe behind George Gard and held the constable’s gun when both were atop the Block. After following Gard down from the structure, Crenshaw testified that the constable grabbed a Chinese woman from one of the buildings and handed her over to Crenshaw with instructions to take her to jail. After completing his errand, he went over to Billy Rapp’s saloon “took a couple of drinks and went to supper; then went to bed.” Though he had a gun, given to him by Jesus Martinez, another of those identified with being on the roof and one of the defendants in the next rioters case, he did not use it, nor did he use Gard’s weapon when he was on the roof of the Coronel Block with the constable. Furthermore, Crenshaw denied telling Benjamin McLaughlin that he killed three Chinese.

Even though McLaughlin was the only witness who directly identified Crenshaw as involved in violence during the Massacre, the *News* decided not to publish the arguments by the prosecution and defense nor Judge Widney’s instructions. After merely reporting that there were arguments and instructions, upon which the jury retired for twenty minutes of deliberation, a verdict of guilty on the charge of manslaughter was found. Although the indictment was for murder, the *News* reported that the original verdict stood eleven for guilty as charged and one for acquittal. Therefore, a compromise was made, by which the charge was reduced to manslaughter and all agreed to the lesser offense. The defense offered a motion of appeal, while Widney set sentencing for February 20.¹⁹

¹⁹ Los Angeles *News*, February 18 and 20, 1872. A short biographical sketch

VII. The Trials: *People v. Mendel et al.*

Crenshaw's sentence, however, was delayed because his attorneys, Chipley and Wilson, were replaced at the end of the trial by Volney E. Howard and E. J. C. Kewen, who issued motions for an arrest of judgment and a new trial. As it turned out, Crenshaw was not sentenced until the trial of the rest of the rioters, *People v. Mendel, et al.*, was completed and determined in late March. What had happened in the meantime was that the ten other indicted rioters were combined in one case with Volney Howard and E. J. C. Kewen retained as defense counsel, fresh from the Crenshaw case. The Mendel trial jury selection began on February 20 and, a few days later, "counsel for defence [sic] proposed to join in one trial defendants Moody, Mendel, Martinez, Johnson, Austin, McDonald, Botello, Celis and Scott, reserving the right to unite with these defendants, defendant Alvarado." This was pending the notification of this last "reservation" to District Attorney Thom. In the meantime, jury selection for the Mendel case occupied a considerable amount of time with several venires calling for a few hundred prospective jurors. Once more, the *News* did cover the initial phases of jury selection in detail and, on March 15 a trial jury was obtained, after five venires and 255 panelists went through the impaneling process.²⁰

Now that the case of the Chinese Massacre rioters had been combined into one, the trial continued until the early morning hours of Wednesday, March 27.²¹ At twelve days, it was much longer than the ordinary trial, and, as the proceeding neared its conclusion, it seemed that, contrary to the opinion expressed in the *News* in February that the

on Crenshaw, the only such of the rioters, was published in this paper the day of his sentencing. He appeared in Los Angeles in the months before the Massacre, working as a groom and teamster at the Bowman stables. According to the *News* "his associations have been of the lowest character. His favorite resort was the rendezvous of lewd women, pickpockets and cut-throats."

²⁰ Ibid., February 21, 24 and 27 and March 13 and 16, 1872.

²¹ Nadeau claimed that the jury was guarded by police when taking their meals, because reprisals from riot sympathizers were feared. This is no corroboration or source for this statement, however. See Remi A. Nadeau, *City-Makers: The Men who Transformed Los Angeles From Village to Metropolis during the First Great Boom, 1868-76* (1948), 52.

entire civilized world watched with baited breath for the outcome of the trial, the long jury selection process had its effects. On the 22nd, the paper reported that, though some fifteen witnesses had been examined, “the trial attracts but little interest and Judge, jury, counsel, witnesses and prisoners exhibit more than ordinary weariness.”²² Yet, the next day, it noted that an additional ten or fifteen witnesses were examined and that the prosecution planned to conclude that day with the entire proceeding expected to conclude the following week. After reporting on the “strict surveillance” of the jury by Sheriff Rowland, the paper said that “we fully agree with the wife of one of those jurors who says that it is a great hardship that her husband should be a prisoner while the accused are enjoying their liberty on bail.”²³ On the 25th, it was reported in the next day’s court report in both the *News* and the *Star*, that the defense made several motions. First, “[t]he defence [sic] withdrew the testimony by them offered on Saturday last, as to [the] previous character of defendant Moody.” Next, the defense attorneys “moved to strike out all the evidence already offered by the prosecution as to the acts of the so-called mob . . . on the ground that no evidence has been adduced by the prosecution to show any conspiracy,” and that any violence was not premeditated. Another motion by the defense was to strike all testimony because “of failure to establish the *corpus delicti*.” Further, Kewen and Howard also asked that all testimony from Constables Harris and Gard and that of Coroner Kurtz be struck from the record on the ground of inadmissible hearsay from Chinese sources. Finally, the defense asked the judge to instruct the jury to acquit the defendants “on the ground that the evidence on the part of the prosecution is insufficient to warrant a conviction.” After a midday break, Widney resumed and denied the defense’s requests. At this, the defense “declined to produce any testimony” and court was adjourned until 1:00 a.m. on Wednesday, March 27, the early morning session a reflection, no doubt, of the desire to get the case completed as quickly as possible.²⁴

²² Los Angeles *News*, March 22, 1872.

²³ *Ibid.*, March 23, 1872.

²⁴ Los Angeles *News* and Los Angeles *Star*, March 26, 1872.

According to the *News*, despite their dour assessment of the lack of interest in the case two weeks previously, “the Court-room was thronged with a curious crowd, who apparently manifested great interest in the argument of the respective counsel” as closing arguments were presented over a stretch of nine hours. It was further reported, although details were not given, that District Attorney Thom asked Judge Widney to ask the jury to leave the courtroom, because “he desired to make a statement from information that he had just received.” When Widney denied the request, Thom “made a private statement to the counsel for the defence [sic] and to the Court.” The *News* speculated that Thom’s “information” must have been something “which will require further investigation, and that fact is some way or another connected with the jurors.”²⁵

Despite this, the next report was that “[t]he jury in the Chinese riot case rendered their verdict at 2 o’clock this morning,” indicating that deliberations were probably forty-five minutes or less, although the *News* reported that the proceeding lasted five hours. Found guilty on charges of manslaughter, probably a nod to the defense’s contention that there was no premeditation, were Louis Mendel, A. R. Johnson, Charles Austin, Patrick McDonald, Jesus Martinez, Refugio Botello and Esteban Alvarado. Acquitted on these charges were D. W. Moody and Adolfo Celis.²⁶ Botello, it was reported, was released on \$5,000 bail, pending an appeal to the Supreme Court, but it appears that he joined his appeal with that of his fellow convicts, because there is no case in the California Reports under his name.²⁷ With this, the report concluded that sentencing was to be pronounced by Widney on Saturday the 30th. The *News* had, however, issued a cautionary and prescient statement that “it can scarcely be expected that it [the verdict, which was not yet in] be in any way final; for, if it be a verdict of guilty, there is no doubt, but what [that] it will be appealed [sic] to the Supreme Court.” If, however, the verdict was innocent, it was expected that the next Grand Jury would be asked to find another indictment against the accused.²⁸

²⁵ Los Angeles *News* and Los Angeles *Star*, March 27, 1872.

²⁶ Nadeau, 52, incorrectly stated that all nine were convicted.

²⁷ Los Angeles *News*, March 28, 1872.

²⁸ *Ibid.*, March 26, 1872.

Analyzing the decision the day after the verdict was delivered, the *News* stated, “it has been the universal belief of the entire country that a conviction” could not be obtained and that “the press has not been slow in giving expression to this belief.” Yet, the decision of the jury “will at least convince them of the prematureness of that opinion and will do much toward appeasing the indignation aroused by the committal of the outrage.” While manslaughter might not have been the desired outcome, the paper opined, it was important to remember that “there are others equally as guilty—the men who reaped the spoils. These men the law cannot reach unless they [in]criminate themselves, and they will evidently escape the punishment they so justly merit.”²⁹ The reference to “spoils” hints at those who looted Chinese homes and businesses. The *News* did report that “there are, we believe, quite a number remaining to be tried, but it is exceedingly doubtful now as to whether any attempt will be made to have them tried in this county, as it may prove impossible to obtain a jury.” This was because, the paper claimed, prospective jurors, even if they had not formed an opinion in the matter, would probably claim they had “to avoid the possibility of being compelled to stand a long siege in the jury box.” Yet, the writer concluded by wondering if a change of venue to a neighboring county might not be the way to pursue further justice.³⁰

Despite the contentious nature of competition between the two daily papers, the *Star* largely echoed its rival in its analysis of the case. Noting that “the long and tedious case was brought to a close,” the paper highlighted “the difficulty of obtaining competent jurors—men who were not disqualified on account of having expressed no opinion, and free from knowledge of the affair and that bias which proscribed them according to statutory stipulations, it was thought by many that none of the parties accused would be convicted.” Yet, it was also reported that, as testimony continued and “had become exceedingly voluminous . . . it was evident that quite a change had taken place in public opinion, and the verdict of the jury was pretty generally anticipated” to be guilty. Having alluded to public opinion, though, the paper claimed that the “trial appears to have elicited very little interest on the part of our citizens.” But, once more changing course in interpretation, the

²⁹ Ibid., March 28, 1872.

³⁰ Ibid.

Star felt that the trial's result "will doubtless have a very salutary effect in restraining the lawless class in the city who have heretofore been so ready to set the law in defiance." The case, finally, proved "that juries can be obtained in our midst to punish evil-doers," despite the above enumerated difficulties in this very process.³¹

On March 30th, after the motions for the arrest of judgment and a new trial were duly denied, Widney passed sentence on the convicted men to the state penitentiary at San Quentin as follows: L. F. Crenshaw, three years; A. R. Johnson, six years; Louis Mendel, six years; Charles Austin, five years; Patrick M. McDonald, five years; Jesus Martinez, five years; and Refugio Botello, two years. A motion to suspend execution of sentence for twelve days in all cases, except that of Botello, pending his appeal to the Supreme Court, was left open until Monday. The short piece concluded with the statement that "[the prisoners], with the exception of Mendel, declared their innocence. Johnson made a vain attempt to 'ape' insanity but signally failed."³²

Although the case file is, like other Massacre-related files, incomplete, the following is a summation of its contents. First, there were many indictments handed down on November 28, 1871 for the deaths of six Chinese: Gene Tong, the herbalist; Day Kee; Ma Sin Quai; Tang Wan; Lung Quai; and Ah Choy. Twenty-one persons were named as the accused in these indictments, including the nine men above and others including J. G. Scott, J. C. Cox, Ambrosio Ruiz, Francisco Pena, Norman King, Andres Soeur, Samuel Carson and a variety of unidentified men with commonly-used names like John Doe, Dick Roe, Dick Doe, John Roe, Bob, John, Sam, and Dick Styles, and Peter, John, Joe and Bill Dix. The common charge in the several indictments is that the accused "did in a riotous, violent, tumultuous and illegal manner and countenance and encouraged many other persons, whose names are to the jurors unknown, on the execution of the following stated acts to evil on the acts of unlawfully assaulting, beating, and strangling a human being known by the name of" Another feature was that on each of the indictments, the names of exactly one hundred witnesses were provided, though the names varied from one to the other. While seven indictments have alphabetical or numeric identifiers, two did not. One

³¹ Los Angeles *Star*, March 28, 1872.

³² Los Angeles *News*, March 31, 1872; Los Angeles *Star*, April 1, 1872.

of these, for the murder of Gene Tong (and for which, strangely, there was a separate alphabetical indictment) were for seven John Doe-like unknowns, while the other was for Chang Wan and was much in form like the aforementioned indictments.

Also included in the case file are some forty witness subpoenas, as well as a document that appears to be a draft of testimony giving some detail of the questioning of witnesses, but with the word “Insert” where text on indictments, demurrers, testimony, judge’s instructions and other matters should have been. Unfortunately, such important information as actual testimony, the judge’s instructions, demurrers and their various arguments, is not only missing from this document, but from the record entirely. At the bottom of this document, which may have been preliminary to a final summary of the proceedings, is the statement that defendants were found guilty of manslaughter. The *News*, in its reporting after the verdict, stated that “the manuscript report comprises two hundred and twelve closely written pages of legal cap,” which has, evidently, disappeared.³³

Other documents include a statement of appeal filed on behalf of the seven convicted men, but this document is undated. A demurrer from the beginning of the trial on behalf of the accused was filed and noted as overruled with the added comments that the defendants accordingly pled not guilty.

A lengthier document is a motion for a new trial, filed on March 30, likely just before or after the sentencing of the guilty by Judge Widney. In it, the defense attorneys offered the standard claims that Widney misdirected the jury in his instructions in matters of law, that the verdict was contrary to law and evidence, and in not sustaining the demurrer to the indictments, although this last was a central point in the Supreme Court’s consideration of the case. Further, the defense alleged that there was no proof of how Gene Tong died and none of a conspiracy; that no proof connected the defendants to the riot and there was none “of any agency” of the defendants in the death of the herbalist, and, finally, that “[t]he verdict was an impossible one. There can be no verdict of manslaughter as to an accessory where principals are charged with murder.” This is an interesting and essential question: if the charge was for murder in the indictments, how did Widney allow

³³ Ibid.

for a guilty verdict by the jury on lesser charges of manslaughter, as opposed to second-degree murder? When the defense moved for an arrest of judgment and a new trial, it was noted in the case file that these were denied by Widney. Therefore the record shows, “Defendants adopt upon their appeal the assignment of errors contained in their motion for a new trial . . . [and] by their counsel tender the above as their statement and bill of exceptions for signature and approval of the judge.” The signatories were Kewen, Howard, and Frank Ganahl, who was a junior partner in the firm of the former two.³⁴

On the 7th of April, a steamer departed San Pedro with all of the convicts, with the exception of Refugio Botello, who was still out on bail pending his appeal. Interestingly, another item in the *Star* noted that “E[dmund] Crawford, one of the alleged rioters, who has been confined in jail for the past five or six months, has not been tried yet. He says he is going to demand a trial in the course of a few days. Like all the rioters, he says he is innocent.” Crawford evidently never received a trial, as a search of the case files in the existing records yielded nothing.³⁵

VIII. The Trials: Chinese Merchants Sue the City of Los Angeles

Although the convicted rioters received their sentence and were transferred to San Quentin, there still remained a few court cases, civil and criminal, concerning the Massacre. One civil case of note was *Fong Yuen Ling, Sam Yuen, Yin Tuck and Ah Ying v. The Mayor and Common Council of the City of Los Angeles*, which concerned the owners of the Wing Chung store, primarily Sam Yuen, suing the city for damages to the store during the Massacre. Although the city won a decision in the District Court, the appellants’ counsel, Glassell, Chapman and Smith, argued that “the firing upon the officers in the Wing Chung store and the alleged participancy of Sam Yuen, occurring about 5 o’clock can, under no view of the law, be held to be a justification of the outrages of the mob committed five hours afterwards.” The

³⁴ *People v. Louis M. Mendell* [sic], et al., March 3, 1872, Case 1115, Los Angeles District Court, Los Angeles County court records, Huntington Library.

³⁵ *Ibid.*, April 8, 1872.

respondents were represented by City Attorney Frank Howard and the firm of H. K. S. O'Melveny and Henry Hazard. The decision of the high court keyed on this point:

Persons whose goods are destroyed by a mob, in a riot in a city, are not entitled to recover from the city the value of the goods destroyed, unless such persons, if they had knowledge of the impending danger, use reasonable diligence to notify the mayor or sheriff of the threatened riot and the apprehended danger to their property; nor are they entitled to recover if they instigate or participate in the riot.

An *idem* to this point was that:

If the Court rules out testimony that, during the riot, the plaintiff could not have gone on to the street to notify the Mayor, the error, if any, is immaterial, provided that, before the riot commenced, the plaintiff knew of the impending danger, and had ample opportunity to notify the Mayor.³⁶

As explained in the opinion of Justice Crockett, one of the main defenses was that the third section of the Act of March 27, 1868, prescribing property damage liability for cities, required owners of property “to notify the Mayor or Sheriff of the threatened riot” and that the wording of the section specified that no awarding of damages be made if such destruction “was occasioned, or in any manner aided, sanctioned, or permitted by the carelessness or negligence of such person or corporation, nor . . . unless such party have used all reasonable diligence to notify the Mayor of such city, or Sheriff of such county, or any threat or attempt to commit such injury to his property by any mob, and of the facts brought to his knowledge.” To Crockett, it was clear that no such warning was offered by the owners of the Wing Chung store.

³⁶ *Fong Yuen Ling, Sam Yuen, Yin Tuck, and Ah Yung v. The Mayor and Common Council of the City of Los Angeles*, 47 Cal. 531, No. 3,434, January 1874 term.

Even though the District Court jury acquitted Sam Yuen of complicity in the killing of Robert Thompson, Justice Crockett found that “it appears from the uncontradicted testimony of the policeman [Esteban Sanchez], that when the shooting first commenced in the street, the plaintiffs’ store and the ‘corral’ in the rear of it were filled with armed Chinamen, who immediately fired on the officers when attempting to preserve the peace.” Furthering his interpretation of Yuen and his men’s complicity, Crockett felt “it is in the highest degree improbable that this large body of armed men could have assembled in the plaintiffs’ store and in a sheltered place in the rear of it, without their knowledge and privity.” Sam Yuen and his “clan” offered themselves as bail for the assailants of Yo Hing and his rival faction. The arming of Yuen and his men surely meant an impending conflict between the companies and the plaintiffs clearly “had ample opportunity to notify the Mayor, and to summon the police before the shooting commenced.” According an officer, Crockett continued, Yuen “resisted the interference of the police, and himself fired at the officer.” Disregarding the jury in *People v. Sam Yuen* and stating erroneously that Sanchez’s testimony was accepted because “it was for the jury to decide upon the credibility of the witnesses,” Crockett opined that “on these facts the plaintiffs are not entitled to recover.”³⁷

IX. The Trials: *People v. Sam Yuen*

People v. Sam Yuen was heard before Judge Widney in the District Court. On March 29, 1872, the *News* reported that a warrant was issued for the arrest of Yuen on the charge of shooting Jesus Bilderrain the night of the Massacre. In an article the following day, the paper made reference to a complaint taken out by Bilderrain against Yuen on November 28, 1871, before Justice Court Judge Trafford. In that document, the constable charged that Yuen “did willfully, deliberately, feloniously and of malice aforethought, aid, abet, assist, counsel and encourage one John Doe—a Chinaman—to willfully, deliberately, etc., one Robert Thompson, then and there, to kill and murder.” Evidently, Trafford issued an arrest warrant to Bilderrain, but Yuen could not be located. In mid-March 1872, however, he returned to Los Angeles

³⁷ *Ibid.*

“but the warrant was not served by the officer holding it; in fact, it is said that he claims to have lost it.” Further insinuations were that, while Trafford issued a second warrant,

[I]t is alleged that neither the officer who swore out the complaint [Bilderrain] nor those officers who were recently recipients of presents from the company of which Sam Yuen is a member, have made any effort whatever to assist in bringing the accused to justice, but are, to the contrary, exhibiting a suspicious disinclination to do so. If this be true, such men are utterly unworthy of the badges they wear, and ought to be immediately dismissed from the force. The matter, at all events, needs investigation, and the sooner the better it is done.³⁸

The next day, however, the *News* reported that Constable Frank Hartley, a post-Massacre addition to the force, arrested Yuen, “the alleged murderer of R. Thompson on the evening of the riot.” In the afternoon, it was further noted, Yuen’s counsel attempted to secure his release by petitioning for a writ of habeas corpus with Judge Widney.

Adolfo Celis, recently acquitted in *People v. Mendel, et al.*, testified that, just prior to the gunfire that precipitated the Massacre, he saw Yuen running behind another Chinese man, both with pistols in their hands, into the Coronel Block. Celis (who appeared to have no official police role) ran to the building and caught the unidentified man, who fired at him, sending a bullet through Celis’s coat. Letting go of the man, Celis said he looked toward the Coronel Block, where Yuen stood, calling out “Here!” and then pointing his gun at him. When Constable Bilderrain said “Catch him!” Celis headed toward Yuen, who fired a shot over his head. After this Bilderrain followed Yuen into the Coronel Block and received his wound to the shoulder, but not before Samuel Caswell, owner of the store across the street, told Celis, “Go in Celis, they are killing Bilderrain.” Starting to go through Gene Tong’s shop, Celis met Bilderrain fleeing “tumbling over chairs” and calling to him, “Keep out Celis, or they will kill you.” Bilderrain stumbled to a post for support and blew on his whistle. At

³⁸ Los Angeles *News*, March 30, 1872.

this, Celis testified, Yuen and the other man emerged from the Coronel Block and fired three more shots at Bilderrain, with Yuen hitting the constable before he retreated into the building. By this time, the account continued, Esteban Sanchez and Robert Thompson came on the scene. Significantly, Celis recalled that Thompson fired a shot through the glass pane in the door, a fact not mentioned in earlier statements, although neither was the statement that Yuen and his cohort emerged from the building to fire three more shots at Bilderrain. Celis then testified that he told Thompson to wait for him and they would check the room together. At this, they saw Yuen and other Chinese pointing guns at the door. Celis said he sprang back and warned Thompson to beware, but the latter “went to the doorway and rested his breast against the glass door, putting his arm inside.” Thompson and the Chinese fired simultaneously and the former yelled out, “I’m killed,” and said he was shot in the breast.

Amazingly, on cross-examination, Celis stated that he had no gun while in these dangerous situations of chasing and catching the unnamed Chinese man and peering into the Coronel Block with Thompson. Moreover, at one point, Sanchez held a gun over his shoulder, as if Celis was a shield. Another important emendation to his story was that, when the two Chinese were fleeing toward the Coronel Block and Celis caught the unnamed man, the two were running from Bilderrain, who had his pistol drawn in pursuit.

After Celis concluded his testimony, the prosecution stated that there were many witnesses to bring forward, but they “could not then be found, and he would rest for the present.” In response, the unnamed defense counsel “said he could introduce an abundance of Chinese testimony denying the allegations” of Celis. When District Attorney Thom protested that this was inadmissible, a long discussion ensued. The defense then requested another cross-examination of Celis, which was allowed over the objection of the prosecution. The question was: “Have you ever been to serve a term in the penitentiary of the State?” Celis had served a short stint at San Quentin for manslaughter before evidently receiving a pardon, so clearly the question was an attempt to

show character, but when District Attorney Thom objected to the question as irrelevant, Judge Widney sustained the objection. Thom asked for a continuance until the next Monday and the court adjourned.³⁹

On Monday, April 1, testimony resumed. Esteban Sanchez was sworn in and gave his account in Spanish, with Sheriff Rowland translating. Sanchez stated when he first approached the area, he was told by Bilderrain to arrest a Chinese man standing near a horse. Then, another Chinese man fired a shot at Bilderrain, followed soon after by another Chinese shooting at both Bilderrain and Sanchez. Four Chinese then ran into the Coronel Block, at which time Bilderrain and Sanchez reached the portico outside. At this, Sanchez said, he and Cyrus Lyons, another bystander, ran toward the corral in back of the Block and were fired upon there. When they returned to the front of building, Celis told Sanchez that Bilderrain was wounded. Running toward where this activity had taken place, Sanchez said he saw Yuen through the doorway. Then, “when I was at the point of speaking to him he raised his pistol and I did likewise both firing simultaneously. Thompson then showed up and was warned by Sanchez not to approach the door and to wait while the constable loaded his pistol. While Sanchez retreated a short distance to do this and was given a gun by someone, Thompson was shot. Sanchez estimated that there were some fifteen or twenty men firing at he and Bilderrain from the building, which seemed a very high number.

When asked if the Chinese were firing indiscriminately at Americans—a question that was sustained on objection—Sanchez answered a modified question by stating, “They seemed to be shooting at the people in the street after Bilderrain and myself arrived there.” Asked from where the Chinese fired, Sanchez indicated from several different doors, not just the one that Yuen and others were hiding in.

On cross-examination, Sanchez was asked how many rounds he fired and he replied, after an overruled objection, that he shot three rounds in the corral and fired at Yuen in the store, but at no other time. Sanchez was asked about Celis and where he was and answered that he did not recall holding a gun over his shoulder as Celis testified the previous day. He also indicated that, while Thompson was “swinging his pistol to and fro in the doorway,” he did not shoot and was sure on this

³⁹ Los Angeles *News*, March 31, 1872.

point when asked again about it. Yet, the prosecution wanted to know how Sanchez could tell the Grand Jury a few months earlier than he did not recognize any of the Chinese and “how he now recognized the prisoner as being one of them.” In the meantime, the defense followed Sanchez’s statement with evidence of Adolfo Celis’s conviction for manslaughter as grounds for his impeachment as a witness, to which Thom replied that he would produce proof of his pardon.

After this exchange, Jesus Bilderrain took the stand and told a story quite a bit more detailed than the one he related in the trial of Quong Wan and Ah Yeng. He repeated the story of coming upon two Chinese shooting at each other in front of the Beaudry Block on the east side of *Calle de Los Negros* and that he directed his horse between the two to separate them. Confronting a Chinese man with a pistol aimed toward him, Bilderrain told him not to shoot and went to follow the Chinese who fled into the Beaudry Block. Here he found a wounded man (this was Ah Choy, who died a few days later) and arrested one Chinese man there with the assistance of Ventura Lopez and Juan Espinosa. The four men then walked along the front of the Coronel Building “as far as Sam Yuen’s store” and saw a Chinese man inside with his pistol drawn. Bilderrain entered and grabbed the gun, with the Chinese pulling the trigger and the hammer coming down on the constable’s thumb. Bilderrain was readying himself to strike this man in the head with his own pistol when he was shot by another Chinese man in the structure. Four or five others fired at him and the constable stated, “I thought I was mortally wounded and was anxious to die outside.” Reaching the outdoors and followed by some Chinese, Bilderrain encountered Juan Jose Mendibles, who was then shot and wounded in the leg. After blowing his whistle, Bilderrain met Refugio Botello and also saw Thompson shot. Although Bilderrain stated that he knew Yuen for several years and often had his lamp filled with oil from his store, he did not recognize him or any of the other Chinese during the aforementioned events.

Confronted on cross-examination about his changing story regarding Yuen, Bilderrain admitted that he once “thought so strongly” about his guilt “as to make an affidavit to that effect.” Now, however, he could only state that the firing from Yuen’s store, which was dark, was from unidentified Chinese. Moreover, he did not know that Yuen

was hiding in Justice Gray's court for several days after the Massacre, which might possibly be a reflection on the judge's relations with the defendant. At this, the matter was continued until the next day.⁴⁰

The third day of the habeus corpus hearing included testimony from a recalled Bilderrain. When the constable retook the stand, he stated that he did not see Yuen for several weeks after the Massacre, because of his convalescence. Most of this cross-examination consisted of his denials of the accuracy of Celis's testimony, especially the identification of Yuen as one of the Chinese Bilderrain was chasing. Moreover, the constable could not recall if Yuen was one of the Chinese holed up in his store, from which the wounding of Bilderrain and Mendibles and the killing of Thompson took place.

After a recess, resumption of testimony continued in the evening with Pedro Badillo. The witness stated that he first saw Yuen the day of the Massacre tending to a wounded man in a room of the Beaudry Block. From Higby's saloon across Arcadia Street, Badillo saw the action at Sam's store and stepped forward to support and assist Bilderrain when the constable emerged from the Coronel Block with his shoulder wound. But, Badillo did say that he saw Thompson ride up, approach the door of Yuen's store, and fire a shot into it immediately. When Sanchez and Celis advanced toward the door, Badillo saw Thompson fire a second time into the building, at which return fire struck him in the chest. More importantly, Badillo stated that Yuen was not one of the three men who entered his store from the outside. Strangely, Badillo responded that not only was he unsure of the date of the Massacre, although he supposed it to be the 24th of October, but that "[I] am not aware of my own knowledge [of] the date of to-day" and that "[I] don't know what is the present year."

After this bizarre conclusion, District Attorney Thom, who had done so during his questioning of Badillo, once more asked Widney to decide what his role was in the hearing. After some argument, the matter was continued to the next day, at which more wrangling took place about whether Yuen could be issued a writ without examination

⁴⁰ Los Angeles *News*, April 2, 1872.

before a magistrate, Thom arguing strenuously that Widney did not so qualify. Widney, however, decided to deny the writ and called for a continuance of the examination under his jurisdiction.⁴¹

Finally, on April 6, the examination concluded with prosecution examination of Ventura Lopez, Cyrus Lyons and Ambrosio Ruiz. Ruiz corroborated Celis's version of events, while Lyons stated that he saw Yuen inside his store, as well as in the corral at the back of the premises just previous to Thompson's shooting. At this, Widney decided to hold Yuen to answer before the Grand Jury and set bail at \$3,000.⁴²

The last account in the *News* mentioned that an attempt to lower Sam's bail would be made and, on the 8th, a bail bond was issued for Yuen, charged with manslaughter, in the amount of \$1,500. His sureties were City Councilman William H. Workman and Chung Yang. An indictment, however, was not handed down by the Grand Jury until May 9. Signed by foreman James R. Toberman, cashier at the Farmers and Merchants Bank and a future mayor of Los Angeles, the document alleged that Yuen "did feloniously, willfully, deliberately, premeditatedly and of his malice aforethought stand by and aid, abet, and assist one John Doe, whose true name is to the jurors unknown, to feloniously, willfully, deliberately, premeditatedly and of his malice aforethought one Robert Thompson then and there to Kill and murder." Among the witnesses listed on the indictment was Constable Emil Harris, who did not appear at the habeas corpus hearing. Curiously, the names of Constables George Gard and Thomas Gates were crossed out. A week later, on May 16, two writs of recognizance for Yuen were filed for \$1,500 bail each a week later. Here again, Workman and Chung were sureties on one of the documents and Ah Young and Sam Lee on the other. All of these items are found in the case file and, because the next documents in chronology are from October and November 1872, it appears that the Yuen trial was continued for a few terms. Jury selection ran the final two weeks of October and a subpoena survives from mid-November. Unfortunately, there is no witness testimony surviving in the file. Instructions to the jury from the plaintiff include the statement that

⁴¹ Ibid., April 3-4, 1872.

⁴² Ibid., April 7, 1872.

[I]f the jury believes from the evidence that Sam Yuen was in the room from which Thompson was shot and that the firing from that room was general & that the parties in the room over whom he had influence and control [did the shooting], the burden of proof is on him to show what he was doing there—the presumption of law being that he was aiding, abetting or assisting the party who did the killing.⁴³

Judge Widney rejected this instruction, though he allowed ones that stated

[I]f the jury believe from the evidence that Thompson was killed by a chinaman [sic] who was in the pursuit of an unlawful act and that the defendant was present aiding, abetting, or assisting the party who fired the fatal shot then he is guilty although there was no especial intent to harm Thompson

and,

If the jury believe from the evidence that the person who killed Bob Thompson was engaged in a felonious attempt to murder any one and that the defendant was present aiding, abetting, assisting, advising or encouraging the perpetrator of the crime or not being present did advise or encourage the perpetrator of the crime then he is guilty.⁴⁴

By contrast, the defense offered the idea that, to be an accessory, “there must be a participation by him in the act committed.” Also, “although a man be present whilst a felony is committed[,] if he take no part in it and do[es] not act in concert with those who commit it, he will not be an accessory,” unless he was present for the purpose of assisting if needed—this last portion of the instruction added by Judge Widney. Another significant instruction by the defense was that

⁴³ *People v. Sam Yuen*, Case 1164, Los Angeles District Court, November 19, 1872, Los Angeles County court records, Huntington Library.

⁴⁴ *Ibid.*

[I]f the jury believe that the house in which Robert Thompson is alleged to have been killed, was the house or store of the defendant, the defendant had a right to be and remain there, even if infested for the time with outlaws and armed men and under such circumstances the mere fact of his being there in company with such men when they fired on persons outside or inside the store-is-of-itself no evidence of aiding or abetting by the defendant of such men in such unlawful act.⁴⁵

Curiously, another instruction, written in pencil, whereas the others were in pen, and unnumbered, asked the judge to instruct the jury that

On a trial under an indictment for murder or for aiding, abetting or assisting in the committing of such crime—the Jury can make no distinction between a Chinaman and a white man—as to all the rights and privileges and presumptions in favor of the accused.⁴⁶

All of the above instructions were approved by Judge Widney. Among the four defense instructions refused were statements that: (1) unless the jury believed that the killer of Thompson was guilty of murder, they must acquit Yuen; (2) that if the jury believed that the killer was guilty of murder, but had a reasonable doubt about whether Yuen was aware of his intentions, then he must be acquitted; (3) that there cannot be an accessory to manslaughter and that, if the jury believed the killer committed manslaughter, then Yuen must be acquitted; and (4) that “it is not every intermeddling in an affray from which death ensues that constituted an aiding and abetting to the murder,” with an example provided of spectators cheering on two fighters (one might also say those onlookers who voiced support for the lynchers at the Massacre, as well).

Consequently, Judge Widney’s instruction to the jury was as follows:

⁴⁵ Ibid.

⁴⁶ Ibid.

If the jury believe from the evidence that a body of Chinese [sic] were engaged in a fight between themselves in or about Negro Alley, and were endeavoring to kill each other; and that the defendant was a participant in said street fight; and that the police force and others attempted to suppress said street fight and arrest the offenders; and that thereupon said Chinese fired on the police and the others assisting them; and that part of the Chinese engaged in the fight and in firing on the police and those assisting them, retreated into the store of the defendant; and that the defendant retreated there with them; and that said Chinese were pursued by a police man Bilderraign [sic] endeavoring to arrest them; and that they, or other Chinese cooperating with them fired on the police man and wounded him; that he sounded his whistle for help and that immediately thereafter Robert Thompson came to the scene of conflict and was killed by some one of said Chinese, who shot Thompson, having fled there from the fight in the street and from the police, then the jury are justified in finding the defendant guilty as accessory before the fact; and the burden of proof is on the defendant, to prove though present that he was in no way party to the killing of Thompson, unless the proof on the part of the prosecution sufficiently manifests that the killing of Thompson amounts only to manslaughter or that the killing was justified or excused. If you have a reasonable doubt on any of the above points you will acquit the defendant.⁴⁷

Widney's instructions to the jury may be the most succinct and generally accurate statement about the events preceding the mob attack on the Chinese that exists. As to what happened afterward, there probably is no way to know what exactly happened in the dimly lit scenes of chaos around the Coronel Block. Yet, the jury found that there was reasonable doubt about at least one of the points in Widney's instruction. On November 19, 1872, the jury, headed by foreman Juan Jose Warner, who had been foreman of the Grand Jury investigating the Massacre a year earlier, returned a verdict of not guilty and Yuen

⁴⁷ Ibid.

was freed.⁴⁸ His case showed that, whatever one might read into the process and method of the operation of the court, Chinese like Sam Yuen were not bereft of the possibility of a fair trial, even while it might be argued that only partial justice was served in the earlier conviction of the eight rioters.

X. Justice Denied? The Rioters Are Freed

Yet, even this “partial justice” was short-lived and subject to the ineffectiveness of “process and method.” Over a year after the seven convicted Chinese Massacre rioters were sent to San Quentin, the California Supreme Court ruled, on appeal from Kewen and Howard, that the case be remanded back to the District Court for retrial “as a test case of the Chinese riot indictments” or that the seven men be released. The attorneys had targeted the indictment for the death of Gene Tong during the original court proceeding and they found the higher court agreed with their assessment. With this news, the *Star* sourly noted, “This will bring all that disgraceful business again before the courts.”⁴⁹

This was only slightly true. On June 10, with the remittur from the Supreme Court in his hands reversing his judgment, Judge Widney heard a motion from defense attorney James G. Howard (no relation to Volney E. Howard, one of the original defense counsel), which was not objected to by D. A. Thom, asking for the release of the seven prisoners from San Quentin and the judge so ordered the discharge. A summary of the Supreme Court’s decision noted that the indictment “is fatally defective in that it fails to allege that Chee Long Tong [Gene Tong] was murdered.” Actually, the article went on to say, the indictment specifically stated that the seven men “did stand by, aid, abet, assist, advise, counsel and encourage one John Doe and Richard Roe” in their murder of the herbalist. Moreover, the opinion went, “Admitting that the defendants did all these things, still it does not follow, by necessary legal conclusion that after all any person was actually murdered.” For the *Los Angeles Daily Star*, “to this ‘most lame and impotent conclu-

⁴⁸ Ibid.

⁴⁹ *People v. Crenshaw, et al.*, 46 Cal. Reports 65, California State Supreme Court, No. 3,419, April 1873 term; *Los Angeles Star*, May 22, 1873.

sion' has come the great Chinese riots . . . The convicted parties escape full punishment for their crimes by a quibble, justice is complacent, and the eagle roosts high. Thus it goes."⁵⁰

Indeed, what did happen? Why did the seven men convicted of manslaughter in the deaths of several Chinese and Gene Tong, in particular, find themselves free men in June 1873 after serving a little more than a year in prison? Did the Chinese Massacre really lead to a "salutary effect" in the diminution of crime in Los Angeles, as the *News* and the *Star* believed it would?

First, the issue of the faulty indictment is one of process that does not, of course, mean that the convicted men were innocent of the crimes of which they were accused. No witness testimony from the trial has survived, but the coroner's inquest proceedings and, to a certain degree, the trial testimony in the cases of Quong Wan and Ah Yeng and A. F. Crenshaw, as published in the press, provide statements from many witnesses that placed all of the accused at the Massacre, and several witnesses heard incriminating statements or saw some of the accused engaged in the assaulting of Chinese. Yet, even Alexander Johnson, who was seen and heard by so many that night in his drunken revels and rantings, does not appear to have been specifically identified as seen in the process of hanging or killing anyone. He was overheard saying he had, and of advocating the murder of Chinese. He was seen at the head of a procession of lynchers. But, no one, it seems, actually saw or chose to identify Johnson or any other of the accused and convicted rioters, engaged in the act of murder. Why this is so will never be known. Surely, there must have been dozens and dozens, perhaps hundreds, of persons who saw the actual acts of shooting and hanging, but none, it appears, came forward to say anything more than circumstantial accusations about the convicted men.

⁵⁰ Ibid., June 11, 1873. Thompson and West, 85, echoed these comments in stating that justice "failed utterly" in the case, but did not mention the release of the seven convicted rioters. Bell, stating "that the Supreme Court held that the real estate agent [Widney] had proved to be a very poor judge" and that "[t]he prisoners all came home and some of them were immediately appointed to office" was either unaware of or chose to ignore the fact, in his obvious contempt for Widney, that the Supreme Court cited the errors in the indictment, which reflected as harshly on District Attorney Thom as on Judge Widney. Moreover, there is no evidence that any of the freed men became officeholders, Bell, 176.

Why, then, was the verdict found to be manslaughter? Clearly, the District Attorney hoped that the circumstantial evidence that was offered was enough to secure convictions for first-degree murder. Yet, Cameron Thom was sloppy, at least in the minds of the justices of the state Supreme Court. In his filing of many indictments on November 28, 1871, Thom forgot to be very clear that Gene Tong was murdered and, because of this, the higher court sent the case back to Widney.

So, why did Widney and Thom acquiesce to James Howard's motion for discharge? If anything, Widney was as careless as Thom at the trial. Surely, he had seen the indictments and knew that they were faulty. Did the judge ignore this in his zeal to see the nine men before him, including Alexander Johnson whom Widney confronted at the corner of Main and Temple streets the night of the Massacre, convicted; so that Widney could put an end to the matter with at least some measure of justice served and a few of the estimated 500 rioters convicted for their roles of the affair? Did both Widney and Thom realize in June 1873 that too much time, about twenty months, had elapsed since the Massacre, that there was no hope of retrying the men and securing a conviction, and that finding a jury without a preconceived opinion on the matter was nearly impossible? Did they realize that there was no hope of getting anything more from the available evidence as presented at the first trial and there simply was no more they could do? This would appear to be the conclusion.

XI. Assessing the Chinese Massacre and the Law

We might also highlight the trial of Sam Yuen as an illustrative example of the treatment of minorities in the Los Angeles criminal court system. Despite the obvious prejudice that existed against the Chinese, Yuen went through a detailed habeus corpus hearing and a trial continued through several terms of the District Court. A jury that saw race first might have easily convicted Yuen, especially reading Judge Widney's precise and clear instructions to them. Yet, the jury, undoubtedly considering the contradictory testimony of key witnesses, many of them law enforcement officers, including the puzzling rever-

sal of Jesus Bilderrain's version of events, acquitted Yuen. This would seem to indicate that there was some measure of justice in the courts for minority defendants.⁵¹

What did the Chinese Massacre do for ethnic relations in Los Angeles? What did it do to lessen crime? These two questions do not have clear and measurable answers. There is no question that anti-Chinese sentiment did not die out. It flared up within weeks after the Massacre and continued to be an issue in Los Angeles until the 1882 Anti-Chinese Exclusion Acts, even if there was no further violence anywhere near the scale of the Massacre and even if the passionate and racially-charged rhetoric of Denis Kearney and the Workingmen in the latter part of the decade did not stir the emotions of Angelenos like it did in San Francisco. While one may conclude that overt violence against the Chinese was rare after the Massacre, one may also state that anti-Chinese feelings certainly remained, if expressed in different, more passive ways.

It is simply not verifiable whether crime decreased significantly after the Massacre. Even if there was a drop, one may attribute this to many other factors, such as the professionalization of the criminal justice administration system, further segregation of ethnic populations, and others. Given the fragmentary nature of legal records of the period in today's archives, it is questionable if even a rudimentary statistical study can be developed to see what the crime rate was before and after October 24, 1871. Moreover, statements by later analysts, like Remi Nadeau, who wrote that the event "did shame Los Angeles into a belated cleanup" and that Sheriff Burns's efforts left the County safe for future settlers and Robert G. Cleland, who stated that Los Angeles "was sufficiently shaken out of its lethargy" and that "[t]he Chinese massacre and the death of Vasquez marked the end of the era of violence in the south," are unsupported suppositions.⁵²

⁵¹ The author's article, "On a Case-by-Case Basis: Ethnicity and Los Angeles Courts, 1850-1875," *California History*, 83:2 (2005), 26-39, analyzed every known extant criminal court case from the period and found that, in sum, Spanish-surnamed defendants were convicted at rates about 6% higher than their American or European counterparts, suggestive of little, if any, identifiable bias in verdicts for assaults, homicides, and larcenies. By contrast, Chinese defendants were very few, most being women suspected of prostitution at two very specific occasions.

⁵² Nadeau, 52. While he correctly identified the Massacre as constituting the

What we do know, however, is that “law did stand for naught,” in the matter of seeking justice for the eighteen dead Chinese, most certainly completely innocent of any complicity in the shootout that preceded the Massacre. Seven men, whether absolutely guilty or not, were convicted by citizens in a local court. The decision of the state Supreme Court essentially rested on a technicality of process, an omission in the indictment that Chee Long (Gene) Tong had been murdered. Moreover, it seems obvious that there was nothing in the District Court decision that led the high court to believe the seven convicted rioters were innocent. District Attorney Thom and Judge Widney, whose grievous errors in not seeking new indictments, apparently felt, by the summer of 1873, that it was not practical and feasible to seek new trials. Sadly, the matter ended there.

For years afterward, the Chinese community conducted special services at the city cemetery near today’s Elysian Park each October 24 for the dead in the Chinese Massacre tragedy. While these ceremonies were occasionally noted in the press, they are a little-remembered footnote in the historical record and are a telling and poignant coda to one of, if not the, darkest moments in the history of the City of Angels.⁵³

city’s last lynching, there remained the hanging of Jesus Romo in 1874 as the county’s last, so perhaps Burns’s legacy was not quite as strong as suggested. Cleland accepted the story of an indemnity, but added that it was paid “to the families of the murdered foreigners,” a level of specificity not corroborated elsewhere. See Robert Glass Cleland, *The Cattle on a Thousand Hills: Southern California, 1850-1880* (1951), 227-28.

⁵³ In the papers of William H. Workman, a surety for the bail bond of Sam Yuen, is an invitation by the Chinese community to be an official dignitary, as mayor of Los Angeles, at the 1887 commemoration ceremonies, titled “Ah Dieu” in the printed invitation. Workman Family Papers, Loyola Marymount University, Los Angeles.