

MASSACRE IN LOS ANGELES' OLD CHINATOWN

By John S. Caragozian

In 1871, 10% of Los Angeles' Chinese population were murdered by white rioters. Civic leaders blamed drifters and other low rabble, but the legal system failed, too. California's courts ultimately rejected all efforts to hold anyone criminally or civilly responsible.

Chinese immigrants were among the tens of thousands of prospective miners who sailed into San Francisco Bay during the 1849 gold rush. Facing discrimination and violence as miners, many Chinese ended up seeking other work, both in mining camps and in towns.

By the mid-1860s, California had become ambivalent about the Chinese: Racism prevailed, but railroads and other businesses favored immigration as a source of cheap labor. Under the Burlingame Treaty between the U.S. and China, immigration was allowed to continue, but Chinese immigrants could not become naturalized citizens.

Los Angeles saw its first two Chinese residents, both men, in 1850. Ten years later, 16 Chinese, including two women, lived in L.A. By the 1870 census, the number had increased to 179, consisting of 145 men and 34 women. Chinese worked as professionals, merchants, laundrymen, farmhands and servants.

That year, the city of L.A. had a total population of only 5,728. The city was largely isolated from the rest of the country, lacking a connection to the transcontinental railroad and served by a shallow, exposed and distant harbor at San Pedro.

Like many frontier towns, L.A. was notorious for its saloons and brothels. Its streets were unpaved and strewn with offal and other garbage. Outlaws and transients from far flung ranches and mines frequented the city. Los Angeles has thus been described as the toughest town in the nation, with a murder rate 10 times that of New York. Eric Monkkonen, "Western Homicide: The Case of Los Angeles, 1830–1870," 74 *Pacific Historical Review* 603, 609 (2005).

L.A.'s lawlessness was not limited to outsiders. For example, in 1870, citizens acting as vigilantes broke into the city jail and lynched an accused but untried murderer. Los Angeles had just established a paid police force, but it was small, with just six officers who were hardly paragons of professionalism. In 1870, two officers fought over a reward for returning a Chinese prostitute to the Chinese company that claimed to own her, with one officer fatally shooting the other. Scott Zesch, "The Chinatown War," 71-75 (2012).

Chinese were especially vulnerable in Los Angeles. They were repeatedly cheated and beaten (though they found some redress in the courts, winning 11 of 13 lawsuits for unpaid bills and assault). L.A.'s newspaper routinely referred to Chinese as "inferior" and "degraded." Chinese were largely restricted to living in run-down adobes in L.A.'s first Chinatown, which was adjacent to the plaza (nowadays, El Pueblo de Los Angeles Historical Monument); as many as 15 Chinese men lived in one room. *See id.*, at 13-14, 19, 28, 94-97.

Chinese were also victimized by other Chinese. Rival gangs — called tongs — fought for control of criminal activities, including extortion, gambling, opium and prostitution.

On October 24, 1871, two Los Angeles police officers responded to a gunfight among Chinese in Chinatown. At least one Chinese then shot at and wounded an officer. A white mob began to gather that night, the Chinese holed up in an adobe, and both sides began indiscriminate shooting.

The first fatality of this shooting was a popular white rancher, and three other whites were wounded. The outnumbered city police and county sheriff failed to restore order. Police attempted to escort one Chinese man to safety, but the mob seized and hanged him.

The mayor arrived, did nothing, and departed. White rioters climbed onto the adobe's roof, chopped holes, and began shooting down into the Chinese. As the Chinese fled, the mob grabbed them. The mob then rushed the adobe to seize the remaining Chinese and soon began attacking any Chinese they saw. Altogether, the rampaging mob killed 18 Chinese men that night, by hanging, shooting, beating or stabbing. Rioters also looted Chinese homes and shops. The only white fatality was the rancher. Scott Zesch, *supra*, at 123-50.

Newspapers across the country reported on the massacre, the first time that Los Angeles was featured outside of California. L.A. newspaper reports tried to absolve the city and, instead, to blame the mob's drifters and criminals (though, in truth, the mob included men who were or became business or civic leaders). The reports also expressed worry that the massacre and attendant national coverage would depress local real estate values.

The day after the massacre, a coroner's jury began to hear four days of testimony, but white witnesses provided little information, claiming to have been drunk or refusing to testify.

In November and December 1871, a Los Angeles grand jury heard 23 days of more substantive testimony from Chinese and whites. The grand jury indicted 25 whites for murdering Chinese and eight Chinese for murdering the white rancher (and for causing the murder of the Chinese). The grand jury also criticized the police for being ineffective.

The Chinese defendants, represented by white lawyers, were tried first. The Chinese witnesses recanted their grand jury testimony, so the district attorney ended the prosecution, and the judge dismissed the case.

In February 1872, the first white defendant, a drifter named Curly Crenshaw, was tried for accessory to murder. The district attorney and defense counsel skirmished over voir dire: The judge refused to allow prospective jurors to be questioned about whether they were prejudiced against Chinese, but allowed questioning about whether the prospective jurors were members of a vigilance committee. The jury mostly heard general testimony about chaos during the night of October 24, but nevertheless convicted Crenshaw of manslaughter.

In March 1872, nine more white defendants were tried together, and seven were convicted of manslaughter. The court sentenced Crenshaw and the other convicted defendants to imprisonment ranging from two to six years.

The California Supreme Court, however, reversed all of the convictions. The supreme court held that the indictment was technically defective because it never specified that the victims had been “actually” murdered. The indictment’s acknowledged language that the defendants did “aid, abet, [and] assist ... to kill and murder” failed to cure the defect. *People v. Crenshaw*, 46 Cal. 65 (1873). No further prosecutions occurred.

The Chinese who had lost property sued the city under a state statute that provided for compensation for losses during a riot unless the loss “was occasioned...by the carelessness or negligence of such person ... , nor ... unless such party ... shall have used all reasonable diligence to notify the Mayor of such city...of any threat or attempt to commit such injury to his property by any mob....”

The trial jury found for the defendant city, and the California Supreme Court upheld the verdict. The supreme court held that evidence showed that none of the plaintiffs timely notified the mayor. The court acknowledged that it would have been dangerous for any Chinese to have braved the mob by venturing outside to provide such notice. However, the court, concluded that the plaintiffs could have notified the mayor of “impending danger” before the massacre began. The court also held that at least one of the defendants “actively participated in the riot” by shooting at the police, wounding one officer, and at others, albeit before the massacre began. See *Fong Yuen Ling v. Mayor and Common Council of City of Los Angeles*, 47 Cal. 531, 534-35 (1874).

Thereafter, the massacre disappeared from local newspaper coverage and was omitted altogether from a standard 1876 history of Los Angeles.

The Chinese victims were buried in the Chinese section of the city cemetery. Later, in keeping with contemporaneous custom, the bones were dug up, scraped clean, and shipped to China for reburial. Today, the downtown L.A. 101 freeway runs atop the old Chinatown and city cemetery.

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