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The lynching of Michael Lachenais (1870). Courtesy of the University of Southern California Library.

Unwhipt of Justice: Michel Lachenais and Criminal Justice in 19th Century Los Angeles

By Paul R. Spitzzeri

The 1860s was a particularly fascinating period for the frontier town of Los Angeles. The decade began with the region's cattle-based economy devastated by flood and drought, competition from Texas cattle which were more prized, and the overstocking and plummeting prices of local herds following the end of the Gold Rush. Rancho owners, already entangled in legal proceed-

ings following the California Land Claims Act of 1851, often found themselves enmeshed in debt and sought loans to ease the burden, while they waited for good times to return. A decade of woe concluded in 1865, but for many it was too late. Land tenure changed dramatically in the latter half of the sixties: large ranchos were fore-

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EDITOR'S CORNER

Two of the three articles in this issue deal with vigilante justice, a subject of endless fascination for Americans down to the present day. All we have to do is look at all the movies dealing with the subject, the most prominent being Charles Bronson's *Death Wish* series or the lone wolf working slightly outside the law such as Clint Eastwood's *Dirty Harry*. The so-called "Man on a White Horse" riding in to save the day will always captivate our imagination.

Committees of Vigilance have always been a very practical part of the American frontier. They existed to solve a real problem: how do communities establish law and order without legally established police, courts, and judges present? The answer was for the citizens themselves to arrest, try, convict, and even execute the accused. Vigilante justice was usually very swift with sometimes only three hours elapsing between the initial arrest and the final execution, thus giving new meaning to the concept of a speedy trial.

The members of the vigilance committee had to get back to work, so little time was wasted with formalities. The system worked when the committees were conscientious and broke down when the committees became a law unto themselves. The most famous examples of the latter in California were the San Francisco Committees of the 1850's, and to some degree the Los Angeles cases mentioned in the two articles in this issue. These particular examples illustrate the rather painful and confusing transition from vigilante justice to a more formal, legally constituted law and order. By the turn of the century the committees of vigilance had all but vanished from the California landscape, yet our fascination with the lone rider riding in to save the day has not. As evidence we offer you *The Terminator* for governor.

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closed or sold at rock bottom prices, then subdivided and sold in smaller farm plots. The conclusion of the Civil War and a consequent emigration to the region enhanced the ascendancy of agriculture and brought about a decided demographic shift, so that the 1870 census showed a majority of Anglo-Americans and Europeans in Los Angeles County for the first time. In these ways, the region was embroiled in the throes of serious and lasting change.

Still, there were vestiges of the frontier town lingering at the edges of a nascent city and one such manifestation was in criminal justice. Although claims that Los Angeles was both extraordinarily violent and particularly lawless are undoubtedly exaggerated, there is no doubt the town went through some difficult periods since the American conquest. As boosters promoted and planned for a Los Angeles that would be a hub of the Southwest, there was great concern over how the town's image in the matters of crime and criminal justice would hinder the community's development.

Although there was less violence and expressions of popular justice and more stability and certainty in the criminal justice system in the late 1860s and early 1870s than in preceding years, the beginning of the period did not seem to augur well for space and tranquility. The case of Michel Lachenais reflects the rapid change engulfing criminal justice in Los Angeles. In 1861, charged with murder, Lachenais fled the city, only to return and successfully face trial four years later. More brushes with the law and one more escape from its proscriptions were followed by another homicide in 1870. That last time, however, Lachenais' fortune faltered and a famous image of his demise, often cited as a palpably visual document of Los Angeles' lawlessness, also marks the beginning of the end of popular justice in the region.

A. M. G. or Michel Lachenais, a native of French Bascony, probably came to Los Angeles in the mid-to-late 1850s and generally little is known about his life. In 1857, he received a town lot and occasionally rented

his cart to the city for official purposes, but he seemed to be a nondescript member of the town's populace until the fall of 1861. According to the *Los Angeles News*, on the evening of October 3 Lachenais and Henri Delaval were "assembled at a house" with a number of other French-born residents "to sit up with the corpse of one of their deceased countrymen." The two had an argument "arising out of aspersions made by the former against the French Benevolent Society, whom the latter defended." In particular, Lachenais "accused them [the Society] of having neglected the dead man." Reported the *Los Angeles News*, "high words passed, which led to blows, and the two finally clinched, but were separated." At this Lachenais whipped out his pistol and tried to fire it at Delaval, who was unarmed, but the gun jammed "upon which Lachenais walked toward a light, adjusted other caps to the tubes of his pistol, and then turned and deliberately fired at Delaval, shooting him through the body." Delaval died the next day and Lachenais fled. It was reported, by the *Los Angeles Star*, that Delaval was "a peaceable and industrious man" employed at the Aliso flouring mill in the city, while "[u]ntil this occurrence, Lachenais has also been of good repute."

Although a French citizen advertised a \$100 reward "for the apprehension, and delivery in the County Jail" of the killer, Lachenais eluded arrest by fleeing the Los Angeles area. In early 1866, however, Lachenais finally surrendered to Deputy Sheriff A. J. Henderson and was committed to trial in the District Court before Judge Pablo de la Guerra, but was found innocent after pleading self-defense. A perusal of the court case, however, reveals that there was significantly more to the story of Lachenais and the killing than was reported in the press.

First, was the testimony of Lachenais' wife, Maria Reyes, member of a longstanding *Californio* family. According to Mrs. Lachenais, when her husband returned home after the murder, Charles Loring, a boarder in the home, allegedly told



Los Angeles (circa 1860s). Courtesy of The Homestead Museum.

Lachenais “Don’t you stay under pain of your life, if they catch you they will hang you.” Mrs. Lachenais continued her testimony by stating that “scarcely had he went when the noise of the Multitude came to the door . . . of the party who arrived I only knew [Sheriff Tomás] Sanchez and [Justice of the Peace John J.] Trafford, there were a large number beside whom I did not know. I knew Sanchez and Trafford were officers . . . Sanchez said he was hunting [for] my husband.”

Former District Judge Benjamin Hayes was in San Diego in early 1865, over three years after the Delaval murder, when Lachenais approached him and “stated his case to me.” Hayes stated that he “had no recollection of any Vigilance Committee that the defendant could apprehend any danger.”

This became an element in the trial, when Lachenais’ lawyers, Andrew Glassell and Alfred B. Chapman, submitted a writ of habeus corpus petition and an amendment to it in February explaining their client’s four-year flight from Los Angeles:

Your petitioner more than two years ago [1863], being confident of his innocence of the alleged crime, returned to this county with the reason and purpose of surrendering himself to the proper legal authorities and to stand his trial

on said indictment and prove his innocence. . . having so returned . . . he found the proper legal authorities . . . set at defiance and overrun by a violent, illegal and irresponsible mob styling themselves a Vigilance Committee, who were then and there overriding the law and committing violence and in some cases death upon persons as for any cause [which] may have incurred the suspicions of an offence or crime, without giving to such persons the opportunity of proving their innocence—or the opportunity of a fair and legal trial . . . your petitioner was forced . . . to fly from this county in order to avoid the lawless violence of said Vigilance Committee.

If the legal authorities of the district had power to execute the law without hindrance or interference from such lawless bodies in the vigilance committee . . . [this would have mitigated] the fear of such lawless organization . . . [which] has been the only cause that has prevented your petitioner from surrendering himself in this county for more than two years . . . That so soon as said petitioner was informed [by Hayes] that the law in said county had regained its supremacy he hastened here to deliver himself up.

The reference was to the fall of 1863, when at least seven men were lynched by mobs, a burst of "popular justice" that marked the end of a notable era from 1852 to 1863 of vigilantism.

Lachenais, however, did not long stay out of trouble. Only eight months after his acquittal in the Delaval case, Lachenais was charged with the October 22, 1866 murder of Pablo Moreno, an Indian in his employ. In this case, Lachenais was accused of bludgeoning Moreno with a pipe and found himself again in the District Court of Judge de la Guerra. On November 14, the accused received a mixed verdict: he was found guilty, but of the reduced charge of manslaughter, and sentenced to three years at San Quentin.

Fortune again favored Lachenais, however. An appeal won a hearing before the California Supreme Court during that tribunal's April 1867 term. The issue before the Court was the question of reasonable doubt and the fact the case against Lachenais was purely circumstantial. Indeed, the central question was that the defendant "is entitled to a full and clear instruction as to what the law means" by reasonable doubt. The finding by Justice C. J. Sanderson was that because the testimony, mainly by other Indians, was "entirely circumstantial," and the court could "find nothing which directly connects the defendant with the homicide, assuming that one was committed." Therefore, it was essential that the defendant's counsel instructions for the jury required a clear definition of reasonable guilt and that the evidence ruled out any other possible scenario. Sanderson preferred that the defense counsel crafted its jury instructions "with unusual care and precision" but these were refused by Judge de la Guerra. In rejoinder for the people, California Attorney General J. G. McCulloch, while acknowledging the soundness of the instruction, also argued that the law concerning the judge's instructions were sufficient. Sanderson replied that it didn't matter if instructions covered the same point of law twice or three times, noting that what was easy to under-

stand for the judge and counsel might not appear so to the laymen of the jury, and that a reinforcement on questions of law, through instructions, was often beneficial. For Sanderson, denial of defense jury instructions opposed a fair and full defense and meant a persecution rather than a prosecution. This was a harsh criticism of de la Guerra and Los Angeles County District Attorney A. J. King, Sanderson now reversed the trial judgment and ordered a new trial. There was, however, no new trial and Lachenais went free.

For four years Lachenais seemed to have stayed out of trouble. He farmed a spread near Agricultural Park (now Exposition Park) and seemed to have maintained a low profile. In July 1870, however, he was hauled back into court, this time before County Judge Ygnacio Sepulveda on the charge of malicious mischief for illegally diverting water from a *zanja*, or irrigation ditch. In this case, Lachenais was found guilty, fined \$43 or 21 1/2 days in jail in lieu of the fine, and was denied on appeal to the District Court, again before Judge de la Guerra. Then, sometime in the fall of 1870, he seems to have been in a dispute with a man named D'Arque and shot him in the face, causing blindness. There is no record, however, that he was arrested and tried in this matter and the only evidence for the affair is from a newspaper account. Additionally, in October of that year, Maria Reyes de Lachenais died and there rumors afoot that she met her demise at the hands of her husband. In December, however, Lachenais' temper gave way to more violence in an area the Los Angeles News called "the theatre of many deeds of blood."

According to news accounts and some contemporary memoirs, the dispute was over a tract of land claimed by Lachenais and neighbor Jacob Bell. Accounts vary as to the circumstances of the 14 December murder, however, and there was a suggestion that Bell, after arguing with Lachenais, retrieved his gun and returned to continue the verbal sparring. The consensus, though, was that Lachenais fired on Bell first.

The accused was to be examined by the authorities, but the excitement generated in Los Angeles by the murder led to the postponing of the procedure until Saturday the 17th. In the meantime, reported the *News*, "little knots of men gathered in alley-ways and upon street-corners, and their ominous looks and gestures betrayed the subject of conversation." By Friday afternoon, the piece suggested, utterances were made about "self-preservation, the first law of nature" and that it was incumbent upon the people to "met out summary punishment to those who slay their fellow-men on the slightest provocation or without any provocation." The stirrings were such that it was decided, for his safety, to remove Lachenais from the jail to another unnamed location and the examination postponed. The newspaper hoped common sense would prevail on 'sober second thought' and that mob violence or subversion of the law could be avoided.

Similarly, the Los Angeles *Star* discussed the great "excitement manifested in town" and noted that if any move were made to take Lachenais out of jail for the short walk to the court house, "an attempt would probably have been made to lynch him, in order that one of the ends of justice, i. e., the punishment of crime, might be secured." Cries calling for Lachenais' hanging were frequently uttered but "fortunately better councils prevailed."

It should be noted the city and county appeared to be having another one of those frequent feverish periods of violence that seemed almost endemic to the City of the Angels. But, as often before, the public's fears were heightened by the city's journalists, who, were prone to exaggerate for dramatic effect and to ratchet up the level of sales. In mid-November, the Los Angeles *Star* reported rumors of vigilance committees being formed in Wilmington and El Monte in response to a spate of crimes in those locales. The day after the Bell killing the Los Angeles *News* fired off an editorial, headlined "Killing No Murder," which was a polemic about the ineffectiveness of law and

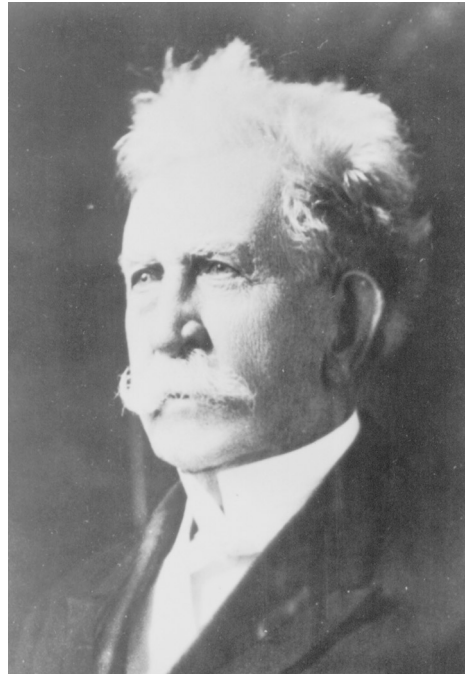
the necessity for citizens to see to it that justice was done, a journalistic technique that harkened back to the 1850s and early 1860s heyday of popular justice in Los Angeles. It described citizens "dropping into their graves" one-by-one by desperate killers while "[a]lmost ere one victim is coffined we hear the ringing of the shot which sends another unprepared into the presence of his Maker." The melodrama reenacted the age-old invective about "'the quibbles and quiddits' of the law" in which delays of trials led to acquittals and the "slayer of his fellow-man stalks forth seeking another victim," or serves a trivial sentence in prison. Further, the newspaper stated that since October 1869, "a fearful record" was established of twenty indictments of murder with "not a single conviction." The paper reported that "of ten cases now awaiting the action of the Grand Jury, eight are for murder, for assault or with intent to kill." But, an examination of extant court cases shows that, on December 3, less than two weeks before the Lachenais-Bell affair, two murder cases were decided at District Court, with convictions as outcomes, and there were nine murder cases found during 1870, resulting in four guilty verdicts, two dismissals, and three cases in which the disposition was unknown. With hyperbole trumping accuracy, the newspaper claimed that "[w]e are no advocate of vigilance committees," and also included choice remonstrances, such as "we warn the authorities that if the flowing tide of crime which is now sweeping over us is not checked, as terrible vengeance will be meted out. Regret the fact we may, but we cannot shut our eyes to it."

One of these murder cases was stricken off the docket on 17 December 1870, when Michel Lachenais was tried in the court of Judge Lynch and executed by a mob. Horace Bell, although no relation to the victim, was a former member of a paramilitary organization from the 1850s called the Los Angeles *Rangers*, wrote in his entertaining, but factually flawed memoir that he, by virtue of the common last name he shared with the deceased, was invited to a citizens' meeting

at the Arcadia Block. "As bad as was the administration of law in Los Angeles," Bell opined, "I preferred to bide a better day than to indorse mob action." More curiously, he continued, the gathering "was a Methodist meeting" and that afterward, Lachenais, on his way to the examination, was seized by the crowd, led by "[t]he pastor of what is now called the First Methodist Church [who] marched at the head with a double-barrel shotgun resting in the hollow of his left arm" in a procession of justice to the Tomlinson corral at the corner of Temple and New High Streets, a block west of Main Street. Bell also noted that "the real estate agent that shortly thereafter was made a judge was the prime mover in organizing the hanging party. He was a pillar of the Methodist church in question, but at the last moment, after the mob was incited, he dropped out and left his pastor to do the substantial work." Bell, who enjoyed thinly disguising his antagonists, was referring to the Reverend A. M. Hough and Robert M. Widney, who was rising to the upper ranks of power brokers in the town.

While Bell preferred to see the Lachenais hanging as a Methodist mob parade, Harris Newmark recalled that French-born barber Felix Signoret was leader of the mob that overcame Sheriff James F. Burns and his men, and lynched the accused murderer. No mention was made of a Methodist plot, but Newmark simply gave a figure of 300 or more armed men in the surging mass of indignation. The *Los Angeles News* also identified Signoret, along with Patrick McFadden, a former county school superintendent as the mob leaders.

An 1880 history of the county cited a newspaper article from three years previous, which stated that the public meeting before the lynching was attended by "[s]ome of the thoroughgoing people of El Monte [called the Monte Boys, and known for their proclivity toward popular justice] and other outlying towns." This account also stated "that numbers of public officers and law-abiding citizens remonstrated with the crowd," but calls to allow the condemned man to have a few minutes with a priest



Horace Bell, author of several lively accounts on vigilante justice in Los Angeles. Courtesy of the Seaver Center for Western History.

were denied and the hanging commenced immediately.

Unlike previous vigilance committees of varying degrees of organization, a few tidbits about the Lachenais mob surfaced in several sources. One of them was provided by historian Hubert Howe Bancroft in his *Popular Tribunals* (1887): a verbatim transcript of a card issued by the committee. One committee statement asserted that "our object in thus associating together is not to inaugurate mob law . . . [but] to protect the life and property of innocent persons to the best of our ability." Only when the law failed in its operations and criminals were "set free where the evidence should have convicted him" would the committee "meddle with the course of the law." Declaiming "any bloodthirsty motives," the vigilantes swore not to "submit to incompetency and imbecility in those who have been placed in power to administer these laws; and in the carrying-out of those stern resolutions we pledge our lives, our property, and our honor."

The reaction by the press to the lynching was mixed. An editorial in the *Los Angeles*

News labeled the event “a terrible tragedy” and claimed that “[e]very good citizen must deprecate this occurrence.” The editorial reiterated the “existing state of affairs” of unpunished crime or farcical sentences, even if still maintaining that it could not support “an organization which flouts all law.” Any good intentions of his executioners aside, Lachenais’ lynching was not for the general welfare and it was hoped that “the present outburst of popular passion” would be the last of those acts “which, in the minds of those abroad, stamp us as a semi-civilized community.”

The Los Angeles *Star* expressed the view that “the people were driven to the conclusion that the great criminals could not be punished by the law—were, in fact, above law.” Before explaining its version of the execution, the article stated that “Lachenais was a notoriously bad character, who had killed at least three men, and supposed to have [compassed] the death of others, his own wife among the number.” As with its counterpart, the Los Angeles *Star* also put in its seemingly-obligatory condemnation of mob violence and the inefficacy of the courts. “The popular uprising . . . must always be deprecated . . . by all good and peaceful citizens,” but the people also witnessed “the shield of the great criminals.” The upshot was Los Angeles is not the place for popular justice, but it was also not to be the home of a failed criminal justice system that left murderers “unwhipt of justice.”

The aftermath of the lynching yielded some efforts to step up more preventive measures. At the meeting of the Common [City] Council on 29 December, there was a motion to introduce an ordinance creating a Board of Police, consisting of a Police Committee and Chief of Police, in whom was vested the power of appointment and removal of all police officers and subject to the approval of the Council. The Mayor, however, who previously made such appointments, chose, not surprisingly, to decline signing, so, on December 31, the council amended the ordinance to include him as a member of the Board of Police.

Seemingly as a contingency plan, it was reported that, in case the authorities failed again to deal concretely with the issue of crime, a military company, forming a branch of the state National Guard, was organizing in the city. Led by Brigadier General J. M. Baldwin, one of the two men who answered Sheriff Burns’ summons for help to protect Lachenais, the company and its rolls was said to include “the names of many of our best citizens.” The formation of this paramilitary outfit, however, was another holdover from the turbulent years of the 1850s and early 1860s.

The Vigilance Committee, meanwhile, was not quite through and met on the evening of December 20. Here the official name of the group was provided: The Home Guard, Vigilance Committee. An address from the Executive Committee, prepared by Secretary No. 2, was published in the Los Angeles *Star* two days later. A flurry of opinion pieces by readers and journalists followed in the press. One reader of the Los Angeles *News* lauded the vigilance committee, offering that “[s]urely a judge of 100, divested of prejudice, are as competent a judge of the guilt or innocence of a person, as a jury of twelve!”

Another correspondent offered a rebuttal, stating the actions of the committee rendered them murderers just like Lachenais, with the crucial difference that he acted in passion and at the risk of his own life, while the mob “took life coolly and when it was deemed to be entirely safe in so doing.” Los Angeles, the writer continued, must rely on the law “defective may be its execution,” as “a better ark of security than the wild and disorderly passion of the mob.”

A third correspondent asked the mocking query, “is society any safer in the hands of bands of an ignorant association of green grocers? If a learned judge errs, it is not very probable that he will be improved upon by a dealer in old clothes It is very bad policy for the Committee to court discussion in the public press. They are tolerable stranglers but very bad logicians. The sooner they hide themselves from the light of day, the safer

they will be."

The lynching of Michel Lachenais was not forgotten a year later when the *Los Angeles Star* published a poor poetic couplet: "Yesterday was 'All-Stranglers Day' / or the anniversary of the hanging of Lachenais." Neither was the use of violence by mobs completely disregarded. In October 1871, after struggles among the Chinese led to the killing of an Anglo-American citizen, hundreds of angry Europeans, Americans, and *Californios* stormed the small Chinese district on Los Angeles Street, the derisively-named "Nigger Alley" or *Calle de Los Negros*, and lynched nineteen Chinese. This enormous blot on the city seemed to bring about the end of mob violence in the city, though there was one last spark of vigilantism left in the county: the hanging of an accused robber and murderer on the Rancho La Puente in June 1874.

The lynching of Michel Lachenais is something of a signpost in nineteenth century Los Angeles history. His criminal career reached back to the wilder period of Los Angeles' frontier experience, and his lynching briefly resuscitated the resort to popular justice more emblematic of that period. The increasing discomfort, however, with the

lynch mob mentality, further exacerbated by the Chinese Massacre of 1871, eventually led to the end of vigilantism in the region and a restoration of confidence in the rule of law.

Suggested Readings

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Arcadia Bandini De Stearns Baker: A California Pioneer

by Abraham Hoffman

She was young, beautiful, and the daughter of one of the most powerful rancho owners in Alta California. And she was engaged to marry a man who was the same age as her father.

Arcadia Bandini was born in 1824; her father Don Juan Bandini, was owner of the Jurupa Rancho. He had arrived in California in 1822 and quickly became prominent in local government, holding various public offices. He was also friendly to the small number of Americans who had come to California, among them Abel Stearns, a Yankee from Massachusetts who arrived in the province in 1829. Stearns prospered in the hide and tallow trade, and in 1841 he proposed marriage to Bandini's daughter, Arcadia. At the time she was 15 and he was 44. Somewhat self-conscious about the age difference, Stearns subtracted four years from his true age on the marriage license.

Born and raised in California under Mexican rule, when the ranchos offered just about the only form of economic activity, Arcadia soon saw tremendous changes take place. Both her husband and father were delegates to the 1849 state constitutional convention. Stearns also served as a state assemblyman, county supervisor, and city councilman. He owned considerable property in Los Angeles and in 1868 built a major commercial center, which he named the Arcadia Block after his wife.

Arcadia's involvement in the activities of her husband may best be shown in a description she wrote of the "false alarm" involving Commodore Thomas ap Catesby Jones. Jones occupied Monterey in 1842 in the mistaken belief that the United States and Mexico had gone to war. Abel Stearns arranged a meeting between Jones and Governor Manuel Micheltorena to smooth things over.

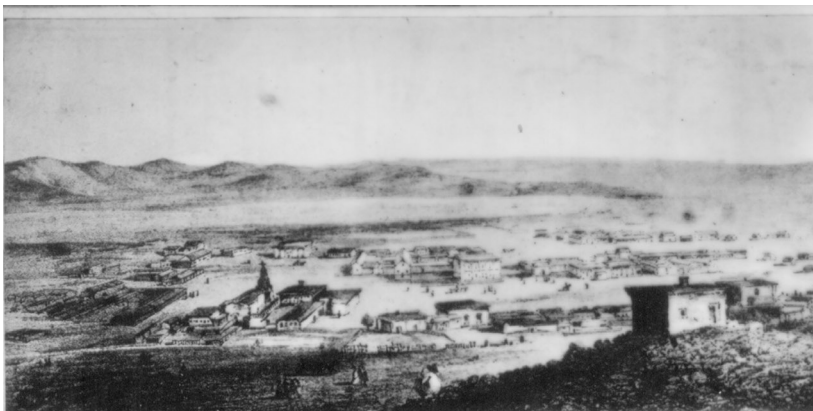
"We gave a dinner for the governor, the

commodore and their attendants; everything was very friendly; they seemed to enjoy themselves and the uniforms of the two countries were most beautiful," said Doña Arcadia. Governor Micheltorena then held a ball at his home. "To show the Americans how patriotic were the people of California, the governor requested, in the invitations, that all the ladies wear white with a scarf of the Mexican colors, red, green and white. Of course we gladly complied, though some of us had to work hard to get our costumes ready.

"The day of the ball came, but with it came rain, such a storm as I had never seen. As it drew toward evening the water came down faster and faster. The governor had the only carriage in California, and this he was to send for the Commodore, Mr. Stearns, Ysidora [Arcadia's sister] and myself, but the poor young officers had to walk, and their faces were long when they looked at the rain, then at their fine uniforms and shiny boots.

"Our California horses were unused to pulling loads, and in the storm refused to work, so the soldiers of the governor served as horses; they took us safely, and we had a delightful time. Everybody was happy; the commodore and the governor sat together and exchanged courtesies and compliments."

When Abel Stearns died in 1871 he left a farce estate to Arcadia. In 1874 she married again, this time to Robert S. Baker, a prominent Los Angeles businessman. During the "Boom of the Eighties," that brought thousands of people to southern California, the Bakers became involved in the development of Santa Monica, and Robert named the town's hotel for Arcadia. They also donated 300 acres to the federal government for a veterans home. Baker built a large building near the Los Angeles Plaza, known as the Baker Block, and the couple lived in a spacious



Los Angeles in 1854. Courtesy of the Seaver Center for Western History.

apartment on the third floor.

After Baker's death Arcadia was one of the richest women in California. During her long life, she witnessed the transition from Mexican province to American state, from

ranchos to automobiles and orange groves. The city of Arcadia, streets, schools, and other public monuments were named for her. When she died in 1912 at age eighty-eight, a link with the past died with her.



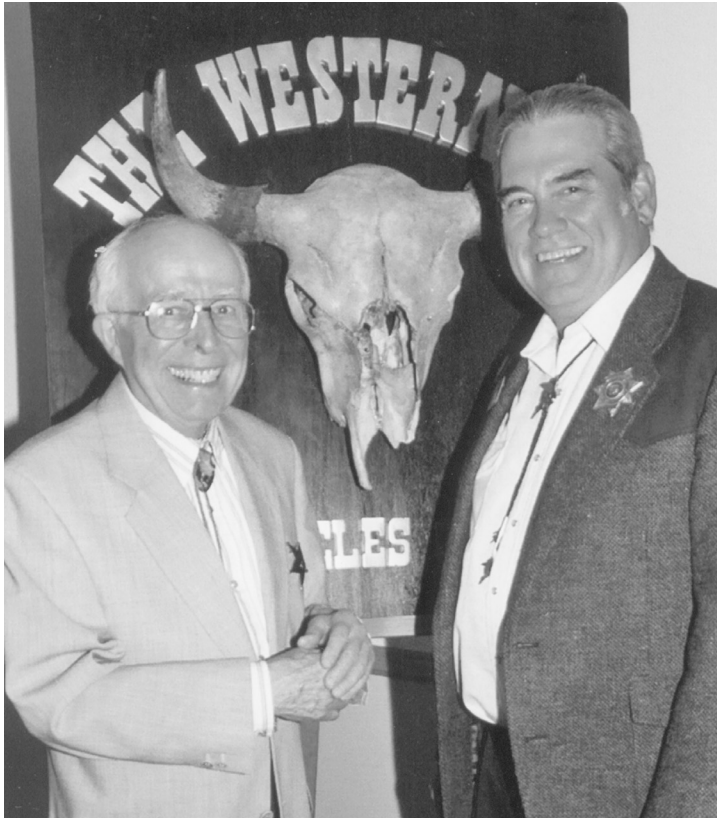


Figure 1. Summons written and issued by Judge Hayes. Courtesy of the author.

Justice Served or Denied? A Los Angeles Murder Avenged

By Eric A. Nelson

In 1854, Felipe Alvítre (Albítre) was arrested for the murder of James Ellington, at El Monte. Alvítre was brought to Los Angeles, jailed, tried, sentenced to death, and hanged, all in a total elapsed time of approximately three and one-half months.

The presiding judge at Alvítre's trial was Benjamin Hayes, the famous and, at that time, the only judge of the First District Court.

We can gather from Figure 1 that Judge Hayes apparently did not consider his position as a Monday to Friday job. This document is a Summons, prepared, signed and issued by Hayes on September 23, 185(4). September 23 was on a Saturday. The

Summons is addressed to two individuals, who were commanded to appear in court at the Court House in Los Angeles on "Monday next" (September 25) at 10:00 a.m., to testify in criminal proceedings brought against Roque Bina, Thomas Alvítre, Miguel Alvítre, Mario Alvítre, and Felipe Alvítre. The reverse of this document shows that the two witnesses were served by Constable S. H. Kelly on September 25, the very day they were required to appear.

The proceedings on September 25 were apparently in connection with an indictment against all five defendants. Felipe Alvítre appears to be the only one of the five who stood trial for the murder.

*The People of the State of California
 To Dr Garland, Dr Puckner an Dr
 Dr Griffin ~~Dr~~ You an each of you Commanded
 that you be and appear immediate before the
 Hon Dist Court of the 1st Judicial at the
 Court House in the City of Los Angeles then
 and there to testify in a Criminal Cause
 prosecuted by the People of the State of Cal-
 ifornia against Felipe Alvitre
 Given under My
 hand this 24th
 Nov 1854
 C. E. Thom
 Dis Atty*

Figure 2. Summons written and issued by C.E. Thom. Courtesy of the author.

Although the trial could have commenced before November 24, 1854 (a Friday), that the trial was concluded on that date. Activity continued inside and outside the courtroom on that final day, as evidenced by the document shown in Figure 2. This document is a summons written and issued on November 24 by C. E. Thom as District Attorney. It is obvious this document was written in haste, perhaps even during the trial. It states:

*The People of the State of California
 To Dr Garland, Dr Puckner an(d)
 Dr Dr (sic) Griffin You an(d) each of
 you (are) commanded that you be and
 appear immediate(ly) before the Hon
 Dist Court of the 1st Judicial (District)
 at the Court-House in the City of Los
 Angeles then and there to testify in a
 Criminal Cause prosecuted by the
 People of the Stat(e) of Cala-fornia (sic)
 against Felipe Alvitre .*

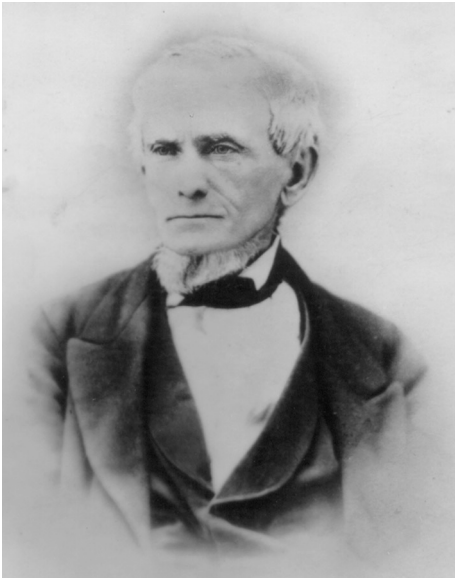
*Given under My hand this 24th
 Nov 1854*

(s/s) C. E. Thom, Dis Atty

Although C. E. Thom (Cameron Thom) acted as prosecuting attorney in the Alvitre trial, W. W. Robinson, in his *Lawyers of Los Angeles* (Los Angeles County Bar Association, 1959), states that Thom helped defend David Brown in his trial for the murder of Pinckney Clifford that was held before Judge Hayes four days earlier. Thom's involvement in both the Brown and Alvitre cases are interesting considering the subsequent events involving these two cases, as described below.

In any event, Thom's summons was served on the same day as issued, November 24, 1854, by Constable P. N. Werk (Fig. 2). It will be noted that Constable Werk had a problem with his basic math, since he charged fees of \$1.30 for serving the Summons and \$.60 for mileage, for a total of \$2.10. It is not known if the paying authority caught the error or paid the erroneous amount.

At the conclusion of his trial on November 24, Felipe Alvitre was found



Judge Benjamin Hayes. Courtesy of the California State Library.

guilty and was sentenced to be hanged. Judge Hayes's diary entry concerning this event appears in *Pioneer Notes From The Diaries of Judge Benjamin Hayes, 1849-1875* (Marjorie Tisdale Wolcott, 1929).

Nov 24th:

My address to the prisoner Felipe Alvitre was read to him by the Interpreter. Alvitre was accused of the murder of James Ellington, an American, at the Monte. He has confessed to this and another murder, and has been sentenced to die Jan. 12th next. My address, in fact, was not prepared for him but rather to be published for the benefit of his young countrymen, who are betraying too many signs of hostility to Americanos.

It is to be noted that David Brown was sentenced to be hung on the same day as Alvitre.

Alvitre's attorney, W. G. Dryden, prepared a Notice of Appeal on the following Monday, September 27, as shown in Figure 3. The Notice of Appeal is addressed to the Clerk of the District Court, First District, and states:

Sir:

Take notice that the Defendant Felipe Alvitre appeals from the judg-

ment of the District Court in the above cause to the Supreme Court of the State of California. Angeles 27th Nov. A.D. 1854.

(s/s) W. G. Dryden

Attorney for Defendant.

William G. Dryden became a county judge the following year. As W. W. Robinson states in *Lawyers of Los Angeles* (supra), "Of Judge Dryden, as he was always referred to, Harris Newmark said that while his knowledge of the law was extremely limited, his audacity, his volubility, and his profanity were unlimited".

The Notice of Appeal was filed by the District Court Clerk on November 29, 1954. Despite the appeal, Alvitre was hanged on January 12, 1855.

A review of the reported Supreme Court cases for the years 1854 and 1855, finds no record of the Supreme Court having considered the appeal. The period between the time the Notice of Appeal was filed and the date for Alvitre's execution was only forty-five days. While forty-five days was a relatively short time in an era when communications were slow, perhaps there was sufficient time for the appeal to have reached the Supreme Court.

On the other hand, these were not normal times. During most of the year 1854, legal battles were being fought to determine the legal location of the seat of California government. At various times during the year 1854, the Supreme Court sat in San Francisco, Sacramento, and San Jose. At the time of Alvitre's appeal, the Supreme Court had determined the legal location for the Supreme Court was San Jose. All of its files were transferred there. It was not until late December 1854, two weeks before Alvitre's death sentence was to be carried out, that the Supreme Court reversed itself as a result of a change in the composition of the Court, and determined that Sacramento should be the legal location of the State government and the seat for the Court.

Could it have been possible that Alvitre's appeal was caught in the middle of the judicial wrangling among the Supreme

State of California } District Court 1st
 County of Los Angeles } Judicial District
 for Los Angeles
 County.
 People
 vs.
 Felipe Alvitre } Indictment for
 Murder.

Sir.
 Please Notice that the
 Defendant Felipe Alvitre appeals
 from the judgment of the District
 Court in the above cause to the
 Supreme Court of the State of
 California. Angeles 27th Nov. A.D. 1854
 Respectfully
 W. G. Dryden
 Attorney for Defendant.

Attest: Clerk
 John W. Shaw
 Clerk of the District
 Court. At the 1st Court
 District Los Angeles County.

Figure 3. Notice of Appeal. Courtesy of the author.

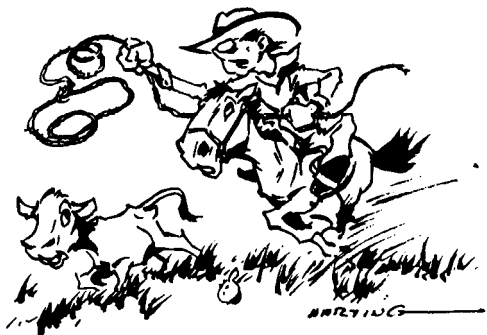
Court judges, and/or in the vacuum which surely would have resulted from Supreme Court judges and files being moved at various times during that year between San Francisco, San Jose, and Sacramento? Or was it a case of Brown's attorneys doing a better job of pursuing their client's cause before the Supreme Court than did W. G. Dryden? Brown received his stay of execution, but Alvitre did not.

Judge Hayes had a somewhat different explanation, which appears in *Pioneer Notes* (supra):

Alvitre was executed on Jan. 12, 1855. The Supreme Court granted Brown a stay of execution, while apparently ignoring the petition of Alvitre, who was poor and friendless. Angered at the clemency extended to Brown, a mob seized and executed him. A stay of exe-

cution was received on behalf of Alvitre a week after his death, the delay having been caused partly by the slowness of the mails, and partly by the fact that the petition had been forwarded first to the Governor, thus delaying its consideration.

Judge Hayes does not offer any information on how the Governor first became involved. Nor does he explain how Alvitre was considered "friendless" when presumably he was still represented by an attorney. Considering the state of affairs in San Jose and Sacramento, the controversy over the legal location of the State government, coupled with governmental inefficiency and a possible lack of effort on the part of Alvitre's attorney, all seem to be more plausible reasons for Alvitre's demise on January 12, 1855.



THE MONTHLY ROUNDUP

MARCH MEETING

Corral members were treated to a festive evening by Rosa Keehn, who gave a lively presentation entitled, "Hats Are Historical Fun." Several members wore a variety of hats in the spirit of the evening. Cowboy hats, sports car caps, and colorful flowered hats dressed the tables at Almansor Court. Christie Bourdet wore an elegant cocktail hat, Jerry Selmer sported a derby, Monsignor Weber attended with a flashy biretta, while Frank Newton was crowned in a Wells Fargo conductor's hat.

Rosa provided interesting information on the headgear of famous women. Queen Victoria promoted the social acceptability of wearing hats. Women wore hats outside since those who did not were considered "unladylike." Frontier women wore bonnets to guard against the bitter winds and harsh sun of the prairie. With the advent of the automobile, women wore hats with a scarf to prevent their hat from blowing away on a Sunday outing. Women also had to be mindful to look straight ahead so that the hat would not fall off their head!

The evening included a wonderful display of historical hats. Corral members were treated to an Eleanor Roosevelt adornment, a bright turban in Hollywood fashion, elegant hats from I. Magnin, along with a type of cap worn by the thousands of "Rosie the Riveters" during World War II. Rosa was



Photograph by Froy Tiscareño.

March Meeting Speaker Rosa Keehn

proud to model what she termed, "the best hat I ever bought in my life," as she changed the shape of the hat several times to show its versatility. Several ladies volunteered to model. Mary Gormly displayed a Queen Victoria hat, while Betty Dodge, Christie Bourdet, and Jeanette Davis also sported a variety of historical pieces.

Rosa did not leave out the men! She summoned several Corral members from the audience to act as models. They donned Army and Navy wear, police and Santa Claus hats, a tam, cavalrymen caps, Navajo headgear, and hats from the Desert Storm conflict. John Robinson also demonstrated the different positions in which a cowboy hat could be placed on the head. This included placing the hat on the back of the head (indicating the guy who came looking for a free drink and then got behind the door when a fight started); on the side of the head (gun-fighter); or down the front of the head (sheriff).

Rosa concluded her discussion with an important note on the benefits of wearing a hat to protect against the elements. Headgear retains body heat and guards against sun exposure. As Rosa put it, "Two men were lost in the mountains. The man with a hat walked out, while the man without a hat was carried out."



Photograph by Froy Tiscareño.

April Meeting Speaker Robert H. Hirst

APRIL MEETING

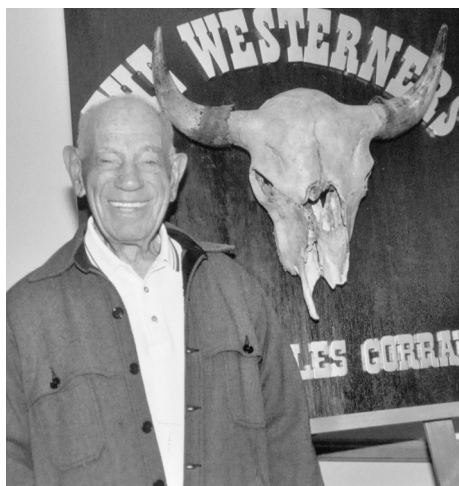
Robert H. Hirst provided a thoughtful and informative discussion of the Mark Twain papers, housed at Berkeley, California. As one of the leading authorities on the subject, Hirst has spent thirty-five years editing, archiving, dating, transcribing, and publishing Mark Twain's letters. Approximately fifty thousand Twain letters are believed to be in existence, of which three thousand are at the Bancroft Library. In addition, Mr. Hirst is the general editor of the Mark Twain project, official curator of the Mark Twain Papers, and editor of over twenty volumes of papers and letters from the Twain collection.

In his presentation, Mr. Hirst indicated that Mark Twain was not only a storyteller, but he was also a collector of tales, as long as the storyline had a moral, and provided they contained a surprising twist. He noted that many of Twain's letters are not significantly important, nevertheless, are interesting to read. Many letters do not identify the person to whom they have been addressed. Still, Twain's letter-writing was prolific. Twain once wrote that he had written thirty-five letters that day and felt that he should stop in order to do something productive!

Many of Twain's letters are available to us through reprints of published material from newspapers and journals. None of the

letters were ever copied by Twain himself. Corral members queried Mr. Hirst about Twain's writings during the Civil War. Few of Twain letters from that period have been discovered, although Mr. Hirst hoped that a future treasure trove of letters may someday be found.

Mr. Hirst read from several Twain letters, which best reflected the Twain style that ranged from humorous to caustic in tone. This informative evening was capped by a kind gesture on the part of Mr. Hirst. He concluded his presentation with a donation of six volumes of Mark Twain Papers for use by the Los Angeles Westerners. The Corral thanks Mr. Hirst for his generosity, as well as providing insight into the ongoing research and efforts of the Mark Twain Project.



Photograph by Froy Tiscareño.

May Meeting Speaker Pete Clentzos

MAY MEETING

Pete Clentzos is ninety-three years young, a former Olympian, southern California coach, Los Angeles school administrator, and national track and field official. Pete competed in the 1932 Olympics, and he is considered the oldest living U.S.C. Olympian. He provided an inspiring presentation on the 1932 Olympic Games, held in Los Angeles, and his lifetime commitment to physical fitness and sports.

The Clentzos family emigrated to the United States from Greece. Young Pete grew

up in California and eventually earned his degree from the University of Southern California. While a student, he competed in the pole vault during the era of the great coach, Dean Cromwell. Pete represented Greece at the 1932 Olympic games, trained at Baldwin Hills, and marched in the opening game ceremonies before 100,000 spectators at the Coliseum.

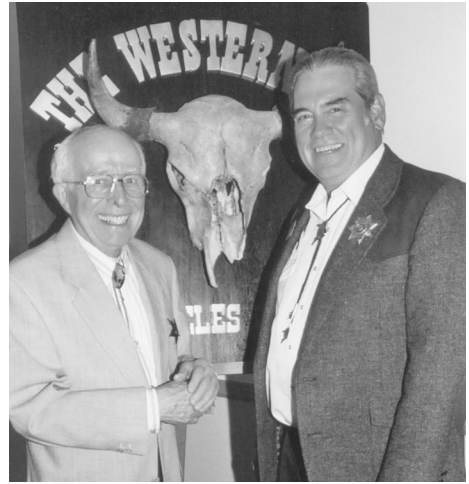
The Olympics provided an opportunity to intermingle with other countries, develop lasting friendships, breakdown cultural barriers, and create international goodwill. He made friends with members of the Austrian, Bulgarian, and Turkish teams. Pete fondly recalled taking steam baths with the Japanese athletes. Although Pete's seventh place finish was a disappointment, believing he could have performed better, the overall experience was still a defining moment in his life.

Clentzos later coached at Franklin High School, and eventually became an administrator at Roosevelt High School. He was an early advocate of weight training—an element of athletic training which is crucial to performance in today's world of sport. In 1984, Pete contributed as a track and field official at the memorable 1984 Olympic Games, held in Los Angeles.

Corral members were treated to a video presentation that highlighted Olympic moments and ceremonies which paid tribute to Pete Clentzos' special contribution over the years. Today, Pete is actively involved in the Pasadena Senior Center and Crown Valley Senior Games. He asserted that physical fitness is essential to maintaining a high quality of life. His own wiry and spry physique is a testament to his words, and an inspiration to all. Pete's simple advice was to take care of the body and “go to the gym.”

JULY MEETING

Long time Corral member and past sheriff (1977) Hugh Tolford provided a fascinating personal view of his experiences with LTA (lighter-than-air) airships in World War II. Tolford's adventures with aircraft began



July Meeting Speaker Hugh Tolford

Photograph by Froy Tiscareño.

in 1924 when he was a passenger in a Jenny biplane. In August 1941, he earned his pilot's license courtesy of the U.S. Navy, then signed up for LTA training and flight duties at Lakehurst, New Jersey. Soon he was on anti-submarine patrols over the Atlantic. One early task was to escort the *Queen Mary* 200 miles east into the Atlantic early in 1942. He noted the ship was crammed with 25,000 men. On this flight Tolford spotted 41 ships that had been sunk by German surface ships; on the same trip he counted seventeen corpses of German sailors floating in the water. You could see a lot from a blimp.

Tolford was transferred to California and further anti-submarine warfare training. He participated in the first (and last) blimp landing on an aircraft carrier. This experiment ended when a depth-charge on the blimp broke loose and fell (fortunately) into the ocean. Unlike dirigibles that had a fixed structure, blimps were basically large balloons filled with helium, an element in abundance in the United States. Tolford said a Class K airship carried 420,000 cubic feet of helium, was 250 feet long, and 70 feet high, larger than modern blimps. The gondola was forty feet long and had up to twelve men in the crew. Blimps carried four 325-lb. depth charges and two .50 cal. machine guns, as well as the first radar devices used by U.S. forces. These devices could detect and locate submarines under water. Blimps

also made sea rescues. Navy blimps weighed 24 tons but were overweighed by 2,500 pounds on takeoff, then lost the excess weight on fuel burned up during patrol. Of course, this presented a problem for landing. The Navy solved the problem by developing a landing maneuver known as "fish-tailing." Tolford observed that a blimp pilot always had to be on the alert in steering his craft.

During the war, ship sinkings decreased as more airships became available. By the end of the war sinkings were rare. From 454 ships sunk in Atlantic coastal areas early in the war, only eight were sunk in 1944, and three in 1945, showing airship effectiveness. Tolford also was involved in experiments with hydrogen balloons (this was after the destruction of the *Hindenburg*), but the Navy ended this practice when one crashed with fatalities. Airships operated out of U.S. bases, and there were blimp bases in Brazil, Trinidad, and Jamaica. Besides submarine patrols, airships guarded the Strait of Gibraltar, and they escorted 77,000 surface ships during the war, part-way across the Atlantic, out of a total of 89,000 ships. One airship, the K74, was lost to enemy action in combat with an enemy ship in the Caribbean. Only one person was not rescued.

Tolford highlighted his presentation with slides showing blimps in the war. In the spirited question-and-answer session that followed, Tolford fielded numerous questions about this fascinating, if little-known aspect of World War II combat.



Corral Chips

GLEN DAWSON completed a two week trip in Peru with family and friends. According to Glen, he visited the "oldest and newest" of the country, including Inca ruins at Machu Picchu and Cuzco.

Past sheriff **JOHN ROBINSON** spoke on the early history of Mount Wilson for the Mount Wilson Observatory Association, held at the mountaintop museum on June 21. John also received the scholarship/authorship award bestowed by the Conference of California Historical Societies at their annual awards luncheon in Van Nuys.

On June 10, several Corral members participated in a memorable train ride from Union Station to Pasadena. Two sets of Gold Line trains transported passengers, including press crews from local television stations, to Pasadena Memorial Park. The travelers then transferred to a restored 1950 bus, which took the participants to the Pasadena Historical Society for a box lunch and view of a train exhibit. "We were trained back to Los Angeles after two very smooth rides on beautiful roadbeds and by very nice stations like the pagoda-style one at Chinatown," noted **FRANK Q. NEWTON**. Among the other Corral members in attendance were **BILL WARREN, SID GALLY, LARRY ARNOLD, NICK CURRY, JOE LESSER,** and **DONALD DUKE**.

On September 8, Corral member **MICHAEL PATRIS**, president of the Mount Lowe Preservation Society, gave an informative lecture on the life of Thaddeus Lowe at the Pasadena Museum of History. Mike is participating in a lecture series that includes

a October 7 discussion by **DONALD DUKE** about books on the Pacific Electric Railway that are published by Golden West Books.

MIKE ENGH, S.J., a recent contributor on the Workman family to the Corral publication, has assumed the position of acting Dean of the College of Liberal Arts at Loyola Marymount University. Mike also gave a paper on Los Angeles history at the annual meeting of the Organization of American

Historians, held in Memphis in April.

ART VERGE, a recent speaker to the Corral on George Freeth, was featured in a History Channel television presentation, "History of the Beach." Art was consulted as an authority on southern California beaches. If you missed it, the show will be repeated several times during the year. Check your listings.

The Importance of the Horse's Ass

From Corral member, Earl Nation, the following contribution comes from his good friend, Chester Burns, a distinguished historian at the University of Texas.

Does the statement, "We have always done it this way ring any bells?"

The US standard railway gauge (distance between the rails) is 4 feet 8.5 inches.

That's an exceedingly odd number.

Why was that gauge used? Because that's the way they built them in England and English expatriates built US railroads. But, why did the English build them like that?

Because the first rail lines were built by people who built the pre-railroad tramways, and that's the gauge they used. Why that gauge?

Because the people who built the tramways used the same jigs and tools that they used in building wagons, which used that wheel spacing.

Okay! Why did the wagons have that particular odd wheel spacing? Well, if they tried to use any other spacing, the wagon wheels would break on some of the old, long distance roads in England, because that is the spacing of the wheel ruts.

So, who built those old rutted roads?

Imperial Rome built the first long distance roads in Europe (and England) for their legions, and many of these roads have been used ever since.

And the ruts in the roads?

Roman war chariots formed the initial ruts which everyone else had to match for fear of destroying their wagon wheels.

So, the United States standard railroad gauge of 4 feet, 8.5 inches is derived from the original specification for a Roman war chariot.

And bureaucracies live forever, so the next time you are handed a specification and wonder what horse's ass came up with it, you may be closer than you know because the imperial Roman war chariots were made just wide enough to accommodate the back ends of two war horses. Now here's the twist to the story. When you see a space shuttle sitting on its launch pad, there are two big booster rockets attached to the sides of the main fuel tank. These are solid rocket boosters, or SRBs. The SRBs are made by the Morton Thiokol at their factory in Utah. The engineers who designed the SRBs would have preferred to make them a bit wider, but the SRBs had to be shipped by train from the factory to the Florida launch site. The railroad line that runs from the factory happens to run through a tunnel in the Rocky Mountains and the SRBs had to fit through that tunnel. The tunnel is slightly wider than the railroad track, and the railroad track, as you know, is about as wide as two horses' butts. As a result, a major design feature of what is arguably the world's most advanced transportation system was determined over two thousand years ago by the width of two horses' asses.

—Chester Burns

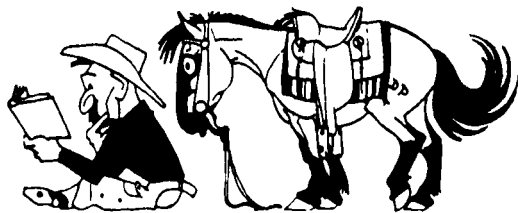
Pioneers !

by Loren Wendt

They sure didn't have a lot of fancy stuff
But what they had seemed to be enough
Their life was hard and it was very rough
They survived because they were really
tough

Today we honor those courageous pioneers
They will always be respected by their peers
They faced up to danger and to all their fears
Those they left behind were honored by their
tears

Every man, woman and child who stood so
tall
They opened up the Wild West to one and all
So here's to the heritage we admire and
re-call
Those brave pioneers who answered
America's call!



DOWN THE WESTERN BOOK TRAIL ...

GIANTS IN THE EARTH: *The California Redwoods*, edited by Peter Johnstone. Berkeley: Heyday Books, 2001. 304 pp. Illustrations. Paper, \$18. Order from Heyday Books, P.O. Box 9145, Berkeley, CA 94709, (510) 549-3564.

The magnificent Redwoods of California's coast and sierra represent nature's supreme achievement in the evolution of trees. They are by far the biggest of all living things and nearly the oldest—only the gnarled bistlecone pine high on the wind-swept ridges of eastern California's White Mountains exceed them in age. The coastal Redwoods, *Sequoia sempervirens*, clustered in groves from the Oregon border south to Big Sur, touch the sky at more than 350 feet. The *Sequoia qiqantea* of the western Sierra Nevada are not as tall, but far exceed their coastal brethren in girth and weight. The General Grant and General Sherman trees in Sequoia National Park weigh in at more than 6,000 tons each!

To venture into a majestic grove of Sequoias, as thousands have done, is an awe-inspiring, mind-expanding, mystical, and for some, spiritual experience. Generations of writers have struggled to describe and find meaning to this experience. They have done so in a variety of forms: prose, poetry, fiction, diary jottings. And they have come up with startlingly different impressions.

In 1849 L.K. Woods, an early settler on the Humbolt coast, found the redwoods to be a "dismal forest prison." Woodsmen from the 1850s into recent years saw the great trees as a plentiful and profitable source for

coveted redwood lumber; if they were awed at all, it was in how to fell these forest giants and drag them to mill.

The great majority of those writing about these sylvan giants saw the trees not in the gloomy manner of L.K. Woods nor with dollar signs in their eyes. They were truly inspired with what they witnessed.

A hunter named A. T. Dowd discovered the Calaveras Grove of giant Sequoias in 1852, and what ensued was a frantic effort to make known these forest monarchs and promote tourism. Yosemite innkeeper J. M. Hutchings' *Scenes of Wonder and Curiosity in California*, encouraged thousands to visit and marvel at these "gigantic forest patriarchs." Writer Bayard Taylor spent a night among the Calaveras Sequoias and vividly described his experience: "When the last gleam of twilight had gone and the full moon mounted above the forest, they grew in grandeur and awful height, until the stars seemed to twinkle as dewdrops on their topmost boughs. . . . Thank God I have lived to see these works of his hand." To counter the doubts of easterners, one of the largest Sequoias, called "Mother of the Forest", was stripped of its bark, shipped east, and reassembled as the centerpiece of the Crystal Palace Exhibition Hall in New York City. Later it was shipped across the Atlantic and exhibited in London. A flood of writings ensued singing the praises of these California "Giants of the Earth."

At the same time the great trees were being exalted, they were being felled by the woodsman's axe and chainsaw. As logging technology grew, the destruction of the Redwood forests escalated and there were increasing calls to preserve the remaining giants. The leading spokesman for conservation was naturalist John Muir. To Muir, the Sequoia groves were God's temples of worship, the most cherished botanical species. "Towering serene and satisfied through countless years of calm and storm." Their towering tips "were first to feel the touch of—the rosy beams of the morning, the last to bid the sun god goodnight."

Thanks to the efforts of Muir and a host

of other conservation voices, both local and national, most of the remaining groves of *Sequoia gigantea* have been preserved by the establishment of Yosemite and Sequoia national parks in 1890. Preservation of *Sequoia sempervirens* of the coast has taken much longer and, in the struggle between the Pacific Lumber Company and conservationists over Humboldt County's Headwaters Grove, continues to this day. The majority of "Big Tree" writings in recent years have been concerned with saving the endangered giants of California's north coast.

Peter Johnstone, editor of *Giants of the Earth*, has done a superb job in selecting the best and most representative writings on the great trees over the past century and a half. The book is enhanced by a portfolio of historic photographs of the Humboldt Redwoods assembled by Peter Palmquist. Those interested in the saga of the Earth's largest and most awe-inspiring living things will enjoy this anthology.

—John Robinson



ROOTED IN BARBAROUS SOIL: *People, Culture, and Community in Gold Rush California*, edited by Kevin Starr and Richard J. Orsi. Berkeley: University of California Press, in association with the California Historical Society, 2000. 365 pp. Illustrations, Tables, Notes, Index. Cloth, \$60; paper, \$24.95. Order from University of California Press, 2120 Berkeley Way, Berkeley, CA 94720, (510) 642-4701.

This volume is the third entry in the California History Sesquicentennial Series, published as a special issue of *California History* and in book form by the University of California Press. As with the earlier volumes, it offers excellent articles displaying state-of-the-art research; the endnotes provide numerous opportunities for further research, reference, reading, and reflection.

The theme of the volume, as indicated in the subtitle, addresses social issues on a wide variety of topics. Co-editor Kevin Starr notes in his introduction that the Gold Rush

created a society that paradoxically celebrated diversity while encouraging racism. Eleven contributors then explore specific examples of the contradictions of Gold Rush social history. Malcolm Rohrbough describes the migration routes taken by goldseekers to California, a trip that profoundly affected those who made it. Sucheng Chan examines the ethnic diversity of the Gold Rush population and the racism shown to non-white goldseekers. The fate of Native Americans and Californios is traced by James Sandos in an excellent article marred by its final sentence: "Of course it was inadequate, but Indians would cheat the cheaters by turning their marginal, arid lands into gold through gambling casinos..." (p. 109.) It seems to me that Indian casinos, endorsed by the California electorate by two initiative measures, are regulated and do not cheat anyone who visits them.

The urban growth of Los Angeles, San Francisco, and Sacramento provides the topic for Robert Phelps who notes the overnight importance of Sacramento and the ranking of urban centers from metropolis to cities, towns, and hamlets according to their economic activity and population. Nancy Taniguchi describes the participation of women in the Gold Rush and the many occupations they pursued during the early years before social stratification rigidified their roles. Anthony Kirk's examination of Gold Rush art and artists profiles the work of Charles Nahl, Samuel S. Osgood, William S. Jewett and other artists who earned good livings drawing and painting Gold Rush entrepreneurs and landscapes. His chapter includes fourteen color plates that beautifully reproduce their work. Michael Kowalewski surveys the literature of the era, including novels, essays, and plays that exemplified regional writing. The early years of education in the new state are examined by Irving Kendrick who shows that public education had its own problems 150 years ago that are disturbingly similar to educational issues today.

Los Angeles, San Francisco, and Sacramento provide case studies for Steven

M. Avella's article on organized religion planting deep and lasting roots in California. In as lively an article as one would expect from a study of popular culture, Gary Kurutz surveys the opportunities for recreation and amusement, a topic that allows him to assess a range of activities from gambling to ballet. Wrapping up the volume is a somewhat speculative essay by Susan Lee Johnson on sex and sexuality in Gold Rush California. Relying on a diary now in the Bancroft Library, Johnson decodes the cryptic writing of a young goldseeker whose desires seemed to have included heteroeroticism, homoeroticism, and autoeroticism. She suggests that examination and reexamination of Gold Rush primary documents may well yield new insights into what was going on in the minds of Gold Rush men and women when they weren't thinking about gold, or at least what they thinking about besides gold.

Taken together, this third volume's essays score another triumph in the series and are a requirement for anyone interested in reading about or doing research in the many and varied aspects of the California Gold Rush.

—Abraham Hoffman



CHANGING TRACKS: Predators and Politics in Mt. McKinley National Park, by Timothy Rawson. Fairbanks: University of Alaska Press, 2001. 327 pp. Illustrations, Notes, Bibliography, Index. Cloth, \$39.95; paper, \$24.95. Order from University of Alaska Press, 1st Floor Gruening Building, University of Alaska Fairbanks, P. O. Box 756240, Fairbanks, AK 99775-6240, (907) 474-5831.

This excellent book traces the struggle to define the purpose of wildlife in a national park in the context of scientific wildlife management and the demands of eastern hunters. The hunters were wealthy easterners who saw the bighorn ram as a symbol of triumphant masculinity as well as prey. The wolf was a scourge that limited their prey

and ability to be true manly men. Park service personnel saw matters differently and a decades long struggle ensued that pitted the easterners with political clout against the professional stewards of wilderness in Mount McKinley National Park.

Fortunately, the stewards had science on their side, but it was an emerging science. Aldo Leopold was the father of game management who set out principles in *Game Management* (1933). Two years later, he helped found The Wilderness Society. Leopold saw that sportsmen had a short-time viewpoint and as a professor at the University of Wisconsin and author, he advocated managed wildlife balance. Sigurd Olson, another Badger, joined The Wilderness Society and argued that wolves were an asset to big game. Olaus and Adolph Murie also advocated the introduction of wolves into big game habitat. The work of the Murie brothers established a framework for the reintroduction of the wolf in the west. Field work and decades of publication gave their 1920s and 1930s work increasing validity.

In the 1940s eastern sportsmen, particularly the Camp Fire Club, took this "science" to Congress to exterminate the wolf and save the sheep. The politics of predation was national. Back in Alaska, Adolph Murie controlled the extermination campaign sacrificing select wolves to the politics of wildlife management. Ultimately, the scientific community won out and the wolf became a fixture of wildlife management in the park.

This is a book every person interested in game management history should read. The author has used extensive archival resources to tell the important story of the wolf in the wildlife matrix.

—Gordon Morris Bakken



GUNFIGHT AT THE O.K.CORRAL, IN WORDS AND PICTURES, by Thom Ross. Golden, CO: Fulcrum Books, 2001. 96 pp. Illustrations, Bibliography. Paper, \$19.95. Order from Fulcrum Publishing, 16100 Table Mountain Parkway, Suite 300, Golden CO 80403-1672, (800) 992-2908.

Thom Ross is first an artist and his bigger-than-life abstract images of all the participants and fringe players that lived and died in the famous Tombstone shootout appear in the *Gunfight at the O.K. Corral In Words and Pictures*. With stark and heavily shaded artistic tones, Ross first captures a mood and then realizes a visual feast of no nonsense lawmen and hard-nosed outlaws going through their now familiar roles, which climaxes on the streets of Tombstone. A sense of foreboding inhabits each vivid canvas. These are not Remington or Russell paintings of cowboys or historical events. Ross's figures capture and perpetuate the mythical qualities and character that surround the O.K. Corral shootings.

Some slick biographical information and a historically accurate account of the shootists and events that led to the street battle accompany each picture. With text like, "Patients weren't enamored with a dentist who hacked, coughed, and spit blood while working on their teeth," the reading is fast, informative, and fun.

The entire pantheon of Tombstone is presented: Johnny Ringo, "Curly" Bill Brocius, the Clantons, McLawrys, Wyatt, Virgil, Doc and others. The pictures of "Doc Holliday," and "Wyatt Earp at Midnight" are haunting visages. "Benson Stage Robbers" and "Midnight Assassins" capture the mood and depravity of the killers. A fresh new look at American western mythology through an artist's eye...great art; good text.

—Gary D. Turner