



SPRING 2013

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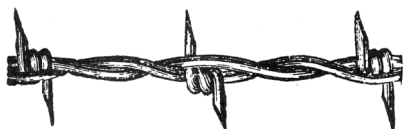
NUMBER 270

Hank Vaughan

Oregon's Homegrown Outlaw

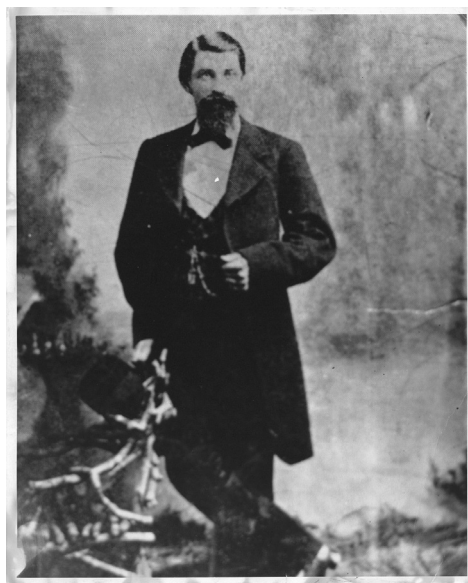
By Tim Heflin

EDITOR'S NOTE: As a result of several differences of opinion between the published version and the author's version of the article "Hank Vaughn: Oregon's Homegrown Outlaw," published in the Branding Iron for Winter 2012 Number 265, the original version, written by Tim Heflin, is reproduced here.



Henry Clay Vaughan, known as Hank, was born in the Willamette Valley on April 27, 1849. He was the first of seven children born to Alexander and Elizabeth Vaughan, and one of the first babies born in the newly-formed Oregon Territory.

His grandfather, William Tyler Vaughan, traveled as a cattle drover for Sol Tetherow to Oregon in 1845. Their group went with Stephen Meek on his ill-fated trek south at the Blue Mountains and into the Malhuer region of eastern Oregon Territory. There they became lost for three weeks - at least twenty of the party perished, and the legend of the Blue Bucket Mine began. Despite this hardship,



William, or Captain Billy as he was known, fell in love with the Willamette Valley. He wintered there and returned to Missouri in 1846 with just a couple of horses and tack. Back in Missouri, he made plans for his wife and nine children to make the trip to Oregon. In 1847, Captain Billy and Phoebe Vaughan moved their brood over the Oregon Trail to near present-day Coburg, Oregon. That is where his eldest son Aleck met and married

(Continued on Page 3)

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The Branding Iron is always seeking articles of
2,500 words or less dealing with every phase
of the history of the Old West and California.
Contributions from both members and friends
are always welcome.

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Los Angeles Corral of The Westerners

Editor's Corner . . .

Well folks - with the new year comes a new Branding Iron editor! My name is Steve Lech, and I'm a newcomer to the group, having been brought in by Phil Brigandi and John Robinson (so at least you know who to blame!) In a way, I'm a bit of a fish out of water because although I enjoy hearing about western history, my sole focus in research is Riverside County. It's an oft-neglected part of the study of California history, and I'm on a one-man crusade to rectify that!

In my endeavors, I've been the editor of the Journal of the Riverside Historical Society, and am currently the editor of the Riverside County Chronicles journal that is published by the Riverside County Historical Commission. In addition, I've developed and laid out 3 of my 8 books, so I know a bit about editing, proofreading, and layout. With that in mind, I'm sure Larry and Joe figured they had a "live one," and so here I am. All kidding aside, I am truly looking forward to being the Branding Iron editor for the group. I've seen what has come out of this group and am looking forward to seeing more as we continue on.

Now here comes the pitch - I can't do this alone. I need all of you to put pen to paper (OK, fingers to keyboard) and begin writing those articles you've been meaning to but keep putting off! I'll need content to put in the Branding Iron - not only articles, but Corral Chips, book reviews, etc. If you have any questions about any of the above, please feel free to get ahold of me.

I'd like to thank my predecessor Paul Spitzer for the work he's done with the Branding Iron and for his assistance in making the transition a smooth one.

Happy Trails!

Steve Lech
rivcokid@gmail.com

Elizabeth Fields. The Fields were also recent arrivals to the area.

Hank didn't like farming but he did enjoy being around and tending livestock, especially horses. Hank was twelve when the family moved to The Dalles in 1861. The task of selling the extra horses along with the milk cows was left to Hank. Dealing in livestock would be Hank's main vocation for all of his life. In 1863, Hank went to stay at Canyon City with a couple of his uncles herding cattle. The Vaughan family maintained a herd there to supply area miners with beef. There at a young age Hank started trading and selling horses.

At fifteen, Hank got into a dispute with a miner over partial payment on a horse. When the miner stated that it was a stolen horse anyway, Hank drew his pistol and fired. His shot glanced off the miner's forehead but didn't kill him. Hank was arrested and released on bail. After getting out, Hank started drinking and threatened to shoot the miner or the witness who had pressed charges against him. When the witness showed up, Hank shot and wounded him. Hank was rearrested and sent to The Dalles to await trial. After four months in jail, Hank's cases went to trial. The case, regarding the wounding of the miner, was dismissed, but the case about shooting the witness proceeded. When the jury couldn't agree on a verdict, Hank's father, Aleck, made a plea to the judge that resulted in Hank's release.

Later that same day, Hank, Aleck, and two of the Vaughan cousins joined the First Oregon Volunteer Infantry at The Dalles. Hank's family hoped that would straighten him out. That wasn't to be. Hank disliked being forced into the service and made the fact well known. Within six weeks Hank was mustered out of the guard as unfit for service.

After being discharged, Hank stayed around The Dalles until April. During that time, he joined up with another youth, Dick Bunton. The two made plans to gather several horses to take to the Idaho Territory. They could get upwards of \$200 per mount from the miners in Idaho and Bunton knew the trails. The profit from one pony alone was more than Hank would make in a year herd-

ing cattle with his uncles. Though young, Hank was more than willing to take the risks.

The pair worked their way up the Columbia River and set up camp outside of Pendleton. They camped there about a month trading with the Indians. When Hank and Dick left to cross the Blue Mountains, they stole a couple of horses from a ranch nearby. One night the two were camped near the Burnt River when Sheriff Frank Maddock and Deputy Jackson Hart caught up with them. The sheriff and deputy crept up on the youths in the moonlight and surprised them in their bedrolls. When told to throw up their hands, young Hank and Dick came up firing six-shooters. Bunton and Hart were killed in the gunfire. Sheriff Maddock had a severe wound to his head. Hank was bleeding from a wound to his thigh and a crease in his scalp. Maddock couldn't move and Hank briefly escaped but was captured shortly thereafter. His second time in court wouldn't go so well for Hank.

In 1865, at the age of sixteen, Hank Vaughan was sentenced to life in prison. When he entered the penal system, the prison was in Portland, but in 1866 the inmates were marched south to Salem. There the prisoners were to build the new state penitentiary where they would be housed. Escapes from the old prison were frequent, and the "Oregon boot" was devised to thwart these attempts. Hank was most certainly familiar with this device. While in prison, Hank received a more formal education in reading and writing while also gaining a criminal education from hardened convicts.

While Hank was in prison, the Vaughan family rallied to his aid and petitioned the governor for Hank's release. Their reasoning was that Hank thought he was being robbed the night he shot and killed Deputy Hart. On February 22, 1870, Hank received a full pardon from Governor George S. Woods. That would be the only time Hank would spend in prison - he would be jailed again, but not for any length of time.

Upon his release from prison, Hank was not quite twenty-one and had already been involved in three shootings. He had served over four and one half years in prison, not

counting jail time awaiting trials. While he was in prison, his family had moved back to the Willamette Valley, and upon his release, he went there and used that time to help the family ready a herd of cattle for market. Hank then accompanied his father, uncles, and cousins on a cattle drive that ended at the newly-established railroad depot at Elko, Nevada. With all of his past troubles in Oregon, Hank decided to try his luck in the Elko area.

In 1875, Hank acquired and stocked a ranch on the Humboldt River east of Elko. The ranch was ideally situated close to the borders of the Idaho and Utah territories. That was a characteristic that all of Hank's future operations would share since it was advantageous to be within a one or two hour hard ride from a border when handling stock with questionable ownership. Hank also learned that it was best to have a legitimate business and become known in the community to cover shady dealings. He also acquired a wife at about the same time, marrying nineteen-year-old Lois J. McCarty. Her brothers were the notorious McCarty brothers, Tom, Bill and George. Butch Cassidy rode with Tom prior to Butch's days with the Wild Bunch. In short order, Hank fathered two sons though he was never much of a father to the boys. He apparently wasn't much of a husband either, because in late 1877, Lois left Hank and took the boys with her.

In 1878, Hank returned to Oregon. He chose the Pendleton region as his base of operations. Soon after arriving there, Hank Vaughan married Louisa Jane Ditty. Of course, Hank hadn't bothered divorcing Lois before marrying Louisa. Hank established a home with Louisa in a cabin on Wildhorse Creek. As with his first wife, Hank rarely spent time with Louisa. The new union would run the same course as before, lasting until 1881. That is when Louisa, tired of being alone, left Hank.

During his time in the Pendleton area, Hank made a legendary ride. The town of Pilot Rock got its name from the bluff above the town. The butte slopes up from the back and has a near vertical face with naturally-occurring terraces at varying elevations. Hank was

in a Pilot Rock saloon when he was braced by four local ranchers about stolen stock. He got the drop on them and made his escape. A posse followed him out of town and up on to the top of Pilot Rock. With the posse closing on him, Hank put spurs to his bay and rode over the edge of Pilot Rock. None of the posse was willing to take the risk. Hank rode his horse into the bar he just left, had another drink, and was gone before the posse returned. Hank was known to have a keen eye for horseflesh and to keep the finest for his own use. It was agreed by all who knew Hank that he was an exceptional horseman. That wasn't a meaningless compliment back when everyone rode horseback.

While in Eastern Oregon, Hank expanded his operations into the territories of Idaho and Washington. His father and other Vaughan relatives were living outside of Boise City, and Hank also had Vaughan uncles and cousins in Goldendale, Yakima and Ellensburg. At his new operation, Hank put up corrals and a cabin near Spokane Falls since it was easier to move horses and cattle from Washington into Montana Territory than from Oregon. With these new improvements, Hank was able to move livestock all the way from Elko, Nevada through Idaho, Oregon, and Washington, and eventually Montana.

No evidence ever surfaced linking Hank's father, or any of the Vaughan uncles, to Hank's illegal activities. The same can't be said of some of his cousins. Hank's legitimate businesses afforded him cover and also gave Hank the appearance of respectability. On one trip to Boise City in 1879, he was involved in a gunfight with Pitt Smith. Pitt challenged Hank in the street, drew first and missed. Hank's slug struck Smith in the hip but wasn't fatal. As Pitt Smith had drawn first, charges against Hank were dismissed. Hank's reputation grew.

In December of 1881, Hank entered Prineville, Oregon. The day after arriving, He was making his way through the bars when he ran into Charlie Long, a local cowboy, at Dick Graham's place. The two had a card game that ended after a hand that Long won. Hank left Graham's bar but later met up with



The town of Pilot Rock, circa 1880

Charlie again in Til Glaze's Singer Saloon. Hank offered to buy a drink and Charlie declined. Hank took off his bandana with his left hand and offered the other end to Charlie for a "Missouri Duel." The rest of the patrons quickly departed the bar as Long grabbed the other end of the neckerchief. Hank pulled his revolver first but let Charlie take the opening shot. That shot put a furrow through the center of Hank's scalp. The two took turns exchanging shots while still clasping the kerchief. Hank whooped, hollered and jumped around while Long was basically a stationary target. At the end of the gunplay, Long had his six-shooter pressed against Hank's head when the cylinder landed on a defective round. The combatants were both bleeding profusely. Charlie Long caught four slugs, one over the heart, one in the belly and one each in an arm and hand. Hank only received two other wounds besides the almost fatal crease to his forehead. Both of those wounds were close to his heart. Each man would survive his injuries and they would meet again years later. The gunfight was reported in most of the newspapers in the Pacific Northwest. Some even erroneously declared that the outlaw Hank Vaughan had met his match and succumbed. Hank would

later visit and intimidate the editors who chose to print word of his early demise.

By the winter of 1881-1882, Hank had taken up with the widow Martha Craig Robie. Her father was William Craig, the mountain man and acknowledged first white settler in the Idaho Territory. Her mother, Isabel, was Nez Perce and the daughter of Chief James. Martha's late husband A. H. Robie sold his Diamond Ranch to Peter French before Robie's death in 1878. She had a ranch on the Boise River near the small town of Star, Idaho Territory, not far from the home of Hank's parents. Hank and Martha would get a ranch together on the lower end of Wildhorse Creek. With Martha being part Nez Perce, they additionally claimed land in her name on the nearby Umatilla Indian Reservation. The use of Indian land in his horse rustling operation would vex authorities for years. Centerville, Oregon, (now Athena) was the closest town to these properties. Martha entered the relationship with money which added to Hank's illusion of integrity. In 1888, Martha would legally become Mrs. Hank Vaughan. The two would travel extensively and be together for the rest of Hank's life.

Most people would describe Hank as a smaller man with a neat appearance who was reasonable, courteous and fearless, un-

less he was drinking. He was known to be a practical joker and an excellent storyteller. Then again, he grew up listening to the tales of Captain Billy's adventures. When drinking, he went from being fearless to outright reckless. Pendleton was said to be littered with wrecked buggies from Hank's alcohol fueled escapades. He was easily bored when imbibing and liked to make tenderfeet dance.

On August 8, 1886 Hank was drinking in a Centerville saloon. He chose a southern newcomer for the butt of his next joke. That man's name was Bill Falwell and he took great offense when Hank made him dance with bullets flying. Falwell traded his horse for a .50 caliber pistol and went looking for Hank. He found him the next day, August 9th, inside Donica's store. Hank was talking to Dick Donica when Falwell burst in threatening to kill Vaughan. He started shooting as soon as he saw Hank. His first shot broke Hank's right arm. Hank ducked behind a spool case as he was unarmed. The spool case took the rest of the lead from Bill's revolver. When the gun clicked on an empty chamber, Hank came out from behind the case and started pummeling his assailant. That's when the sheriff showed up and broke up the fight. The broken right arm was quite serious to Hank, for it was his gun arm. Like his previous injuries, Hank would recover and was still able to handle his pistol with proficiency. However, while recouping from this injury Hank learned to shoot left-handed. From that time on Hank wore two handguns.

As Hank aged, he gained stability along with public acceptance. That was probably due to Martha. Martha's land holdings were extensive and Hank took this responsibility seriously. The wheat farming operation on the Umatilla reservation ranch was quite successful because of Hank's management. It was considered a prime example of dry land farming. Of course, everything wasn't exactly as it seemed. Much of the capital that went into the ranch was borrowed. Like always, creditors had a difficult time collecting on their loans.

Hank rode one of his horses to Pendleton and had it shod on May 30, 1893. That trip

would include some stops at the saloons. When Hank left for home he decided to treat the town to one of his riding exhibitions. He was racing pell-mell down Main Street when his sorrel stumbled and fell with him. His mount got up but Hank just lay there unconscious. They took him to the Transfer House and sent for the doctor. When Hank came to his senses, his chest was hurting and he had an obscenely swollen eye. At first it seemed like he might once again recover from another grave injury. However, a few days later his condition turned for the worse. Hank was in a semi-comatose state and slipping. He held on for a couple of weeks. There were daily updates on his condition in the newspapers of the Pacific Northwest. Charlie Long was one of the many who paid his respects to Hank while he lay in his room at the Transfer House. On June 15, 1893, the outlaw Hank Vaughan passed away at the age of 44 from his head injuries.

In conversations with Marshall John Bentley late in his life, Hank admitted to killing thirteen men in his lifetime. Incidentally, that is the same number of bullet scars Hank's body bore at the time of his death. Only six of those scars are accounted for from Hank's documented wounds. Hank was able to live wild and untamed because of the bustling era he lived in. Horses and beef were in huge demand for settlers, miners, and of course, railroad construction crews. Hank Vaughan was considered the ringleader of a large band of horse thieves encompassing the entire Pacific Northwest. He was believed to be involved with many other crimes including the bank robbery in Roslyn, Washington Territory.

Hank Vaughan was larger than life and one of the more colorful characters of the Wild West. Yet, he is largely unknown to history buffs today. The little bits of information found in books or articles published before 1997 seem to be based on erroneous data from a man named William Parsons. In 1902, Parsons coauthored the History of Umatilla and Morrow County. He must have acquired most of his information from word-of-mouth, not public records, for much of it is inaccurate or incomplete. Parsons was a lawyer who crossed paths with Hank. According to

Parsons, Hank persuaded him to accept a gift that Parsons did not want. Later, they had a dispute over fees concerning Hank's divorce from his first wife Lois. Parsons claims that Hank treated him with great dignity from that time on. Still, it appears that Parsons' insight isn't entirely objective. It does show that just as many people had strong negative feelings towards Hank as liked him. When another historian, Jon Skovlin, started combing through newspaper articles, government records and interviewing relatives in 1965, he was apparently the first to do so and use the information. Skovlin and his wife Donna spent thirty years researching the life of Hank Vaughan for their definitive biography on him. It's amazing that in today's era of movie retreads, nobody has discovered this legitimate, one-of-a-kind, true character of the Wild West.

Author's note: I used the Skovlin's version of the gunfight with Charlie Long in Prineville. It is a compilation of several interviews and accounts of the incident. Whether a "Missouri Duel" occurred or not, the gunfight and subsequent injuries are a fact.]

Suggested reading:

Ontko, Gale. *Thunder Over the Ochoco Vol. 5: And the Juniper Bore Fruit*. Maverick Publications, Inc. 1999.

Skovlin, Jon M. & Donna McDaniel. *Hank Vaughan [1849-1893]: A Hell-Raising Horse Trader of the Bunchgrass Territory*. Reflections Publishing, Inc. 1997.

Skovlin, Jon M. & Donna McDaniel. *In Pursuit of the McCartys*. Reflections Publishing, Inc. 2001.



Some pack-mule prospectors were still roaming the California deserts in the 1920s and 1930s when famed Pomona photographer Burton Frasher took this shot of someone he called "an old friend of Desert Steve's." Desert Steve referred to Steve Ragsdale, a former cotton grower from the Palo Verde Valley who moved west into the Chuckawalla Valley and founded Desert Center - a way station for motorists going through the harsh terrain of the desert. (Photo from collection of Steve Lech)

Murder in Mud Springs: First Crime in San Dimas

By Paul McClure

In 1862, Mud Springs suffered its first recorded murder. While traveling from Cucamonga to Los Angeles, John Rains was ambushed, lassoed, shot, dismembered, and tossed into the bushes near the site of the Clancy home along today's Arrow Highway.

Rains owned Rancho Cucamonga. He was married to Maria Merced Williams, daughter of Isaac Williams, the former owner of Rancho Santa Ana del Chino. Rains had allegedly swindled his wife out of her property and squandered their wealth.

After Rains' murder, Robert Carlisle, the widow Merced's brother-in-law, coerced her into signing over control of her property to him. She ultimately lost all of her inheritance and lived out her life in relative poverty, the victim of two avaricious Americans who apparently had married into a wealthy Californio family to acquire their property—and for love, of course.

Maria Merced Williams

In the late-1700s, Merced's grandfather, Spanish soldier Antonio Maria Lugo, amassed great wealth and attained personal



Maria Merced Rains
1839-1907

prestige in Southern California. He was one of the few Californios to receive a land grant during the Spanish era before California became part of Mexico.

Merced's father Isaac

"Don Julian" Williams had come to California from Pennsylvania and "established himself as a merchant in the small pueblo of Los Angeles. Following the precedent set by many resourceful gringos of that day, he married into one of the rich ranchero families, and as a consequence became owner of Rancho Santa Ana del Chino."¹ At the time of their marriage, Williams was 37 years old and his new wife, Maria de Jesus Lugo, was only 13.

By 1842, Merced's grandfather Antonio Lugo had given her father Isaac Williams 4,000 head of cattle and a 22,000 acre ranch in Chino. Later her father applied for and received an additional 13,000 acres in his own name, making the total 35,000 acres and making him one of the richest cattle barons in the state.

Maria Merced Williams went by the name Merced. She "was no ordinary heiress. Her father was the richest cattle baron in the state, and her mother was the beautiful daughter of one of the most famous Californio patriarchs of them all, Antonio Lugo."²

John Rains

John Rains, a former Texas Ranger, "was a poor but gallant cowpoke—also a cunning and ambitious opportunist—and the marriage (of Rains and Merced Williams) led to three murders and the juiciest scandal of the age."³

Rains enlisted as a private in the Texas Rangers in October 1847. If he could have "claimed a background of money and aristocracy, he probably would have served as an officer rather than a private."⁴

At the time of his enlistment, the reputation of the Texas Rangers was less than stellar and there is "no disguising the fact that these volunteers seemed to pride



John Rains
1829-1862

themselves on behavior that was far from restrained.”⁵ However, by the end of the Mexican-American War, Texas Rangers “were in demand as guides for parties coming to California over the southern route, through Mexico and Arizona.”⁶

In 1854, John Rains drove 500 head of cattle from Sonora, Mexico to Warner’s Ranch in today’s northern San Diego County. By this time, John was ready to settle down and in October of that year he signed a contract with Isaac Williams “to look after William’s cattle at Temecula, and he could serve as Indian sub-agent at the same time.”⁷

New Bride, New Ranch

Merced Williams “had been pampered by her indulgent father, and she knew nothing of business matters or how to run a ranch. So when her father died in 1856, [the 17-year-old Merced] turned desperately to the first eligible suitor [ranch foreman John Rains] and married him *the day after her father’s funeral*, scandalizing Southern California.”⁸

When Rains married Merced, he took complete control of her property, and

eventually traded her half interest in the 35,000-acre Rancho Santa Ana del Chino for 13,000 acres of the Rancho Cucamonga. “Although Mexican law required the land to be held in both names, Rains drew up the deed in his name only. When his wife kept asking whether her name was on the deed, he brushed her off.”⁹

Rains at the Top of His Game

Rancho Cucamonga was strategically located at the base of Mt. San Antonio (aka Mt. Baldy) with water from three sources: “San Antonio Canyon, Cucamonga Canyon, and Cucamonga”¹⁰. In addition, it was located at the “confluence of the Mojave Trail, the Old Spanish Trail, and El Camino Real.”¹¹

In 1861, John, Merced, and their three children moved from Chino to their new brick hacienda near the present-day intersection of Vineyard Avenue and Hemlock Street.

At that time, Rains was a rich and politically influential man, he was generous and well-liked, and he was recognized as a man who provided abundant hospitality at his Cucamonga home.

He “occupied a prominent place in business and political circles and in 1860 he was a delegate with John Bidwell to the democratic national convention, at Charleston.”¹²

Rains increased the size of his vineyard; made improvements to his winery, shops, and stage station; and furnished employment for many. “Eager to be a respected land baron, he set about transforming a tumbleweed wasteland into an agricultural oasis. Rains invested in three ranchos as well as the Bella Union Hotel in Los Angeles.”¹³

Mortgaging the Future

The years 1860 and 1861 were beset by severe drought, and then in 1862 the same area was hit by catastrophic floods.

By 1861, when the Civil War broke out, Rains had overextended his credit. By the next year, he was in deep financial difficulty. Therefore, on November 12, 1862, John and Merced signed a mortgage for \$16,000 on

Rancho Cucamonga and the Bella Union Hotel with Philip Sichel, Isais Hellman, and Solomon Lazard. Merced signed the mortgages, despite the fact Rancho Cucamonga was in John's name only.

On November 17, 1862, five days after Rains had signed the mortgage, and "at the peak of his career, 33-year-old John left his wife and four children in Cucamonga and drove off in a wagon toward Los Angeles."¹⁴ He would only make it as far as Mud Springs.

First Murder in Mud Springs

On November 29, 1862, the *Los Angeles Star* reported "[O]n the morning of leaving home, as his wagon was being prepared, he [Rains] went to his drawer for his pistols, but they were not there; he inquired for them, but no one had been using them nor did anyone know where they were. The fact, now seen to be so fatal, singular to say, attracted very little attention and the doomed gentleman left home without a companion, without his arms."¹⁵

As John Rains passed through Mud Springs, he just seemed to have disappeared. For 11 days there was no trace of Rains or his wagon. Finally, his body was found near Mud Springs, and the motive appeared to be murder, not robbery.

The *Star* also reported that "the body of Mr. Rains was discovered about 400 yards from the main road in a cactus patch. The body gave evidence that the unfortunate man had been lassoed, dragged from his wagon by his right arm, which was torn from the socket, and the flesh mangled from the elbow to the wrist. He had been shot twice in the back, also the left breast and right side. His clothes were torn off when he lost one boot in the struggle. The body was not far from where the wagon had been concealed...."

"The Masonic Fraternity of which the deceased was a member took charge of the body upon being brought to town, and the obsequies were conducted according to their ritual."¹⁶



A Cascade of Suspects

The list of suspects in the John Rains murder included the following:

Merced Rains was believed by some to have had a hand in the murder. A few weeks after the attack, a posse showed up at Uncle Billy Rubottom's tavern, now the Sycamore Inn in Rancho Cucamonga, looking to administer some vigilante justice.

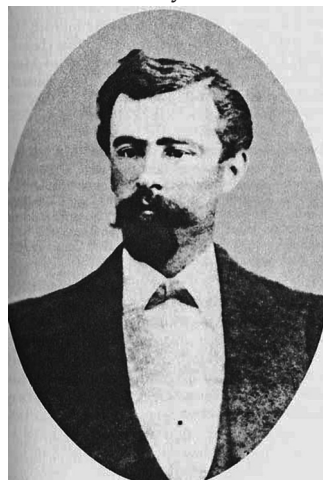
Horace Bell in *The Old West Coast* quoted Uncle Billy Rubottom as saying "One afternoon Eli Smith dropped by my place; in a little while George Dyche came in, then another and another, all of whom I recognized as personal friends of the ranchero. About a dozen of them, all armed to the teeth. They ordered supper. I listened around until I gathered that they had assembled for the purpose of hanging the suspected widow [Merced]. I made up my mind that it wouldn't happen."¹⁷

Rubottom pulled out a double-barreled shotgun, took their guns and ordered them on their way.

Merced, in mourning, pregnant with her fifth child and overwhelmed by the tremendous debts her husband had run up, was unaware of how close she had come to being murdered herself.

Ramon Carrillo was arrested, tried, and found innocent. That same year, "while riding near Cucamonga Station with a companion, Ramon Carrillo was shot to death from ambush and it was contended that this was still another echo of the Rains murder."¹⁸

"Many cling to the report against Ramon from the fact



Ramon Carrillo,
Suspect then hero

that he and Rains had high words some time ago, on the rancho, when it is said Rains insultingly discharged him from his employ."¹⁹

However, Judge Benjamin Hayes believed in Ramon Carrillo's innocence. He wrote, "The most terrible suspicion is that against Don Ramon Carrillo, and it shows how dangerously suspicion may work."²⁰

Tomas Procopio Bustamante was arrested but released due to a lack of evidence against him. He then fled north and continued his life of crime. Procopio was implicated in the 1863 murder of the Aaron Golding family in Calaveras County, of teaming up with notorious outlaw Tiburcio Vasquez, and of cleverly escaping a lynching in Bakersfield after his capture near Tejon Pass in 1877.²¹

Cave Coutts was a West Point graduate who had married Ysidora Bandini, daughter of Juan Bandini, a prominent San Diego citizen. Coutts later "purchased the San Marcos, Buena Vista, and La Jolla ranchos, and also government land, amounting in all to about 20,000 acres."²²



Cave Coutts
1821-1874

Captain H. S. Burton wrote in 1856 that, "It is generally believed that Cave J. Coutts, esq. Indian sub-agent, whipped to death two Indians."²³ "Coutts was relieved of his appointment as sub-agent for the San Luis Rey Indians...and because Rains eventually supplanted Coutts there might have been antagonism between them."²⁴

Cuervo Reyes, a young servant at the ranch, fell under scrutiny because of his suspicious conduct. "He was absent from the house all the morning of the murder,

not returning until about the time Rains left; other conduct on the day following adds strongly to his suspicion."²⁵

Also on the household staff was an Indian boy named **Juan**, whom Robert Carlisle had recently lashed. Juan "confessed that he stole Rains' pistols and gave them to his brother at Temecula. Later he claimed that he had no brother at Temecula."²⁶

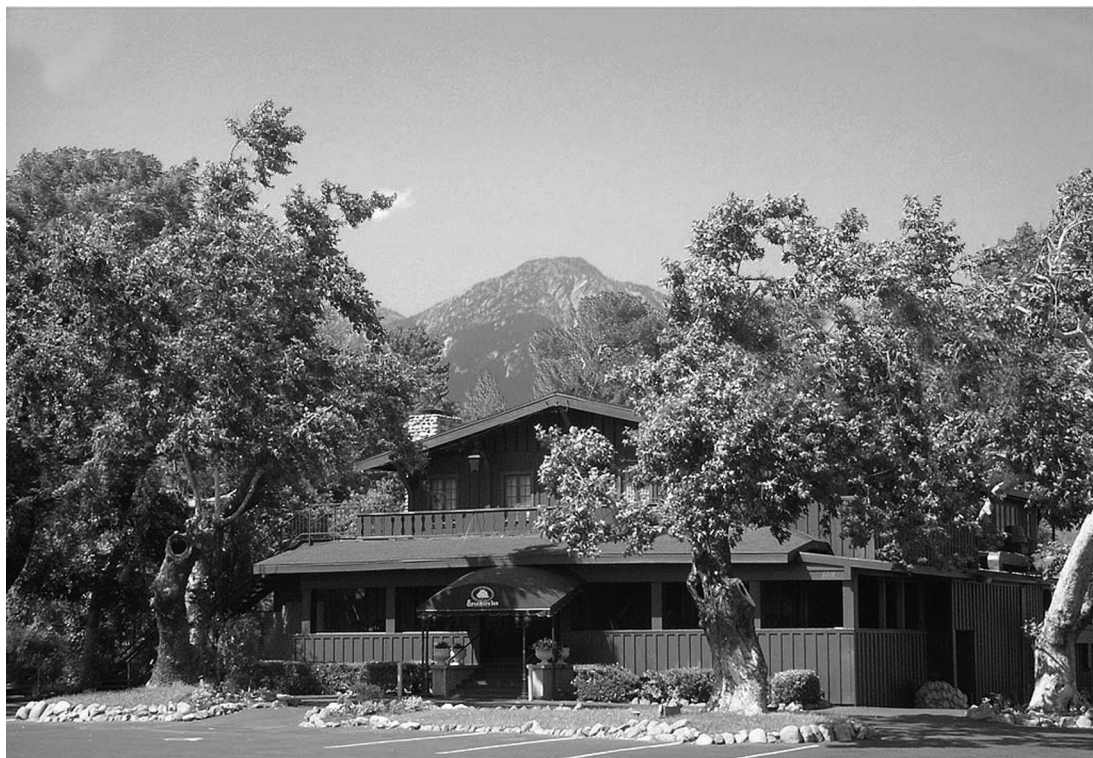
Robert Carlisle was Merced's brother-in-law. In 1864, he obtained power of attorney from Maria Merced which gave him control of all the property. "Some pointed to Carlisle as involved [in the Rains murder] in some way, perhaps hiring the killers."²⁷

"There is an interesting and suspicious detail regarding Carlisle. On the day that John Rains was killed, Robert Carlisle was supposed to have been sworn in as a newly elected member of the San Bernardino County Board of Supervisors, but was not present according to the board minutes of November 17, 1862. No clues as to his whereabouts turned up."²⁸

Judge Benjamin Hayes wrote that the fact that Ezra Drown and Jonathan Scott went to a party at Carlisle's on November 26—just "nine days after the Rains murder—deserves scrutiny. It is difficult to explain why a party would be planned while the body of a murdered brother-in-law was yet to be located."²⁹

Manuel Cerradel was arrested and, while in jail, fell ill with small-pox. He expected to die so he confessed and claimed that he and three others, **Tal Eugenio**, **Procopio Bustamante**, and **Jesus Astares**, were paid \$500 by Ramon Carrillo, another ranchero and political opponent, to kill Rains.

"In November 1863, Cerradel was convicted, not of the murder of John Rains, but of the assault to commit murder on the deputy sheriff who had arrested him."³⁰ Out in the harbor, on his way to a steamer that was to transport him to prison, "a group of vigilantes, indignant at the light sentence imposed, seized the culprit at a prearranged signal, threw a noose around his neck, and in a jiffy hung him to the flagstaff.... [S]



The Sycamore Inn, 2010

tones, brought aboard in packages by the committee, who had evidently considered every detail, were tied to his feet, and the corpse thrown overboard before the steamer was reached."³¹

But Wait, There's More³²

Two more shootings occurred in the wake of the Rains murder.

Ramon Carrillo shot in the back: On May 21, 1864, Ramon Carrillo, a relative of Merced's husband-to-be Jose Carrillo, "set out on horseback, riding behind Merced and her half-sister Chonita who were driving their carriage to nearby Rancho San Jose.... Suddenly they heard a shot. Ramon's horse came abreast of the carriage and Merced saw Ramon start to fall.... Ramon had been shot in the back....

"A few minutes later Ramon died, spitting blood, and declaring in his dying words that [G. W.] Gillette and [R. M.] Viall, and possibly Carlisle, had killed him."³³ "Gillette and Viall were charged with aiding in the

murder of Ramon Carrillo, but the case was dismissed."³⁴

Robert Carlisle shot in the chest: In February 1864, Merced asked her double cousin Wallace Woodworth "to take charge of her affairs in place of Carlisle, giving the reason that Carlisle had failed to supply the necessary provisions and clothing for herself and her family."³⁵

"On May 18, 1865, Judge Samuel Bell McKee decreed that Robert Carlisle could no longer control Merced's property."³⁶ However, instead of Woodworth, Judge McKee appointed Andrew "A. J." King as receiver of the estate. This "lit a fuse which resulted in a tragic explosion six weeks later."³⁷ On July 5, 1865, a shootout at the Bella Union Hotel in Los Angeles brought the King-Carlisle feud to an end.

A Patriarchal Society

After the Rains murder, "Merced, twenty-three years of age and unaccustomed to assuming responsibility, decided not to

remain at Cucamonga alone. She took her four children, all under the age of four, to remain for two weeks with her sister, Francisca, and brother-in-law, Robert Carlisle."³⁸

Three months after Merced moved back to her Rancho Cucamonga home, Carlisle showed up in her parlor. He held the 23-year-old widow "a virtual prisoner in a daylong confrontation [where he] and five of his powerful and influential cronies, repeating 'You're just a woman,' bullied Merced into signing an irrevocable power of attorney giving Carlisle complete control over her property."³⁹

Eventually, Carlisle bought a one-half interest in Rancho Cucamonga for only \$300. The estate was looted of further money when false claims of indebtedness were paid to three of the men who had forced Merced to sign the property transfer. Carlisle had sold the cattle and other assets, but "had not used any of this money to satisfy the pressing indebtedness of the notes totaling almost \$16,000."⁴⁰ The Rains family had no food, no money, and no income.

Judge Benjamin Hayes tried to get her land back. Unfortunately, subsequent litigation was unsuccessful. Robert Carlisle kept control of Rancho Cucamonga.

No Fairy Tale Ending

"Regarding the month between May 21 when Ramon was killed and June 21, 1864, when Merced remarried, one conclusion was obvious: Merced was terrified. Her five children were all under six years of age, and

she was responsible for her three half-sisters residing in her home. . . . Merced's only alternative was to remarry. It was a man's world."⁴¹

"Marriage could scarcely have been prompted by great romance, but it offered Merced a means of survival. And the bridegroom was taking on Merced's five children, scarcely a glamorous prospect. . . . Merced's choice of a Californio [Jose Clemente Carrillo], preferring him to Henry Wilkes [a disappointed American suitor], indicated she considered her experiences with several gringos—Carlisle, for instance—had not been the best."⁴² One month after the Ramon Carrillo shooting, Merced married Jose Carrillo.

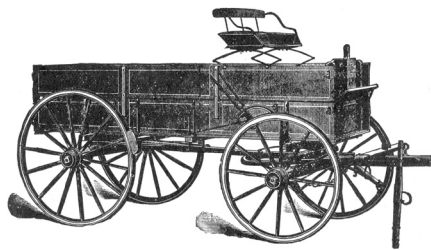
Only four months after the marriage, "Philip Sichel began foreclosure proceedings to obtain possession of the rancho."⁴³ In 1871, Los Angeles banker Isais W. Hellman acquired Rancho Cucamonga at a sheriff's sale.

"During the eleven years Jose Clemente Carrillo and Merced lived at the rancho, the family head was given little part in the operational management. . . . Merced gave birth to nine children in all: five with Rains, and four with Carrillo."⁴⁴

In 1876, Dona Maria Merced Williams Rains Carrillo and her nearly penniless family moved to Los Angeles where she quietly lived out her life.

The first murder in Mud Springs makes for a compelling morality tale about greed, power, arrogance, dependence, and financial mismanagement.





Endnotes

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2. "Greed, Violence Haunted Wealthy Heiress." *Los Angeles Times*, 18 Feb. 2001. Web. 19 Nov. 2011. <<http://articles.latimes.com/2001/feb/18/local/me-27083>>.
3. Ibid.
4. Op.cit. Black p. 3
5. Op.cit. Black. p. 3-4.
6. Op.cit. Black. p. 5.
7. Op.cit. Black. p. 12.
8. Ibid.
9. Op.cit. "Greed, Violence Haunted Wealthy Heiress."
10. Op.cit. Black. p. 28.
11. "The Inland Empire on Route 66." N.p., n.d. Web. 20 Nov. 2011. <<http://www.legendsofamerica.com/ca-inlandempire2.html>>.
12. Brown, John. *History of San Bernardino and Riverside Counties*. Chicago, IL: The Lewis Publishing Company, 1922. pp. 29-30. Print.
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14. "John Rains House." San Bernardino County Museum, n.d. Web. 19 Nov. 2011. <<http://www.sbcounty.gov/museum/branches/rains.htm>>.
15. Op.cit. Black. p. 72.
16. Op.cit. Black. p. 73-74.
17. Op.cit. Black. p. 78.
18. "Rancho Cucamonga." N.p., n.d. Web. 19 Nov. 2011. <http://en.wikipedia.org/wiki/Rancho_Cucamonga>.
19. Op.cit. Black. p. 71.
20. Op.cit. Black. p. 70.
21. "Procopio." N.p., n.d. Web. 20 Nov. 2011. <<http://www.nasa.dreab.com/p-Procopio>>.
22. Smythe, William E. *History of San Diego*. San Diego, CA: San Diego History Company, 1907. P. 268. Print. Cited at "Last Days of the Dons." N.p., n.d. Web. 23 Nov. 2011. <<http://www.sandiegohistory.org/books/pourade/silver/silverchapter15.htm>>.
23. Op.cit. Black. p. 13.
24. Op.cit. Black. p. 70.
25. Op.cit. Black. p. 71.
26. Op.cit. Black. p. 75.
27. "Carbon Canyon and Rancho Santa Ana del Chino: Merced Williams and John Rains." N.p., n.d. Web. 20 Nov. 2011. <http://carboncanyonchronicle.blogspot.com/2010_07_01_archive.html>.
28. Op.cit. Black. p. 77.
29. Op.cit. Black. p. 70.
30. Op.cit. Black. p. 79.
31. Op.cit. Black. p. 79-80.
32. "But wait, there's more," was an advertising slogan popularized by inventor and marketer Ron Popeil of Ronco selling the Veg-o-matic and other devices on television in the mid-1950s. During the 1990s, Billy Mays reprised the expression selling OxiClean and other products.
33. Op.cit. Black. p. 101.
34. Op.cit. Black. p. 105.
35. Op.cit. Black. p. 91.
36. Op.cit. Black. p. 133.
37. Ibid.
38. Op.cit. Black. p. 74.
39. Op.cit. Black. p. 84.
40. Op.cit. Black. p. 90.
41. Op.cit. Black. p. 119.
42. Op.cit. Black. p. 121.
43. Op.cit. Black. p. 125.
44. Op.cit. Black. p. 130.

Festus' Soliloquy - by Tim Heflin

My handle's Festus Hagan
you ol' scudder you.
I ken fork a saddle,
an' I ken rope sum too.

I hail from the hill Hagans,
we's jez' plain mountain folk.
We ain't exactly rich,
an' we ain't exactly broke.

I walks a mite bow-legged,
an' my spurs they jingle jangle.
My mule his name is Ruth,
an' his headstall gots a bangle.

When I come here to Dodge City,
I knowed nary a durned soul.
I didn't have no place to stay,
not evenest a cubbyhole.

Now I been here fur a spell,
an' I'm right nestled in.
See I gots me lots of frien's,
they's like my city kin.

Ol' Ruth he's dad blamed happy
in a stable made a logs.
He's slicker than a seal,
fat as a town dog.

Me an' Doc we's bestest pals.
We likes to go drown worms.
You gots to pick a good 'un,
one with a heap of squirm.

Ol' Doc he gets to jawin',
I ken't savvy half I hear.
He knows to ease my noggin'
with a nice cold glass a beer.

I helps Matthew at his office,
an' when he needs sum trackin'.
If trouble comes a callin'
he knows he's got my backin'.

When me an' Matthew sets our sights
on sum outlaw's trail.
We brings 'em back, pig or pork,
to Dodge City's jail.

If'n you rob a citizen
of Dodge City's population.
Matthew an' me'll follow you
to the ends of all creation.

Miss Kitty she owns the Long Branch,
an' she's a real fine lady too.
When I ain't out a deputyin'
she finds me chores to do.

Miss Kitty's knowed ol' Matthew
nigh on twenty years.
They's had their share a laughter,
an' they's had their share a tears.

We been knowed to go a fur piece
jez' to catch a crook.
If'n you harm Miss Kitty
ain't nowhere we won't look.

Ol' Sam is the barkeeper,
Miss Kitty's right hand man.
He handles the rough customers,
an' even fancy dans.

When Sam fetches up his fiddle,
an' plucks a frisky tune.
I been knowed to kick my heels up
an' romp across't the room.

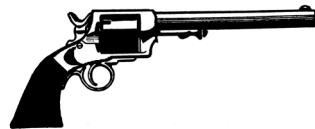
Now Newly he's a good 'un,
an' a right smart gunsmith too.
He helps Matthew as a deputy,
his aim is sure an' true.

Newly's got a old man's soul,
an' a good kind heart.
He be a learnin' from ol' Doc,
he got a heap a smarts.

Sumtimes we all get together
at Delmonico's.
Then mosey to the Long Branch,
an' stay until they close.

If'n you decide to wrong my frien's,
an' get into a scrape.
You oughter know I'll be on you
like ugly on a ape.

All these here folks is my frien's,
an' Dodge City is my home.
I'll always be a comin' back
no matters where I roam.



Monthly Roundup . . .

January 2013



Elizabeth Pomeroy
and Nick Curry



The history of Southern California resonates throughout the nation. San Marino, a significant community within Southern California, is a place where important people in history call home. The January 2013 talk given to the Los Angeles Westerners was on the history of San Marino by two of its own members and long time Southern California residents, Dr. Elizabeth Pomeroy and Nick Curry. Elizabeth recently published the book *San Marino, A Centennial History*, while Nick Curry, compiler extraordinaire, supplied much of the back up research and support material. Together they pursued some theories about what makes San Marino the city that it is, tracing its history starting with the land and its promises as well as the famous historical figures who lived there. From its unique topography to the arrival of Henry Huntington and the aura of his estate, the world famous Huntington Library and Garden, this small city was shown to follow a singular path -- and yet to also manage its own identity along the way. Some interesting vignettes and photographs of some special characters were shown. Besides pictures of Henry Huntington and others, there was one of a young cadet and future General, George Patton, shown on the porch of his

family home in 1903. These and others were discussed as if they were our neighbors today. Together Elizabeth and Nick, with their dual research on San Marino's history, anecdotes and connections, linked San Marino to the wider history of Southern California.

February 2013

Michele Zack

The upcoming 150th anniversary of the end of the Civil War is being commemorated now. As a part of that ongoing remembrance, many aspects beyond the battlefield actions are being reviewed. Michele Zack, fellow Westerner, presented a well-researched and timely discussion of the civil rights issues and attending politics in California in the run up to, and during, the Civil War. Michele brought to us her longtime and award-winning style as writer and journalist.

She discussed the potential of slavery being extended into California, the desire of Southerners to have access to the Pacific, as well as the powerful influence of Southern-born politicians in California in this period. Her investigations of San Gabriel Valley and Los Angeles history have led to her current research and book project on Los Angeles and the Civil War. She shared her understanding of California as a contributing cause to our country's most traumatic conflict, and why it is not well understood or included in most narratives of the war.



March 2013

Glen Creason

Glen Creason's presentation was in two parts: the first half of the talk showed some important maps in the development of Los Angeles covering everything from early Native American settlement, the early mission period, establishment of the Pueblo, the two rancho periods, statehood, and the transition from Spanish pueblo to megalopolis. Main topics of the slide show included the earliest subdivisions, the quest for water delivery, and the many "come-hither" maps that depicted Los Angeles as an idyllic spot. The first surveyed map of Los Angeles, the Ord Survey was discussed, as was the Hancock Survey that offered 35-acre donation lots, and a true plat map, the Stevenson map of 1884, that identified all owners of property in the city. An 1877 map by Glover was the backdrop to a discussion about the struggle between Santa Monica and Wilmington to provide a harbor for Los Angeles. There was

also a good look at the Pacific Electric system done in 1912 by Laura Whitlock. Many of the more appealing graphic representations were created with the purpose of bringing folks to the hinterlands of Southern California and this style of pictorial and Birdseye mapping was shown from before and after the coming of the railroads in 1877. Finally, maps unique to the area were featured, including maps to the Movie Stars homes, maps of the location of Hollywood studios, and the amazing 1942 pictorial map of Jo Mora that covers the length and breadth of the city's history on one sheet.

The second part of the talk centered around the once-in-a-lifetime gift of "a house full of maps" to the Los Angeles Public Library late last year. A realtor representing an estate saw thousands of maps in very good condition filling every room of the house. The house was to be demolished, so he called the library and within a day, the entire house was emptied of over 100,000 maps, effectively doubling the library's 130-year-old map collection.



Down the Western Book Trail . . .

QUEST FOR FLIGHT: *John J. Montgomery and the Dawn of Aviation in the West*, by Craig S. Harwood and Gary B. Fogel. University of Oklahoma Press: Norman, 2012, 241pp. Illustrations, Preface and Acknowledgments, Epilogue, Notes, Glossary, Bibliography, Index. Hardbound, \$29.95. - Reviewed by Ken Pauley.

Craig Harwood (great grandnephew of John Joseph Montgomery) and Gary Fogel (author of *Wind and Wings: The History of Soaring in San Diego*) set out to defend the honor and efforts of Montgomery as a pioneer in aeronautics and to elevate his status among his contemporaries.

Montgomery's interest in flying began as a boy in Yuba City where he became intrigued by cloud movement and the flight of birds. His early interests led him to study science, ornithology, electricity, and aeronautics. He was educated at St. Ignatius College, San Francisco, B.Sc. in 1879 and M.Sc. in 1880.

In 1882 John had a strong desire to understand aerial navigation after he moved from Oakland to join the family at their new farmland near Otay Valley (between San Diego and Mexico). He observed small and large coastal birds and dragonflies and captured them to study their wings for shape, curvature and strength. In mid-1883, incorporating his wing and "stability/equilibrium" theories, he built three wing-flapping ornithopters. These were unsuccessful and were followed by the design and construction of three flat-platform gliders (1884-1886) (Not one of these had a tail vertical stabilizer with movable rudder). Only the first glider, built in 1884, is supposed to have flown, being the first heavier-than-air glider piloted by a man on the North American continent. Details of that flight are fascinating but were not publicized until years later. Accounts of the event can be found in the book by Octave Chanute in 1894, the speech of John Montgomery at the New York Aeronautical Society in 1908, the books of Victor Loughheed in 1909 and Winsor Josselyn in 1940, and an affidavit of James Montgomery (John's brother) in 1944.

Embellishments to the story have increased as time has passed.

Professor John J. Montgomery (honorary Ph.D., Santa Clara College, 1901) was both a teacher of mathematics and inventor. During his lifetime he filed 26 patents, only one of which was aviation-related. The patent, entitled *Aeroplane* (1906), came after the construction of two new tandem-wing gliders -- one called *The Santa Clara*, the other *The California* (both in 1905). Hired parachutist-turned-aeronaut Daniel Maloney, besides making a few marginally successful flights, entered and flew the two gliders in two famous flight exhibitions. One was on April 29, 1905 at Santa Clara College, a rousing success; the second at San Jose's Agricultural Park on May 21, 1905 had problems.

On July 18, 1905 at Santa Clara College, Maloney flew *The Santa Clara*, which was towed and lifted upward by a balloon for cut-off separation. The glider struck a tethering rope on ascent, damaging its tail, causing Maloney to crash and die.

Montgomery next constructed a mono-aeroplane glider, the *Evergreen* (1909-1911). He planned to attach a motor to it. After fifty-five successful glides at Evergreen Valley, John Montgomery died in the crash of his *Evergreen* glider on October 31, 1911.

This reader highly recommends this book to anyone who has any interest in early aviation history. It is extensively footnoted and beautifully written. But be forewarned: the book, constructed as a biography, is biased in favor of Montgomery and his accomplishments and it feeds into the "Wright Brothers conspiracy." The authors make and repeat others' questionable accusations against his contemporaries, Baldwin, Chanute, and the Wright brothers. It is advised to check the referenced documents and evaluate all the facts for yourself.





FROM OUR FILES

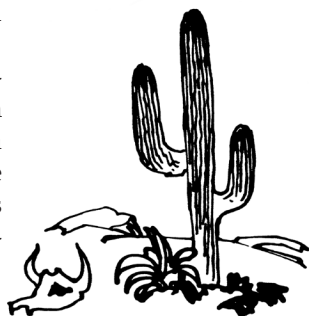
#64 March 1963

At our January meeting at Costa's Grill, Iron Eyes Cody spoke on the use of Peyote in Indian ceremonies. Honorary Member Mark Harrington and Holling C. Holling "both gave their own experiences in using peyote and the unusual dreams in living color as a result."

Burr Belden was planning a "journada" all the way down Baja California. Corral members Art Woodward, Don Meadows, Sid Platford, and Horace Parker were planning to make the four-wheel-drive trek.

#171 Spring 1988

Longtime members Rod Paul and Herschel Logan, who both passed away in 1987, were both remembered with fond obituaries. "The members of this corral tend to take each other for granted," Martin Ridge wrote of Paul, "and only when a man dies do we seem to realize that he was unique and distinguished." Logan had recently been honored with a Corral keepsake celebrating his work as an artist and author.



Corral Chips

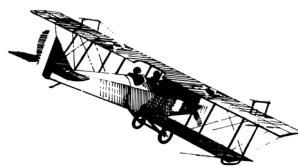
Dr. Kenneth Pauley

CURRENTLY WORKING ON: An article for the Branding Iron entitled "Aviation in the West circa 1880-1920."

NEEDS INFORMATION ON/FOR: Anything related to early aviation history in Southern California

RECENT PRESENTATIONS: He was the speaker for the November, 2011 Westerners meeting where he spoke on the topic "Samuel H. Colt – An American Icon."

OTHER: Dr. Pauley has done extensive research on the California missions. He has made several presentations, including a 4-part presentation on "Weights and Measurements in California's Mission Period." He has authored and co-authored many articles and books, including "From Victory to Vicissitude: Los Angeles in 1946" (Westerners), *The California Missions – Then and Now* (California Mission Press), and *The 1910 Los Angeles International Air Meet* (Arcadia Publications). Dr. Pauley was also the editor of the Westerners, Los Angeles Corral Brand Book #20 in 1997.



Eric Warren

CURRENTLY WORKING ON: *Pioneers of Eagle Rock* (History Press – with Frank Parrello).

RECENT PRESENTATIONS: Eric Warren recently designed and co-curated an exhibit entitled “Building Occidental – The Road to Eagle Rock.”

RECENT PUBLICATIONS: *Eagle Rock and Eagle Rock: 1911 – 2011* (Arcadia Publications).

Elizabeth Pomeroy

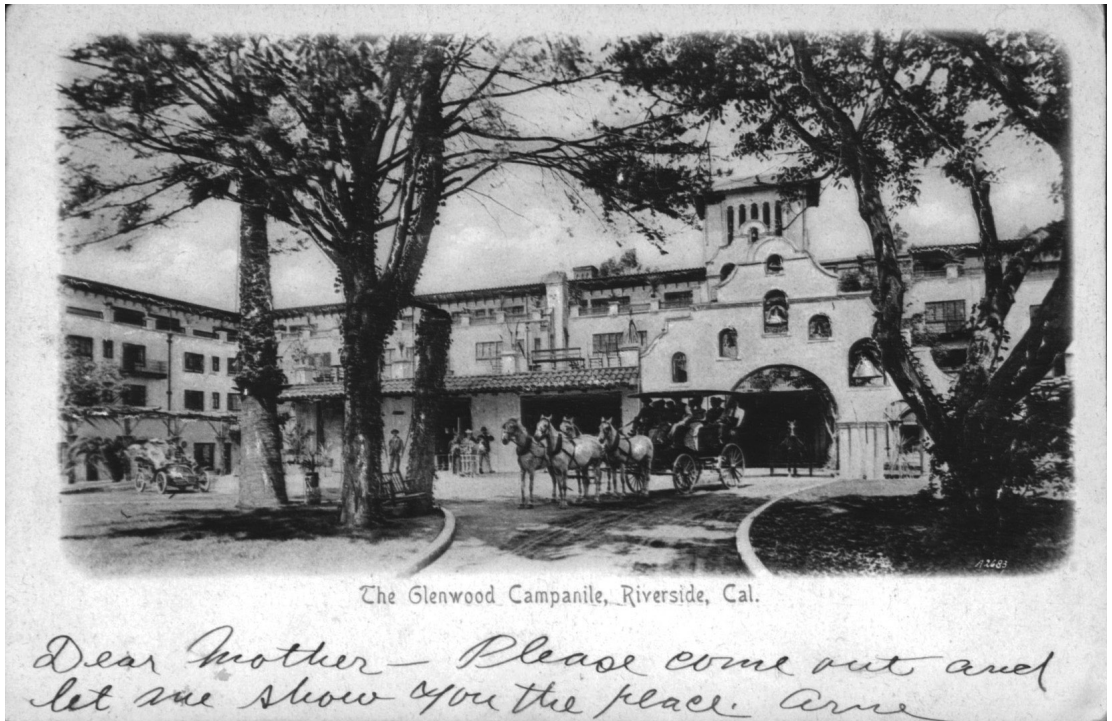
CURRENTLY WORKING ON: Elizabeth’s company, Many Moons Press, will soon bring out a new edition of Charles Francis Saunders’ *The Southern Sierras of California*.

John Robinson has written a new introduction for it and photographs are being sought!

NEEDS INFORMATION ON/FOR: She would like to hear from collectors of Saunders’ work or anyone interested in the new edition mentioned above.

RECENT PRESENTATIONS: Elizabeth has spoken extensively on the history of San Marino to the City of San Marino for their 100th anniversary (2013), and has spoken/will speak to the Huntington Library, Zamorano Club, Pasadena Museum of History, and other groups.

RECENT PUBLICATIONS: *San Marino – A Centennial History* (San Marino Historical Society) – Note: Nick Curry helped extensively with the research for this book.



A day-long excursion gets set to leave from the new Glenwood Hotel (later known as the Mission Inn) in Riverside. The writer admonishes his mother to “Please come out and let me show you the place.”

(Photo from collection of Steve Lech)