

PACIFYING PARADISE: VIOLENCE AND VIGILANTISM IN SAN LUIS OBISPO

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ABSTRACT

Pacifying Paradise: Violence and Vigilantism in San Luis Obispo

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San Luis Obispo, California was a violent place in the 1850s with numerous murders and lynchings in staggering proportions. This thesis studies the rise of violence in SLO, its causation, and effects. The vigilance committee of 1858 represents the culmination of the violence that came from sweeping changes in the region, stemming from its earliest conquest by the Spanish. The mounting violence built upon itself as extensive changes took place. These changes include the conquest of California, from the Spanish mission period, Mexican and Alvarado revolutions, Mexican-American War, and the Gold Rush. The history of the county is explored until 1863 to garner an understanding of the borderlands violence therein.

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INTRODUCTION

While I was out in the northern part of San Luis Obispo County, California, I went into Paso Robles for a general wine tasting. While I surveyed the varied array of bottles brought from all over the viticulture region, I was struck by one. Among the assorted standard images of pastoral scenes and reminders of nature, there was a picture that I instantly recognized. It was an old photograph from the 1850s of a man holding a pistol and staring into the camera. He was Pio Linares, a local legend, and the wine was “El Pistolero” from Chateau Margene. Having been studying the man’s exploits for some time beforehand, I was well aware of the mythology surrounding him, but I decided I could listen to it one more time. Talking to the operators who were incidentally related to the Linares family, they regaled me with how he was a misunderstood revolutionary and had been lied about by the victors who came to write the history. There was a heavy handed connotation of race being integral to the whole issue. On their website they say, “Standing up to the flood of white settlers trying to claim territory, including his family’s ranchos, most Californios saw him as a patriot.”¹ I did not announce my own studies, for it would have been rude and contradictory, but this is indeed the folklore surrounding Pio Linares in San Luis Obispo (SLO).



People all around California have found bandits to glorify since the actual time of their existence. The most notorious of these was Joaquin Murrieta. He was immortalized by the Cherokee novelist John Rollin Ridge only a year after his death at the hands of California

¹ “The Story Behind El Pistolero,” *El Pistolero Wines* (2015). Accessed 10/11/15: <http://www.elpistolero.wines.com/the-story.html>. The picture was also taken from that website.

Rangers who were sent out to kill or capture the most infamous of the “Five Joaquins.”² Ridge’s novel evidently drew heavily on his personal past with the Indian Removal Act, and he placed Murrieta as the outlet of racial tension - a man on a mission of vengeance against all Yankees for the two who had supposedly raped and murdered his wife. This was all fictitious of course, though Ridge denied that as such in his book, but the romanticization has stuck. Murrieta remains a symbol of vituperative rebellion on behalf of the racially maligned, especially among the Chicano movement.³ Some say he was the inspiration behind the Zorro stories, though if there is an inspiration, it is more likely to be another legendary bandit named Solomon Pico.⁴

Pio Linares falls into the same myth-making as Murrieta. Many of the bandits associated with the Linares Gang were famous in their own right, such as Jack Powers, Joaquin Valenzuela, and Miguel Blanco. Though the fame of Linares has never exceeded that of Murrieta outside of San Luis Obispo, the same tropes remain from Murrieta locally.

Historians have even endorsed the idea of revolutionary activity through banditry. Eric Hobsbawm, in his books *Primitive Rebels* and *Bandits*, espoused a theory that made a justification of these illegal activities.⁵ He terms the idea “Social Banditry.”⁶ Even though Hobsbawm was certainly looking at other localities half a world away, his ideas are just as applicable (or inapplicable if one denies them) in California as where he originally applied them in Sicilian history. These social bandits represent a primitive form of rebellion for Hobsbawm,

² John Ridge, *The Life and Adventures of Joaquin Murieta, the Celebrated California Bandit* (CA: Cooke and Company, 1854).

³ Shelley Streeby, *American Sensations: Class, Empire, and the Production of Popular Culture* (CA: University of California Press, 2002) 274-287.

⁴ This is a common refrain, but there is no evidence as to the inspiration of the 1919 series. Murrieta is normally said to be the inspiration. There is even a section in wikipedia on his being thus (https://en.wikipedia.org/wiki/Joaquin_Murrieta#The_Real_Zorro), but the original story is much closer to that of Solomon Pico. Pico was a notable Californio, since he was related to the Pico family, and was even allowed to live peacefully after his capture in San Luis Obispo in 1851. After the race riots in Los Angeles in 1856, he fled California, but was quickly executed in Mexico during the cleansing mission of 1860 by Governor Feliciano Ruiz de Esparza. For another who has argued this see David Middlecamp, “Outlaw Solomon Pico,” *San Luis Obispo Tribune* (1/5/2013). Accessed 2/1/2016: <http://sloblogs.tribunenews.com/slovault/2013/01/outlaw-solomon-pico-was-he-the-real-zorro/>.

⁵ Eric Hobsbawm, *Primitive Rebels* (NY: WW Norton & Company, 1965). Eric Hobsbawm, *Bandits* (NY: The New Press, 2000).

⁶ Hobsbawm, *Primitive Rebels*, 3.

even harbingers of revolutions to come.⁷ “They are peasant outlaws whom the lord and state regard as criminals, but who remain within peasant society, and are considered by their people as heroes, as champions, avengers, fighters for justice, perhaps even leaders of liberation, but in all cases as men to be admired, helped, and supported.”⁸ An easy way to conceptualize this is to call social banditry a robin-hood complex.

Murrieta has certainly seen this romanticization. He even was the subject of a film called *The Robin Hood of El Dorado* in 1936 based on the biography of the same name, which anticipated the revisionist western genre of the 1960s.⁹ Linares has not received this kind of attention, and his legend remains word-of-mouth, spoken among the denizens of San Luis Obispo in hushed tones as the oral history continues its telephone game of misrepresentation. Unlike Murrieta, who has John Rollin Ridge’s account, there is no written record to show any basis for Linares’s mythology, hence why it remains only spoken of in SLO.

Most historians do not use Hobsbawm’s social banditry theory when interrogating figures like Pio Linares. Indeed, many even refute it. In a much forgotten article by John Boessenecker, called “California Bandidos,” he takes on the Hobsbawmian theory in regard to the titular characters, including Pio Linares himself.¹⁰ He states that “the bandits were simply economically-motivated predators rather than revolutionaries.”¹¹ Others are not so explicit. They mostly look to the actual history of these legendary figures to find the truth behind the fiction. It is a noble pursuit, and one that should be followed, but not without acknowledging the vital role mythology plays in that truth.

One scholar has theorized about the role of mythology and violence in American history. Richard Slotkin, in a trilogy of books, developed an advanced theory of how mythology and

⁷ Eric Hobsbawm was a Marxist historian, so he was using the idea of social banditry to support the Marxist ideals of class-consciousness and resistance to the bourgeois order.

⁸ Hobsbawm, *Primitive Rebels*, 13.

⁹ *Robin Hood of El Dorado*, directed by William Wellman (CA: Metro-Goldwyn-Mayer, 1936).

¹⁰ John Boessenecker, “California Bandidos,” *Southern California Quarterly*, v80 i4 (1 Dec. 1998) 419-434.

¹¹ *Ibid* 427.

romance played an integral role in ongoing violence throughout American history.¹² He proposes a theory in which “the myth of regeneration through violence became the structuring metaphor for the American experience.”¹³ In other words, people glorify the violence of the West as a necessary part of the ‘civilizing mission’ of the United States as its frontier moved further and further westward. This glorification was so ingrained in the American psyche that it became a justification for further violence. Slotkin clearly does not approve of the violence, but interprets it as a necessary outcome of the glorification of past actions. He calls this the “mythogenesis,” or the creation of an archetypal mythological structure.¹⁴ This structure was based around flouting authority, such as the British during the American Revolution, and pushing the frontier westward against all odds, like Daniel Boone. By espousing the virtue of frontiersmen like Boone, including their Indian fighter reputations, it lent justification to the idea of violence for the sake of civilization, and in return for such justifications, more violence ensued on its behalf. In Slotkin’s theory there is a feedback loop of violence because of mythology.

The people fighting figures like Pio Linares were certainly not immune to this mythological justification for violence. A large group of citizens in San Luis Obispo joined together into a vigilance committee to destroy the bandit gang that was plaguing their region in 1858 through extrajudicial means. Just as people of SLO claim Linares as a revolutionary figure today, the people of SLO at the time claimed that this committee was revolutionary. Walter Murray, who later became the creator of the *SLO Tribune* newspaper, was the public relations person for the committee. He claimed that “we shall have enough to see that American laws

¹² Richard Slotkin, *Regeneration Through Violence* (CT: Wesleyan University Press, 1973). Richard Slotkin, *The Fatal Environment* (NY: Atheneum Books, 1985). Richard Slotkin, *Gunfighter Nation* (NY: Atheneum Books, 1992).

¹³ Slotkin, *Regeneration*, 5.

¹⁴ *Ibid* 6-14.

are observed and respected and enforced.”¹⁵ Just as people reinforce Slotkin’s mythological archetype today with Pio Linares, the people who organized to kill him used the same ideal.

Mythology is impossible to disentangle from the American West completely. It would be futile to try to find every way it is incorrect. Instead, it is more important to grasp what we may find to be true. Legend will always slip in to fill the gaps that history cannot. As legitimate history, there can only be an analysis of the documentation available, but that is not to say the legend has any truth to it; merely that there are those who will refuse any evidence, and that they will use such gaps in the narrative to justify their own preconceptions. This work shall not indulge in such proclivities, or any judgement of the participants in this violence, be they vigilante or bandit. As Slotkin pointed out, “Myths describe a process, credible to its audience, by which knowledge is transformed into power; it provides a scenario or prescription for action.”¹⁶ To lend any credence to legend is to engage in the myth-making process, which in turn lends to further violence in American history.

There can be no doubt that violence is often the subject of history. It is not merely a morbid fascination of historians. Indeed, numerous historians actively seek narratives that disengage with such grim subject matter. But inevitably, all historians must deal with the process of people killing each other. History may be measured by the lives of its participants. When people are removed from that process by force, the greatest effect on history is made, for they may no longer play a role in the narrative. That is why violence is so important to understand. The greatest change is wrought by its morbid effects. Perhaps a good way of measuring how historically drastic a change has occurred is by the amount of lives it cost. The earliest historian on the subject of San Luis Obispo’s vigilante period (a local school teacher in 1860s named A.E. Clark) once wrote that 1858 was “the most memorable year in all [the

¹⁵ Myron Angel, *History of San Luis Obispo County* (CA: Valley Publishers, 1979, originally published by Thompson & West, 1883) 300.

¹⁶ *Ibid* 7.

county's] history."¹⁷ This is obviously because of the violence. The Linares Gang and the vigilantes who sought and killed them were the culmination of a long history of violence in San Luis Obispo. The region gained a reputation as the "Barrio del Tigre" (Tiger-Town) for good reason.¹⁸ It was not a place one wanted to visit in the 1850s.

The placid surrounding and picturesque scenery of San Luis Obispo draws tourists and distracts students of the local California Polytechnic (Cal Poly). From the Oceano dunes that draw thousands of off-roaders to the south, to Hearst Castle sightseers in the north, and miles of rich wine country to taste, beaches to enjoy, flowery meadows to view, and coastal mountains to climb in between, SLO is a county in California that seems untouched by the state's rambunctious past. Poets and travelers from the earliest descriptions of the area extol its paradisiac beauty. It is hard to conceive of the area as being anything else.

Yet, the most public space in the county, Mission Plaza in downtown San Luis Obispo, was the place where the gruesome spectacle of public executions played out six times in 1858 because of the vigilantes. No one initially believes this place countenanced such violence. When walking through there with friends and acquaintances, I often gleefully point to the spot where the hangings took place and explain, simply to see the inevitably shocked expression on their faces. When surrounded by such beauty, it is easy to forget the sheer destructiveness that bore the county through the "bloody 50s."¹⁹

Those early poets and travelers were aware of the violence in SLO. They always issued warnings along with their beautiful descriptions. One traveler in 1849 said, "Amidst the rarest charms of scenery and climate, what a combination of dark and deadly sins oppressed the

¹⁷ EA Clark (using the pseudonym of Pioneer), *The Outlaws and Vigilance Committee of San Luis Obispo* (CA: Typescript in SLO archives, unknown date - probably sometime in the 1870s) .

¹⁸ For instance, one historian labeled an entire chapter on 1850s violence in SLO as such: Daniel Krieger, *San Luis Obispo County* (CA: Windsor Publications, 1988) 34-49.

¹⁹ Juan Dana, *The Blond Ranchero* (CA: Dawson's Book Shop, 1960) 55.

mind!”²⁰ Much did not change for the decade that followed. By 1858, the most read newspaper in California reported that San Luis Obispo was “infested by a band of desperadoes, who rob and murder travellers who may seem to have money or valuables.”²¹ Another major newspaper stated, “Such is the boldness of the highwaymen about San Luis, that it is dangerous for one to go from the Mission to the beach with money, unless he is well armed.”²² It may not have been an exaggeration when Walter Murray wrote to his sister who was still in Suffolk, England, saying:

Hence ever since 1849 it has been a common thing for such men [drovers] to be laid in wait for and murdered for their money. Long before I came to San Luis, this place was celebrated for such occurrences. Scarcely three months have passed without the discovery at some point or another within 40 miles of here of from one to three skeletons or corpses.²³

Suffice it to say, SLO had garnered a reputation for being a particularly violent place during the 1850s, despite California as a whole experiencing the most violent years in her history.

It is difficult to find precise records of the violence in SLO during the Bloody 50s. Sheriff records no longer exist, and the newspapers did not print everything. SLO did not have a telegraph line to it until the 1860s, and the first newspaper there was not instituted until 1868.²⁴ Any communications outside the county had to be carried by horse or ship. It took at least a two-day ride to Santa Barbara from SLO. San Luis Obispo had a haphazard wharf at Cave Landing in 1855 (the sea cliffs between Avila and Shell Beach), but it was dangerous, and many people drowned in the breakers. The heavy riptides are especially hazardous to swimmers along the coastline. Communications were kept up through the somewhat regular shipments of trading goods that would arrive sporadically throughout the year. Any evidence of crime has

²⁰ John Browne, *A Dangerous Journey*, (CA: Arthur Lites Press, 1950 - originally in *Harper's Magazine*, 1862) 89. Found reprinted in Angel, 308.

²¹ “Murder and Robbery at Mission San Miguel,” *Alta California* (3/27/1858) 1.

²² “News of the Morning,” *Sacramento Daily Union* (6/5/1858) 2.

²³ Walter Murray, *Letters and Correspondence* (5/28/1858) 3. Transcripts may be found in the San Luis Obispo History Center library.

²⁴ It is not known when the telegraph line arrived in SLO, but *San Luis Obispo Tribune* (which started in 1869), maintained a column about telegrams received for decades.

been difficult to elicit. What does exist paints a lurid picture of San Luis Obispo. The violence in SLO was stupendous, and under-studied, due to its sparse record. Enough exists to warrant scholarly interrogation though, but has yet to be explicitly explored. This represents an opportunity. There is a sparse historiography on this subject, but it does not afford a contextual understanding of the Bloody 50s.²⁵

The vigilance committee of 1858 is especially interesting. It arrived at the tail-end of the formalized state-wide vigilante movement. San Francisco and Los Angeles had already had their committee period finished, yet SLO persisted and in a significant way. San Francisco's two big committees only hung four people apiece, despite being in such a populated area in 1851 and 1856. Los Angeles had a long period of committees and mobs, but the most significant was in 1857, to put down the Flores-Daniel Gang. Yet SLO waited another year before acting on its violence problem. The other central coast counties of Monterey and Santa Barbara never needed large vigilante movements, because they had a series of minor ones. Since SLO was so late, some historians place its committee as the final act of that era of vigilantism in California.²⁶

Why did SLO wait so long? That was the question I began researching for this project. As with all research holes one might dig, this led to a project of sizable proportions and more questions than answers. Questions like: Were the vigilantes successful in stopping the violence? Where did all this violence stem from? Did they have alternative motives to fighting banditry? Were the bandits self-righteous or maliciously greedy? How much of the record of violence is over-exaggerated? And the ultimate question all historians face: Why? For every question answered, there are always new ones accompanying it. The first question's answer is probably easy: The people of SLO did not know who was committing the crimes until a

²⁵ There is a local historiography included in Part II.

²⁶ In an excellent work of the history and statistical analysis of California vigilantism, David Johnson periodizes it into 3 eras: 1849-1853, 1854-1858, and 1859-1902. The second era is the one that ends with San Luis Obispo. See David Johnson, "Vigilance and the Law," *American Quarterly*, v33 n5 (winter, 1981) 558-586.

particularly ghastly incident left a distraught and vocal witness. Of course that leads to the inevitable question, “How did it take so many years of murders before they figured it out?”

Finding the answers to these questions sheds a new light on the history of vigilantism and western violence. By focusing on the causation, actions taken, and the aftermath of 1858 in SLO, there are many things that are complimentary and contradictory to previous narratives on such violence. One will find that SLO’s violence was not simply part of Gold Rush violence, or the problems of shaky government only recently conquered. It is incredibly complex and complicates standard narratives. Where there are national trends, there are also local ones. Perhaps the easiest way to explain the violence is to call it a “clash of cultures” or an example of borderlands problems, but this is not so simply summarized. No singular explanation is sufficient for violence. As with most overarching narratives, the complexity and nuance do not lend to local realities. Instead, there are many factors, most of which are rooted in the different cultures coming together in one place over a short period of time in an explosive combination.

This thesis will show that, much like a storm, the violence in SLO formed as a result systemic conditions that precipitated it, accumulating and dissipating around the central event of the 1858 vigilance committee. Beginning with the causation of that event in Part I, there were numerous factors to consider, each with its own discrete and complicit part in the overall reason why violence was so prevalent in SLO. Each factor of that causation forms a separate chapter to distinguish their importance in adding to the gathering storm. Moving into Part II, the momentous year of 1858 is thoroughly examined. The outpouring of violence that year was the culmination. Finally, in the epilogue a brief history of the end of the reign of violence in SLO is discussed along with a little about what the county became after the storm had passed.

The sources used throughout this work are primarily derived from three types, though by no means limited to them. Firstly there are the newspapers. There is a wonderful database of

California newspapers that is keyword searchable.²⁷ It carries the three major newspapers read for this study: the *Daily Alta California*, *Sacramento Daily Union*, and *Los Angeles Star*, along with several others as well. Then there are the numerous memoirs, most important of which is *The Blond Ranchero*.²⁸ It was written as a compilation of reminiscences from Juan Francisco Dana in his mid-90s, which had previously been printed in numerous newspaper articles. Many of the more dubious reminiscences have been surprisingly verified by the research of this thesis. Finally, there is the SLO History Center, which carries an extensive archive of primary and secondary sources that has been compiled since 1954. It includes an inordinate amount of different materials used herein, including the *Vigilance Committee Papers*.²⁹ These are some of the best preserved documents of any 1850s vigilance committee, making the SLO vigilantes something of a need for historical analysis.

San Luis Obispo's vigilantes hold another accolade, not a happy accolade, but one nonetheless. They were the deadliest committee in California history.³⁰ They hung at least six men, and shot dead another. These were not the first lynchings in SLO, nor would they be the last, but they are the most significant by a large margin. It supposedly instituted law and order where there was none prior, and reinforced a class of people who had recently gained power in the county. It serves as an example community violence in California, and as such may be considered part of a greater history of violence in the region, if not the end of it.

Understanding the violence in SLO itself is the greater goal of this work; how it manifests and grows throughout history and what changes it brings or is a manifestation of. By limiting the scope to San Luis Obispo, there is an understandable chronology and space to work with that is

²⁷ *California Digital Newspaper Collection* (CA: University of California Riverside, 2005). Accessed 9/30/2015: http://cdnc.ucr.edu/site/about_us.html.

²⁸ Juan Dana, *The Blond Ranchero* (CA: Dawson's Book Shop, 1960).

²⁹ They may be found in Appendix A.

³⁰ This is according to the compiled list of lynchings in Ken Gonzales-Day, *Lynching in the West* (NC: Duke University Press Books, 2006) 205-228. Many of the lynchings in California were mob lynchings, as opposed to vigilance committees, which lack the organization of a committee. When one discounts the mob lynchings, or the fact that Los Angeles had several separate committees, SLO is the deadliest.

fairly untouched by others' analysis. Narratives of violence, such as ones about war, vigilantism, and banditry, are applicable, but not fully. There is a unique narrative for SLO's violence that shows the influence of past violence and growing racial strife, along with outside factors such as violence elsewhere in the state and the seismic demographic shift caused by several conquests and the subsequent Gold Rush. One can also conceive of 1858 as the culmination of the storm, with more violence trailing behind, for "violence begets violence."³¹ The committee was not a sudden crash, but more of the end of a crescendo. Its goal might have been to end the violence, but there was still some left. The violence after the committee was very different and it dwindled to the doldrums of most agricultural counties in the USA. That is why the "Bloody 50s" period in SLO is an important narrative, for it is how they pacified paradise.

³¹ A phrase made famous by Martin Luther King. Since he was a minister and theologian, he was simplifying the biblical quote: "Those who live by the sword, die by the sword" - Matthew 26:52. In doing so he rephrased it in a more significant way.

PART I - CAUSATION

HISTORIOGRAPHY

Grappling with the causes of the vigilante violence in San Luis Obispo has long occupied discussion about it. From the time in which it happened, until the present, the argument has been ceaseless. Not only on a local scale, but on a state and national scale, people have been struggling with why violence happens. It fits within the violence of the Californian Gold Rush, the growing internecine violence prior to the Civil War, the brazen gang violence of the Wild West, or even as part of the aftermath of the Mexican-American War. As such, each interpretation has garnered a different outlook on the causation that is more or less applicable to the SLO vigilantes.

The first, and most obvious, cause of vigilante violence were the banditos' crimes. There can be no doubt that murder stimulated the creation of the vigilance committee and sustained its purpose. Not every homicide brought about such a unique organizational entity though. Murder did not begin or end in SLO with that which the committee sought justice for. Many, if not most, may even argue over the necessity of such an action. There were systemic circumstances that made the committee possible, if not probable or even crucial.

Historians have sought these systemic circumstances as part of their project of understanding the violence of the 1850s. Several schools of thought have come from a variety of perspectives on the subject. Depending on whom one analyzes, the causation may become extraordinarily different. If one looks only to the vigilantes, then they typically see a lacking, broken, or corrupt government in need of extrajudicial means of justice. If one looks at the

banditos, then they see a violent society generated from the greed and solitude of the Gold Rush. Turning to the population as a whole can still yields further interpretations.

Interpreting the vigilance committees of California has made the most significant bifurcation in the historiography. Two immediate schools of thought sprang up: the triumphalists and the objectors. As with most historical trends, it simplifies to those who are for and against. Triumphalists were originally in the majority, with the obvious popularity of vigilantism in 1850s California. There were early objectors too. The most vocally against the movement was General Sherman (who was a general in the California militia before the Union army) and Francisco Ramirez (editor of *El Clamor Publico*), who wrote vociferously about the misplacement of justice it represented.³²

The triumphalists continued into the initial historiography. Hubert Howe Bancroft is the most powerful example of the triumphalists. His *Popular Tribunals* is still the most complete text on vigilantism in California.³³ No one before or since has covered the range of material he published in 1887.³⁴ Bancroft unapologetically declares the greatness of vigilantism. When he begins the section on SLO's committee, he states:

Now read the next incident, then put the two with twenty other like deeds unrecorded, with matters every day growing worse, and then say if vigilance committees are wrong.³⁵

Such bold claims abound throughout the work of triumphalists. The orthodox narrative is to portray the events leading up to the vigilante action so full of evil misdeeds that the officialdom

³² William Sherman, *The Memoirs of General WT Sherman* (NY: Appleton and Company, 1889) 121-133. Project Gutenberg EPUB accessed 1/20/16: <http://www.gutenberg.org/ebooks/4361>

Nicolas Kanellos, "‘El Clamor Publico’: Resisting the American Empire," *California History*, v84 n2 (winter 2006/07) 10-18. Sherman and Ramirez will play prominent roles in later discussions, so I will not discuss their views here.

³³ Hubert Bancroft, *Popular Tribunals*, (CA: The History Company, 1887).

Another title of importance is his *Works of HH Bancroft* (CA: The History Company, 1890).

³⁴ There were numerous people working with him to create his books, but they are (for the most part) uncredited. Many people have commented, saying that Bancroft does not deserve credit on account of this, but it was a standard practice at the time.

³⁵ Bancroft, *Tribunals*, 486.

was either too inept or corrupt to handle, and it was the burden of the people to take a more democratic form of justice.

The triumphalist narrative was perfected in 1949 by Wayne Garde in *Frontier Justice*.³⁶ He theorized that as parts of the US became more and more civilized, they went through stages of law and order. According to him, “West of the Mississippi, order often came before law.”³⁷ There are four stages of development: vengeance (retaliation for wrongdoing), war on the ranges (fighting over property rights), vigilantes, and arms of the law (rangers as law enforcement). Until “arms of the law,” everything was extrajudicial. Garde states that because of California's massive population growth, it “seemed to illustrate a later stage in the development of social order.”³⁸ California skipped from the first to third development in rapid succession. This sequence makes the creation of vigilantism seem necessary to the development of law and order. By the end of the California vigilante period, people “cleaned up many intolerable situations,” making way for standard law and order in the state.³⁹

Much of triumphalism is based around the old ideology given such elegant voice by Frederick Jackson Turner in his “Frontier Thesis” from 1893.⁴⁰ It can be simplified by saying that the United States became exceptional through successive westward waves of civilizing forces, banishing back the savage lands and forging the character of the expanding nation through the conquest of the frontier. While this theory was not given voice so succinctly until 1893, the ideal of American exceptionalism through frontier spirit can be seen in historical works long preceding it, including Bancroft. The triumphalists typically subtly espoused the Frontier Thesis, to the point of Garde evoking it in his very title. It was in vogue for quite a long time in American scholarship, rising and falling alongside the Western genre in literature and cinema.

³⁶ Wayne Garde, *Frontier Justice* (OK: University of Oklahoma Press, 1949).

³⁷ *Ibid* vi.

³⁸ *Ibid* vii.

³⁹ *Ibid* 167.

⁴⁰ Frederick Turner, *The Significance of the Frontier in American History*, Project Gutenberg, 2007 (originally published in 1893). Accessed 10/7/15: www.gutenberg.org/files/22994/22994-h/22994-h.htm.

When American exceptionalism ceased to play such a heightened role, the triumphalist narrative came into question once again. Subversive narratives such as those discussed in the previous chapter became popular as a recourse to the patriarchal-racist society that the civil rights movement and counterculture strove so hard to defeat. In the wake of such popularity, historians were slow to follow. Eventually, the cross borne by people like Sherman and Ramirez was brought out again by historians of recent years. Vigilantism was denounced once again as lawlessness and a usurpation of justice on behalf of malicious intent.

A number of authors have formed this school of objectors. Ken Gonzales-Day, Michael Pfeifer, and William Carrigan have written books on the racial aspect of vigilantism.⁴¹ They denigrate the practitioners of vigilantism as bigots trying to enforce or even institute the racial status quo. The disproportionate number of minorities lynched during this time-frame backs up such assertions. Furthermore, the rhetoric these historians point to clearly indicate the hatred infesting race relations. By pointing to it as racist, they show that vigilantism had malicious intent and was therefore a reprehensible usurpation, rather than a necessary evil. Objectors vitriol may be founded in the ideal of righting previous wrongs, but it is very easy for them to mistake their real subjects with the scarecrow they wish to annihilate. They are often sermonizing rather than elaborative as a result.

The applicability of triumphalism or objection is ultimately in doubt. While historians point to blanket cases, they conflate individual's rhetoric with systemic conditions. It is far too easy to render value-judgements upon people who, since they are all long dead, cannot defend themselves. Posterity is the judge of all things, but it is better history to let the readers decide for themselves without denouncement or celebration. All along, there have been historians who choose moral ambiguity, nuance, or authentic representation over judgement. This third school

⁴¹ Ken Gonzales-Day, *Lynching in the West* (NC: Duke University Press Books, 2006). Michael Pfeifer editor, *Lynching Beyond Dixie* (IL: Board of Trustees of the University of Illinois, 2013). William Carrigan, *Forgotten Dead: Mob Violence against Mexicans in the United States* (United Kingdom, Oxford University Press, 2013).

of thought focuses on analysis of the past, trying to understand new truths of how and why events or trends have come to pass and what relevant lessons they have to teach the present. As analysts, they bypass judgement to focus on numerous approaches.

Each analytical author has their own theory or disposition to promulgate, and so they do not have a singular trend. The earliest example of this may be found with Myron Angel, the preeminent historian of San Luis Obispo. His history of SLO county from 1886 is more concerned with authenticity than anything else.⁴² Even when describing atrocities, he does so in an austere and concise manner. He was not merely a historian working from archival documents. Indeed, it is probable that several of the key vigilantes edited his book, if not being actual contributors in the case of Walter Murray (posthumously).⁴³ He was not related to the events themselves, but he did carry the bias of these people's particular telling of history. His "mug books" (books whose publications are paid for by people wishing their biographies to be featured parts) have been the first major histories written for the state of Nevada and Placer county in California.⁴⁴ All subsequent historians have leaned heavily on his venerable work including Bancroft. There have been five other mug books that followed Angel, but on the subject of vigilantes, they are too dependent on Angel.⁴⁵ Subsequent mug books take what Angel prints as precise fact and rephrase it. Instead of promoting the vigilantes, knowing of

⁴² Myron Angel, *History of San Luis Obispo County* (CA: Thompson & West, 1883).

⁴³ He was a close friend of Walter Murray's, although Murray died in 1875.

⁴⁴ Myron Angel, *History of Nevada* (CA: Thompson & West, 1881). Myron Angel, *The History of Placer County* (CA: Thompson & West, 1882).

⁴⁵ There were several other mug books after Angel, including Yda Adda Storke, *A Memorial and Biographical History of the Counties of Santa Barbara, San Luis Obispo, and Ventura, California*. (IL: The Lewis Publishing Company, 1891). and Benjamin Brooks, "San Luis Obispo," In *History of Santa Barbara, San Luis Obispo, and Ventura Counties, California* (IL: The Lewis Publishing Company, 1917), 149-270. None of these should be considered good coverage, because they either simply pilfer Angel, or just interpret what he said. Storke does admirable interpretation with her poetry, but it is nothing more than Angel did a decade prior. Also there is the work of Ditmas Madge, *According to Madge* (CA: South County Historical Society, 1983). Her work comprises mostly reminiscences, and no substantial narrative, putting her in that netherrealm between primary and secondary sources. One other local author before Daniel Krieger published a book, but for her misdeeds, she deserves to be stricken from the record entirely. See Mark Hall-Patton, "San Luis Obispo Mug Books, Part 1," *San Luis Obispo Telegram-Tribune* (8/1/1991). Mark Hall-Patton, "San Luis Obispo Mug Books, Part 2," *San Luis Obispo Telegram-Tribune* (8/8/1991).

their contentiousness, he chooses to reprint the newspaper responses sent to the *San Francisco Herald* without endorsing the story himself, though there are endorsements from others who participated in the committee.⁴⁶ He did not make a judgement of whether the committee was justified, but simply printed a primary source account, appended with locals who approved of the story. Because of this, the subsequent mug books have been triumphal.

Angel was an influential figure in SLO history himself.⁴⁷ After having failed out of West Point in 1848, he came to California as a Forty-niner. As he mined, he gathered materials for writing his history of Placer. Then he followed the Nevada rush throughout that state from Virginia City in the north to El Dorado Canyon in the south. Eventually he moved to SLO in 1883. He substantially contributed to several local newspapers including the *San Luis Obispo Tribune* and *San Luis Obispo Breeze*. Because of his newspaper experience, he is a good writer, and in the style of 19th century editors, quotes primary sources *ad nauseum*, making his history particularly useful as a primary source as well.

A more recent example can be found in *The Many Faces of Judge Lynch*, by Christopher Waldrep.⁴⁸ While not precisely about causation, Waldrep looks through the etymology and usage of the word *lynch* to find how the term morphed over time. The implication for California's vigilantism was clearly not racialized in the term's usage. Instead it indicated community approval of the executions.⁴⁹ With that communal acceptance of lynching, vigilantes were simply creating the law, rather than usurping it or re-empowering it. The racial

⁴⁶ Ibid 293-304.

⁴⁷ He was also the creator of the local CSU college (the California Polytechnic of San Luis Obispo or Cal Poly for short) from its first funding drive in 1897 to its founding in 1902, which employs the largest amount of people in the county today. Cal Poly began as a secondary school, only later becoming a university. It should be noted that this thesis is being written at Cal Poly. See *Major Employers*, CA: San Luis Obispo Chamber of Commerce, 2016), accessed 3/12/2016: <https://slochamber.org/our-community/community-profile/major-employers/>. *Highlights in the history of Cal Poly*. CA: Robert E. Kennedy Library, 2016. Accessed 4/14/2016: <http://lib.calpoly.edu/search-and-find/collections-and-archives/university-archives/timeline/cp-history/>.

⁴⁸ Christopher Waldrep, *The Many Faces of Judge Lynch* (NY: Palgrave Macmillan, 2002).

⁴⁹ Ibid 49-66.

context of the word *lynching* would come much later with Ida B. Wells bringing public scrutiny onto the practice.⁵⁰

These analytic historians of vigilantism have always been on the sidelines of the triumph/objector debate, but they are perhaps the most interesting and scholarly of the three schools. David Johnson, John Gordon, and the numerous authors in *Taming the Elephant* represent further examples of analysts.⁵¹ With each recurrence, they bring something new and worthwhile to the subject of vigilantism. Johnson applied Foucauldian theory to California lynching. Gordon looked to the dynamic between the 1856 San Francisco committee and the official government. In the edited volume called *Taming the Elephant*, a number of authors come together to discuss how the lawlessness of California's formative years shaped the government and its interpretation of social unrest during its first constitution. None of these presume a particular judgement, leaving the reader free to decide.

Turning from the vigilantes to the bandits themselves, another historiography is apparent. These historians look at the crimes being committed and by whom, rather than the people seeking justice in the wake of those crimes. These are often written for a more popular audience, seeking to capitalize on the grandeur of Wild West mythology. As such they are more often grappling with the romanticization of the past in literature, having to oppose the myths surrounding western bandits. As previously discussed, bandits like Pio Linares are put into legend through fiction. Historians have to contend with that legend to grasp the truth. Due to this contention, the interpretation is almost always the same, leaving very little argument within the historiography.

⁵⁰ Ibid 103-126.

⁵¹ David Johnson, "Vigilance and the Law," *American Quarterly*, v33 n5 (winter, 1981) 558-586.
 John Gordon, *Authorized by No Law* (CA: Ninth Judicial Circuit Historical Society, 1987).
 John Burns and Richard Orsi editors, *Taming the Elephant* (CA: California Historical Society, 2003).

The best examples of this may be found with John Boessenecker, William Secrest, and Lori Wilson.⁵² John Boessenecker has made a career out of examining outlaws. Despite the popular appeal of the genre, he is persistent in denouncing their deeds and reputing their revolutionary intent, dictating the interpretation everywhere he can. William Secrest has also made a career out of studying outlaw activity. He too does not condone outlaw misconduct. Instead of dictating the story, he uses mostly primary sources to tell it, with very little interpretation. This still yields the same result, since the romanticism of legend cannot withstand historical scrutiny. Lori Wilson managed to put together the most competent portrayal of the legendary Joaquin Murrieta, along with numerous members of his band. She looks at the differing accounts by region and examines the myth-making process. By doing so, she combines the overly primary source driven approach of Secrest, and the imperiousness of Boessenecker, but still shows that the bandits were no heroes or victims, only thieves and murderers.

With such a unified interpretation in the bandit historiography, they too have a unified explanation for what caused such activity. All of them tend to assume a particular causation: The Gold Rush. For instance, Boessenecker states:

Never before had so many armed civilians of such varied racial and religious backgrounds been thrown together. Thousands of young men were away from home for the first time in their lives. Unrestrained by the settling influences of home, family, women, and church, they became reckless in their newfound freedom, and - fortified with alcohol, revolvers, and Bowie knives - lawless in their anonymity.⁵³

These historians point to the influx of population and the lack of social infrastructure as the causation of lawlessness in California. Blaming the rambunctious violence of Gold Rush miners has always been fashionable. It was certainly a crazy time for California, with ample opportunity

⁵² John Boessenecker, *Gold Dust & Gunsmoke*. NY: John Wiley and Sons, 1999.
William Secrest, *California Desperados* (CA: Quill Driver Books, 2000).
Lori Wilson, *The Joaquin Band* (NA: University of Nebraska, 2011).

⁵³ Boessenecker, *Gold Dust & Gunsmoke*, 9.

for criminality. The homicide rate was higher from 1849-1858 than any other time in history. Historians as far back as Bancroft have relied upon this explanation.⁵⁴

The nuance of the Gold Rush explanation is lacking though. It chooses to see the violence of the 1850s as something wholly unprecedented in Californian history. Many historians have explored prior violence, but with little exception, they view it as separate and not causal to the Gold Rush violence. A few historians have said otherwise. For instance, Richard Lingenfelter points to Los Chaguanosos (thieves who based themselves in the Old Spanish Trail during the Mexican period) as a connected part of the lawlessness.⁵⁵ Another exception can be found with historians who depict the anti-Indian violence that was in the same time-frame, but normally unconnected.⁵⁶ This eludes to other possible explanations, where violence is an effect of anarchy or cultural interaction, but thus far no author has claimed this directly.

A more nuanced approach is needed. Vigilante violence cannot be simply explained as defeating evil, motivated by racism, or part and parcel of the craziness of the Gold Rush. In San Luis Obispo, all of these explanations work, but not fully. The systemic conditions of the violence reach back decades prior and are numerous. To more fully understand California Gold Rush violence, we must look at all the possible causes in detail, to gain a greater understanding of how people came to kill each other in such numbers. In doing so, the easy explanations become muddled. Life is more complicated than one sentence explanations. These people were part of a community that had its own particular historical trends that were both related and separate from the greater state and national story. In understanding each cause of how such violence took place in one locality, we may gain a new perspective.

⁵⁴ Hubert Bancroft, *Works of HH Bancroft: Volume VI* (CA: The History Company, 1890) 740-741.

⁵⁵ Richard Lingenfelter, *Death Valley and the Amargosa* (CA: University of California Press, 1988) 25-31.

⁵⁶ For some examples of this see Brendan C. Lindsay, *Murder State: California's Native American Genocide* (NE: University of Nebraska, 2015). Benjamin Madley, "California's Yuki Indians," *Western Historical Quarterly*, v39 i3 (autumn 2008) 303-332. Frank Baumgardner, *Killing for Land in Early California: Native American Blood at Round Valley* (NY: Algora Publishing, 2005).

BEFORE CONQUEST

Violence was not brought to San Luis Obispo, or even California for that matter, by American conquest. Violence was a persistent feature of the pueblo, long before. The Mexican government had been in the throes of revolution since its very inception. The instability had led to numerous problems that unbalanced the area, and forced people to defend themselves against a continuous menace of raiders, outlaws, and revolutionaries. This turbulence lent itself to the disposition of the banditos of later generations. Some of the violence is directly related by the people involved, while the rest is indirectly related through the instability and lawlessness that was already present in 1846, when the Bear Flag Revolt began. Before the violence of the Mexican government, there were the Spaniards, who also carried a long-term effect on the violence in California.

People to this day call the California mission system a brutal regime, to the point of vandals having defaced graves near a figure of the recently sanctified Father Serra (founder of the system) with the words "Saint of Genocide."⁵⁷ This is extremely overstated though. There is endless debate over this issue, from historians and laymen alike, so any certainties are hard to come by. Whether wicked or not, the problem is that the mission period did leave a substantial enough mark to cause further agony in the local populace. San Luis Obispo did see violence as early as possible, leaving a foundation of pain.

The first European contact in the region came when a waylaid Manilla galleon landed at Morro Bay in 1587.⁵⁸ A quick expedition was mounted into the interior under the command of

⁵⁷ Liam Stack, "Vandals Desecrate Carmel Mission Where Junipero Serra Is Buried," *New York Times* (10/28/15). Accessed 10/8/15: <http://www.nytimes.com/2015/09/29/us/carmel-california-junipero-serra-pope-francis-vandalism.html>.

⁵⁸ There is some debate over whether it was Morro Bay or Avila Beach, due to the problems with latitudinal calculations at that time. See Mike Baird, "Did Pedro de Unamuno Really Land in Morro Bay in 1587?" *Morro-Bay.com* (8/24/09), accessed 1/25/16: <http://morro-bay.com/docents/mike-baird/nature-notes/unamuno-1587/index.htm>.

Captain Pedro de Unamuno, who gave the region its first name: “Puerto de San Lucas.”⁵⁹ After a few minor skirmishes with the local Chumash tribe around the San Luis Obispo valley, they fled.⁶⁰ 12 years later, another Manilla galleon could hear words like “Christianos” and “Mexico” being said by Chumash on shore as it passed, so Unamuno left an indelible mark.⁶¹ This was a foreboding start for the region that would later be called the “Barrio del Tigre” (tiger-town).⁶²

The first land expedition into California, led by Gaspar de Portola in 1769, fared tolerably better. As the extensive train of donkeys made its way up the California coast from San Diego to Monterey Bay, it encountered no resistance. It was one of the most peaceful conquests ever conducted in history! Over 600 miles in one direction they marched, and not once did they fight the local tribes.⁶³ That does not mean there was no violence. This was a settlement expedition. They created a mission in San Diego and Monterey Bay. San Diego had a violent uprising almost immediately. The Kumeyaay tribesman made a surprisingly daring raid against the small encampment (which included Father Serra himself).⁶⁴ One historian said, “No doubt the Indians intent in attacking was not to kill but to plunder and humiliate.”⁶⁵ The expedition had left the mission behind by the time of the raid.

Though the expedition itself never fought, it was born out of violence half a world away. The Seven Years War had wrought a terrible toll on Spain. The government needed more money, and conquering new lands were a possible means. Furthermore, the Russians were

⁵⁹ For the greatest work on this subject thus far, see Eloisa Borah, “Filipinos in Unamuno’s California Expedition of 1587,” *Amerasia Journal*, v21 i3 (winter 1995/96) 175-183. Unfortunately, there has not been very much research into this expedition, even though it represents a monumental event in California history. Bancroft wasn’t aware of the expedition, so most subsequent historians are not either.

⁶⁰ Ibid. Daniel Krieger, *San Luis Obispo County* (CA: Windsor Publications, 1988) 17.

⁶¹ Krieger, 18.

⁶² The lawlessness of SLO gave it this name, though early in its usage it only referred to where Amerindians lived in town. It was in common parlance at the time, but a significant example may be found with the inscription of a paintings depicting SLO and naming it as such. See Edward Vischer “Outskirts of the town of San Luis Obispo.” *UC Berkeley Bancroft Library* (painted 1865). Accessed 10/8/15: <http://cdn.calisphere.org/data/13030/7g/ff0b69n87g/files/ff0b69n87g-FID4.jpg>.

⁶³ Abraham Hoffman and Mark Hall-Patton, *The Portola Expedition through the Central Coast* (CA: Obfuscationist Press, 2011) 4-6.

⁶⁴ James Sandos, *Converting California. Indians and Franciscans in the Missions, 1769–1836* (CT: Yale University Press, 2004) 42.

⁶⁵ Steven Hackel, *Children of Coyote* (NC: University of North Carolina Press, 2005) 46.

beginning to creep southward along the Pacific coast. The Spanish had claimed Alta California for decades, but without occupation. How could they resist Russian encroachment? By creating a self-sustaining mission system. Also, the king of Spain had forced the old mission system to turn from Jesuit to Franciscan in Baja California. The newly minted Franciscan missionary system needed an outlet for a fresh start under its new regime. The invasion of Alta California was necessary for all three of these reasons.⁶⁶

When the “Sacred Expedition” came through San Luis Obispo, gunshots were heard. At the time, these sounds were actually celebrated by the Chumash. The expedition went through a valley that was infested with bears, killing numerous beasts on its way. In fact, the place is still called “Cañada de Los Osos” (Valley of the Bears) because of the expedition killing so many there.⁶⁷ A few years later, the Chumash reportedly “gratefully thanked them for having rid their country of so many fierce animals which had killed so many Indians.”⁶⁸

Thanks to killing bears, Mission San Luis Obispo de Tolosa was founded. Commandante Fages led an expedition into Cañada de Los Osos to hunt bears for meat in early 1772. Though killing bears is no easy feat, especially with flintlock muskets, they did so in mass quantities. There had already been a planned mission founding in another location, but that was scrapped for one in Cañada de Los Osos. Thinking it wise to not place the mission where construction could be hindered by bear attacks, the site was located further inland, inside the current city limits of San Luis Obispo in August that year.⁶⁹ The original site is unknown, but the other two known sites show a clear movement away from bear country toward the current site, which was not constructed until 1793.⁷⁰

⁶⁶ Hoffman, 7-18.

⁶⁷ Mark Hall-Patton, *Memories of the Land* (CA: EZ Nature Books, 1994) 82-83.

⁶⁸ from Father Cavellar, the first SLO missionary. Quoted in Krieger, 27.

⁶⁹ Krieger, 24-25.

⁷⁰ “Mission San Luis Obispo de Tolosa history,” *Mission San Luis Obispo* (2015). Accessed 10/8/15: http://www.missionsanluisobispo.org/?page_id=207.

The Chumash were not very appreciative for much longer. As the mission subjugated more neophytes (Amerindians that had been baptized and made to live on mission lands), animosity grew. The neophytes were compelled to work for mission San Luis Obispo, enforced by five Spanish soldiers stationed at the mission. The neophytes began to rebel. Many simply ran away, though the Spanish would hunt these runaways down like slave-catchers. Fur trappers in the Central Valley sometimes were forced to collaborate in these neophyte catching measures. For instance, Kit Carson, under the command of Ewing Young, fought a day-long battle and razed a village under such an order.⁷¹ Throughout Alta California, Indian rebellions were not unknown, and frequently quashed by the military. By 1776, a fire broke out in mission SLO. Though some call it accidental, the likelihood of three roof fires from then until 1782, is heavily in favor of arson. To avoid this behavior the mission switched to rounded tiles, the first Spanish-style roofing which is now ubiquitous in California.⁷²

Bouts of disease swept through the area, and the mission remained a tiny outpost in the middle of California. The number of baptisms were low, either because the Chumash did not want to convert or from lack of living locals after the epidemics. Interestingly enough, most of the diseases at the time appear to have been venereal.⁷³ That means that the five soldiers or two monks had to be copulating with the populace they were 'shepherding.' In many cases this meant rape, but the record is not clear for San Luis Obispo, and numerous soldiers of the time ended up marrying local Amerindians. In fact, numerous prominent Californio families' patriarchs date from the "Sacred Expedition" of 1769, which comprised only men.⁷⁴ That meant many of the Californios were mixed race, or *mestizo*, to varying degrees. Whiteness was measured in a continuum pre-American conquest, but these Californians of Mexican,

⁷¹ Albert Hurtado, *Indian Survival on the California Frontier* (CT: Yale University Press, 1988) 45-46. Tom Dunlay, *Kit Carson & the Indians* (NE: University of Nebraska Press, 2000) 62-63.

⁷² Sandos, 163.

⁷³ Sandos, 118-122.

⁷⁴ Just to name a few: Pico, Carrillo, and Alvarado.

Amerindian, and Spanish descent may simply be called Californios as a whole, save for those who were identified as Indian.

Mission San Luis Obispo de Tolosa languished in the intervening years. It eventually created a system of cattle ranching, which provided the mission with great wealth. Asistencias (smaller missions connected to nearby missions, or sub-missions) were built to spread out ranchlands for the mission, beginning with Santa Margarita in 1787.⁷⁵ Eventually the asistencias (or even smaller versions without official asistencia status) included places like Avila Beach and Arroyo Grande. Prosperity shined for a fleetingly brief few years. War would shake the region soon enough though.

During the Napoleonic Wars, Spain had been invaded by France in 1808. Its colonies lost all direction from the mainland during the Peninsular War. Several revolts were staged in New Spain during this time, but one in particular took hold. A priest named Miguel Hidalgo conspired to revolt with some local military leaders in 1810. When the conspiracy was found out, instead of running away, he started calling out to the people of the town (Dolores, Guanajuato) to join in rebellion against the faltering government. The next day, he took to the pulpit and called for independence. This rebellion was eventually successful, and Hidalgo's cry for independence is celebrated to this day as Mexican Independence Day on September 15, every year.

The insurgency in New Spain began in 1810, but was slow in coming. The rebellion did not succeed in taking the capital until 1821. Since it was not formed by uniting the entirety of New Spain behind the rebellion, splinter fights continued for years afterward. Spain also never ratified the Treaty of Cordoba (which proclaimed the creation of the Mexican Empire instead of New Spain), which led to numerous provinces holding their domains against the newly formed Empire.

⁷⁵ "Mission San Luis Obispo de Tolosa history."

During this decade long struggle, Alta California was hardly affected. The most pressing issue were Russians creating Fort Ross inside the clear bounds of California in 1812. Also, in 1818, some corsairs under the command of an Argentinian named Hippolyte Bouchard raided Monterey Bay for six days, and a few other Alta Californian cities as he fled south with the booty, but Governor Sola was warned early enough to hide most valuables.⁷⁶ Otherwise, the government went about the business of giving private land grants to people in the region, which it had been doing since 1784, though SLO would not see any private grants until 1837.

Father Luis Martinez, the leader of Mission SLO from 1790-1830, became actively involved during this period. He advocated for Spanish rule, and was an outspoken critic of the Mexican Revolution. Under the assumption that Bouchard's raid was on behalf of the revolutionaries (not incorrectly as it has turned out), he sent twenty-five neophytes from the mission to fight off the invasion.⁷⁷ He even led a larger force of neophytes southward to fight Bouchard as he raided his way back. The padre was essentially a counter-revolutionary. His bravado was the inspiration for the character of the priest from the famous play, *Ramona*.⁷⁸ He would play an active role in the instability of the coming government.

The torch passed in Alta California from Spain to the Mexican Empire in 1822 without any problems. It was a peaceful transition, by mandate of the Spanish Viceroyalty. Even though the new empire had firm control of Alta California, it did not have any stability at home. The Empire was quickly overthrown in 1824, creating the Mexican Republic, along with several splinter states. Before the ramifications of the civil wars in Mexico, San Luis Obispo was obliquely affected by a new round of violence.

⁷⁶ The only substantial book on this subject is Peter Uhrowczik, *The Burning of Monterey: The 1818 Attack on California by the Privateer Bouchard* (CA: Cyril Books, 2001). It is solely focused on Bouchard, but provides the most descriptive detail on the subject. Another brief description may be found in Sandos, 103-104.

⁷⁷ Krieger, 39.

⁷⁸ Krieger, 39.

Events around Mission La Purisima (the next mission southward on the El Camino Real, near modern day Lompoc) brought a huge rebellion in the Amerindian population in 1824. Led by a man known as Pacomio, they fought against Mexican soldiers. They captured La Purisima, and attacked Mission Santa Ines. Some neophytes escaped to the Central Valley and the Channel Islands. The tribesmen were quelled eventually, but not without a tremendous amount of fighting. At one point the belligerents fought in trench and siege warfare, which indicates just how horrific the fighting became.⁷⁹

The revolt of 1824 did not directly affect San Luis Obispo, even though it was so close-by. What was significant to the local population was the tribe which was involved. The Chumash were the belligerents, and the local Amerindians were Chumash. Their brethren to the south were fighting a real war, which must have made for quite an unsettling feeling for the Mexicans stationed at Mission SLO.

The Mexican government, in its unending civil war during the 1820s, failed to pay the soldiers stationed in Alta California. This led to a rebellion that fractured the entirety of the Mexican state. The rebels, under the command of Joaquin Solis and Jose Herrera, were supported by Father Martinez.⁸⁰ He hoped to reunify Alta California with Spain, but Solis and Herrera were defeated. For his support of the rebellion, Martinez was arrested (though there is much debate over his actual complicity in the revolt). That was not the end of the problems related to the revolt.

⁷⁹ Sandos, 192. For more extensive reading on the subject of the Chumash revolt see Thomas Blackburn, "The Chumash Revolt of 1824," *The Journal of California Anthropology*, v2 n2 (winter 1975) 223-227. Blackburn was the first to do a quick overview of the revolt and he also shows how religious trends came together to create the cultural conditions of the revolt. Dee Hudson, "Canoes of Mission Santa Barbara," *The Journal of California Anthropology*, v3 n2 (winter 1976) 4-15. This study examines how several Chumash temporarily escaped to the Channel Islands off the coast using special canoes that held importance among tribal members. James Sandos, "Levantamiento!" *Southern California Quarterly*, v67 n2 (summer 1985) 109-133. This is the best account of the war thus far. It combines the previous scholarship and introduces the fact that a whole set of Chumash permanently escaped into modern-day Tehachapi, but starved to death, leaving only cave paintings.

⁸⁰ Krieger, 40.

It was quickly decided in 1830 to begin a process of secularization, where the missions would become pueblos.⁸¹ Their lands would be cannibalized for civilian grantees, and the Chumash were to become active citizens in the new pueblo. No semblance of law could be maintained though. The Chumash quickly became unruly and insubordinate to the missionaries. Early rancheros in SLO complained bitterly of the Indian raids they had to defend themselves against. One reminisced that, "It was because of possible raids that the early families built their adobe-walled homes upon elevated ground for we never knew when an attack might come."⁸² No concrete numbers were reported though, so it is impossible to tell how bad the Indian fighting was in SLO. The name "Barrio del Tigre" was given to SLO for this reason. Instability was worsening, and would continue well into Americanization.

Throughout the period of Mexican rule there were regular great upheavals. After the Solis rebels there were several other attempts. Because of discharged soldiers causing problems with Indians and the Indians raiding and stealing, Mexico appointed Manuel Victoria governor to quell these abuses. After he had issued summary punishment for insubordination, a rebellion quickly broke out in 1831. Two small armies were gathered and met in Cahuenga Pass. It was a fairly inept battle. Myron Angel describes it thusly:

Both parties halted for a parley, but Avila [leader of the rebels], putting spurs to his horse, rushed upon Victoria, wounding him severely in the side. The thrust was partially parried by [Jose] Romualdo Pacheco, who, before he could recover his guard, was run through by Avila. While the lance was still quivering in Pacheco's body, Victoria drew a pistol, and shot Avila dead, Pacheco and Avila both falling from their horses nearly at the same moment. A sudden panic seized both parties at such a prospect of civil war.⁸³

After the parley that was the entire Battle of Cahuenga Pass, Governor Victoria was exiled from Alta California. This split the territory between North and South rulership, leaving it in virtual anarchy until 1833, when it was reunited under General Jose Figueroa.

⁸¹ The process had actually started almost immediately after the Mexican succession. There had been laws manumitting Indians in 1824 and 1826. See Angel, 41-42.

⁸² Juan Dana, *The Blond Ranchero* (CA: Dawson's Book Shop, 1960) 99.

⁸³ Angel, 42.

An astute observer might notice that many of the surnames listed here recur numerous times in California history. Both Pacheco and Avila had descendants who would be involved in SLO's vigilante period. Families were very heavily interrelated and there were a number of prominent ones. The crazy quilt of families in Alta California makes a great deal of sense when one considers that most of the patriarchs were former or current soldiers. It was mostly non-Mexican men who were migrating to Alta California otherwise. To become citizens they often married into Californio families, had to renounce any other faith than Catholicism, and reside in Alta California for a number of years.⁸⁴ These naturalized citizens may be called *naturalizados*. Many foreigners, or *gringos*, did not become Mexican citizens, choosing to remain expatriates. These *gringos* were looked at with suspicion by the Californios. This dynamic would be a source of much contention later.

In 1836, Mariano Chico took the governorship in Alta California. His rule was so divisive that Californios began to look to revolution. He went south to Mexico to gather troops in case of revolt, but was refused by the federal government. His interim governor, Nicolas Gutierrez, fared worse. Juan Bautista Alvarado along with Jose Castro (both of whom had been arrested for participating in the Solis Revolt) conspired against the Mexican appointed governorship. They staged a mock rebellion, where the Alta California legislature declared its independence from Mexico in November of 1836. Mexico had been going through a series of independence movements in the years prior, including Yucatan, the "Republic of the Rio Grande," and Texas.⁸⁵ It did not have the manpower necessary to quell this new revolution. Alvarado still expected

⁸⁴ A good example of how *gringos* became Mexican citizens, there is an extensive record of the Dana family in Nipomo (SLO county). See Joseph L. Dana, *To Discourage Me is no Easy Matter*, (CA: Southcounty Historical Society, 2007) 44, 67. Angel, 66-67, 104. Joseph Hall-Patton, *Interpretive Report: Dana Cultural Center* (CA: Dana Adobe Nipomo Amigos, 2015) 40-47.

⁸⁵ These independence movements listed were: Independence of Yucatan (1841-1848), Republic of the Rio Grande (1840), Texas Revolution (1835-1836).

Mexican military protection, despite having raised his own flag of white with a single red star, which is still part of the current state flag.⁸⁶

This independence movement had been a long time coming. Californios had been requesting more supplies and settlers from the federal government since its founding. Instead, Mexico sent known criminals as laborers.⁸⁷ These *cholos*, as they were called, along with former soldiers committed enough crime to warrant hatred from Californios. They were demonized as a lower race of people. In 1836, during the craziness at the gubernatorial level, a murder was committed “by the wife and her paramour” against her husband in Los Angeles which prompted a vigilance committee to be formed and lynch the murderers.⁸⁸ The Mexican government was too far away to do anything about these things. They failed to even send sufficient supplies to the territory. Californios were not loyal to the new republic, and some were still very loyal to Spain, so they formed their own state.

Essentially Alta California was sovereign under Alvarado. The Mexican government tried to impose two governors. The first was Carlos Carrillo in 1837. Southern Alta California had not been a willing participant in the revolution, so Carrillo declared Los Angeles the capital of Mexican Alta California. Both Carrillo and Alvarado raised armies and met at Santa Barbara. The vainglorious battle that ensued was hilariously described by Angel, saying:

Alvarado and his army appeared on one side of the town and Carrillo and his men rode out on the other. Each party then exhibited for the benefit of the other some fine feats of horsemanship, sometimes riding towards the town in fierce charges and then returning to their rendezvous on the hills. If any guns were fired, probably the one shooting was more frightened than the opposing party was hurt. Thus the battle raged for a few days, when it was reported that Alvarado had received a recruit, his army then outnumbering the other by one, and against such odds it was useless longer to contend. Both parties then entered the town and fraternized, and celebrated the occasion by a grand fandango.⁸⁹

⁸⁶ Angel, 61-62. It is interesting to note that the Texas Republic’s Bonny Flag (which otherwise used a modified US flag in its revolution) was adopted after California’s lone-star flag, making California the original lone-star state.

⁸⁷ Bancroft, *Works XXXIV*, 641-642.

⁸⁸ Bancroft, *Popular Tribunals*, 66.

⁸⁹ Angel, 62.

Carrillo's bid for governor was defeated, and Alvarado remained.

In 1837, the first 4 ranchos were granted from San Luis Obispo lands. Two of them were *naturalizados*.⁹⁰ Three of the grants were started by Carrillo before he was defeated by Alvarado, including one awarded to a formidable *Californio* woman. She would become the wife of a *naturalizado*.⁹¹ Her name was Ramona Carrillo y Pacheco de Wilson,⁹² and as her name might suggest, she was remarkably in the middle of all the disputes. She was a significant figure in SLO history. She was married to a Captain John Wilson, widowed from Jose Pacheco who skewered himself at the Battle of Cahuenga Pass, and born to the family of the last Mexican governor. She was also the mother of Romualdo Pacheco, the only Californio governor of the American state of California. With the money earned from Rancho Suey and a side-business of otter hunting, her husband, eventually bought Rancho Cañada de Los Osos y Pecho y Islay in 1844, from a man named Victor Linares, who was also the father of the infamous Pio Linares.⁹³ It would be impossible to account for the vigilantes of SLO without considering this connection, for Linares sold his land to Wilson, a *naturalizado*, who would later be heavily involved in the vigilance committee that killed Pio Linares. Wilson also bought Mission San Luis Obispo in 1845 for \$510, which means it was on his property where the vigilante hangings took place.⁹⁴ SLO was rife with violent contradictions from its earliest secularization. Numerous other personal stories could be elucidated from the 27 land grants

⁹⁰ These two were Francis Zeba Branch, and William Dana, though they are listed by their *naturalizado* names of Francisco and Guerremo on their *disenos* (deeds for ranchos). *Diseno del Rancho Santa Manuela*, accessed 1/26/16: <http://content.cdlib.org/ark:/13030/hb1d5nb09c/> *Diseno del Rancho Nipomo*. Accessed 1/26/16: <http://content.cdlib.org/ark:/13030/hb1779n633/>.

⁹¹ Branch, Dana, and Wilson were related to Carrillo. Dana had even sheltered Carrillo from Alvarado at one point that year!

⁹² *Diseno del Suey*. Accessed 1/26/16: <http://content.cdlib.org/ark:/13030/hb938nb515/>.

⁹³ Angel, 55.

⁹⁴ The hangings happened on the northern corner of today's Mission Square. "Mission History," *Mission San Luis Obispo De Tolosa* (CA: Mission San Luis Obispo, 2015). Accessed 10/8/15: http://www.missionsanluisobispo.org/?page_id=207.

given during the Mexican period in SLO.⁹⁵ Four of those 27 would eventually be awarded to *naturalizados*, and many were bought and sold to *gringos* and *naturalizados* alike. These racial, familial, and economic differentiations caused many problems.

Further racial strife between the Californios and *gringos* happened in 1840. Alvarado's revolution had been assisted by a group of *gringos* led by a *naturalizado* by the name of Isaac Graham.⁹⁶ Alvarado did not trust this growing *gringo* presence in Alta California. Suspecting a plot against his rule, he ordered all *gringos* arrested and brought to Monterrey. In SLO, an important local man named John Price was arrested on a *naturalizado's* rancho.⁹⁷ Some of these prisoners were saved from execution by a merchant vessel, which was aptly named the *Don Quixote*, pretending to be an US sloop in Monterey bay, which scared Alvarado into staying his hand.⁹⁸ The ship was foreboding of much to come. Eventually the prisoners were released and paid handsomely for their time. One might ask, how much of the animosity remaining from this affected peoples' decisions later?

Mexico appointed another governor named Manuel Micheltorena (who was a famous General from the Texas Revolution) in 1842. He assembled an army, including 300 *cholos* from prisons in Mexico (with intention of making Alta California a prison colony by order of Santa Ana), and headed north to attack Alvarado in the capital of Monterrey.⁹⁹ He had made it as far as the lands between Santa Barbara and SLO when one of the greatest mistakes in naval history interrupted his march.

The United States had been watching Alta California with covetous eyes since it declared its independence. The US Pacific fleet had been stationed nearby in the vague hope

⁹⁵ For instance, I covered the racial conflict of the William Goodwin Dana in another document. See Joseph Hall-Patton, *Interpretive Report*, 40-47.

⁹⁶ Angel, 61-62.

⁹⁷ Ibid 64-67, 105. Joseph Dana, *To Discourage*, 86. Joseph Dana wrongly attributes this to animosity between Governor Alvarado and William Goodwin Dana, but does illustrate the racial nature of this. Juan Dana, *Blond Ranchero*, 77.

⁹⁸ Angel, 66.

⁹⁹ Ibid 69.

of capitalizing on any confusion. Commodore Jones mistakenly believed that the US had declared war on Mexico, so he sailed his fleet right into Monterey Bay.¹⁰⁰ The town was taken and the American flag flew triumphantly for the day, having accidentally conquered Alta California! After realizing the mistake, Jones's ships sailed away, raising the Mexican flag and firing a salutational volley as they left. Micheltorena hid his weaponry deep inland, and actually lost most of it in the process, which still has yet to be found. The US paid \$3,000 in damages, but Micheltorena's counter-revolution was stopped for months afterward.

Micheltorena made it into Monterrey without a fight in 1843, but his *cholos* created havoc in the town. This angered Alvarado, and he became determined to oust the general in 1845. Micheltorena gathered the original *cholos*, along with a provoked *naturalizado* named John Sutter.¹⁰¹ Sutter had just received the Murphy Party from what is now called Donner Pass, and some of the *gringos* joined him forming a third army. He also brought numerous Indians from his fort in the Central Valley. Alvarado sent Castro to fight Micheltorena. All three armies met in the San Fernando Valley (just north of LA), and a major battle took place. Sutter did not join, swinging the numbers in favor of Castro.¹⁰² After being captured, Sutter had proclaimed his loyalty to Alvarado. Micheltorena surrendered as a result. While Alta California kept its independence in 1845, the rift between Californios, *gringos*, and *naturalizados* was growing worse. Also, because of the Alvarado's revolution, anarchy had crept back into Alta California.

A band of raiders called *Los Chaguanosos* formed in the lawlessness.¹⁰³ They would come from the Sierra Nevada foothills and take their stolen goods and horses back along the Old Spanish Trail. Starting in 1832, and not ending until 1853 when Walkara (the last

¹⁰⁰ Some accounts of this event may be found in Albert Hurtado, "Empires, Frontiers, Filibusters, and Pioneers: The Transnational World of John Sutter," *Pacific Historical Review*, v77 i1 (31 Jan. 2008) 34. Angel, 69-70.

¹⁰¹ This is the Sutter of "Sutter's Mill" fame. Hurtado, 34-36.

¹⁰² Angel, 72.

¹⁰³ *Los Chaguanosos* are not well studied, but some good accounts may be found in: Richard Lingenfelter, *Death Valley and the Amargosa* (CA: University of California Press) 1988, 25-31. Albert Hurtado, *Indian Survival on the California Frontier* (CT: Yale University Press, 1988) 32-54. Ned Blackhawk, *Violence over the Land* (MA: Harvard University Press, 2008) 133-144.

chaguanoso and leader of a group of Indians in Death Valley) was defeated by the Mormon theocracy in Deseret (Utah), these *chaguanosos* were probably part of the Indian raids that SLO rancheros complained about. These raiders were comprised mostly of Indians and often led by fur traders, which also increased the animosity toward *gringos*. The most famous of these raids was led by Philip Thompson and Thomas “Peg-Leg” Smith in 1840 and it began in SLO. This raid was pursued, and even had a couple shootouts in Cajon Pass, but these raiders could not be stopped. People simply had to defend themselves against these raiders, because the government was too weak to secure itself. Sutter’s famous fort and his vast lands were granted by Alvarado in order to quell some of the *chaguanosos* and bring order to the Central Valley. He did so brutally, killing many Indians and forcing an abusive system of labor for false currency upon them.¹⁰⁴ Eventually, some of the stolen horses ran feral about the Valley, and rancheros simply captured these mustangs (which were the descendants of their own animals) to replenish their stock.

Because of the lawlessness, racial tensions, and independence of Alta California, several other countries sought to annex the territory. There were even talks within the territorial government of annexation.¹⁰⁵ The United States was the most likely to be party to this ‘peaceful’ acquisition process, but it was because of the ongoing violence throughout Alta California. US Consul Larkin, stationed in Monterrey, had been making political maneuvers with that very intent.¹⁰⁶ Unfortunately, his plans were preempted by John C. Fremont and the Bear Flag Rebellion in 1846, which in turn was subsumed by the Mexican-American War. Annexation could have brought peace, but instead it heralded further violence.

It has been a misconception to see the Mexican period through rose-tinted glasses. Before the US conquered California, there was serious violence in San Luis Obispo. This

¹⁰⁴ This is recounted in Albert Hurtado, “Empires, Frontiers, Filibusters, and Pioneers” 19-47.

¹⁰⁵ A good account of early annexation talks may be found in Robert Cleland, “The Early Sentiment for the Annexation of California,” *The Southwestern Historical Quarterly*, v18 n3 (Jan. 1915) 231-260.

¹⁰⁶ The best work to date on how Larkin was planning this annexation is John Hawgood, “The Pattern of Yankee Infiltration in Mexican Alta California,” *Pacific Historical Review*, v27 n1 (Feb. 1958) 27-37.

culture of violence would continue for another decade in the county. Some could even say that it went further still. It is incorrect to see the events of the 1850s as distinct from this violence, for it built on the reality that the region had never been tamed. Differing cultures interacting had often led to bloodshed that spanned from earliest contact. Hopeful and peaceful times were dotted by numerous incidents that left a trail of violence in the chronology of SLO from its earliest written accounts. The American conquest did not bring violence to the region, it merely increased it.

WAR

The simmering animosity of *naturalizados*, *gringos*, *cholos*, and *Californios* had continued throughout the reign of Alvarado. When there was a meager reunification under Pio Pico in 1845, who had also been the ameliorative governor after Manuel Victoria's defeat, these racial tensions were somewhat inconsolable. As more *gringos* began to come over the Oregon and California Trails to the northeast, encountering the inflammatory Sutter along the way, they became embroiled in the growing animosity. There were high-level talks in Alta California of allowing annexation by a foreign power in 1845, including Great Britain, Russia, France, and Prussia.¹⁰⁷ The most significant of the powers that were courted was the United States.

In 1846, John C. Fremont came to California in an exploratory expedition for a third time. He had met with the expansionist president of the United States James K. Polk prior to the expedition, though there is no record to show what was said. This time, Fremont was asked to leave Alta California, which he did. While he was positioned in the Oregon territory, a US marine lieutenant named Archibald Gillespie rode up to meet Fremont and hand him a letter from Polk. The letter's contents remain an infamous mystery today, but many have assumed that it told Fremont to capture Alta California.¹⁰⁸ In either case, he left southward toward Sonoma.

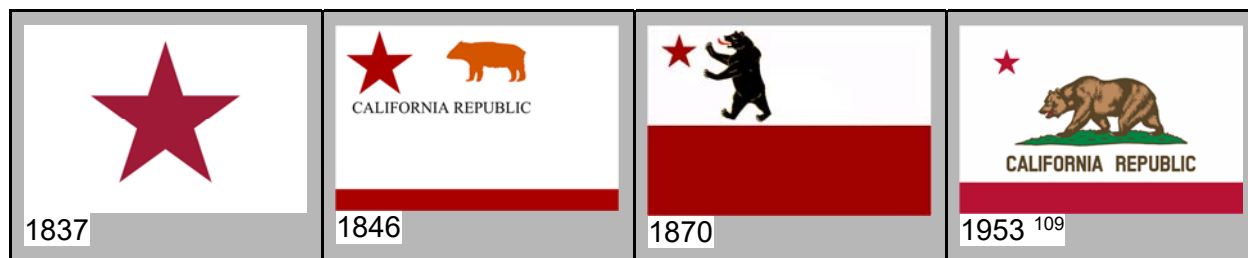
Tensions heightened quickly thereafter. Perhaps presaging the war to come, US Consul Thomas Larkin called in the US Pacific fleet for protecting the large amount of American *gringos* in Alta California. Pio Pico decided to stop denying anti-*gringo* sentiment and comply with a Mexican mandate to disallow the naturalization process. Rumors and fears of a Mexican army

¹⁰⁷ Cleland, 231-260.

¹⁰⁸ Historians continue to argue this point. It is an assumption to call the Fremont Expedition a filibuster attempt, but its complicity in the Bear Flag Revolt cannot be denied. Twin examples of either side of this argument may be found in: Richard Stenberg, "Polk and Fremont," *Pacific Historical Review*, v7 n3 (Sep. 1938) 211-227. George Tays, "Fremont Had No Secret Instructions," *Pacific Historical Review*, v9 n2 (June 1940) 157-171.

coming from the south swirled about the hinterlands of the Central Valley where *gringos* were especially prevalent, and *naturalizados* fanned the flames of rebellion. Racial tensions were ready to spawn actual warfare.

These rebellious *gringos* joined forces with Fremont's expedition and captured some government horses and the pueblo of Sonoma in June of 1846. They declared independence and hoisted up a homemade flag that incorporated the current autonomous Alta California flag, a red stripe, and a bear. The flag has changed stylistically, but retains virtually the same content today.



All of this was happening after the Mexican-American War had already begun, but no word had been received informing anyone in Alta California that it was happening. This independence movement was completely separate from those events initially, and would be finished before reinforcements could ever arrive.

Because of not knowing that the US was already at war, Commodore Sloat (commander of the US Pacific fleet) was wary of supporting the Bear-Flaggers. Fremont arrived weeks late to help defend the Sonoma Barracks, bringing along his famous cannon and frontiersmen.¹¹⁰ Fremont was technically a commissioned US officer, but Sloat waited until July 7th to take Monterey and bring the US into the Californian War. This brought the Bear-Flaggers under an

¹⁰⁹ These flags were rendered digitally by the Wiki Commons Foundation. "Flags of California," *Wikipedia* (Wiki Commons Foundation). Accessed 2/19/2016: en.wikipedia.org/wiki/Flag_of_California.

¹¹⁰ An interesting thing to note is that this cannon is what the UNLV-UNR rivalry trophy is based upon. These two universities paint the cannon's carriage red or blue for whomever wins that year's football match, firing blanks at their games, making it the heaviest and most expensive trophy in all of US collegiate sports. The original was lost presumably somewhere in the Sierra Nevada mountains soon after the Mexican-American War.

official US flag and inadvertently into the larger Mexican War. News of that larger war was not received until August 12th.¹¹¹ Naval Blue Jackets and Marines reinforced the Bear Flaggers and joined the whole unit together as the California Battalion. They began to march southward to conquer all of Alta California.

Numerous Californios banded together to fight the conquerors. It is probable that a number of *Californios* from San Luis Obispo did so, though there are no records to indicate whom, save for Jose Pico.¹¹² Some later criminals associated with gang activity in the area might have fought against the California Battalion. For the most part, *naturalizados* remained aloof, though some gave aid to the *gringos*.¹¹³ An initial battle of the war was not too far away from the current county-line in the Salinas Valley. The Battle of Natividad was minor, but the skirmish allowed Fremont's army to be reinforced with horses for the long trek through the valley that would take them into SLO.¹¹⁴

When the California Battalion entered modern SLO county, they searched each rancho they came across for possible guerrilla fighters.¹¹⁵ This led to several arrests. At Mission San Miguel, insufficient grass led to the soldiers having to walk all the way through the Salinas Valley until they were very near Pueblo SLO. On December 15th, Fremont ordered the execution of an Amerindian for being a spy (since he was carrying a letter), though historians have said this was an unjustified accusation.¹¹⁶

They slaughtered cattle herds as they felt necessary. Before the Gold Rush, it was a common practice to do so. As one local old-timer pointed out in 1892, "Prior to 1848 cattle had

¹¹¹ Myron Angel, *History of San Luis Obispo* (CA: Thompson & West, 1883) 82.

¹¹² There are local rumors of local characters such as some of the Estrada, Pico (including Pio), Garcia (including Jose), and Avila families. Several Chumash fought on either side of the conflict.

¹¹³ A notable example of this was William Goodwyn Dana in Nipomo. He gave a warm welcome to Fremont and his men with fresh provisions, warm meals, and some new horses. See Juan Dana, *The Blond Ranchero* (CA: Dawson's Book Shop, 1960) 23-28.

¹¹⁴ The historic landmark that records this battle may be found at "Site of the Battle of Natividad," *Historic Landmark Registry* (CA: Office of Historic Preservation, 1958). Accessed 2/19/2016: <http://ohp.parks.ca.gov/ListedResources/Detail/651>.

¹¹⁵ The most complete account of the California Battalion in SLO may be found in Angel, 79-93.

¹¹⁶ *Ibid*, 87.

only the value of what they would produce in tallow and hides.”¹¹⁷ It was perfectly acceptable for people to kill cattle for meat, so long as they left the California Banknote (hide) behind to tan. Unfortunately, the *gringos* were not aware of this custom, so these slaughtered cattle came at the cost of local rancheros.

As the California Battalion made their way down the Cuesta on the night of December 13th, and Pueblo SLO came into sight, the cavalrymen charged the town.¹¹⁸ It was a futile effort, since they encountered no resistance from the sleeping denizens who were rather startled by the commotion. They made Mission SLO into a barracks for a few days (since heavy precipitation hit in the morning) and positioned their artillery on the hill that is now around the corner of Moro and Mill Streets overlooking the mission.

They raided some of the nearby ranchos, including Rancho Cañada de Los Osos y Pecho y Islay where Jose Pico was captured at. The prisoners were rounded up and court-martialed. A few were sentenced to death.¹¹⁹ This outrageous behavior made Myron Angel say in his recounting that “the American commander habitually disregarded in this manner the plainest principles of right and justice prescribed by the usages of civilized nations in the conduct of their wars with each other.”¹²⁰ A procession of mourning ladies led by Romona Wilson interceded on the prisoners’ behalf, and Fremont pardoned them. After it stopped raining on December 18th, the battalion began to move out again.

They spent the night at Rancho Nipomo, which was owned and operated by an American expatriate turned *naturalizado* named William Goodwyn Dana. He gave some provisions to the battalion, but they also stole some horses, though these horses were secreted

¹¹⁷ Frank Dana, “Old Times. What Cattle Were Good for Prior to the American Occupation.” *San Luis Obispo Tribune* (June 5, 1892) 2.

¹¹⁸ Angel, 88.

¹¹⁹ Angel, 89. Quoted memoire from a member of the California Battalion.

¹²⁰ Angel, 88.

back by some clever maneuvering by the vaqueros of that rancho through the use of a bellmare.¹²¹ They continued onward toward Los Angeles.

The war was quickly won in Alta California. The military settled in to govern during the late 1840s. A regiment of New York volunteers under the command of Jonathan Stevenson was sent to California to occupy the territory in 1847. One company was stationed in Santa Barbara. It did not see any combat, but it did bring two of the most important characters of the Bloody 50s, from opposite sides of that decade. One was Jack Powers, the infamous bandit. The other was Walter Murray, one of the most important vigilantes in SLO.

Once the Treaty of Guadalupe Hidalgo was signed in 1848, California was a territory of the USA. The military ruled California for two more years, until the state government was ordered into existence by General Riley. They kept local governance in place from the Mexican period. Nothing violent happened because of military rule, but animosity must have been at an all-time high with this occupational force.

It is easy to see how a conquest could lead to such ill-will. People like Tiburcio Vasquez would later claim to be fighting on behalf of *Californios* as some sort of freedom fighter with such quotes as, "With the arms and provisions I could have purchased with fifty or sixty thousand dollars, I could raise a force with which I could revolutionize California."¹²² He was saying this for attention which was easily garnered from the hundreds of people who wanted to get pictures with the infamous bandito, but the rhetoric spread like a germ to other bandito legends in California history. It is frequently alleged that these banditos were revolutionaries fighting on behalf of *Californios*. Unlike Vasquez, many of the characters in SLO were involved in the war, and could state a more righteous claim. Perhaps these men saw themselves as guerrillas, however misguided that might be. Locals today often unwittingly follow Vasquez's rhetoric, though historians are wary of such pitfalls. Of course, the fact that they were killing and stealing

¹²¹ Juan Francisco Dana, *The Blond Ranchero* (CA: Dawson's Book Shop, 1960) 27.

¹²² John Boessenecker, "California Bandidos," *Southern California Quarterly*, v80 n4 (Winter 1998) 422.

for this *cause célèbre* makes one think that it may simply be an excuse to use violence, especially when that violence often contradicts revolutionary aspirations. Afterall, Powers was on the American side of the conflict, and the violence was not solely used against *gringos*.

Another way to view the Bloody-50s as an extension of the war may be to look at the conqueror's continuing the violence instead. One historian of Los Angeles has called the Bloody-50s "The Unending Mexican War," arguing that the highly racialized violence there was an extension of the conquest of California.¹²³ SLO's violence is not so easily explained though, especially given the complexities of local reality that developed prior to 1858.

In either case, the war was the culmination of decades-long violence. The long standing problems would continue to be a factor in the ongoing killings for another decade. It is hard to state how animosity dwells in the hearts of people, but the violent overthrow of government after government had taken its toll. Stability could not be achieved easily.

The new government would falter in dealing with these outlaws. Many at the time blamed the rift between *Californios* and Americans that was formed by this war. There was much talk by the vigilantes that the *Californios* had sheltered the banditos.¹²⁴ The war had fractured SLO along racial lines, magnifying the previous rifts, and these banditos took advantage of that. In some ways, it is possible to see the bloody 50s as a consequence of the Mexican-American War.

¹²³ William Deverell, *Whitewashed Adobe* (CA: University of California Press, 2004) 11-48.

¹²⁴ Walter Murray, "Responses to El Clamor Publica." *San Francisco Herald* (1858). Quoted by Angel, 300-302.

GOLD RUSH

When gold was struck in 1848, California had just finished the Mexican-American War. That war had caused much misery, but so too would the coming of the 49ers. The conjunction of prior violence and the violence from the demographic changes of the Gold Rush were startlingly dramatic. Historians are correct in pointing to the Gold Rush as a significant cause of violence. As previously illustrated though, it should not be construed as the beginning. The discovery of gold at Sutter's Mill brought a wave of people from US lands east of the Mississippi (herein called *Yankees*). The onslaught of violence made pacification of San Luis Obispo neigh-impossible to bring about in the meantime.

When news of the Gold Rush hit SLO, there was practically a mass-evacuation of the county. It became a passing phase in which numerous residents went to the gold fields and came back. By 1850, there were less than 350 people in the county.¹²⁵ Sufficient records do not exist to determine how many people in SLO left to mine, but anecdotal evidence would suggest massive numbers. Every member of the executive vigilance committee (the higher echelon of vigilantes in 1858) had been to the diggings, and many of the Linares Gang had as well, including Jack Powers. A previous California gold discovery had been found in 1842 much closer to SLO on Rancho San Francisco (where Santa Clarita is today), no one had taken advantage of that strike because the Mexican land grant system stopped them from doing so. This one was coming after the annexation of California by the USA.¹²⁶ Residents wanted to take full advantage of the 1848 discovery, along with the new land laws that came with annexation.

¹²⁵ There were 336 according to the 1850 US census, but it should be noted that the census was so flawed in California that they had to retake it in 1852, which yielded a population total of 502. Also Amerindians were not counted in either one.

¹²⁶ The "Oak of the Golden Dream" discovery was squandered due to the Mexican government using *cholo* labor for the mining operation and not allowing any private mines established. It was destroyed in 1846 to keep from Yankee control during the war. The diggings there also inspired Sutter to search for gold on his land, leading to the Gold Rush discovery.

Those who did not travel to the Sierra Nevadas still benefited by the tremendous rise in demand. For a few years, beef sold at such a high price that residents also left the county to drive their rancho's cattle northward. As one resident remembered:

During the 50's, when the demand for meat was so high, forty to fifty dollars a head was a usual price. These were good days for Nipomo but they certainly didn't last forever because, as the mining operations increased, so did transportation and many more things could now be purchased. There was an over-production in cattle raising during this time because every rancho was a cattleman. So by 1852 these very high prices became a thing of the past.¹²⁷

For most of the Spanish/Mexican eras, the meat of cattle was prohibitively expensive to transport where demand was high, but the new demand in Northern California allowed for the meat to be sold. The combination of drovers and gold-seekers left the county depopulated at perhaps its most crucial consolidation period.

Depopulation was matched with a sudden influx of immigration, but of a less permanent sort. An early sign of the things to come was when the USS Edith was wrecked off the coast near Rancho Nipomo in 1849. This was supposedly not accidental, though the US Navy says otherwise.¹²⁸ According to locals, "As the ship Edith neared the Point the sailors deliberately ran her onto a sandbar and grounded her...Some of the people stayed on for several days but the sailors could hardly wait to start off to the mines."¹²⁹ Greed fueled the migration, and with it came the dregs of society. Luckily, most such people landed in San Francisco, rather than SLO.

With such mammoth demographic change, it is hard to see how peace could possibly be maintained. What made the fight for pacification worse was that people were moving about the state with bags of gold. It was a common practice when beef was in high demand for drovers to

¹²⁷ Juan Dana, *The Blond Ranchero* (CA: Dawson's Book Shop, 1960) 112-13.

¹²⁸ The official naval explanation was bad weather. See "USS Edith," *Dictionary of American Naval Fighting Ships* (DC: Department of the Navy, 1999). Accessed 2/21/2016: <http://www.hazegray.org/danfs/steamers/edith1.htm>. Shipwrecks were common along the coastline in SLO and further south. A huge naval disaster happened in 1923 at the same point as the USS Edith, where 7 naval destroyers were sunk. See "Honda (Pedernales) Point, California," *Naval History and Heritage Command*. Accessed 2/21/2016: <http://www.history.navy.mil/research/library/online-reading-room/title-list-alphabetically/h/honda-pedernales-point-california-disaster-8-september-1923.html>.

¹²⁹ Dana, 68. Another corroborating account may be found in Angel, 105.

gather some bullion in San Francisco and head south to buy several head of cattle. Then they would drive the animals to slaughter in Stockton. By being from outside SLO and carrying a great deal of gold, these men made for opportune targets. One could feasibly kill them, take their gold, ride away, and no local would care enough about the foreigner's corpse to do anything about it.

With such dangers lurking around, people had to go about with guns near at hand. One historian pointed out that "Hundreds of miners in letters, diaries, and articles described the well-armed state of the citizenry."¹³⁰ With so many guns it is no wonder that dueling, shootouts, and murder ran rampant. Gun technology had also evolved enough to have multiple shots ready at all times. Pepper-boxes, paper-cartridge shotguns, and percussion-cap revolvers were common guns in the 1850s. It was simply expected that every man wore a weapon in California during the Gold Rush. The citizenry of SLO was no exception. For example, Henry Tefft, a local delegate to the state constitutional convention and later assemblyman who married into the Dana family, almost had a section added to the constitution to prevent his constant dueling.¹³¹ Violence was inevitable in this situation, but it was also buoyed by the way the new government was forming.

¹³⁰ Roger McGrath, "A Violent Birth," John Burns and Richard Orsi editors, *Taming the Elephant* (CA: California Historical Society, 2003) 42.

¹³¹ Joseph Dana, *To Discourage Me is no Easy Matter*, (CA: Southcounty Historical Society, 2007) 110.

LACK OF LAW

After the conquest of California, San Luis Obispo went through tremendous changes governmentally. It went from Mexican revolution/counterrevolution, US military dictatorship, pseudo-statehood, to a loosely organized political system in the expanse of a single decade. Its transition was continually hindered by the demographic changes and an inability to adjust to the new circumstances. Because of the population flux of the Gold Rush, effective governmental structure under the American system could not be built immediately. Even so, there was also the trouble of knowing how to operate in the new ways, let alone the lingering racial animosities.

First there were the *alcaldes* during the Mexican period, who were the original form of law. These “justices of the peace” were essentially kings of their domain. Their official responsibilities were equivalent to what a judge, jury, arbiter, detective, and sheriff do today combined in the personage of one elected official. It is a highly effective system among tiny populations such as SLO. As one historian said,

Spanish and Mexican laws contemplated the restriction of the powers of the Alcaldes within reasonable limits. But it was common with them, in the remote provinces to act arbitrarily, and then justify their conduct, upon the plea of necessity...The good, fatherly Alcaldes made rules for the people as for children, and their authority was obeyed.¹³²

A local representative council called an *ayuntamiento*, made of the surrounding rancheros and the few neophytes left, passed laws that the alcalde was supposed to uphold. People had been electing alcaldes since the neophytes were allowed to elect them from within their own ranks in 1783. SLO was simply the central pueblo of several ranchos. While Alta California had its revolutions, alcaldes held pueblos firmly together. Since they were regularly elected, people tended to follow their rulings without dispute.

¹³² Angel, 61, 68. A more thorough explanation of how the alcalde system worked may be found in David Langum, *Law and Community on the Mexican California Frontier* (CA: Vanard Lithographers San Diego, 2006).

After the raid of the California Battalion, local business was conducted as usual, as though no change had taken place. When the Stevenson Regiment arrived seven months later, they simply commanded the old alcalde system to continue, but under American control. Despite the US regard for democracy, the new command could and sometimes did usurp elections and place its own alcaldes in power despite voting to the contrary. One probable local instance of this was the appointment of John Price as alcalde. A colonel in the Stevenson Regiment sent a letter to his commander saying, "I send this appointment of J. M. Price as alcalde, but not on account of the election that was held, for that was unauthorized."¹³³ This is probably why so many non-*Californios* fill the annals of SLO's military government, though the record is lacking and it seems as though everyone was alcalde at one point or another, though numerous *naturalizados* had been elected alcalde before the conquest of California. In fact, American Consul Larkin might not have been exaggerating when he remarked that "the alcaldes of three-fifths of the towns in California were foreigners."¹³⁴ Mexican records are fairly scant because of having such a small population.

When General Reilly ordered the formation of the State of California in 1849, SLO sent delegates to the convention in Monterey. That meant SLO was made into one of the original 27 counties of California. In forming a county government, SLO was not certain in its formation. An interim "court of sessions" was created, which was supposed to manage the first election, but carried on inexplicably for 3 years, until May of 1852.¹³⁵ Its mandate could only be served if there were enough people elected to fill most of the governmental posts. Unfortunately, the Gold Rush's demographic changes meant that there were simply not enough people to serve. In numerous cases, people were elected (or appointed by the court of sessions) to multiple

¹³³ quoted in Angel, 68. The section includes numerous correspondences from the time of Price's holding the alcalde position.

¹³⁴ Langum, 49.

¹³⁵ The entire record of the court of sessions was once in the possession of the County Recorder's office, but were lost some time in the 1990s. Luckily, Myron Angel includes a large amount of them, fully translated in his book. See Angel, 131-34.

positions simultaneously. How would one expect a proficient government to be formed in such conditions?

What's worse is that these leaders were mostly *Californios* with no experience in this form of government. The liberal republic of the USA was a foreign concept to the people of SLO in 1850. The numerous layers of bureaucracy that separate powers down to the municipal level was contradictory to the *alcalde* system that they had been under for so long. They were essentially ordered to reformulate into a county government without the necessary explanation of what that entails. In fact, they continued to hold court only in Spanish, requiring English speakers to be translated. They also created overly powerful judges such as the "judges of the plains" that performed the duties of *alcalde* for the county outside the town of San Luis Obispo.¹³⁶ It was a semi-elected entity, so it might as well have been a vigilance committee, but without the sheer numbers to back up its decisions. Technically there were sheriffs in 1850, but they regularly deserted their posts in the early years of the county.¹³⁷

There was also significant corruption during the court of sessions. One account displays the extent to which this corruption was instituted in San Luis Obispo at the time,

The Justice of the Peace of San Luis in 1852, who was termed the *Alcalde* by the people, was a shrewd, unscrupulous man, named [Jesus] Luna...The *Alcalde* improved the opportunity by exacting from them a tribute of *quarto reales* [fifty cents] a head for the privilege of passing through San Luis. The parties yet in the rear, having received information of this exaction, endeavored to evade it, by passing east of the town by the Munoz place; but the *Alcalde* sent his *Alguaciles* [constables] to warn them that they would be imprisoned should they attempt to pass by that road, and thus forced them to return and pass in front of the church and by his office, where he collected the tribute. These so-called *Alcaldes* assumed most extraordinary powers. One of the successors of Luna decreed a divorce between a man and wife.¹³⁸

¹³⁶ Angel, 133.

¹³⁷ The first Sheriff (Hutton) quickly fled the county, and was replaced by Judge Henry Dally, who promptly resigned because of "the dangers of the business" before the 1851 election took place. This information was provided in Timothy Storton's current (untitled) manuscript on the history of SLO county sheriffs. Gary Hoving, *A Brief History of the San Luis Obispo County Sheriff's Office* (CA: San Luis Obispo County Sheriff's Office, 2002).

¹³⁸ This was a story from a popular local figure named C.H. Johnson, which Myron Angel published in full in his book. See Angel, 356. It is somewhat hilarious to note that Jesus Luna's house, which doubled as his 'office,' was located where the current *Luna Red* restaurant is today. They have no connection to each other save for occupying the same grounds 150 years apart.

It is quite possible that one the *alguaciles* was a young Pio Linares.¹³⁹ Luna's corruption extended further still. Walter Murray blamed him for murdering his ranching partner in 1856. Luna fled before the body was found and Murray says, "men talked hard about Luna, but it was too late."¹⁴⁰

When the official county government was formed, and the court of sessions dissolved. Its government was the same as it is today, though still having the problem of too few politicians to fill all the posts. The first county board only required five elected officials, but three of the positions were not filled by the election, so they were filled by people who also held other positions with the county government (a necessary violation of the California constitution).¹⁴¹ Sheriffs were ineffectual, and had to cover so much land that people not directly inside the town of SLO were halfway expected to defend themselves. In 1852, there was an attempt to divide the county into eleven judicial districts.¹⁴² This allowed for more constables and justices-of-the-peace to operate throughout the county, if enough could be elected, but that did not stop the outlaws.

With such a transition, though it was gradual, too few laws could be made and enforced to curb the rampant crime developing in the county. This power vacuum persisted for the rest of the decade. Records show people filling dual roles into the 1880s.¹⁴³ Some of it was simply political maneuvering, but much of it was due to a lack of participants in the new governmental order. Some of this may have come from the fact that the county began as predominantly *Californio* and Amerindian, neither of which had a particular stake in the new order. One could

¹³⁹ John Boessenecker makes such a claim, but does not give significant enough evidence to show this to be the truth. See John Boessenecker, *Gold Dust & Gunsmoke* (NY: John Wiley and Sons, 1999) 102. Luna was quoted as a compatriot of Linares's in 1858 by Walter Murray. See next footnote.

¹⁴⁰ This was from a series of letter printed in the *San Francisco Bulletin and Herald* in 1858, but they have been reprinted in a number of places, including Angel, 294. "Relics of Old Times," *San Luis Obispo Tribune* (July 23, 1870) 2. "Twenty Years Ago," *San Luis Obispo Tribune* (October 20, 1878) 1-2.

¹⁴¹ Angel, 134.

¹⁴² Gary Hoving, *A Brief History of the San Luis Obispo County Sheriff's Office* (CA: San Luis Obispo County Sheriff's Office, 2002) 1.

¹⁴³ Myron Angel lists every elected official until the 1882, four years prior to the book being published. See Angel, 129-166.

certainly understand a refusal to participate in a new governmental system that had been forced upon them through violence. Racial animosity was most assuredly there. The American system of government operates only through people becoming part of it, and if there is significant antipathy to the government as a whole (to the point of not having enough electable officials), then the system fails. It is no wonder that bandits preyed on this weakened state of affairs.

RACIAL DISTRUST

There is no way to quantify the hatred people have for one another. It is easy to speak of misdeeds and grudges as palpable feelings manifested by events. Indeed, what is a more effective means of showing growing animosity than very real violence stemming from it? Violence is the worst history can offer, and is always the most visceral outlet of the underlying ideologies that drive it. Of course, only the words of the participants in such violence can demonstrate these things. Unfortunately, San Luis Obispo was not a place of significant writing prior to the newspapers of the 1860s.¹⁴⁴ Nonetheless, there are indicators which show that racial distrust was a significant factor in the creation of the vigilance committee. But there are also mitigating factors that serve to disprove any basic assumptions we might make. Whatever the narrative problems may be, the exploration of these racialized thoughts is imperative, no matter how unclear an answer may be derived.

Antagonisms between the races predated the conquest of California. John Price probably remembered the Graham Affair quite well, after he was arrested on the Rancho Nipomo. The rancho was owned by William Goodwyn Dana, a *naturalizado* mariner. Dana had given shelter to his father-in-law, Carlos Carrillo, in 1837, as well as receiving the rancho at the same time.¹⁴⁵ However, a clear animosity between *naturalizados* and Californios was given shape in 1844 during the Micheltorena War. Dana was captured by Joaquin Valenzuela and a few unnamed ruffians.¹⁴⁶ He was accused of being a counterrevolutionary. Despite Dana being a *naturalizado*, Valenzuela used his whiteness to persecute him. Valenzuela and his unnamed

¹⁴⁴ Technically there was a newspaper called the *San Luis Obispo Gazette* in 1858-59, but it was simply an outlet for "legal advertising contracts" as a branch of the *Santa Barbara Gazette*, and were not available to be seen. It would not be until 1868, when the *SLO Pioneer* was created, and 1869 when the *SLO Tribune* was created in competition with the radically Democratic (a hated party in SLO after the Civil War) *Pioneer*, that SLO got any serious local coverage. See Mark Hall-Patton, *List of Newspapers* (CA: Manuscript from archives in the SLO History Center, 1990s).

¹⁴⁵ Joseph Dana, *To Discourage Me is no Easy Matter*, (CA: Southcounty Historical Society, 2007) 85.

¹⁴⁶ Ibid 88.

partners argued over whether or not to simply murder Dana, but he was eventually released. Valenzuela was one of the famous “5 Joaquins,” and would later be hanged by the SLO vigilance committee.¹⁴⁷

With the palpable animosity growing from such events, the American conquest of Alta California must have magnified it tremendously. After all, many citizens of the soon-to-be county fought against the California Battalion. With the influx of the victorious Yankees, and any number of whites during the gold rush, the *Californio* population was quickly becoming a minority in their own lands. Documentation between 1846-58, which mostly consists of newspapers and reprinted letters, does not show much explicit racial animosity. However, the documents are troublesome for finding such statements. Since the census counted Californios as white citizens, it is impossible to tell the racial makeup of the county without supposition. One incident brought these feelings to the surface in a very public way.

In 1853, a gang of Mexicans murdered two peddlers on the Cuesta.¹⁴⁸ Several of them were caught in Los Angeles, including one who was shot during apprehension. Three were shipped to San Luis Obispo for trial. They were then “hung from the nearest tree.”¹⁴⁹ It may have been an early vigilance committee, or merely a mob lynching, but in either case they were executed extrajudicially. This was not simply because the court could not handle the issue, but because it was a group of unnamed whites who distrusted the *Californios* to uphold the ruling. In a telling account mailed to the *Sacramento Union*,

Some eight or ten Americans were waiting the arrival of the Goliah [ship carrying the prisoners] at the landing, and when the prisoners were brought on shore, they held a consultation, and it was determined to hang them on the beach, as it was feared they would be rescued if taken up to the town, by the Mexican

¹⁴⁷ “Letter from Joaquin Valenzuela,” *Vigilance Committee Documents* (CA: Located in the San Luis Obispo History Center archives, 1858). For more information about the act that coined the “5 Joaquins,” see *California State Rangers documents* (CA: California Militia and National Guard Unit Histories, 1853). Accessed 2/22/2016: <http://www.militarymuseum.org/CaliforniaStateRangers.html>.

¹⁴⁸ Fully explained in “Judgement Executed,” *Los Angeles Star* (10/2/1853) 2. “From San Luis Obispo” *Los Angeles Star* (12/10/1853) 2.

¹⁴⁹ “From San Luis Obispo,” *Daily Alta California* (10/11/1853) 2.

population residing there, and be again let loose with their appetite for plunder and murder whetted by revenge.¹⁵⁰

The antagonism is palpable, and in the press for all to see. A couple of the likely lynchers were John Price and Samuel Pollard. It is likely that Pollard is the one who wrote the anonymous letter to the *Union*.¹⁵¹ He was the man who sent the *Los Angeles Star* a contradictory statement though, reading “Our informant states that there is but one voice among the Americans and Californians of San Luis Obispo in regard to the hanging of the men, who committed the murder, and that is that they deserved and well merited their fate.”¹⁵² These white men honestly thought that the murderers would be freed by the *Californios* of SLO. No record of a preceding incident can be found to corroborate such apprehensions, but this does display significant distrust.

After the committee began hanging people in 1858, *El Clamor Publico* in Los Angeles complained about the committee being a bunch of “Asesinato-Linchamientos” (Murderous Lynchers) and many more labels.¹⁵³ After such a “hecho de sangre” (bloody event), one might expect fallout, but Francisco Ramirez (the *Californio* editor of *El Clamor*) pulled out all the stops in his castigation. He called them “Murders and heinous atrocities committed against individuals of our race under the pretext of punishing the perpetrators.”¹⁵⁴ This castigation from a demagogue was on behalf of a supposed *Californio* solidarity. This was a racially motivated first salvo of a public-relations war between Ramirez and a SLO local named Walter Murray over the purpose of the committee.

¹⁵⁰ “Later [sic] from Southern California,” *Sacramento Daily Union* (10/13/1853) 2.

¹⁵¹ He is listed as an informant for the *LA Star* and wrote a lot of the anonymous letters for the town of SLO. See “Authorized Agents,” *Los Angeles Star* (7/31/1852) 2. Walter Murray was not situated in SLO yet.

¹⁵² “From San Luis Obispo” *Los Angeles Star* (12/10/1853) 2.

¹⁵³ Francisco Ramirez, “San Luis Obispo: Asesinato-Linchamientos, Atrocidades, &, &c,” *El Clamor Publico*, v3 n49 (June 5, 1858) 2, accessed 10/19/15: digitallibrary.usc.edu/cdm/fullbrowser/collection/p15799coll70/id/329/rv/compoundobject/cpd/332/rec/1 Full article and translation may be found in Appendix C.

¹⁵⁴ Ramirez, 2.

When Murray retaliated, he also claimed racism, but in a very different way.¹⁵⁵ Before the committee had assembled, there was a trial of Nieves Robles. Murray had actually represented Robles at the bequest of his former Stevenson Regiment comrade, Jack Powers. When the trial was unable to proceed because Robles never confessed to the murders of two local Frenchmen, though there should be no doubt as to his guilt in the matter, Murray says, "The French talked lynch; the Californians threatened that in case they did it, every Frenchman in the county should be killed."¹⁵⁶ This must be an exaggeration, but it shows the animosity. Despite having defended Robles, Murray wrote an entire letter about the underlying racial problem that is worth quoting the entirety of:

ANTAGONISM OF THE NATIVE CALIFORNIANS AND AMERICANS.

You will say, perhaps, that we are to blame. That the American citizens in this county should attend juries, support the laws, etc. Sir, the American citizens of this county are but a corporal's guard. The Californians and their Mexican defendants are the great bulk of the community. We are helpless. At an election, or at the empaneling of a jury, it is very easy for an unwashed greaser to swear that he came to this county before the treaty with Mexico. That oath makes him a citizen, and he takes his seat in the jury-box. The Frenchman, the Englishman, the Irishman can't do this. His conscience won't permit it. Therefore, although the good men of this community are in the ascendancy, as far as numerical strength and acknowledged respectability are concerned, yet at the ballot-box and in the jury-room they are powerless. When Nieves was cleared, the public voice declared him guilty. The Californians admitted it, but to justify him, justified the deed. They said:

The thief who kills a thief
Deserves a hundred years' relief

i.e. from the pains of purgatory. They said that the two Frenchmen had received stolen cattle; therefore, deserved killing. This argument needs no comment. The few Americans laid low and said nothing; but they kept up a devil of a thinking. They felt it was getting hot, and that it would soon be time to stir. They said: "The time is not yet come, but it will come." It did come.¹⁵⁷

Murray was saying that there was no way to use the legal system, because one could not trust the *Californios* to render a guilty verdict on another *Californio*. With this he was also proclaiming that *Californios* were complicit in letting the banditos run unchecked. There is obviously some

¹⁵⁵ These were series of letters printed in the *San Francisco Bulletin and Herald*, but they have been reprinted in a number of places, including Angel, 294-302. "Relics of Old Times," *San Luis Obispo Tribune* (July 23, 1870) 2. "Twenty Years Ago," *San Luis Obispo Tribune* (October 20, 1878) 1-2.

¹⁵⁶ Angel, 295.

¹⁵⁷ *Ibid*, 295.

racism built into such statements that use terms like “unwashed greaser,” but it does display the extent to which this was a racialized issue. To say that this letter represented the whole of SLO would be an overstatement, but it was printed in state newspapers without contradiction, and when it was reprinted in Myron Angel’s book, the entire series came with endorsements from several community members, though most of which were vigilantes as well.¹⁵⁸

There is a very real problem with both Murray’s and Ramirez’s explanations. The 1858 vigilance committee was constituted by a majority of Californios. Historian William Carrigan has countered this by pointing to the fact that most were prominent figures in the community, rather than the poor. He says, “Law-abiding [*Californio*] citizens with significant holdings in the region, they stood to benefit from the stability likely to emerge from the end of Linares and his gang...Pacheco and his fellow Californios on the San Luis Obispo vigilance committee likely remained exceptions among the mass of Mexicans in California.”¹⁵⁹ However, this betrays a lack of understanding of the area. The poor were Amerindians for the most part (who were steadily intermarrying to the point of being indistinct culturally). Immigrants into the county, being Yankees or foreigners (including Mexicans), were often poor as well. The Californios were generally more affluent than the whites in 1858. The Ranchos of the area were still being held by mostly original land-holders, as the California Public Land Commission was patenting the original grantees well into the 1860s, with only a few exceptions. The executive committee of the vigilance committee was mostly white, but people of all stripes signed their names to the full committee.¹⁶⁰ Furthermore, there are numerous people known to have participated in the vigilance committee, but were simply associated with other signatories, rather than members themselves. For instance, Juan Francisco Dana guarded prisoners, but he was 17 years-old

¹⁵⁸ Angel, 300.

¹⁵⁹ William Carrigan, *Forgotten Dead: Mob Violence against Mexicans in the United States* (United Kingdom, Oxford University Press, 2013) 92-93.

¹⁶⁰ see Appendix A - Membership Lists.

and his older brother had already signed.¹⁶¹ Furthermore, one of those non-signatories was the Romualdo Pacheco, whom Carrigan mentions, meaning he was not a leader as Carrigan implies. Carrigan likely latched onto that name because of Pacheco's later fame. It was Pacheco's stepfather, John Wilson, who was a vigilante leader, so Pacheco was merely following him, though his mother was somewhat opposed to the violence. It was not the Californios of SLO who were impoverished and spiteful as an entire ethnicity.

The poverty stricken Amerindians of SLO certainly had cause to hate everyone else. They had suffered enough as neophytes prior to *Californios* settling their lands. The first act of the Yankees entering SLO in 1846 was to execute one of them for an unwarranted reason. Once the state of California had been created in 1850, Amerindians could not vote. The legislature quickly passed *An Act for the Government and Protection of Indians*. It allowed for white people to apply for removal of Amerindians from their property, indenture their children, and place them into forcible-debtor labor.¹⁶² News of massacres and Indian warfare was constantly informing locals of the persecution of Amerindians. Some of these were so horrendous that historians have begun to apply the United Nations definition of genocide to comprehend the monstrosity of what H.H. Bancroft repudiated as the "Indian extermination."¹⁶³ Local Amerindians were poor and resided in the worst part of SLO, which was where "Barrio del Tigre" was initially coined.¹⁶⁴ They most likely had apathy towards all sides, but it is hard to

¹⁶¹ Juan Dana, *The Blond Ranchero* (CA: Dawson's Book Shop, 1960) 55-64.

¹⁶² A relevant discussion of how the bill worked may be found in Kimberly Johnston-Dodds, *Early California Laws and Policies Related to California Indians* (CA: California State Library, 2002) 5-12.

¹⁶³ A large body of research has been building on this subject for the last couple decades. Some relevant examples may be found in: Hubert Bancroft, *Works of HH Bancroft: Volume 24* (CA: The History Company, 1890) 474-494. Jack Norton, *Genocide in Northwestern California* (CA: Indian Historian Press, 1979). Frank Baumgardner, *Killing for Land in Early California: Native American Blood at Round Valley* (NY: Algora Publishing, 2005). Brendan C. Lindsay, *Murder State: California's Native American Genocide*, (NE: University of Nebraska, 2015). Benjamin Madley, "Reexamining the American Genocide Debate," *American History Review* (February 2015) 98-139.

¹⁶⁴ as discussed earlier. See Edward Vischer "Outskirts of the town of San Luis Obispo." *UC Berkeley Bancroft Library* (painted 1865). Accessed 10/8/15:
<http://cdn.calisphere.org/data/13030/7g/tf0b69n87g/files/tf0b69n87g-FID4.jpg>.

know their numbers in SLO, due to the census barely counting them in 1860.¹⁶⁵ Furthermore, they were intermarrying with whites so much that by the 1900 census, they were not counted as distinct. The melding of Amerindians reflected diversity elsewhere as well.

The banditos were a diverse lot themselves. They were partly led by Jack Powers, a person who had been exiled from San Francisco because of his involvement with the nativist gang called the Hounds after his Stevenson Regiment days. His escapades in Santa Barbara county in the early 1850s were very anti-Californio, but also his part in the 1856 Los Angeles race riots were decidedly pro-Mexican. Yet he was indeed part of this diverse group. There was also a Chilean and an Amerindian as well. Pio Linares, was a son of the affluent Linares family, who had once owned Rancho Cañada de Los Osos (where he would eventually be killed, ironically enough).

The locals who predated the American conquest were all interrelated in various ways. Many vigilantes were relatives of banditos, some fairly closely related. The interwoven genealogy of Alta California perhaps made for the racial distrust, but whites were part of the same strange complexity. For example, Solomon Pico (an early bandit leader on the Central Coast) was a member of the Pico family, which included several integral characters in Alta California history, as well as being intermarried to nearly all of the other major families, including the Alvarados, Pachecos, Carrillos, De la Guerras, and Avilas. *Californio* and *naturalizado* families were completely interrelated. The committee's documents do not show any racial bias, nor really speak of race as something divisive in any manner, only in describing people for the sake of accuracy.¹⁶⁶ It also shows a great deal of fluency between Spanish and English, illustrating the multicultural world SLO was in 1858. As one old-timer remembered, "Nearly every family there was some paisano blood and still [had] a lot of enmity against the gringos

¹⁶⁵ The 1860 census did count Amerindians separately, but only counted 149 county-wide.

¹⁶⁶ See Appendix A for the transcripts of vigilance committee documents.

who had taken over and were overrunning the country."¹⁶⁷ Yet somehow these tensions were either overcome or highlighted by the creation of the vigilance committee.

With such ties, and so little documentation on the matter, it is impossible to correctly say how much racial animosity played a role in the formation of the committee. Given how much discourse there was after-the-fact on racialized origins, it cannot have been irrelevant, but to what extent is impossible to place. Without a doubt, it played a crucial role in the violence sweeping through SLO during the bloody-50s. Hatred cannot be fully understood, simply guessed at. It was not the only factor, as previously illustrated, but it was important. This hatred fed into the violence that was sweeping the whole of California during this time.

¹⁶⁷ Ibid 55.

OUTSIDE INFLUENCE

California as a whole experienced extensive violence in the 1850s. Larger forces than mere local indiscretions played a role, and San Luis Obispo was affected by them. The ideology that justified the Vigilance Committee in 1858 was informed by events outside of SLO. From other vigilantes in California, to national or even international relations, the local violence was situated in that bigger story.

Yankees did not introduce vigilantism to California. Before the conquest of California of 1846, *Californios* had indulged in some lynching. There was a “military movement” that ended in the lynching of a prisoner by soldiers.¹⁶⁸ A full vigilance committee was formed in 1837 Los Angeles after a man was killed by the paramour his wife was cheating with. A vengeful citizenry formed a “*Junta Defensora de la Seguridad Pública*, or Board of Public Security.”¹⁶⁹ This junta was well organized, and pretended to have enough bureaucracy to constitute a democratic form of justice, exactly like all the vigilance committees to come. They sought out the perpetrator and the victim’s wife and brought them to the jail. After some political squabbling with the local alcaldes and military governor Carlos Carrillo, both were hanged by the committee. These early precursors were not significant in comparison to what came after the Gold Rush began.

Waves of murder and violence spread across California like wildfire after gold was discovered at Sutter’s Mill. The amount of murder from 1850-1860 was so high in California that current problems in Compton, Stockton, or Oakland pale in comparison to nearly every locality in the entire state during the Bloody-50s. San Luis Obispo’s current violent crime rate of 2.6 per 1000 people is several times smaller than it was in the 1850s.¹⁷⁰ There is no way to derive an

¹⁶⁸ Hubert Bancroft, *Popular Tribunals* (CA: The History Company, 1887) 61-2.

¹⁶⁹ *Ibid* 64.

¹⁷⁰ This rate is derived from the total violent crimes (not just murder) and the total population in 2012 listed in “Table 10,” *Crime in the United States* (DC: US Department of Justice, 2012). *Population of San Luis Obispo County* (Google US Census agregator). Accessed 2/24/2016: <https://www.google.com/search?q=population+of+san+luis+obispo+county>.

exact estimate of the crime rate, but given that the total population of SLO in 1852 was 502, even a couple of incidents a year would be exceedingly worse. The crimes that can be counted were often more numerous than that.¹⁷¹ The worst of it was concentrated where the population was concentrating.

By 1849, the recently renamed city of San Francisco was the most populous city in California from its tiny beginnings prior to 1846. She had been where so many Fortyniners had disembarked, and where so much wealth was loaded for transport away from the soon-to-be state. Gold flowed westward there, and then reversed its course to head circuitously eastward to the other side of the continent. Violence was inevitably a crucial factor in the early city. The local alcalde could not handle the chaos.

A gang formed called "The Hounds."¹⁷² They are commonly thought to be a gang with nativist sentiment, due to the fact that they formed in a tent displaying the sign "Tammany Hall," their associations with the Five Points and Bowery Boys Gangs, and supposed Know Nothing Party membership.¹⁷³ They first formed out of old Stevenson Regiment members, hence the fecicious signage related to New York. As the city became more rambunctious that year, the Hounds were in high demand as enforcers, marching about acting as a mob of vigilantes. They became too violent for locals' taste, after they attacked an encampment and killed two Chileans for money. The Alcalde and several other prominent Friscoites called for the arrest of these gangs. They deputized hundreds to get the job done, while separately, private militias were formed to hunt for gangsters as well. About twenty were captured. Some were remanded to proper authorities, while a few were simply told to leave town under penalty of death. One of those Hounds was the notorious Jack Powers, who had been spending the summer in San

The rate for the 1850s is incalculable but it was at best around 30, and at worst above 200. The murder rate alone was likely that lower number if not immensely higher.

¹⁷¹ See Appendix C for enumeration of known crimes.

¹⁷² There are only two significant works on the Hounds gang. Dudley Ross, *Devil on Horseback* (CA: Valley Publishers, 1975) 14-19. Bancroft, *Tribunals*, 76-102.

¹⁷³ Bancroft, *Tribunals*, 78.

Francisco, before heading back to the goldfields.¹⁷⁴ He headed south instead after being exiled and not wanting any further interactions with Friscoites in the goldfields. One historian said that because of the vigilantes, “there was a general exodus of criminals to the interior.”¹⁷⁵

This set a precedent for San Francisco. These early crimefighters formed a group known as the “Society of Regulators” to maintain some semblance of law as California formally became a state.¹⁷⁶ A year later, they became the founding members of an even larger movement to rid the city of criminals and set a violent deterrence to all would-be bandits. This was the first formal vigilance committee of the American period. It was created in response to a growing presence of escapees from the Australian prison colony across the Pacific, informally known as “Sydney Ducks.” These Ducks had caused a great deal of violence, so the Committee was formed to end their crime-spree along with anyone else’s. They drafted bylaws and published them in the *Daily Alta California* in 1851, including the names of the founding members.¹⁷⁷ They formed a bureaucratic organization that tried people in mock hearings, issuing declarations of guilt and rewards for information and apprehension. They documented their proceedings and pretended to be the manifestation of the general populace’s will, as though they were representatives of democratic sentiment. The *Alta* stated:

In this view of the matter we feel it our duty to express our conviction that the action of the committee thus far is such as to give a reasonable assurance that a speedy end to our insecure and defenceless [sic] condition is at hand.¹⁷⁸

Then they set about lynching four people, whipping another, and deporting 28 others. The committee eventually grew to nearly 700 members before disbanding later that year. The news spread across the state, inspiring those who wished to end violence in their regions to emulate the formal structure of San Francisco’s vigilantes.

¹⁷⁴ Ross, 19.

¹⁷⁵ Bancroft, *Tribunals*, 438.

¹⁷⁶ *Ibid* 92.

¹⁷⁷ “Organization of the Vigilance Committee,” *Daily Alta California* (6/13/1851), 2.

¹⁷⁸ “The Vigilance Committee,” *Daily Alta California* (6/13/1851), 2.

Suddenly lynchers were not just mobs seeking vengeance, but organizations that were committed to meting-out their form of justice through bureaucratic democratization. Lynchers took on the vigilante mantle and the wave of counter-violence emanated outward from San Francisco. It came to nearly every county in California. Even when the lynchers were clearly just a mob with no organization or claim to due-process, they were often called vigilantes. This happened almost immediately after San Francisco's committee was published. A mob in Monterrey hanged Otis Hall inside the jailhouse, and said that he "was tried...by Lynch jury."¹⁷⁹ As opposed to our modern meaning, the term lynching in 1851 simply meant that people were acting on behalf of the community, so it held the same prestige as 'vigilance committee member' (since the word vigilante had yet to be coined). This gave them legitimacy where there was none. Hall had been awaiting trial, after having been arrested as part of the Solomon Pico Gang in San Luis Obispo and extradited without any problem to Monterrey, so he was no flight risk.¹⁸⁰ Numerous incidents of the same motif occurred throughout California for years to come.

San Francisco once again became the trendsetter in 1856, when they created a new model for vigilantism. The vigilantes re-emerged, but this time with tremendous popular and mercantile support, totaling up to 6000 members.¹⁸¹ They crusaded to rid the city of corruption after a newspaper editor by the name of James King of William, who was fanatically exposing supposed corruption, was murdered over an exposé. This touched off the largest vigilance committee in US history. It was a tremendous event. The committee hung four people; exiled an inordinate amount of whom they deemed undesirables; treated prisoners so badly that one committed suicide; stole a shipment of armaments from the US Navy; fortified themselves in a local building buttressed with gunnybags (essentially sandbags); and formed a paramilitary secondary-government that was prepared to face off against the California militia if need be.

¹⁷⁹ "From Monterey - A Prisoner Strangled," *Daily Alta California* (8/18/1851) 2.

¹⁸⁰ "Important from Monterey" *Daily Alta California* (4/29/51) 1.

¹⁸¹ An excellent quick depiction of these events may be found in the extraordinarily concise book: John Gordon, *Authorized by No Law* (CA: Ninth Judicial Circuit Historical Society, 1987) 1-43.

Judge David Terry famously stabbed a vigilante in the neck while they were trying to take a prisoner to “fort gunnybags,” along with an inconsequential shootout with no casualties. Members marched in the streets and martialled resentment against gamblers, prostitutes, and public drunkenness. After having virtually operated the city for a few months, they dissolved quickly. Even though they had clashed with a political party called the “law and order party,” they formed their own political party afterward, called the People’s Party.¹⁸² It would wield tremendous power in San Francisco until the Republicans exerted dominance during the Civil War through their conspiratorial Union League.

Historians have gravitated toward this event, and for good reason. It is the biggest, brashest, and most dynamic of the vigilance committees in all of US history. People like superlative events, so they check their theories of vigilantism against it. From H.H. Bancroft to the most recently published historian on San Francisco’s vigilantes, Kathleen Belew, it remains a popular and well investigated subject.¹⁸³ Despite all of the arguments swirling around the various aspects of the event, one consensus has been reached: “The San Francisco Vigilance Committee of 1856 was part of a larger movement that transformed San Francisco politics.”¹⁸⁴ With its creation of the People’s Party, and the campaign against corruption, the political motivations cannot be in doubt. This spirit of political reform through vigilantes wresting power from the supposedly deficient government transferred to the vigilantism still ravaging California as a whole.

During the San Francisco vigilance committee, state governor J. Neely Johnson had attempted to disperse the extra-legal proceedings. He appointed William Tecumseh Sherman (the soon-to-be famous general during the Civil War) to the rank of general in the California militia, and commanded him to set up the militia just north of San Jose to possibly advance on

¹⁸² The “law and order party” was created specifically to out-vote the vigilance committee, but was not very popular in San Francisco.

¹⁸³ Hubert Bancroft, *Popular Tribunals* (CA: The History Company, 1887). Kathleen Belew, “Lynching and Power in the United States,” *History Compass*, v12 n1 (2014) 84-99.

¹⁸⁴ Michelle Jolly, “The Price of Vigilance,” *Pacific Historical Review*, v73 n4 (Nov. 2004) 541-580.

San Francisco. Sherman was never allowed to attack the vigilantes, but he became perhaps the most outspoken critic of the entirety of vigilantism as a result. He said:

[The vigilante's] success has given great stimulus to a dangerous principle, that would at any time justify the mob in seizing all the power of government; and who is to say that the Vigilance Committee may not be composed of the worst, instead of the best, elements of a community? Indeed, in San Francisco, as soon as it was demonstrated that the real power had passed from the City Hall to the committee room, the same set of bailiffs, constables, and rowdies that had infested the City Hall were found in the employment of the "Vigilantes."¹⁸⁵

This was a minority opinion of course, for the rest of the state voraciously took to vigilantism with the newfound ideology of lasting political reform through violence.

Governor Johnson was helpless to stop the problem. He had sent a message to President Pierce, calling for a state of emergency and begging for more armament for the militia, but received no answer, so local US Army General John Wool was forced to say, "I find that no person has the authority to grant the request therein."¹⁸⁶ President Pierce's apathy on the matter somewhat vindicated California vigilantes, but some condemned the President for his inaction, including General Sherman himself, who quit the California Militia in protest.¹⁸⁷ Pierce's non-interference probably had less to do with idealism and more to do with tensions related to the Compromise of 1850. As the first free-state by popular-sovereignty (the constitution of 1849 forbade slavery in the state), California movements associated with democracy were another subject to avoid in the national debate, for which his presidency was famous. The fighting in Kansas over popular-sovereignty, beginning in 1854, solidified the administration's inability to handle issues involving slavery. By tying the debate about vigilantism in the West to the debate about slavery in the East, these greater forces at play

¹⁸⁵ William Sherman, *Memoirs of General Sherman: Volume I* (NY: Appleton and Company, 1889) end of chapter 5. Accessed 2/25/2016: <http://www.gutenberg.org/files/4361/4361-h/4361-h.htm>.

¹⁸⁶ John Wool, *Letter to Governor Johnson* (CA: Department of the Pacific, 6/5/1858). Accessed 2/25/2016: [web.archive.org/web/20141019201519/http://www.familytales.org/dbDisplay.php?id=ltr_jew1073](http://www.familytales.org/dbDisplay.php?id=ltr_jew1073).

¹⁸⁷ Gordon, 37.

inspired inaction in the president. The slavery debate was further infused with other California-related violence.

Filibusters had been using California as a base of operations since the end of the Mexican-American War. These people would use the state as a staging area before they crossed the international border to try to conquer foreign lands through armed expeditions. It was an extremely complex problem, with dozens of different expeditions being mounted by 1856. Each had its own desire, from acquiring more territory for the USA or some other country, to creating independent republics.¹⁸⁸ A growing conspiracy movement was the *Knights of the Golden Circle*, who wished to subsidize filibusters who would conquer territories on their ideological behalf.¹⁸⁹ After the conquest was completed, the filibuster was supposed to legalize slavery in that country, allowing Southerners to compete with the abolition minded expansionists, like the newly formed Republican Party. One should not forget that the first Republican presidential candidate was the California war-hero John C. Fremont. Slavery was hopelessly entangled with filibustering. This was further proven by William Walker, though Walker was not affiliated with the *Knights*, when he was campaigning in San Francisco on behalf of his planned expeditions, he called for the expansion of slavery, even legalizing it in Baja California and Sonora in 1854 and Nicaragua in 1856. The association between filibusters and the slavery debate was strong, but they were also connected to vigilantism directly.

While preparing for their expeditions, filibusters often joined or even empowered local vigilante groups. A number of people in the 7000 members of the San Francisco vigilance committee had either been filibusters or were preparing to be. The starkest incident where filibusters helped vigilantes happened a year afterward in Los Angeles. The Henry Crabb

¹⁸⁸ One historian who has illustrated this complexity well is Joseph Stout, *Schemers and Dreamers: Filibustering in Mexico* (TX: Texas Christian University Press, 2002).

¹⁸⁹ There has been very little historical work done on this conspiracy, but there are a few historians who have written on it: CA Bridges, "The Knights of the Golden Circle: A Filibustering fantasy," *The Southwestern Historical Quarterly*, v44 n3 (January 1941) 287-302. Ollinger Crenshaw, "The Knights of the Golden Circle: The Career of George Bickley," *The American Historical Review*, v47 n1 (Oct. 1941) 23-50. David Keehn, *Knights of the Golden Circle* (LA: Louisiana State University Press, 2013).

expedition was headed toward Sonora, Mexico (though claiming to be headed toward Gadsdenia in the New Mexico Territory) from San Francisco. The troubles in LA with the Flores-Daniel Gang had reached a new height, and Crabb used his forces to attack the gang.¹⁹⁰ There was a nascent vigilance committee gathering information on banditos, and he used this information at the bequest of the mayor in finding the valley to strike. The skirmish was minor, but it entrenched the association with filibusters. People had been calling violence against banditos prequels to filibustering since the California Rangers were assembled in 1853, with people alluding to that organization as a component of the expedition William Walker was organizing.¹⁹¹ In Francisco Ramirez's castigation of the San Luis Obispo vigilance committee, he associated them with filibusters by saying:

And what a shame, there are no laws in our codes that punish those men who have, at will, taken life and property of the first person at hand! No ...they are exempt. For them, there are no laws against robbing the treasury and going to another country to enjoy the fruit of their robberies.¹⁹²

People used the ideology behind filibustering as a component to vigilantism.

It is also possible that Pierce did not have time to react to the news of California vigilantes. It took months for a message to cross the United States from coast to coast.¹⁹³ The fastest way was by taking a ship around South America, and all the way up to the East Coast. The first telegraph transmission from California across the Mississippi would not happen until 1861. There were stagecoach lines connecting the US through land, but they were slower overland than taking a ship around the horn of South America. The speed of travel between the sides of the US did not increase until 1868, when the transcontinental railroad was completed.

¹⁹⁰ Lori Wilson, *The Joaquin Band* (NA: University of Nebraska, 2011) 203-04.

¹⁹¹ Ibid 163, 181.

¹⁹² Francisco Ramirez, "San Luis Obispo: Asesinato-Linchamientos, Atrocidades, &, &c.," *El Clamor Publico*, v3 n49 (June 5, 1858) 2. Accessed 10/19/15: digitallibrary.usc.edu/cdm/fullbrowser/collection/p15799coll70/id/329/rv/compoundobject/cpd/332/rec/1.

¹⁹³ A good review of the growing telegraph system in the 19th century may be found in Alice Bates, "The History of the Telegraph in California," *Historical Society of Southern California*, v9 i3 (1/1/1914) 181-187.

Limited communication may have hindered the federal government from taking any action on the vigilante problem in California until the Bloody 50s had concluded.

Essentially, Pierce might have accidentally endorsed California vigilantism, due to either his avoiding the slavery debate or simply being oblivious. He was also dealing with his party's unwillingness to nominate him as an incumbent presidential candidate, which concerned itself with defeating the newly formed Republican Party and its Californian candidate. Either way, after 1856, vigilantism was now vindicated in the public's eyes. Armed with such allowances and the ideological formulation of vigilantism from the San Francisco vigilantes, SLO could have a fully realized vigilance committee. They simply needed the culprits worth routing out and killing.

LOCAL CRIME

The rampant crime of the Gold Rush filtered into San Luis Obispo quite quickly. It stayed until the 1858 vigilance committee and well afterward. Numerous stories tell of a murder rate that was much higher than reported, it is easy to tell the problem was there, but there is necessarily a lack of evidence. Even so, there are plenty of newspaper articles to attest to the chaos that was San Luis Obispo. What we know of probably only accounts for the minority of cases of which word spread beyond the borders of this isolated county.

The Bloody-50s began with a bang in SLO. Without hyperbole, the first murderers of the Gold Rush committed their most heinous act in the soon-to-be county. Just six months after the first discovery of gold at Sutter's Mill had been published in a minor article in the *California Star*, saying "the veritable gold itself has been dragged forth," and about when the news was becoming popular on the East Coast, an insignificant amount of gold-seekers had come to California.¹⁹⁴ Those who had were mostly not Yankees, save for the ones who were already there for the sake of the war. Even though the discovery was made in January of 1848, it took a full year before the craze came, hence the name *Fortyniners*. Despite that, a man was implicated in a murder at Sutter's Mill in October of 1848 over some gold. He was named Peter Raymond, and the alcalde of New Helvetia offered a \$500 bounty on his head.¹⁹⁵ He escaped west towards San Jose and joined with more miscreants, forming the first outlaw-gang since the conquest of California. While there, they committed a robbery that included "an attempt at murder."¹⁹⁶ Then they headed south along the coast and into the Salinas Valley. What happened next had the only newspaper in the territory printing a warning about its article's content to its readership that was somewhat prophetic of the violence to come in the future:

¹⁹⁴ "The Mineral Mania," *California Star* (3/18/1848) 2.

¹⁹⁵ "Five Hundred Dollars Reward," *Californian* (8/21/1848) 1.

¹⁹⁶ "Highway Robbery," *California Star & Californian* (12/16/1848) 2.

“I have supp’d full with horrors.” - We fear that our readers on perusing the details of outrage, violence and murder which it is this week our misfortune to lay before them, will be ready to exclaim in the words quoted above...Unless the order-loving and the good rise as one man [sic] - unless they heartily and cheerfully unite and co-operate - in ferreting out, bringing to justice and punishing the lawless ruffians who thus outrage humanity, a condition of society will soon ensue wherein nothing that we prize or cherish will be safe - wherein the ruthless, abandoned and brutal will destroy the rights and the lives of the weak, the unprotected and the well-disposed.¹⁹⁷

The “lawless ruffians who thus outrage humanity” were the same gang that had formed near San Jose, and they had moved on to Mission San Miguel in northern SLO where they committed the worst crime of that year, and one of the most horrendous in California history.¹⁹⁸

San Miguel was owned as a rancho by the Reed family, and had a few Amerindian servants who worked for them. When the Raymond Gang arrived on the night of December 4th, 1848, the Reeds were welcoming and hospitable, even feeding all of them a full meal. These gang-members obviously had an opportunity to see the Reeds paying their servants that night, and wanted the gold for themselves.¹⁹⁹ Some ranchos had so much bullion that one ranchero reminisced that:

Father would place these coins on shelves around the house in little piles of coins accumulated here and there. Nearly everyone was to be trusted in those faroff days and even the Indians would never take a coin - there was no place to spend money anyway.²⁰⁰

Sometime during the night or morning, the gang slipped back into the old mission building.

They took axes and knives and hacked, stabbed, and slashed every person residing inside - a

¹⁹⁷ “I have Supp’d Full with Horrors,” *California Star & Californian* (12/16/1848) 2. It should be noted that the *California Star* and *Californian* had only merged together a couple weeks prior, and there were no other papers in the territory. They would soon become the *Alta California*. Because of the fractious merger the news was haphazardly cobbled together, so anything that was printed during the *Star/Californian* period should be seen as much more important, for they were actively culling their type, due to the limits of the combined presses. For more information on the early newspapers in California, see Mark Hall, “Journalism in California, 1831-1849,” *Journal of the West*, v10 n4 (October, 1971) 624-635.

¹⁹⁸ A good brief account of this event may be found in William Secrest, “Dark Deed at Mission San Miguel,” *True West*, v29 n7 (July, 1982) 10-15.

¹⁹⁹ All of these murders were attested to through long testimonies given in Santa Barbara a week and a half later. These testimonies are reprinted in William Secrest, *California Desperados* (CA: Quill Driver Books, 2000) 11-23.

²⁰⁰ Juan Dana, *The Blond Ranchero* (CA: Dawson’s Book Shop, 1960) 66.

total of 10 people. After the massacre had taken place, they piled all of the corpses in a pile covered by some hay in an outlying building, while leaving some ligaments and even a head elsewhere by accident. They withdrew with the gold further southward. The walls of the mission were lined with blood and gore for passerbys to find.

Even while these murders were taking place, it is possible that a mailman by the name of Jim Beckwourth might have borne witness.²⁰¹ He stepped inside and “stumbled over the body of a woman” before it had been disposed of.²⁰² He ran to his horse and grabbed a pistol and searched the premises to no avail. The gang must have been in hiding. Beckworth promptly mounted his horse and vigorously rode the rest of the route to Monterey in order to deliver the news to Lieutenant William T. Sherman, who worked for Military Governor Richard Mason, and gathered reinforcements to form a posse, not knowing anything about the gang he sought.

Before he arrived there, Francis Zeba Branch and John Price discovered the scene after the corpses had been piled. They were returning from the goldfields for the winter together. Doubtlessly this was a troubling sight to behold, and Price acted on it immediately. He was still technically alcalde of SLO, so he immediately created a posse and sent them after the gang. They chased after them, through the Salinas, down the Cuesta, through the Edna Valley, and along the coast. The posse was never more than a day’s ride behind the gang. As word spread, more joined the effort. A few skirmishes happened as the posse neared their targets first in SLO valley and then around Rancho Los Alamos in Santa Barbara County. After passing through Santa Barbara at night, the gang was surrounded and a shootout occurred. One gang-member and one posseman killed each other at point blank, while Raymond (the original

²⁰¹ Jim Beckwourth was a famous fur-trapper, ex-slave, and frontiersmen. He had been living in Rancho Nipomo for some time, and was delivering some notices for William Goodwin Dana, as part of the mail system created during the military occupation of California which is sometimes referred to as the *El Camino Real mail route*.

²⁰² Secrest, *California Desperados*, 9.

murderer) was swept away in the surf that he was trying to run through, drowning in the breakers. The three remaining gang-members were captured.

They were tried by a makeshift committee and jury in Santa Barbara. One could argue that this was a vigilance committee, but it was ordered into place by the military, and was simply trying to bring some semblance of law beyond that of the alcalde system, which had never had to adjudicate such a horrendous event. The three men were found guilty and sentenced to death, which was administered by firing squad the following morning. The event was so remarkable that the one newspaper, left faltering after a merger, ran half a page on everything related to the Raymond Gang.²⁰³ California was still not fully in the Gold Rush and thereby not represented in the national media, so many did not know of the San Miguel Mission murders. Despite their lack of infamy, the murders were, as one historian put it, “the pattern for much violence and retributive justice that would follow in the Gold Rush. The culprits were all violent, greedy men, bound together out of common and vicious goals.”²⁰⁴

Indeed, the pattern did persist. The following year, J. Ross Browne reported in his memoirs that he was kidnapped and beaten while traveling in the Salinas Valley, and then in Pueblo SLO, he witnessed a drunken murder and subsequently a likely suicide over the victim’s grave.²⁰⁵ It is not as though the region had not witnessed murders of this sort before the Gold Rush. One of the first experiences William Goodwyn Dana had when he came to Nipomo to create the rancho there in 1838, was a drunk and racist Scottish man murdering a black man for supposedly looking at him incorrectly.²⁰⁶

²⁰³ Various articles, *California Star & Californian* (12/16/1848) 2.

²⁰⁴ John Boessenecker, *Gold Dust & Gunsmoke* (NY: John Wiley and Sons, 1999) 21.

²⁰⁵ John Browne, *A Dangerous Journey*, (CA: Arthur Lites Press, 1950 - originally in *Harper's Magazine*, 1862) 69-93. They are somewhat questionable given their overly poetic nature, but at least the murder seems to be true.

²⁰⁶ This happened on March 3rd, 1838. The first construction in Nipomo had begun earlier, but those buildings were destroyed while Dana was away in Santa Barbara sometime in 1838. When he came back to reconstruct the buildings, that is the night that the murder happened. See Alonzo Dana, “Nipomo: Dana Family Made History,” *San Luis Obispo County Telegraph* (March 22, 1976). *To Discourage Me is no Easy Matter* (CA: Southcounty Historical Society, 2007) 79. Faxon Dean, *The California Diary of Faxon Dean Atherton 1836-1839*, ed. Doyce Nunis (CA: California Historical Society, 1964) 88-90.

The last major raid of *Los Chaguanos* in SLO happened in 1850. They came across the county, stealing horses along the way. This time there was retaliation. As one historian recounted, "A party under [Romualdo] Pacheco succeeded in coming up [to] them. A fight ensued, in which one of Pacheco's men was killed and several wounded; but the horses were recovered from the Indians."²⁰⁷ After such a bloody battle, *Los Chaguanos* never came raiding in SLO again.

The Solomon Pico Gang began raiding in 1850.²⁰⁸ They were the first group to start preying on the drovers who would come from Northern California with gold to purchase cattle to drive back. Most of their crimes were committed in Southern Monterey County, rather than Northern SLO County, but a few might have been just over the county line. As their activities became more and more murderous, they were eventually stopped by a shootout in mid-1851, but Pico himself escaped, possibly with others of his band. The gang, being made up of Solomon and Antonio Pico, Otis Hall, and Cecilia Mesa, was captured in the town of SLO and extradited back to Monterey.²⁰⁹ They held a "people's court" (lynch mob), but the sheriff interfered in the classic lyncher-lawman standoff, which resulted in the *Californios* being allowed to leave on unpaid bail, but Hall was stuck in jail.²¹⁰ The lynchers returned in smaller numbers, but this time caught the Sheriff off-guard, and hung the remaining gang member from the jail door.²¹¹

According to one historian, "when Salomon Pico's band was dispersed, [Jack] Powers brought its remnants together under his own leadership, and for a time they terrorized the section [Salinas Valley]."²¹² Powers was an infamous desperado, but was bolstered in

²⁰⁷ Angel, 305.

²⁰⁸ For the brief story of Solomon Pico see the long footnote in Hubert Bancroft, *Works of HH Bancroft: Volume 7*. CA: The History Company, 1890) 198-199.

²⁰⁹ "Latest from the Lower Counties - The Monterey Difficulties," *Daily Alta California* (8/21/1851) 2.

"Important from Monterey," *Sacramento Transcript* (4/30/1851) 2.

²¹⁰ "Important from Monterey," *Daily Alta California* (4/29/1851) 1.

²¹¹ "From Monterey - A Prisoner Strangled" *Daily Alta California* (8/18/1851) 2.

²¹² Yda Storke, *A Memorial and Biographical History of the Counties of Santa Barbara, San Luis Obispo, and Ventura, California* (IL: The Lewis Publishing Company, 1891) 41.

popularity by his horsemanship. One legendary occasion where he showed off his prowess was when he “was once in Santa Barbara within ten hours after he had committed a robbery near San Luis Obispo.”²¹³ Either way, the attacks on drovers continued, regardless of Powers’s leadership.

One significant instance of criminals in the county was when Joaquin Murrieta himself came through the region in 1853. It would appear to be simple myth, but most of the tale must be true due to where the California Rangers were tracking him at the time.²¹⁴ They made the locals fear for their lives, but there were no reported incidents while the gang was in the vicinity save for some boisterous drinking. It is quite possible that this is when Joaquin Valenzuela left the Murrieta Band to reside in SLO.

That same year, two peddlers were reported murdered in SLO.²¹⁵ The difference between the men murdered and the drovers who were supposedly being killed regularly was that they were well known in the county, and the culprits had been suspected of wrongdoing for sometime.²¹⁶ A posse chased the gang that committed the crimes all the way to Los Angeles. There they boarded a steamer with three of the perpetrators, and when they arrived in SLO, they hanged them simultaneously “to the nearest tree.”²¹⁷ These lynchings were so sensationalized that it was reported in the *New York Times* that there were another two lynchings in SLO:

The citizens immediately formed a Committee, proceeded to the Jail about 10 o’clock at night, demanded and received the key from the jailor, and hung the prisoner to the joist of the Jail, where he was found this morning...Thus died the fifth huge scoundrel that has been executed by our citizens exemplarily, within the last two weeks. We hope and expect that the terrible death of these five will

²¹³ Ibid 41.

²¹⁴ This is verified by matching the stories told in Lori Wilson, *Joaquin Band* (NA: University of Nebraska, 2011) 106. Angel, 305.

²¹⁵ “Later from Southern California,” *Sacramento Daily Union* (10/10/1853) 2.

²¹⁶ Horace Bell, *Reminiscences of a ranger* (CA: Yarnell, Castile & Mathes, 1881) 151-154. “Judgement Executed,” *Los Angeles Star* (10/2/1853) 2.

²¹⁷ “Judgement Executed,” *Los Angeles Star* (10/2/1853) 2.

be a lasting warning to their companions that they cannot commit their crimes in this community with perfect impunity.²¹⁸

This was Bernardo Daniel, the brother of Pancho Daniel (another famous bandit). According to a Los Angeles Ranger, a total of seven people were lynched because of these murders, including a woman, though this could simply be a bad memory since there was a woman arrested in LA but not extradited.²¹⁹ Further lynchings were said to have been stopped by Jack Powers in Santa Barbara in relation to these murders.²²⁰ Newspapers around the state offered their praise for the SLO lynchers. The *Daily Alta California* said, "Too much praise cannot be awarded the citizens of San Luis for the prompt and efficient steps taken to secure the arrest of these villains."²²¹ The remaining culprit who was left in a Los Angeles jail was lynched inside a couple of months later.²²²

This entire event could be seen as a precursor to 1858. With the *Times* saying they "formed a committee" and numerous lynchings happening in a short expanse of time, the parallels are uncanny. One could also look at the San Francisco parallel in 1851. No records exist of a committee and none are referenced in any other documentation, so their bureaucracy was lacking in the comparison. Then again, they were far more deadly than San Francisco, and they were not done lynching yet.

Later that year, a letter was printed that told of SLO having "a general sense of calming down."²²³ But the irony could not be greater, for one letter below that, it was reported that a man wielding a sword tried to attack a SLO constable in a downtown bar.²²⁴ The constable drew his gun and fired. He was clearly not very adept at marksmanship for he hit a blacksmith who was behind his assailant, despite the sword-wielder being close enough to wield a sword at him.

²¹⁸ "Exciting Scene in San Luis Obispo - Another Outlaw Hung," *New York Times* (11/29/1853) 1.

²¹⁹ Horace Bell, *Reminiscences of a ranger* (CA: Yarnell, Castile & Mathes, 1881) 151-154.

²²⁰ Angel, 306.

²²¹ "From San Luis Obispo," *Daily Alta California* (10/11/1853) 2.

²²² "From San Luis Obispo," *Los Angeles Star* (12/10/1853) 2. "Later from Southern California," *Sacramento Daily Union* (12/13/1853) 2.

²²³ "Letter from San Luis Obispo," *Daily Alta California* (12/10/1853) 3.

²²⁴ *Ibid.*

The bystander died quickly thereafter.²²⁵ The *Alta* even took this chance to reprint something that the *LA Star* had printed about the previous lynchings, saying that “There is but one voice among the Americans and Californians of San Luis Obispo in regard to the hanging of the men who committed the murder, and that is that they deserve and well merited their fate.”²²⁶

Newspapers were actively encouraging the lynching of the sword-guy for what amounted to police negligence. Another lynching would come, but not for that man.

Mateo Andrade had been well known in the area as a thief.²²⁷ Once a member of the Claudio Valdez gang in Monterey, he had been taken by a posse led by Anastacio Garcia and put in prison.²²⁸ He escaped from San Quentin, as so many did at the time, and was at large in SLO. Eventually residents found him, due to his easily recognizable missing left-eye, and arrested him. He, of course, attempted to escape again, this time from SLO’s jail (inside the mission quadrangle), but since SLO is nestled in a snug valley, he was easily found. After some time spent in jail, he was unceremoniously hung from the jail door.

No other reports list anyone as being lynched in San Luis Obispo until 1858. There may have been another in 1855, for a man was found hanging from a tree, but no reason was given and it was reported as a murder at the time.²²⁹ If the outpouring of violence in 1853-54 was intended to stop the ongoing murders in the county, it failed miserably. With all of the praise for lynching being offered in the news, one would think that they would catch on to the fact that murders continued, but that would mean thorough introspection on their part. Murder was not stopped by these lynchings in the slightest.

²²⁵ “From San Luis Obispo,” *Los Angeles Star* (12/1/1853) 2.

²²⁶ “From San Luis Obispo,” *Daily Alta California* (12/13/1853) 2.

²²⁷ This event was explained in John Boessenecker, *Gold Dust and Gunsmoke* (NY: John Wiley and Sons, 1999) 84. William Carrigan, *Forgotten Dead: Mob Violence against Mexicans in the United States* (United Kingdom, Oxford University Press, 2013) 91. Ken Gonzales-Day, *Lynching in the West* (NC: Duke University Press Books, 2006) 213.

²²⁸ Ironically enough, Garcia would later become an infamous bandit himself, even becoming the mentor to a young Tiburcio Vasquez. His capture and holding of the Valdez gang resulted in numerous deaths in Monterey County.

²²⁹ “Later from the South,” *Sacramento Daily Union* (6/13/1855) 1.

From 1854-58 there was much mayhem in SLO. In 1854 there was at least one unsolved murder of a man who was found with “a ball having pierced his heart,” who was left with money still in his purse.²³⁰ The violence was far worse in the following year with as many as 11 murders being reported, including the person found hanging, three of which were government officials like Judge Isaac Wall.²³¹ The other officials were victims of such “atrocious murder” that it made the national news in New York, with a posse being sent after the culprits, only to fail after a horseback gunbattle down the Cuesta.²³² For a county population of somewhere between 400-600 people, even what was reported was particularly horrendous. Another lynching almost happened that year, when a bartender tried to collect the tab. The delinquent drunkards were beaten in a barfight. Because the bartender was a *Californio* and the delinquent drunkards were Yankees, the beaten men threatened that if they were collected on it was “likely to prove fatal.”²³³ 1856 seemed to bring less violence, with only two murders being reported, but it was said in such an apathetic way that one could tell that the newspapers simply were not printing everything they heard. The article was simply titled “more murders,” and it ended with an aloof statement about the county: “This portion of our country has acquired quite a fame as a bandit’s haunt.”²³⁴ At least one other murder went unreported that year. A man named George Fearless, who was partnered with the entirely corrupt Jesus Luna, was found dead on his ranch, and most blamed Luna.²³⁵ The following year there were only two reported murders, and they were Basque drovers.²³⁶ These were the murders that prompted the arrest of Nieves Robles, and his subsequent acquittal due to lack of evidence.

The problem was that there were certainly unreported murders along the way. Of the three newspapers thoroughly surveyed, all of them reported crimes in SLO as though they were

²³⁰ “Man Murdered,” *Daily Alta California* (8/8/1854) 2.

²³¹ “Murder of Hon. Isaac B. Wall,” *Daily Alta California* (11/12/1855) 2.

²³² “Atrocious Murder of two Functionaries in Monterey” *New York Times* (12/12/1855) 1.

²³³ “Affray at San Luis Obispo,” *Sacramento Daily Union* (11/30/1855) 3.

²³⁴ “More Murders” *Sacramento Daily Union* (4/9/1856) 2.

²³⁵ as previously discussed. See Angel, 294.

²³⁶ “By Telegraph to the Union,” *Sacramento Daily Union* (12/31/1857) 3.

simply what they could get information about, not the only crimes at all. Only at one point did the *Sacramento Daily Union* publish a “California Homicide Statistics” in 1855, but it put a disclaimer saying that it was “necessarily incomplete.”²³⁷ Indeed it was incomplete. 1855 was the year eleven murders were reported, let alone those that went unreported. When drovers were murdered, it was difficult to have them identified or any evidence brought against the villains. As Walter Murray put it the following year, “No proof could be obtained, because no lives were ever spared, and so nothing was achieved.”²³⁸

As 1858 rolled by, it seemed that nothing could stop these murders. Supposedly the bandits lived by the code of “dead men tell no tales,” and by killing everyone who witnessed them, they left no evidence for lawmen to prosecute.²³⁹ This continued for a little while in 1858, with a German man being attacked.²⁴⁰ Something was going to change, and evidence was going to pour out. The vigilance committee was coming.

²³⁷ “California Homicide Statistics” *Sacramento Daily Union* (12/31/1855) 3.

²³⁸ Angel, 294.

²³⁹ Ibid 296. Juan Dana, *Blond Ranchero*, 61.

²⁴⁰ “Murder and Robbery at Mission San Miguel,” *Daily Alta California* (3/27/1858) 1.

CONCLUSION

The vigilance committee of 1858 was built on a foundation of violence. There is no singular cause to the growing violence in San Luis Obispo. Long held tensions, new governmental developments, demographic shifts, racial animosities, local and outside conditions, and the influx of gold all contributed to the flourishing violence. There had already been the attempt in 1853-54 to stop the crime in the county through lynching, but much like San Francisco's in 1851, it was ineffectual. San Francisco had its 1856 committee, and SLO would have its 1858 one. Throughout the period, the killing was burgeoning, and it would be the hope of the vigilance committee to bring it to an end.

Violence is never simple enough to give a satisfactory answer for its causation. It is the worst in which humanity may engage through interaction. One may wish to say that some violence was caused by some particular event or action, but there is always more to underwrite it. When people come to the point of trying to kill one another, they have reached a mentality so alien to most civilized human beings that it is hard to comprehend. The perpetrators of such violence themselves often do not see the grand historic forces that guide their deadly actions. Coming to the point of willfully harming others is brought about by many complex causes. In SLO, it was the many separate factors that might be summarized as borderlands conditions or the clash of cultural intermingling. From before US conquest till 1858, every layer of change that was brought about caused increasing strife. The annexation of California and the subsequent discovery of gold, heightened the demographic and governmental change which was still not consolidated by 1858. Local crime and outside influences lent to the overall perception of violence in SLO and the idea of the necessity for action. Ultimately, the cause of SLO's violence was the gathering storm of these causes. They were significant enough to result in the killing to come.

Another important consideration to understand is that these causes are not independent of one another, especially for the people living in San Luis Obispo. Causes are at once distinct and interconnected. People in SLO during the Bloody-50s were separated by very little, as well as the state as a whole. The population of SLO in 1852 was merely around 500, and by 1860 it was 1,782.²⁴¹ In such a small space, how could tensions build to the point of conflict? Simply because this insular society was rocked by change from near and far. Each government in SLO supplanting one another from 1772 until 1852, the reformist movement which drove the second wave of vigilantism state-wide, and the immigration of people throughout time were the significant changes. That change was the weather system which caused the storm. Perhaps the easiest way to explain it is as a clash of culture, as the numerous different racial, ethnic, political, and moral ideas met in the tiny county.

The culmination of the violence in San Luis Obispo would come in 1858. After taking in so much violence for so long, SLO would finally have an excuse to eradicate the offenders. They would bring their own reign of terror to bear that would try to establish the political identity of the county through the most violent means possible.

²⁴¹ California, San Luis Obispo County, *1852 census* (DC: United States Census Bureau, 1852). California, San Luis Obispo County, *1860 census* (DC: United States Census Bureau, 1860).

PART II - VIGILANTES

LOCAL HISTORIOGRAPHY

The events surrounding San Luis Obispo's vigilance committee of 1858 were the culmination of all the previous violence. Its primary cause was a singular crime, but everything else weighed heavily on the formation of such an organization. In a sense, that event was merely what precipitated the community backlash. It is a perfect example of violence in a small locality rising to such horrendous levels that the community itself becomes embroiled in order to rid themselves of the violence. It is also exemplary because of how few scholars have written about the vigilantes and banditos, leaving it fairly uninterpreted.

Though there has been little study of this particular event, that is not to say that there has been absolutely nothing thus far. A number of historians have briefly mentioned the violence in SLO. Myron Angel was the most significant and first to be published in 1886, as discussed prior.²⁴² After Angel, there have been several other historians who have contributed to the narrative about the vigilantes. Firstly, Hubert Howe Bancroft in his *Popular Tribunals* dedicates a triumphalist section on SLO.²⁴³ Another author, by the name of Dudley Ross wrote a book called *The Devil on Horseback* about Jack Powers, which covers his time in SLO but is somewhat unreliable due to the lack of citation and verifiably false statements throughout the book.²⁴⁴ His account of Powers during the vigilance committee is sympathetic to Powers, but not opinionated about the committee itself. He was followed by Daniel Krieger, who wrote

²⁴² Myron Angel, *History of San Luis Obispo* (CA: Thompson & West, 1883).

²⁴³ Hubert Bancroft, *Popular Tribunals* (CA: The History Company, 1887) 485-489.

²⁴⁴ Dudley Ross, *Devil on Horseback* (CA: Valley Publishers, 1975).

numerous articles on the Bloody 50s as well as the most recent mug book history of the county.²⁴⁵ His book is the most accessible history of San Luis Obispo produced thus far. His statements on the vigilantes are matter-of-fact, being neither triumphalist nor objector, but without any further analysis than simply stating that it happened. He remains wryly ambiguous by using scare-quotes in statements like, “The ‘justice’ of the committee was swift and violent.”²⁴⁶ Though he is somewhat triumphal in saying that this made SLO “a fit place to raise an American family.” He is doubly suggesting the racial connotation of the objector school of thought.²⁴⁷

The last three are the only ones to offer any substantial analysis beyond the narrative itself, but they devote no more than a chapter’s worth. John Boessenecker in *Gold Dust & Gunsmoke*, is entirely triumphalist in his interpretation.²⁴⁸ Besides Angel, Boessenecker has written more pages on the vigilantes than any other.²⁴⁹ He begins the chapter by saying that “None of them [other California bandits], however, was more dangerous or desperate than Pio Linares.”²⁵⁰ He ends by praising the committee saying it “had effectively broken up Pio Linares’s band.”²⁵¹ William Carrigan, in *Forgotten Dead*, has some analysis that is much more critical than Boessenecker.²⁵² Carrigan analyzes the racial makeup of the committee and its targets, saying “One of the reasons that the vigilantes were so successful is that they were able to slowly win the support of some of the region’s Mexican [*Californio*] population.”²⁵³ He ends by saying, “the vigilantes of San Luis Obispo might have been an interracial force, but they did not

²⁴⁵ See bibliography for a list of Krieger’s *Tribune* articles on this subject (he had a weekly local-history column in the *Tribune* from 1987-2012). Daniel Krieger, *San Luis Obispo County* (CA: Windsor Publications, 1988).

²⁴⁶ Ibid 49.

²⁴⁷ Ibid 49.

²⁴⁸ John Boessenecker, *Gold Dust & Gunsmoke* (NY: John Wiley and Sons, 1999) 100-117.

²⁴⁹ He also wrote a couple of articles about Linares and others. See John Boessenecker, “California Bandidos,” *Southern California Quarterly*, v80 i4 (1 Dec. 1998) 419-434. John Boessenecker, “Violent Young Men of the Gold Rush,” *San Francisco Examiner* (30 June 1999) a17.

²⁵⁰ Boessenecker, *Gold Dust*, 101.

²⁵¹ Ibid 116.

²⁵² William Carrigan, *Forgotten Dead: Mob Violence against Mexicans in the United States* (United Kingdom, Oxford University Press, 2013) 90-93.

²⁵³ Ibid 92.

represent the will of the Mexican [*Californio*] people of San Luis Obispo, a community that was obviously divided on what to do with Mexican outlaws who preyed on Anglos.”²⁵⁴ Although such statements are arguable, as previously discussed, it is the only significant opposition to triumphalism made scholastically thus far. Lori Wilson, in *The Joaquin Band*, instead of objecting, chooses to sidestep the judgmental approach by looking at how newspapers portrayed the committee.²⁵⁵ Her entire book shows how interconnected all of the bandits were and the varying opinions of the newspapers who spoke of them. In regard to SLO, she is particularly interested in Francisco Ramirez’s opinion in *El Clamor Publico*. Instead of proclaiming her own opinion of the vigilantes, she chooses to simply highlight the contentiousness of the subject.

No one has devoted more than a chapter on San Luis Obispo violence. Besides the minimal analysis previously shown, it is a subject that has had very little discussion. Without discussion, interpretation is simply waiting to be completed. San Luis Obispo’s vigilantes have been neglected by the historiography for good reason. It is a small county by California standards (currently comprising only 276,443 residents).²⁵⁶ There is not a significant interest in local history outside the county because of this. It is also the smallest population of any county on California’s Central Coast; it is an often forgotten region due to its being neither Northern nor Southern California, nor part of the Central Valley. The vigilance committee also came at the end of an era of heightened vigilantism. David Johnson, whose work applies Foucaultian ideas to periodize California vigilante activity, even has 1858 as the end of his second period of California vigilantism, as though SLO’s committee was the last gasp of a particular type of vigilantism.²⁵⁷ The chronology and spatial concerns make SLO imperfect for easy categorization, hence why it has only had a cursory coverage and analysis thus far.

²⁵⁴ Ibid 93.

²⁵⁵ Lori Wilson, *The Joaquin Band* (NA: University of Nebraska, 2011) 231-237.

²⁵⁶ Data pulled from US Census Bureau by Google aggregator for 2013.

²⁵⁷ David Johnson, “Vigilance and the Law,” *American Quarterly*, v33 n5 (winter, 1981) 573.

The difficulty in categorization is why there should be a better understanding of what happened in 1858. Ambiguity yields better results. Aside from possibly being the end of an era, as Johnson points out, it is also a fairly unique instance of California vigilantism. Most committees were not as well organized or open to the public. The criminals it sought after were fairly well defined and had been actively terrorizing the region for years. The violence became particularly pointed, and then settled down. They formed to defeat the bandito problem once-and-for-all in the county. However, that was an easily achievable and somewhat foolhardy goal, since that merely meant killing enough of the miscreants to stop the Linares Gang. Instead, they did more than that by altering the political makeup of the county in the process of their vigilantism, establishing the American form of government in a way that required immediate and judicious action against any violent wrongdoers from then on. It is this dual role of establishment and lynching so late in California history that makes 1858 in SLO ambiguous, both because of its local meaning and placement in the timeline of vigilantism. The ambiguity derived from difficult categorization makes that goal and outcome unique despite its similarity to other California vigilance committees such as 1856 in San Francisco or 1857 in Los Angeles. One may study SLO in 1858 and derive a new interpretation of American violence thanks to this ambiguity.

DOCUMENTS

What makes SLO an opportune target for understanding violence is the remarkable record that was left by the committee. It is one of the best records left from this period of vigilantism in the United States.²⁵⁸ Given the scholarly vacuum and the 1858 vigilance committee documentation, the violence in SLO can be thoroughly studied and understood.

The committee's documents were handwritten in the fanciful curly penmanship of its secretary, Peter Forrester.²⁵⁹ They cover a wide variety of subjects. There are lists of members, examinations, minutes of proceedings, testimonies, official sentencing, and much more. It is a wealth of data, and Forrester was careful to be as inclusive as possible (almost as though they feared reprisal without it). These sealed and dusty 160-year-old documents are now housed in boxes that contain a few other important documents, such as a letter from Sheriff Castro to the Committee members, reward notices, and even an official grand-jury inquest held two years later. Even with so much information, there is still more that has been lost over time. For instance, there are at least two missing documents fully quoted in Myron Angel's work, comprising a pledge and a longer list of committee members.²⁶⁰ Otherwise, not too much appears to have been lost since 1858.

Walter Murray, a public spokesperson of sorts for the committee, wrote a series of letters to the state's newspapers explaining the actions of the committee in minute detail.²⁶¹ He and his brother were owners of the *Sonora Herald* for a few years, so he was well suited to the

²⁵⁸ Especially since most of San Francisco's 1856 documents burnt in the great earthquake of 1906.

²⁵⁹ All the committee documents that remain may be found in the San Luis Obispo History Center. With permission from the History Center, as part of this project, I digitized the documents for them, and painstakingly transcribed them. In thanks for their patience, I've included the complete transcriptions in Appendix A of this thesis.

²⁶⁰ Angel, 302-303.

²⁶¹ Ibid 293-302. Many people like to make him out to be the leader of the vigilantes, but being spokesman and leader are two different things. He was a member of the Executive Committee, but the actual leader was Judge William Beebee.

role.²⁶² These letters comprise the public face of the committee, and the official story it wished to relay. While Murray's private correspondence confirm that he believed in what he published, that does not entail trustworthiness. Murray was a lawyer himself, which may have informed the way he presented the narrative. The whole committee was led (or perhaps more accurately *presided over*) by a local judge named Walter Beebee, so there was a considerable amount of political power vested in this narrative.

One should, of course, question the veracity of such documentation. There is a very specific, almost malicious purpose behind their creation. By having an extensive and overt bureaucracy, the vigilantes were able to proclaim their legitimacy. In so being, they had a vested interest to censor anything that did not fit the narrative that they wished to espouse. There is some countervailing evidence, but there is more significant information that confirms what was given by the committee. A useful resource in cross-verifying the vigilante documents are newspapers. Several newspapers were surveyed, many of which printed detailed accounts of the vigilantes in SLO. Importantly, some of these articles were printed before SLO vigilantes could write their documents, and others were written with information provided by people outside the committee, including the bandits in at least one instance. Furthermore, reminiscences and personal letters that are available also tend to support the veracity of the vigilante documents. Killing people is as contentious an issue as there possibly can be, so there was a heavy inclination to endorse personal opinions within their self-narratives, but given the multiplicity of sources, much can be verified beyond reasonable doubt.

Unfortunately, what the vigilante documents do not cover is the formation and dissolution of the vigilance committee. The dissolution especially is problematic, since there is no information on it whatsoever. There is no evidence as to how or why the committee dissolved. In the case of the formation, there are a few accounts that are helpful, but not inclusive enough

²⁶² "Sonora and the Southern Mines," *Sacramento Daily Union* (12/12/1858) 7.

to get a complete picture of the situation. That being said, there is enough to understand the county at this time and how everything culminated to such deadly vigilantism.

FORMATION

Late in December of 1857, after two Basque (sometimes mistaken as French) drovers, Pedro Biesa and Graciano, were murdered in Cuesta Canyon, a man named Nieves Robles was arrested for the crimes.²⁶³ He was taken to trial. Walter Murray, who would later be a vigilante, represented Robles as an attorney. He was probably against defending Robles, but stricken by poverty as he was at the time, was obliged due to finances or by the court, since he had been accepted as an attorney in 1852.²⁶⁴ In either case, Robles was acquitted, and the local French population were said to have “talked lynch.”²⁶⁵ Murray later complained about the jury being “a packed California [*Californio*] one,” and that “the proof was light.”²⁶⁶

Whether Robles had been acquitted mattered not to the people of San Luis Obispo. He had been tried in the court of public opinion at the same time as the *de jure* one, and found guilty in their eyes. No action was taken yet, but the gentry finally had a name to give to the plight of murders that had characterized the Bloody 50s. They had long suspected anyone associated with the local hoodlum, Pio Linares, with whom Robles certainly was friendly, but until then they had no confirmation. In fact, the people were correct, for it would later be revealed that it was Robles (named Eduriquez by his compatriots), Jose Garcia, Huero Rafael, Pio Linares, and Jack Powers who were involved in the 1857 murders.²⁶⁷ The first chip in the Pio Linares Gang had been struck away.

²⁶³ “By Telegraph to the Union,” *Sacramento Daily Union* (12/31/1857) 3.

²⁶⁴ “Murray’s attorney acceptance document 1852,” see Appendix A. The way he speaks of Nieves Robles in later letters clearly shows that he later thought the man guilty before there had been testimony to prove it. See Walter Murray, “May 28th, 1858,” *Letters and Correspondence* (5/28/1858), transcripts may be found in the SLO History Center.

²⁶⁵ Angel, 295.

²⁶⁶ Ibid 295.

²⁶⁷ “Testimony of Jose Garcia,” Appendix A. “Testimony of Juan Herrera,” Appendix A.

Crime continued unabated by the trial. It was reported a German man riding a carriage was robbed by armed men in the same valley as Pedro Obiesa and Graciano. From such reports the *Alta* said;

I am told that the wooded mountains between San Luis Obispo and San Miguel have, for a year past, have been infested by a band of desperadoes, who rob and murder travellers who may seem to have money or valuables. Efforts have been made by the people to break them up, but without success.²⁶⁸

It appeared that even the press was pushing for some sort of action, despite the inability of *de jure* courts to convict anyone.

This was not limited to the territory explained by the *Alta*. The desperados ranged as far south as Nipomo. In one incident the gang attacked the Dana family's home (Casa de Dana) directly in April of 1858.²⁶⁹ The gang tried to chase down a Yaqui tribeswoman carrying her baby who was running toward the house, possibly because they thought she had witnessed a previous crime, though she had not. Bullets whizzed past a vaquero who was standing in an open doorway. As one of the witnesses reminisced decades later, a Dana brother exclaimed "Oh, it is Juan playing a joke on us."²⁷⁰ Oddly enough, mistaking raiders' bullets as some sort of morbid joke was reported in two other incidents as well, which speaks volumes about the state of violence in SLO. The gang surrounded Casa de Dana. After realizing it was not a joke when the Yaqui hid in a bush near the house, all the lights were extinguished. The gang probably took this as readying for a shootout and retreated, though no one inside was armed at the time. The *Sacramento Daily Union*, in response to a telegram sent about this event, said, "The county is said to be greatly troubled by the thieves and assassins who have escaped from the northern counties."²⁷¹ There was at least Robles whom people could vilify, but a single incident would turn the tide against the desperados.

²⁶⁸ "Murder and Robbery at Mission San Miguel," *Daily Alta California* (3/27/1858) 1.

²⁶⁹ "Robbers at the South," *Sacramento Daily Union* (4/15/1858) 2.

²⁷⁰ Juan Dana, *The Blond Ranchero* (CA: Dawson's Book Shop, 1960) 62.

²⁷¹ "Robbers at the South," *Sacramento Daily Union* (4/15/1858) 2.

On a rancho called San Juan Capistrano, in the hinterlands to the east between Santa Margarita and Rancho el Paso de Robles, lived the Baratier family.²⁷² It consisted of a Bartolomé and Andrea Baratier, along with a vaquero named M. Jose Borel and two servants named Ysidro Silvas and Luis Morillo. They were French ranchers so deep in the countryside that their distance from anyone necessarily removed them from the community of SLO. The gang thought themselves immune to retribution if they preyed upon such a remote locale. That was not the case.

A big horse race was held at the Pioneer Race Course in San Francisco in early May.²⁷³ Jack Powers, the famous horseman and outlaw, was there to win. He took a bet as to whether he could complete a 150 mile circuit in eight hours with relay horses, and won.²⁷⁴ He went to do this feat of horsemanship with Pio Linares alongside in the stands. They plotted to raid Rancho San Juan Capistrano later that week. Most of the Linares Gang met at Rancho Santa Margarita without Jack Powers, sleeping under the good graces of Joaquin Estrada (owner of Rancho Santa Margarita). They went north to Rancho Camate, as one of the gang testified, “with the intention of catching some strayed horses” and “to kill meat, but found none.”²⁷⁵ Instead, Jack Gilkey (the rancho’s owner) was kind enough to give them some venison. His kindness would not be rewarded. They headed northward again, towards Rancho San Juan Capistrano, and it was at this point that the gang was tied together through a clear ultimatum. The testimony given shows that “the Captain [Linares] had ordered that no one should leave the party, under penalty of death.”²⁷⁶ The members who were left were Pio Linares, Miguel Blanco, Froilán Servin, Desidero Grijalva, Luciano Tapia, “Huero” Rafael, Santos Peralta, and an unnamed Chilean. There was no backing down for the gang.

²⁷² The name Baratier is spelled in a number of ways in different sources, such as Barte to Baratee. Baratier appears to be a much more French way of spelling their French name.

²⁷³ This story is confirmed by the testimonies given by Andrea Baratier and Luciano Tapia. See Appendix A.

²⁷⁴ Daniel Krieger, “SLO County: Murder capital,” *San Luis Obispo Tribune* (6/24/2013).

²⁷⁵ “Testimony of Luciano Tapia,” Appendix A.

²⁷⁶ Ibid.

Luciano Tapia (also known as El Mesteño because of his Amerindian heritage) led part of the gang ahead, debating on whether murder was appropriate the whole way there. They met with Bartolomé Baratier and asked if he would be willing to sell them some food. According to Andrea Baratier's official testimony to the California court;

[He] Told them that he could not sell them what they wanted, but gave them what he had. About $\frac{3}{4}$ of an hour afterward some five others arrived, and the whole party slept in a house with the servants of the rancho that night. In the morning early they got up and left, going up the arroyo.²⁷⁷

That hospitality would cost the Baratiers dearly. The gang had clearly come to scout the rancho before committing the raid.

They returned the following day, May 12, and began shooting in the air. Andrea said she "could see no one fall, but noticed [sic] that Ysidro [Silvas] was running away, and that two men on horseback pursued him and tied him."²⁷⁸ Someone had already fallen though. Their vaquero, M. Jose Borel, was killed in the introductory gunfire from Miguel Blanco. The gang quickly gathered up all the residents of the rancho and bound them, separating the servants from the Baratiers. After ransacking the house and compelling Andrea to help, they stole a great deal of money and some pistols. Linares split the loot. El Mesteño testified;

The captain [Linares] then ordered me to go with Froilan and kill the two servants out in the woods. We then went off...I proposed to let them live, and he agreed. I then loosed them, and I gave one of them five dollars; Froilan giving the other the same...I then went in and told the woman to get on horseback and I would save her. There [was a] black horse saddled, laden with the woman's clothes, and a mare with a side-saddle. The men ordered me to take the women [sic] to the caves in the Estera. I took her off in another direction, with the intention of saving her.²⁷⁹

By the time El Mesteño came back from saving the servants, Bartolomé was no longer there to be saved. Andrea had done what Linares had commanded, but was cruelly rewarded. Andrea described his malicious answer to her goodwill:

²⁷⁷ "Testimony of Andrea Baratee," Appendix A.

²⁷⁸ Ibid.

²⁷⁹ "Testimony of Luciano Tapia," Appendix A.

I delivered up the money when commanded to do so by the Captain and my husband. My husband was then wounded in the arm and shoulder. He appeared to have two wounds. I asked him if he were badly hurt. He replied no...Two men then entered and compelled my husband and I to go with them down the arroyo where there were some willow and sycamore trees. Here they stopped, and I saw one of them draw his pistol. My husband then stopped down as one of the men fired, the ball touching him in the shoulder, and the same man shot him in the head, killing him instantly. The same man then turned over the body and loosed the riata from his hands, and I covered his face with his hat and placed a coat which my husband had asked me to bring, over his body. The men then ordered me to come up to the house, under pain of death on refusal.

When she returned, she got on a horse and left with El Mesteño. Her harrowing journey was not over yet.

El Mesteño and Andrea Baratier rode hard northward by day, making camp at night. They stayed at one rancho after another, but Baratier dared not speak about her ordeal to the rancheros because “all of [them] were very friendly with the Mesteño.”²⁸⁰ She was malnourished during this hard ride, and became sick from the depredation. Despite this, she managed to escape in San Juan Bautista, though El Mesteño claimed to have simply “left her.”²⁸¹ After that, she managed to make it all the way to Oakland by May 21st, making the 200 mile journey in just 9 days. She told everyone who would listen of her ordeal, and the papers printed quick headlines about the “Horrible Tragedy.”²⁸² Since El Mesteño did not talk to her during the ride, she had no idea that the servants had been saved, so it was reported that four people had been murdered in what the *Sacramento Daily Union* called a “Terrible Massacre in Tulare Valley.”²⁸³ In the article the *Union* said, “It is feared that the authors of this infernal assassination may never be punished.” By being uninformed about the servants, they had missed what had happened in SLO after the murders were perpetrated.

The Linares Gang had not been idle during this time. Some of them went further south to Rancho Camate, while the rest returned to the town of SLO. Jack Gilkey was there to greet

²⁸⁰ “Testimony of Andrea Baratee,” Appendix A.

²⁸¹ “Testimony of Luciano Tapia,” Appendix A.

²⁸² “Horrible Tragedy,” *Daily Alta California* (5/22/1858) 2.

²⁸³ “Terrible Massacre in Tulare Valley,” *Sacramento Daily Union* (5/24/1858) 3.

them again. Since El Mesteño had gone northward with Andrea Baratier, there was no one to push for saving lives. Perhaps they did not want Gilkey to divulge that they had come through his rancho only days prior to the murders. In either case, they killed him on the spot and used the rancho as a hideout for awhile.²⁸⁴

By leaving witnesses, El Mesteño had forced the Linares Gang to make a fatal mistake. Rather than heading north, the servants fled to Rancho Huero-Huero southeast of Rancho el Paso de Robles, owned by David Mallagh (an Irish former ship's captain who constructed the first wharf in SLO at Cave Landing). Of the two servants, Silvas was taken to the town of SLO, thundering down the Cuesta with Mallagh. He testified in front of Justice White, and as Murray later wrote, "no names being yet known, and warrants were issued to take John Doe, and Richard Roe, etc., on the charge of murder."²⁸⁵ It was a blank warrant for any and all suspects. Silvas was determined to route-out the culprits who had killed his employer, to the point that he was the third signatory to the subsequent vigilance committee.²⁸⁶ Before the news spread and the culprits fled the town, Silvas and Mallagh toured the area and discovered one of the bandits, Santos Peralta. He was arrested immediately. As the town caught news of the murders of ranchers, unlike all the previously murdered drovers, they were lit with a furor much worse than ever before. Locals assembled in the jail, located inside Mission SLO, and lynched Peralta by hanging him from the door.²⁸⁷ This was not yet the vigilance committee, only an angry mob, but it would bring the leaders of the future committee to taking further action.

Sheriff Francisco Castro appeared to have been unaffected by the lynching in his jail, for he immediately put together a 15-man posse to chase after more culprits. They roved the county searching rancho by rancho for a week, but found no one. Instead, they abducted a man named Joaquin Valenzuela who was unconnected to these crimes and placed him in jail. He

²⁸⁴ Angel, 296.

²⁸⁵ Ibid, 296.

²⁸⁶ "Vigilance Committee Membership signatures," Appendix A.

²⁸⁷ "Summary of the Fortnight's News," *Daily Alta California* (6/5/1858) 1.

was innocent of the Baratier crimes, but his brother was known to be one of the gang members, and that was sufficient reason for the vigilantes.

They turned against Pio Linares for supposedly housing the gang, with only a vague description Silvas gave to account for their reasoning. The hatred for Linares was so palpable, that they turned on him without proof. Murray later wrote, "Pio Linares, the arch-conspirator of this place (a Californian whose father before him was a robber and murderer, and whose whole family is tainted with crime)."²⁸⁸ The posse came to his rancherita in the town of SLO and demanded entry, using the blank warrants to claim they had a right to enter. Linares refused.

As *El Clamor Publico* reported later,

[Linares] was told that they would light the house on fire if he did not surrender, which they did. Linares escaped amid the noise, and his wife and innocent children, who would have fallen prey to the flame, were miraculously saved. The house was reduced to ashes.²⁸⁹

He did not only escape the blaze. In a letter, Murray wrote only a few days later, "on his running [we] greeted him with a shower of balls."²⁹⁰ Linares managed to slip through the posse's rain of bullets unwounded.

After all that excitement, a meeting was held the same day as the firing of Linares's rancherita by the members of the posse, but without Sheriff Castro, for what they intended would go beyond his authority. The hatred and anger which had been building until then had finally boiled over, and they were going to take matters into their own hands. Having committed so much violence in the name of democratic justice (i.e. lynching Peralta), and fearing the possibility of another reprieve, such as what had happened with Nieves Robles, the posse members officially formed the Vigilance Committee. They solemnly swore a pledge;

²⁸⁸ Angel, 296.

²⁸⁹ Francisco Ramirez, "San Luis Obispo: Asesinato-Linchamientos, Atrocidades, & &c," *El Clamor Publico*, v3 n49 (June 5, 1858) 2.

²⁹⁰ Walter Murray, "May 28th, 1858," *Letters and Correspondence (5/28/1858)*, transcripts may be found in the San Luis Obispo History Center. It should be noted that the letter's date cannot be correct, since it mentions events that happened in mid June.

The undersigned hereby pledge ourselves, each to the other, that in the case of the murder of the two Frenchmen, Bartolo Baratie and M. José Borel, we will stand together and will by all means whatsoever, discover the truth and punish the guilty. The first step shall be the application of personal restraint and intimidation to the prisoner now in jail, even if necessary to the danger of life.²⁹¹

The “prisoner now in jail” was Joaquin Valenzuela, and the newly formed vigilantes would make him the primary example of their type of extrajudicial justice.

The vigilantes held a public trial outside the jail the following day, May 21st. The committee was not concerned with only the crimes they pledged to punish, but any and all crimes. Valenzuela’s brother, Jesus, had in fact been affiliated with the Linares Gang, but not Joaquin. Instead, the trial revealed that he was a more notorious bandit who had convalesced for years in SLO. They told the world that he was one of the Five Joaquins, which the state legislature had created the California Rangers under Henry Love to destroy back in 1853, and thereby still responsible for the crimes from then and others that may have been committed with Jack Powers in Santa Barbara County a couple years after that. The *Alta* reported they “found him guilty of murder, rape, and kidnapping an American child on the Merced River some time ago.”²⁹² They received this through his own admission, so the committee was confident in their sentence. A gallows was quickly constructed just outside of Mission SLO for the occasion, in what is now Mission Plaza. Valenzuela was convinced to write a letter to his family apologizing for his misdeeds, which the committee vindictively copied and translated for their documents (the first that still exists).²⁹³ Then he was brought to the gallows and publicly hanged.

Diagonally across the street from the gallows was the Wilsons’ house, and it is a popular local tall-tale that Ramona Wilson turned from the window disapprovingly and held her children’s eyes shut as the rope snapped Valenzuela’s neck, even though John Wilson was a prominent member of the committee.

²⁹¹ Angel, 302.

²⁹² “Another Lynch Execution in SLO County,” *Daily Alta California* (6/3/1858) 1.

²⁹³ “Letter from Joaquin Valenzuela,” Appendix A.

This galvanized the community into participation. Lynchings had happened before, but never in so public a manner. By putting on the guise of a legal execution through constructing a gallows, the committee had either legitimized itself, or simply made so terrible a statement that a large portion of SLO joined out of fear. It was lynch law wielded with the pretense of dispassion. As a recent movie stated, “Dispassion is the very essence of justice, for justice delivered without dispassion is always in danger of not being justice.”²⁹⁴ The committee formally organized its burgeoning membership. There was the general committee that elected an executive committee, which in turn made the decisions of what to do. “Special Companies” were formed, which were essentially roving posses under the employ of the committee.²⁹⁵ All of this was paid for through donations from various individuals and companies throughout SLO, including non-members of the committee. Sheriff Castro could not officially take part in such vigilantism that usurped his office, although his son was a member and he would later officially endorse Murray’s publications.²⁹⁶ Instead the vigilantes employed their own sheriff (I.H. Hill) on the executive committee, though in what capacity it is uncertain. Complicity in the vigilance committee was now intentionally vested in the whole of SLO, through incredible organization. They further bureaucratized the organization by formalizing it in paper documentation, written by the same man who was Deputy County Clerk beginning in 1857 (because County Clerk William Charles Dana, who was another vigilante, had “some doubts of his [own] qualifications”).²⁹⁷ The very act of writing these documents was enough to bestow the guilt of extrajudicial killings on the whole of the organization and anyone affiliated with it. They now had the means to carry out a manhunt that occupied the county for over a month of “great excitement,” as so many newspapers kept calling it.²⁹⁸

²⁹⁴ *Hateful Eight*, directed by Quentin Tarantino (CA: The Weinstein Company, 2015) 48:40.

²⁹⁵ “List of special companies,” Appendix A.

²⁹⁶ Angel, 300, 303.

²⁹⁷ Angel, 107.

²⁹⁸ “A Murderer of Baratier Arrested,” *Sacramento Daily Union* (6/14/1858) 3. “Arrest and Execution of Two More Murderers,” *Los Angeles Star* (6/19/1858) 1. “Rumors from San Luis Obispo,” *Daily Alta*

GREAT EXCITEMENT

The vigilantes avidly pursued their prey. They ranged the region, searching high and wide for Linares Gang members. One of the posses made it as far north as San Juan Batista, and another as far south as Los Angeles.²⁹⁹ That is a distance of roughly 330 miles, if they were to go directly. Instead of searching directly that distantly, they would mostly coopt other counties into looking for the miscreants in their midst and sending them to San Luis Obispo to be publicly executed on the vigilante's gallows, all through the bureaucratic power of the vigilance committee.

After the formation of the "special companies," the vigilante's first prerogative was to capture El Mesteño as he came south. Andrea Baratier had taken a steamer down from Oakland to SLO. When she arrived, she was immediately brought into the *de jure* court, located inside the Casa Grande Hotel, where she gave her testimony about her ordeal to the judge there.³⁰⁰ The judge was William Beebee, and he was also the leader of the vigilantes, being the president of the executive committee. Because of her testimony, the vigilantes knew that El Mesteño was somewhere between San Juan Batista and SLO, so they sent riders out to meet him. They initially missed him, but caught him on the way back.³⁰¹ The vigilantes jailed him, and took his testimony. Perhaps he was more forthcoming because he thought that they would be forgiving, since he had saved three lives, but he was sentenced to hang for the other murders anyways.³⁰² He was lynched the following day.

The vigilance committee was busy changing the county through its own form of legislation. It passed motions with steep penalties. One sent out posters that were "warning all

California (7/5/1858) 1. Francisco Ramirez, "San Luis Obispo: Asesinato-Linchamientos, Atrocidades, &," *El Clamor Publico*, v3 n49 (June 5, 1858) 2.

²⁹⁹ "The San Luis Murder-Further Particulars," *Daily Alta California* (6/8/1858) 1. Angel, 299.

³⁰⁰ "Testimony of Andrea Baratee," Appendix A.

³⁰¹ "The San Luis Murder-Further Particulars," *Daily Alta California* (6/8/1858) 1.

³⁰² "Testimony of Luciano Tapia," Appendix A. "Sentence of Luciano Tapia," Appendix A.

horse-runners upon the Valle [sic] within the boundaries of this County to quit said business, and to remove from the county, within 20 days under penalty of death should they be found again following the same.”³⁰³ These were not veiled threats. Accompanying those warnings came mass publications, locally and in statewide newspapers, of bounties from as high as \$3000 for seven culprits “dead or alive.”³⁰⁴ These bounties were financed by the committee through its extensive donations. People throughout the state were looking for the bounty.

Governor John Weller had taken office in January of that year. In his inaugural address, he spoke about vigilantism, saying, “The severest punishment should be inflicted upon those who strike this deadly blow at free institutions.”³⁰⁵ Newspapers challenged him on such a bold statement. The *Sacramento Bee* said;

It is understood that Governor Weller will, in accordance with the doctrine enunciated in his inaugural, issue his proclamation ordering out troops to quell the insurrection and take active measures to punish the members of the San Luis Obispo Vigilance Committee, who have been hanging murderers without the forms of trial prescribed by the statute.³⁰⁶

Weller was unwilling to back up his statements though. Instead, he showed his own hypocrisy by subsidizing the vigilantes. He officially made four of the executive committee variously ranked officers as “San Luis Obispo Guards” without any specific duties to be carried out, paying them a handsome salary for the contrived titles.³⁰⁷ Weller made no statement as to why, but to all who read the papers, the reason was obvious. He was not as assured of his anti-vigilantism as he wanted public approval. Because of this California’s state government was now affiliated with SLO’s vigilante violence.

³⁰³ “Motion for signs to remove criminals,” Appendix A.

³⁰⁴ “Reward notice,” Appendix A. “Jack Powers,” *Daily Alta California* (5/28/1858) 2. “Rewards for banditti and robbers,” *Sacramento Daily Union* (6/1/1858) 3. “Jack Powers - Vigilance Committee,” *Daily Alta California* (6/14/1858) 2. “\$2,500 Reward,” *Los Angeles Star* (6/19/1858) 1.

³⁰⁵ John Weller, *Inaugural Address* (CA: California Governor’s Library, 1/8/1858). Accessed 3/30/2016: <http://governors.library.ca.gov/addresses/05-Weller.html>.

³⁰⁶ “Governor Weller and the S.L.O. Vigilance Committee,” reprinted in *Daily Alta California* (7/5/1858) 1.

³⁰⁷ “News of the Morning,” *Sacramento Daily Union* (6/5/1858) 2.

The recognition of the governor and the bounty offered by the committee meant that people throughout California took the search seriously. People began to make their own arrests. The *El Clamor Publico* (a newspaper decidedly antithetical to SLO's vigilance committee) even called for the arrests of these men, but to be kept in *de jure* courts.³⁰⁸ The first arrested was Jose Garcia, who was captured in Santa Barbara. He was transported via steamer back to SLO and handed over to the vigilantes, who promptly deposed him, recording his testimony.³⁰⁹ He had been part of the group that had meant to rob the Basque, though he had been watering his horse at the time of the murder and not expecting it, claiming that when he saw the bodies, he "was terrified, felt sick, and went off to drink water."³¹⁰ Since he had taken a share of the illbegotten loot, they hanged him on June 6th. Before doing so, he too was allowed to write a final letter to his mother, which the committee again zealously copied down for posterity.³¹¹

A number of false arrests were made because of the bounty. In Oakland someone named Santiago Suringa was arrested, but probably set free fairly quickly. The day after, in Sacramento, a man named Jose Lopez was arrested, but found to be the incorrect person after two days in jail.³¹² Only one of these false arrests ever made it to SLO. A man by the name of Francisco Zunigo (or Zurega) was arrested in San Francisco, and transported by steamer.³¹³ He was brought to the vigilantes and tried, but acquitted by their form of justice.³¹⁴ He was released and took the next day's steamer home. This shows that they wanted to exude some form of jurisprudence. There were probably further instances of such unwarranted arrests stemming from the vigilante's bounty, but these were the only ones committed to print.

³⁰⁸ Francisco Ramirez, "San Luis Obispo: Asesinato-Linchamientos, Atrocidades, & &c," *El Clamor Publico*, v3 n49 (June 5, 1858) 2.

³⁰⁹ "Testimony of Jose Anto Garcia," Appendix A.

³¹⁰ *Ibid.*

³¹¹ Angel, 297.

³¹² "By Telegraph to the Union," *Sacramento Daily Union* (6/16/1858) 2.

³¹³ "Identification of one of the Barratier murderers," *Daily Alta California* (6/15/1858) 2.

³¹⁴ Angel, 299.

On June 10th, John Wilson sent word that members of the gang had been seen in Cañada de Los Osos. A contingent of 30 well-armed vigilantes met in the town of SLO and rode out to meet the suspects. They caught sight of four gang-members, including Pio Linares himself (the others being “El Huero” Rafael, Miguel Blanco, and Desidero Grijalva), just as they hid themselves in a thicket. The vigilantes encircled the gang and commenced to call them out, but to no effect. Instead they waited throughout the night. That night, El Huero, under the pretext of getting fresh supplies for his other gang-members, bribed a shepherd to hide his escape, and quickly fled SLO.³¹⁵

The following day, bands were sent into the thicket. The woods were dense enough to make vigilantes have to crawl through. They came upon a clearing that had been the gang’s camp at night. Walter Murray, in a letter, recounted;

We found where they had been trying to make a well. We took their horses etc. and we tried to set fire to the wood, but without success. The rascals were then quietly waiting for us a little inside, lying down on their bellies, with their pistols cocked. Here every rascal carries his Colt’s revolver - a tremendous weapon.³¹⁶

After a brief shootout, with no casualties, they retreated out of the thicket and continued the encirclement for another day. During the night a watchman “received a shot through the instep,” but “no other shots were fired.”³¹⁷ The next morning, another push into the woods led to a more serious shootout. At about 15 yards from each other, the vigilantes and banditos managed to wound one another. One ball went through Walter Murray’s arm, and another through Pio Linares’s leg. This ended the fighting for another day. Vigilante reinforcements had been arriving throughout this three-day-long battle, and by the following morning, there were well over 100 men filling their ranks in the encirclement. David Mallagh took a band of 24 vigilantes into the thicket on the third morning. They got into a tremendous gunfight that lasted for about ten minutes. After the smoke cleared, and the captured and casualties hauled into the open, all

³¹⁵ Angel, 298-299.

³¹⁶ Walter Murray, “May 28th, 1858,” *Letters and Correspondence* (5/28/1858).

³¹⁷ *Ibid.*

could see the grim spectacle of red blood on the green hills of the canyon. Two vigilantes were severely wounded and another named John Matlock was killed. Linares had fought the hardest, and received a number of wounds including a mortal one to the head. Blanco and Grijalva surrendered after Linares had been killed.

June 13th was a busy day. A quick and lavish funeral proceeded through the streets for Matlock. Most of the town attended. The vigilance committee organized it, taking notes of whom they appointed to do what part of the march and help inter the remains.³¹⁸ After the consecration of Matlock's grave, people stayed to join in the vengeful pageantry of a public vigilante hearing, which was held on the other side of the mission. The two captured banditos were tried before the gallows and found guilty of murdering Pedro Obiesa, Graciano, Bartolome Baratier, Theodore Borel, Jack Gilkey, and John Matlock.³¹⁹ Since it was a Sunday, the vigilantes chose to stay their hand for another day. Next afternoon, they hanged Miguel Blanco and Desiderio Grijalva at the gallows in front of the mission.

After such a tremendous victory, the vigilante's bloodlust should have been sated, but they continued to operate. The same day they hung Blanco and Grijalva, fifty vigilantes rushed to Avila Beach.³²⁰ They had heard that Jack Powers was about to pass by on a steamer, and tried to intercept him, even though Powers had escaped California into Sonora, Mexico. The steamer had stopped to pass letters and allow a brief respite for the passengers, who were astonished to have their lazy beach-combing interrupted by the vigilantes. It is through this encounter that the world learned that "Great excitement exists in SLO on account of the many murders and other depredations constantly being committed in that section of country. Parties are scouring the country in every direction, to arrest the perpetrators."³²¹ Bolstered by their victory in Cañada de Los Osos, the vigilantes continued to function for at least another month.

³¹⁸ "Minutes of Vigilance Ex Committee - Sunday, June 13, 1858," Appendix A.

³¹⁹ "Sentence of Miguel Blanco," Appendix A. "Sentence of Desiderio Grijalva," Appendix A.

³²⁰ "Jack Powers - Vigilance Committee," *Sacramento Daily Union* (6/14/1858) 2.

³²¹ "A Murderer of Baratier Arrested," *Sacramento Daily Union* (6/14/1858) 3.

Romualdo Pacheco led a band in search of “El Huero” Rafael. It is not fully known what happened to El Huero. The last information that was received on the matter is that Pacheco’s vigilantes and the sheriff of Santa Barbara were a day’s ride behind him.³²² No further confirmations were given, though it is known that Pacheco was often eager to shoot first in these situations, as he had done with Los Chaguanosos in 1851. An article a month later put the tally of men hanged at 7, rather than the six that can be confirmed.³²³

In July, the last victim of the vigilance committee was brought to SLO from Santa Barbara.³²⁴ He was Nieves Robles, making a tidy knot for the vigilante’s narrative. Robles had been the first named in the Linares Gang, and he was the last to be lynched. He was unceremoniously tried and executed, not even leaving a formal sentence in the vigilantes’ records. No other stories came from the vigilance committee. The “great excitement” was over. At some point after mid-July, the committee disbanded, but for what reason is not entirely obvious.

³²² Angel, 299.

³²³ “By Telegraph to the Union,” *Sacramento Daily Union* (7/13/1858) 2.

³²⁴ Ibid.

DISSOLUTION

The Vigilance Committee still had reason to exist. In September, “The Notorious Froilan [Servin]” was captured and sent back to SLO.³²⁵ He was put on trial in the *de jure* courts, instead of the vigilantes’. He was even represented by Walter Murray, who managed to move the proceedings to Monterrey, for the sake of an “unprejudiced jury.”³²⁶ Servin was found guilty of two counts of grand larceny and sentenced to 17 years in San Quintin.³²⁷ He died in the harsh conditions of that prison within a few years of his attendance.

Two other members of the Linares Gang officially still had a bounty on their head (Jack Powers, Jesus Valenzuela), and if “El Huero” Rafael was not caught, that would make a third. Considering the bounties were never rescinded, officially they are still active. No one seems to have tried to claim them after 1858. In August it was reported that Jack Powers “has escaped justice” by going into Sonora, Mexico.³²⁸ He reportedly was swearing that he would kill any bounty-hunters who dared pursue him.³²⁹ Powers probably died in Sonora when, after a Los Angeles murderer had assassinated the previous military-governor, the replacement military-governor ordered the mass execution of suspected outlaws in 1860, which included Solomon Pico.

It is not as though the vigilantes had run out of bullets or rope. They could have very well lynched Froilan Servin, but they chose to let him go through the *de jure* court-system. Some greater reasoning must have prevailed on them to stop lynching people. Murder did not end in SLO. The day after Nieves Robles was lynched, a man whose name is only given as “El Cholo” killed a Californio in downtown SLO.³³⁰ Yet, no lynchings came of that.

³²⁵ “The Notorious Froilan,” *Daily Alta California* (9/25/1858) 1.

³²⁶ “By Telegraph to the Union,” *Sacramento Daily Union* (12/13/1858) 2.

³²⁷ “One of the Jack Powers Gang,” *Sacramento Daily Union* (1/22/1859) 3.

³²⁸ “Whereabouts of Jack Powers,” *Daily Alta California* (8/12/1858) 1.

³²⁹ “Affairs in Sonora, Mexico,” *Daily Alta California* (8/29/1858) 2.

³³⁰ “Californian Killed,” *Sacramento Daily Union* (7/14/1858) 2.

There are three possible reasons for the dissolution - internal, external, and state-wide. There is no record for any of these suppositions. Internally, the vigilantes could have decided that Nieves Robles was enough. He does make for a tidy ending for their struggle against the banditos. Externally, Sheriff Castro could have pushed to disband the committee, either by way of law or plea. He seemed to remain cordial enough with them. Statewide, Governor Weller might have required the dissolution. Since he had subsidized the vigilantes through his creation of the SLO Guard, he might finally have reconsidered his hypocrisy and chosen to wield the influence he had created and dissolved the committee. All of these are possible, but the actual reason is unknown.

The committee did exist in the personage of its participants, since so many of them were integral members of the community. Most of the county government was comprised of vigilantes for years to come, with assemblymen, board of supervisors, deputy sheriffs, clerks, and numerous other positions being taken by them. Two years afterward, an official inquest was held to investigate the death of John Matlock.³³¹ This was necessarily going to judge whether the lynchers were guilty of murder. The jury was comprised of many vigilantes, so the outcome was a foregone conclusion. They found that he was "shot by Pio Linares whom the Sheriff was attempting to arrest for Murder and who commenced the fire and the said deceased being a member of the Sheriff's Posse."³³² By pronouncing the vigilante sheriff (I.H. Hill) a real sheriff, they legitimized their actions in the eyes of the court, without having to expose their lynchings afterward.

Since so many committee members were public officials in one capacity or another, they continued to exercise power. As such, in 1861 Sheriff Castro sent a letter to the County Board of Supervisors cordially asking them for \$7000 to pay for the jail door that they broke during

³³¹ See "Inquest of 1860," Appendix A.

³³² Ibid.

their first lynching in 1858.³³³ They approved the payment through county funds, yet again verifying the close affinity the *de jure* government had to the vigilantes. The committee was over, but its repercussions are found in the very fiber of SLO, if not California as a whole.

³³³ "Sheriff's Letter to Committee Members," Appendix A.

REACTIONS

What happened in San Luis Obispo did not go unheeded. After a decade of violence throughout California, most places had experienced their own vigilance committees. People had already formed their own opinions of what was right or wrong in such dealings. Since it was the last of the big county-wide committees and the most deadly, SLO became the target for people to either praise or castigate the idea of vigilante lynchings.

The most vocal of these was Francisco Ramirez in Los Angeles. He had lived through the tremendous events that had happened there in the couple years prior, including the Flores-Daniel Gang which had led to a massive vigilante movement there with multiple committees in 1857, and the incredible race riot of 1856 that was partially instigated by Jack Powers who had killed several people by using a cannon stolen from the local mission on the streets after some heated words about his *Californio* friends had been exchanged. Through those events Ramirez had become progressively more radicalized against vigilantism and his former bosses, the editors of the *Los Angeles Star* and *Estrella*. When he heard of what had happened in SLO up to when Joaquin Valenzuela was hanged, he wrote an article denouncing the vigilantes.³³⁴ While mixing some names and places, he pointed to the “compassion” of the bandits in sparing three lives at the Baratier rancho. He was practically yelling through the page, as the article became progressively more and more inflammatory;

This is how justice in this country is intended. There are *laws*, there is *righteousness*, there is *freedom*! They lie! Here, when they intend to punish a crime, another major crime is committed first! [...]

We cannot continue any longer with this horrifying relationship. We must proceed, confident that no innocents have suffered the same fate from now on. We hate crime, and we rejoice when the offender suffers the punishment he deserves. But there is nothing we hate more than when a mob becomes evil, taking upon themselves the responsibility of the law, and under the sacred name of the TOWN, unload on innocents all their fury. And what a shame, there are no

³³⁴ Francisco Ramirez, “San Luis Obispo: Asesinato-Linchamientos, Atrocidades, &, &c,” *El Clamor Publico*, v3 n49 (June 5, 1858) 2, translated in Appendix B.

laws in our codes that punish those men who have, at will, taken life and property of the first person at hand! No ...they are exempt. For them, there are no laws against robbing the treasury and going to another country to enjoy the fruit of their robberies. For the unhappy, for the downtrodden - that is where there are laws!³³⁵

The excoriation was profound and deep. Ramirez claimed that Joaquin Valenzuela was an innocent man, and that it was a gross overstep to burn Pio Linares's rancherita. Ultimately, he tied the ideas of filibustering and vigilantism by speaking of "robbing the treasury and going to another country," but somehow in the context of SLO (even though SLO would not have any actual filibusterers until 1889).³³⁶ For him, the law did not need to be usurped in order to punish these people, and vigilantism was an abominable creation.

Ramirez's position was not a popular one. Despite Governor Weller's explicit statements in his inaugural address, General Sherman's protestations during the 1856 San Francisco committee, and the simple fact that lynching was technically murder, vigilantism was generally supported by public opinion in California. Ramirez was stirring up resentment against himself, and SLO's vigilantes were perfectly willing to take the challenge.

Walter Murray obviously read this article, because he drafted a lengthy response.³³⁷ It was sent out by the end of the three-day battle with the remainder of the Linares Gang in SLO, and probably part of what he did as a result of being wounded there. Murray said, "I went home and wrote letters all over the country."³³⁸ He publicly argued in the press against Ramirez;

Could law have extracted all this from these men? No. But Vigilance did, and that without torture of any description. No impelling power was used but the exhibition of an unswerving determination and resistless power.³³⁹

Murray reviewed the evidence of the committee, step by step. He explained how Santos Peralta and Nieves Robles were verified criminals (after-the-fact) through interrogation,

³³⁵ Ibid.

³³⁶ Joseph Stout, *Schemers and Dreamers: Filibustering in Mexico* (TX: Texas Christian University Press, 2002) 81.

³³⁷ Angel, 300-302.

³³⁸ Walter Murray, "May 28th, 1858," *Letters and Correspondence* (5/28/1858).

³³⁹ Angel, 300.

“although done before a Justice of the Peace [Beebee], it was extra-judicial, for our laws do not permit such interrogating.”³⁴⁰ Whatever “such interrogating” meant was unclear, but considering it was extrajudicial, it was probably under some kind of duress. He explained how Pio Linares had been a known miscreant, terrorizing people by drawing knives and proclaiming himself “the head of all the revolutions in San Luis Obispo.”³⁴¹ The vitriol on display in the *Clamor* was redoubled in this countermanding in a number of direct and somewhat sardonic attacks on Ramirez’s validity;

The Sheriff and his posse—made to their urgent solicitations that he should surrender, was simply [answered]: “No ____! yo no salgo me! ____” (No; I’ll not go out! They’ll ____ me!) The editor of the *Clamor* can supply the blank. It is fit only for assassins and their defenders [...]
Truly one can quote here the very expressive words of the *Clamor*, “They lie.” [...] Every man of [the vigilantes] is a better citizen than the *Clamor* editor ever can be until he plucks out that Mexican heart of his and substitutes an American one in its place.³⁴²

Clearly there was a significant disagreement about how to interpret these events, and Murray was engaging in the same rhetorical battle that Ramirez had been. Murray was arguing for the benefit of the committee and that it had served a different kind of justice that the government was incapable of providing. He thought that vigilantism was justified.

The rest of the state’s newspapers seemed to agree with Murray. None outright declared SLO’s vigilantes righteous in their lynching, but they hinted toward that in their coverage. When they translated and reprinted the *Clamor* article (it was common practice to reprint other newspaper’s work), many inserted warnings saying Ramirez “is very indignant about it.”³⁴³ When they reprinted Murray’s articles, they did not issue such warnings. Some were particularly favorable toward the vigilante’s account. One printed, “we are told that [Joaquin Valenzuela] leaves the reputation of having richly deserved to be hanged.”³⁴⁴

³⁴⁰ Ibid, 300.

³⁴¹ Ibid, 302.

³⁴² Ibid, 301.

³⁴³ “The Lynching at SLO,” *Sacramento Daily Union* (6/16/1858) 4.

³⁴⁴ “The Robber Band of San Luis Obispo,” *Sacramento Daily Union* (6/14/1858) 2.

Considering how much the papers had been hinting towards a perceived need for vigilantism in the time leading to 1858, it is not surprising that they would secretly approve when it happened. Only one paper came close to endorsing the vigilantes' actions. After a suspected murderer was acquitted in Santa Barbara the following year, the *Sacramento Union* printed an extract from a grand jury there which "gives a beautiful account of the state of things in that county," as they said in the heading.³⁴⁵ It used the example of SLO's vigilantism as something instructional for that county by saying;

The persons who, a little more than a year since, robbed and murdered the Basques, on their way up the country, would not have been punished but for the sovereign people of San Luis Obispo, who summarily hung them by the necks.

No newspaper would go any further than that in endorsing the vigilantes. It was a precarious position ethically. Later historians would not shy away from putting forth their own morality upon these events, but for these newspapers, they were satisfied with simply reprinting Murray and Ramirez, though with one clearly favored above the other. Ramirez has only been used to examine this subject twice, once in 2011 and another time in 2013, which is quite recent. Murray has been the dominant narrative.

³⁴⁵ "Bad State of things in Santa Barbara," *Sacramento Daily Union* (10/10/1859) 1.

AFTERMATH

With Murray's prominence secured for posterity, his writings came with one significant declaration that deserves further examination. It is not the role of a historian to adjudge their subject in matters of deep ethics, such as the righteousness of vigilantism. Society maintains its ambivalence in the matter to this day, with its reverence of fictional superhero vigilantes and willingness to forgive those who subvert the law in ways society deems greater than the law, such as acts of protestation. At what point is vigilantism murder, rebellion, insurgency, disorder, persecution, brutality, or jurisprudence? These kind of arguable ethics are for the reader to decide, not the historian. Instead, let us examine the declared goal of the vigilance committee, beyond that of simple frontier-justice. Murray, in arguing with Ramirez, stated that;

The natural bond of self-preservation at length presented itself, and they caught at it, and have, with God's help, succeeded now in righting matters; in creating a healthy spirit in the community, and in preparing the way for another trial of the law. Here, as in San Francisco [in 1856], I am confident that the law will hereafter work all the better for the quickening spirit infused into it by vigilance.³⁴⁶

Vigilantism was supposedly for the sake of law and order, not in opposition to it. In essence, what would fulfil the vigilantes' goal would be if the institution of law were to function well enough to punish most crime after they had begun the process by circumventing the law in the first place. It is as though the lynchings were merely to get the ball rolling in cleansing SLO of its violence, like fighting forest fires with controlled burns.

Michel Foucault, in his 1975 work *Discipline and Punish*, presents a good paradigm for understanding the goals of SLO's vigilantes.³⁴⁷ He looked at how different forms of government were manifested through differing punishments, a form of governmental power. In his conception, public corporal punishment is outmoded because governments exude power through the administration of discipline. This disciplinary governmentality represents itself by

³⁴⁶ Angel, 302.

³⁴⁷ Michel Foucault, *Discipline and Punish* (NY: Vintage Books, 1991).

trying to reform prisoners. Necessarily, the mentality of discipline extends beyond those being punished, in order to maintain their acquiescence to the system. This is done through surveillance. As Foucault says, "Our society is one [...] of surveillance."³⁴⁸ He remains vague on when the switch from physical power to disciplinary power came to be, but the perceivable difference in power relations is what he is most concerned with. It is that switch between governmentalities that one might see SLO's vigilance committee fitting into. It certainly was the case for historian David Johnson, who used Foucault in saying that vigilantes used lynching from 1854-1858;

Counterposing the lone criminal against the overwhelming crowd, they served as tangible manifestations of the people's power, and affirmation of the vast gulf between their moral authority and the morally alienated individual.³⁴⁹

Vigilantism can be seen as establishing the surveillance state. Afterall, the name vigilance committee implies a certain amount of surveillance. Even Murray seems to echo this ideology when he spoke of "the quickening spirit infused into [the law] by vigilance." The "spectacle of the scaffold," as Foucault called it, was the foundation by which the vigilantes built the new disciplinary mode of punishment through rule of law.³⁵⁰

The vigilantes were more concerned with the establishment of the government, rather than changing it. They thought that the American form of government had never taken hold and needed to be put in place through means outside of its authority. Of course, the government had existed since 1850, and had gone through changes, as discussed previously. The difference was that rule of law had never been perceived to be established. Instead of going between Foucault's corporal and disciplinary governmentality, it may be more applicable to say that it changed between democratic and republican governmentality. In a true democracy, convictions occur through the direct will of those present by way of voting. It is through democracy that Socrates was convicted of "corrupting the youth of Athens and impiety," for

³⁴⁸ Ibid 217.

³⁴⁹ David Johnson, "Vigilance and the Law," *American Quarterly*, v33 n5 (winter, 1981) 572.

³⁵⁰ Foucault, 32.

which he was sentenced to drink hemlock, thereby killing himself.³⁵¹ A republic offsets democracy by using representatives such as judges and juries to fulfill the mob's voting power. Republicanism is today's standard liberal form of justice. The vigilantes' goal was to move from democratic to republican governmentality. If the vigilantes' goals were met, whereas the only suspected murderers in the county prior to 1858 were either lynched or acquitted, after 1858 many were found guilty of murder through proper court proceedings. This is the metric by which we may gauge the success of the vigilantes, though it is difficult to guess what percentage of acquittals would count against it.

By all appearances, the vigilantes succeeded in their goal. The first reported murderer after the last lynching was immediately arrested and quickly found guilty.³⁵² It appeared that Sheriff Francisco Castro was much more capable of fulfilling his duties after 1858, for most cases while he remained sheriff were closed quickly, as though the vigilance committee had given him the impetus he needed to do so. A revealing case happened the following year, when a Californio killed another Californio named Francisco Alviso.³⁵³ SLO was particularly shocked by the murder of a local. Once again, talk of lynching spread, but this time Castro stepped in. He managed to get the culprit convicted through the proper channels, and sentenced to death by legal hanging, which appeased the populace. For the first and only time in SLO's history, a man was legally hanged in the county. Castro was the executioner, even receiving a payment of \$20 for the deed.³⁵⁴ Interestingly enough, the hanging was in the same place as the vigilante hangings less than a year prior, so they may have left the gallows standing long enough for *de jure* authorities to utilize, or Castro may simply have reconstructed it. The execution represents

³⁵¹ Plato, *Apology*, translated by Benjamin Jowett (Project Gutenberg, 2013). Accessed 6/6/2016: <http://www.gutenberg.org/files/1656/1656-h/1656-h.htm>.

³⁵² "Californian Killed," *Sacramento Daily Union* (7/14/1858) 2.

³⁵³ "Murder at San Luis Obispo," *Sacramento Daily Union* (3/14/1859) 2.

³⁵⁴ Gary Hoving, *A Brief History of the San Luis Obispo County Sheriff's Office* (CA: San Luis Obispo County Sheriff's Office, 2002) 1.

a marked transformation in the administration of justice. The annals of SLO's history show a great deal more *de jure* convictions of murderers henceforth.

Because of their governmentally oriented goal, the vigilance committee was just as much a political entity as a vengeful organization. By making the change, they instated the American form of government as the prevailing law of the land. It was a bloody and chaotic change, but it was successful nonetheless. The vigilance committee, by its very bureaucratic structure, was temporarily organized in order to institute the real government, of which many members were already a part. The very place-names of SLO immortalize these vigilantes. People like John Price, John Wilson, Walter Murray, Daniel Blackburn, David Mallagh, and Walter Dana all have places named after them within the county.³⁵⁵ By using extra-judicial violence, they affirmed their political power.

Its participants were not finished with the political infighting. Later in 1858, Mallagh and Murray were scheduled to have a pistol-duel over the election of that year.³⁵⁶ The contentiousness of the vigilance committee surely added to the tension. Luckily, it was cancelled since "one of the parties was unable to obtain a pistol, and the other a second."³⁵⁷ Violence continued, as in any place where humanity cohabitates, but it had been steadily reduced by the new enforcement of law. Crime abated slowly, and the murder rate was drastically reduced throughout the 1860s. The violence of the vigilance committee was there to institute change in SLO, and it did just that. The county's government was forged in the blood of the victims of the vigilantes and banditos. As Arthur Wellesley famously said after the Battle of Waterloo, "Next to a battle lost, the saddest thing is a battle won."³⁵⁸

³⁵⁵ For a detailed list of placenames and their history see Mark Hall-Patton, *Memories of the Land* (CA: EZ Nature Books, 1994).

³⁵⁶ "Duel," *Daily Alta California* (10/13/1858) 1.

³⁵⁷ "Duel," *Sacramento Daily Union* (10/14/1858) 2.

³⁵⁸ *Waterloo*, directed by Sergei Bondarchuk (CA: Paramount Pictures, 1970) 2:02:10.

CONCLUSION

San Luis Obispo's violence was not something that came crashing forth from an ugly realm outside of prudent society. It stemmed from within, bubbling forth until it was repressed. That interior conflict was related to change. Violence is change, be it a manifestation, institution, or repression of it. The increasing violence in SLO from 1772-1858 was the result of several tremendous changes coming without the necessary pacification to halt the violence. First came the Spanish conquest of California, then Mexican independence, autonomy under Alvarado, and ultimately US conquest. These were dramatic enough, but when gold was discovered in 1848, the drastic change to the fledgling government of California compounded the growing problems of violence. This clash of cultures resulted in violence. It grew until the vigilantes of 1858 turned the tide of violence, through their own violence, towards peaceful resolution.

The vigilantes did not end violence by any means. San Luis Obispo was still in the throes of the Bloody 50s into the 1860s. In 1859, there were two murders.³⁵⁹ None were reported in 1860, but several violent incidents took place.³⁶⁰ For instance, John Price was shot in the thigh by a pair of horse-rustlers on his rancho's lands in Pismo. Not being one to take such an insult, he gathered a posse and had them ride "in pursuit with the intention of hanging them."³⁶¹ The posse caught up with the rustlers and proceeded to shoot it out, killing one of the culprits and capturing the other.³⁶² No record can be found as to what the name of this man

³⁵⁹ "Murder at San Luis Obispo," *Los Angeles Star* (3/19/1859) 1.

³⁶⁰ See Appendix C.

³⁶¹ "Attempt to Murder," *Sacramento Daily Union* (9/12/1860) 2.

³⁶² "The Murderers of San Luis Obispo," *Daily Alta California* (9/12/1860) 1. "Statistics of California," *Sacramento Daily Union* (1/1/1861) 1.

was, but two prisoners convicted of assault were sent to San Quentin State Prison that year from SLO, escorted by Sheriff Castro, as well as another horse-rustler and a burglar.³⁶³

The excitement of 1861 nationwide, due to the beginnings of the Civil War, imparted itself locally by temporarily increasing the violence again. First there was a murder over some debt in San Simeon. One newspaper tried to stir the pot of vigilantism again by saying, "The people threaten to lynch him, and probably they will."³⁶⁴ They did not though, and the murderer actually escaped the jail, having \$250 bounty on his head for doing so.³⁶⁵ The anger over the freshly started Civil War in the East boiled over on the Fourth of July that year. In a stunning incident, while a man named James McKeever was raising the union flag in downtown SLO, a sitting judge by the name of Borland came outside and shot McKeever. The *Sacramento Union* published six articles about the event, sensationalizing it because of the war.³⁶⁶ They argued whether Borland (a vigilante himself) was a secessionist or "a common drunkard, and was laboring under a derangement of mind at the time."³⁶⁷ The *Union* seems to have leaned toward Borland being a secessionist. SLO was a bastion of unionist sentiment, having even had a Union party convention (attended by almost all of the former vigilantes) which published an official statement affirming its support.³⁶⁸ Considering the bent of the 1858 vigilance committee toward establishing a republican form of government, it seems somewhat unsurprising that they would be unionists. Yet there are always those who push against the grain of the society they supposedly represent. In either case, the *Union* decreed, "It is very evident that he is not a proper person for County Judge."³⁶⁹ Borland remained on the bench anyway, perhaps because

³⁶³ "State Prisoners," *Daily Alta California* (10/13/1860) 1. "For San Quentin," *Sacramento Daily Union* (10/16/1860) 4.

³⁶⁴ "Alleged Murder in San Luis Obispo," *Sacramento Daily Union* (5/27/1861) 2.

³⁶⁵ "Reward Offered," *Sacramento Daily Union* (7/15/1861) 2.

³⁶⁶ "By Telegraph to the Union," *Sacramento Daily Union* (7/10/1861) 2. "News of the Morning," *Sacramento Daily Union* (7/10/1861) 2. "The shooting at San Luis Obispo," *Sacramento Daily Union* (7/11/1861) 2. "Reward Offered," *Sacramento Daily Union* (7/15/1861) 2. "News of the Morning," *Sacramento Daily Union* (7/18/1861) 2. "Will Probably Recover," *Sacramento Daily Union* (7/29/1861) 2.

³⁶⁷ "By Telegraph to the Union," *Sacramento Daily Union* (7/10/1861) 2.

³⁶⁸ "Union Feeling in San Luis Obispo," *Sacramento Daily Union* (6/24/1861) 1.

³⁶⁹ "News of the Morning," *Sacramento Daily Union* (7/10/1861) 2.

of his involvement in the 1858 committee. It would explain the reason for his staying, and the interest of the community to keep him at his station. If they removed him from office, the implication would be that the representative form of government had not been fully established, retroactively tarnishing the vigilante's glorification.

1861 was not finished in July. A 15 year-old girl was raped by a Spaniard in September who was quickly captured. It had been years since 1858, but this time a lynch mob rose up again. They sprung the man from the jail and rode off, determined to hang him well outside of town, but the sheriff "arrived at the place just in time to cut the prisoner down before he was dead."³⁷⁰ It did not matter, for the mob came in greater numbers. As many as "fifty well armed men" came at night and hung the Spaniard from the jail door, which had only recently been replaced.³⁷¹ The year ended with a shift in the death toll, as 38 Amerindians were killed by an outbreak of smallpox, which was roughly a third of their population in SLO at the time.³⁷²

The following year (1862), the murder rate dropped significantly, but the cataclysm of vigilantism arose again to eradicate the violence unconditionally. Two men were found murdered, one was a German drover who was robbed and the other was a local Californio vaquero who must have happened to be passing the robbery. Borrowing from Murray's correspondence from 1858, one newspaper said that the Mexican had been killed because "dead men tell no tales."³⁷³ The vigilance committee was hastily reconvened. No records were generated this time, for it would quickly dissolve. The vigilantes arrested four or five men, interrogated them, and found them not guilty. What could be discerned was that two people, Jesus Arellanes and Juan Buelna (who had fled authorities elsewhere in California), might have come to SLO temporarily but were nowhere to be found. In the same article that told of this event, it ended with the by-then tired pronouncement, "Verily, this is the favorite resort of all

³⁷⁰ "Lynched in San Luis Obispo," *Sacramento Daily Union* (9/26/1861) 2.

³⁷¹ *Ibid.*

³⁷² "Small Pox," *Sacramento Daily Union* (12/21/1861) 2.

³⁷³ "Murders in San Luis Obispo," *Daily Alta California* (12/9/1862) 1.

fugitives from justice.”³⁷⁴ That may have been so, but no other murders were reported for six years after 1862, though there was one committed just over the county line in 1864, which the culprit was found guilty by a SLO court.³⁷⁵ The only ‘crime’ reported in 1863 was the suicide of a man named John Busch on a stagecoach who was “laboring under a fit of temporary derangement.”³⁷⁶ The specter of vigilantism was probably part of the reason for the lack of crime, for 1862 had merely reinforced the 1858 committee.

There was one other change that stemmed the violence for a time. Many of the murders of the Bloody 50s were of drovers, but in 1863, they had no reason to come to SLO any longer. That year, a tremendous drought swept California. In terms of total rainfall and devastation, it was exceedingly worse than the one that the state is currently gripped by.³⁷⁷ One historian called 1863-64 “the two rainless years.”³⁷⁸ The drought followed a year of immense flooding, which washed away the topsoil, leaving bare the poorly growing dirt beneath. Combining previous flooding with absolute drought left the county “almost without grass,” as one newspaper reported.³⁷⁹ Herds of cattle simply died *en masse*. Bones of the desiccated beasts were often left to glisten in the hillside, making for an eerie spectacle. It destroyed the great ranchos, forcing them to parcel out their vast tracts of land. Myron Angel said,

From this result, and the effect of breaking up the large ranches, some have said that the great drought was a blessing. But it was the blessing of a revolution, which crushes and destroys one class so that another, or more numerous one, may rise in its stead.³⁸⁰

The cattle industry would recover in SLO, but not for decades. Because of the parcelling, homesteaders flooded in, rather than water. Between 1860-63 there had been 29 homesteads

³⁷⁴ Ibid.

³⁷⁵ “Los Angeles News,” *Daily Alta California* (7/2/1864) 1.

³⁷⁶ Quoted from “By State Telegraph,” *Daily Alta California* (9/16/1863) 1. For a more extensive article on the incident, see “Insane,” *Sacramento Daily Union* (9/18/1863) 2.

³⁷⁷ Mark Hall-Patton, “Cattle industry withered in early 1860s,” *South County Tribune* (May 25, 1989) 3.

³⁷⁸ Dan Krieger, *San Luis Obispo County* (CA: Windsor Publications, 1988) 66.

³⁷⁹ “Interior Items,” *Daily Alta California* (6/30/1863) 1.

³⁸⁰ Angel, 222.

declared, most of which were rancheros wishing to expand their territory.³⁸¹ By the end of the decade, there were nearly 60 more, at least half of which had no previous land holdings. The ranchos broke up and the populace switched to other forms of production, such as mining, sheep-herding, and farming. The biggest switch came in the 1880s when there was a big push to create dairying operations in SLO. None of the ranchos developed large cattle herds for decades to come. No drovers carrying bags of gold from the north would come any longer. The days of the easily targeted drovers were finished.

That is not to say there were no easy targets in SLO. Toward the end of the Bloody 50s, numerous mineral deposits were found in the county. Cinnabar, gold, aluminum, silver, and copper mines were created throughout the northern reaches mostly along the coastal mountains from San Simeon down to Los Osos. As early as 1859 “very rich mines of silver and gold” were reported.³⁸² Throughout the 1860s, these mines were the major source of wealth in SLO, and mining is often associated with rambunctious violence. It is a standard perception that mining brings in the undesirables of society. That certainly has been what many historians have argued was the cause of the Bloody 50s.³⁸³

Yet, there were no reported murders until 1868 in SLO, after some of the mines were already beginning to wane. In fact, there is hardly any crime reported in the six years between 1862 and 1868. Surely there must have been something greater than the man labeled “swindler” by the *Sacramento Union*, who was collecting subscription fees for that paper even though he was not a registered agent.³⁸⁴ Unfortunately, that is all that was reported in the three major newspapers surveyed. Otherwise, the only people convicted of murder in SLO were one

³⁸¹ Derived from *Homestead Declarations in San Luis Obispo County* (CA: San Luis Obispo County Recorder, 1860-1884). *San Luis Obispo County Great Registry* (CA: San Luis Obispo County Recorder, 1867, 1871, 1892).

³⁸² “Mining,” *Los Angeles Star* (6/18/1859) 2.

³⁸³ See historiography in Part I.

³⁸⁴ “Beware of a Swindler,” *Sacramento Daily Union* (11/5/1864) 2.

escapee who had been at large since 1861, and two others from different counties.³⁸⁵ With the vengeful eyes of vigilantes permeating the county, perhaps no one dared to commit any further crimes.

When local newspapers began to be published in 1868, there was significant crime that they reported on. A series of stagecoach robberies plagued the county for decades, but without any murders. Walter Murray, who founded the *Tribune* in 1869, printed numerous articles about these bandits as early as 1870, though he was not disapproving at first.³⁸⁶ After his death, the *Tribune* began to complain about the “ungentlemanly capacity” of the bandits.³⁸⁷ By 1888, the *Tribune* had enough and printed a bold-typed article simply titled “Stop!”³⁸⁸ Referencing the romantic bandit, they said that these robberies were not in “the most approved Black Bart style,” and that the bandits were wrong by “possessing the unlimited nerve” needed to rob female stage passengers.³⁸⁹ This harsh criticism was clearly disapproving in a particular way. Black Bart (AKA Charles Bowles) was famous for leaving poetry for his victims and never robbing the passengers of a stagecoach. That was the extent to which crime had become peaceable. People were generally permissive of coach bandits, as long as they did not rob passengers. These robberies were decidedly less violent than the banditos of the Bloody 50s, and they eventually became obsolete. As trains came through, those robberies were made superfluous, and railroad bandits were a rarity.

The violence in SLO blew away after 1858 to such a dull murmur that the bandits of the 1870s and 1880s were complained about because they did not leave poetry, instead of the murder victims of the 1850s. It was not instantaneous, but 1858 was the beginning of the end.

³⁸⁵ Francisco Alviso was captured in 1865 in Monterey - “Arrest of Murderers in Monterey County,” *Daily Alta California* (5/20/1865) 1. First non-SLO murderer convicted in SLO - “Los Angeles News,” *Daily Alta California* (7/2/1864) 1. “By State Telegraph,” *Daily Alta California* (10/2/1864) 1. Second non-SLO murderer - “Another of Them,” *Sacramento Daily Union* (12/12/1866) 2. There was also a supposed tiger attack in SLO. See, “Attacked by a California Tiger,” *Sacramento Daily Union* (11/13/1867) 2.

³⁸⁶ “Stage Robbery,” *San Luis Obispo Tribune* (7/30/1870).

³⁸⁷ “Stage Robbed, Again,” *San Luis Obispo Tribune* (2/17/1877) 2.

³⁸⁸ “Stop!” *San Luis Obispo Tribune* (7/21/1888) 1.

³⁸⁹ *Ibid.*

The violence in SLO took a unique shape. It accumulated and dissipated around the central event of the 1858 vigilance committee. "Violence begets violence."³⁹⁰ One cannot have a sudden outburst of violence, such as what happened in 1848 in San Miguel or the 1858 vigilance committee, without precedent or antecedent. It was a feedback loop.

Instead of individual incidents being wholly separate occurrences, they were the destructive forces brought to bear by a storm. After substantial changes took place to cause the violence, the storm grew. Cultural conflict was introduced by the initial conquest of Alta California by the Spaniards, then after the transition to Mexico, there was further rebellion and revolution, which pitted Amerindians, *Californios*, *naturalizados*, and *gringos* in growing antagonism. Because of the US conquest, a new dynamic was poorly established on top of the old, with Yankees (formerly *gringos*) becoming an even more significant part of the cultural conflict. The gold rush brought sudden and sweeping changes to the already embattled government, which failed to establish itself securely in SLO. Vigilantism throughout the state influenced locals as crime continued in the county.

There was an accumulation, climax, and dispersal of violence that signifies the storm. San Miguel was the opening shot of the reign of violence in SLO; The 1858 vigilance committee was the climax; And the vigilance committee of 1862 was the final gasp of the era. 1858 simply was the beginning of pacification. As the violence was steadily stopped by murders that were actually solved by proper authorities, the region became more peaceful. The impetus for moving the storm toward dispersal, rather than accumulation was put forth by the 1858 vigilance committee. The vigilantes pacified SLO. Violence after 1862, what little there was, may simply be simply deemed what cohabitation normally provides. Inevitably people will find reasons to hurt one another, but it is not necessarily part of some greater historical forces. Some are

³⁹⁰ Martin Luther King, *Speech to Friends General Conference* (NJ: Friends General Conference, 6/27/1958).

merely normal, or simply the standard amount of violence that is to be expected in any given region that is typically peaceful or has been completely pacified.

That is not to say that there was no peaceable way of ending the violence. If anything, the vigilantes caused the violence to continue for a longer period of time than if they chose a non-violent route. For instance, it is feasible that they simply could have packed *de jure* juries with trusted people. It would still be a usurpation of republican governance, but without the radicalism of lynching. That would have been a non-violent approach to pacification. Historians should not speculate too much though, for the hazy territory of *coulds* and *woulds* are the realm of fiction, and thereby outside of realistic discourse on the past. Let it simply be noted that violence does not have to be used in pacification, but that is what was used in SLO. They chose their own method in stopping the storm of violence. It dissipated after the 1858 committee, ultimately becoming the doldrums of pacification.

“Long as I remember, the rain been comin' down
 Clouds of myst'ry pourin'
 Confusion on the ground
 Good men through the ages, tryin' to find the sun
 And I wonder, still I wonder
 Who'll stop the rain”³⁹¹

³⁹¹ Creedence Clearwater Revival, “Who’ll Stop the Rain,” *Cosmo’s Factory* (CA: Fantasy Records, 1970).

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APPENDICES

APPENDIX A

San Luis Obispo Vigilance Papers

San Luis Obispo Vigilance Committee Documents. CA: San Luis Obispo Vigilance Committee, 1858. Located in the San Luis Obispo History Center archives in two boxes labeled "Vigilance Committee" (and a third box of photocopies). Some documents have accession numbers and some do not. I digitized them for this project and transcribed below:

List of papers in alphabetical order:

- Cash received and disbursements
- Inquest of 1860
- Letter from Joaquin Valenzuela
- List of special companies
- Membership Lists:
 - Executive Committee signatures
 - Vigilance Committee signatures
- Minutes:
 - 6/7/1858
 - 6/13/1858
- Motion for signs to remove criminals
- Motion for subcommittee with full power
- Murray's attorney acceptance document 1852
- Reward notice
- Sentences:
 - Miguel Blanco
 - Desiderio Grijalva
 - Jose Antonio Garcia
 - Luciano Tapia
- Sheriff's letter to members 1860
- Testimonies:
 - Andrea Baratee (*de jure* court examination)
 - Jose Antonio Garcia
 - Juan Herrera
 - Luciano Tapia

Cash received & Disbursements of San Luis Obispo Vigilance Committee
[pg. 1]

[large bold text]

Cash Received
and
Disbursements
of
San Luis Vigilance
Committe [sic]

Nicolo Revello / Treas.

[pg. 2]

List of Money's [sic] collected and put into the Treasurer's and on Acc- of the Vigilance
Committee of San Luis Obispo—1858

1858

June	John Wilson	-	-	-	\$500	.00
"	8th	Prisoner of Ant-Carcia	-	-	5	..00
"	13	F. Z. Branch			300	.00-
"	14	D. V. Mallagh			22	.00
		Capt Aellend			30	.00
		Joaquin Estrada			200	.00
		Lertna + Company			50	.00
		J. M. Price			50	.00
		Proceeds of houses			63	.00
		B. Briggolari			50	.00
		Juan Llarisieh			30	.00
		Roth + Black			20	.00
		Jana + Bros			200	.00

[pg. 3]

By order from: J. Silkey	\$37.25
W. Coates	37.25
M Lirna	5.00
D. V. Mallagh	37.25
Pedro el Caseder	37.25

B. J. Jones	37.25
W. Murray	37.25
J. Bunes	37.25
D. V. Mallagh	28.00
W. E. Barland	37.25
John H Hill	37.25
B. F. Davenport	37.25
J. O. Sneer	37.25
B. F. Hamilton	37.25
P. Bady	37.25
L. Milkender	37.25
Lareca + Company	152.00

Inquests to 1860

[accession #1952.305.025 A, B, and C]

[pg. 1]

State of California San Luis Obispo County	Inquest on the body P of John Matlock
---	--

B. J. Jones, being sworn says and deposes that he was called as a member of the Sherriff [sic], Posse to assist in arresting Pio Linares Desediro Grejalla and Meguil Blanco for murder and robbery; that he Recons [sic] the deceased; his name is John Matlock a member of said Posse and was killed by Pio Linares at Los Osos in the March between 10 + 11 o'clock A.M. on the 12th day of June A.D. 1858. The deceased was evedeuth [sic] killed by a rifle shot throw the back; that he the said aponent [sic] distinctly saw the said Pio draw his rifle at the racRay which John fell; that several shots were exchanged ~~was~~ previous; but with Pistols on the part of the robbers who came mureud [sic] the fire except one shot which was made also by the said Pio with the same man. He fought Aifrser [sic] and days that the other robber [sic] were not supplied with rifles.

[signed] B. J. Jones

Subscribed and sworn to before the

[pg. 2]

We the jury summoned and sworn to inquire who the person in and where and when and by what means he came to his death who [illegible], [illegible] of Walter Murree, in the Jonrer [sic] of San Luis Obispo Do find after hearing the testimony that the [illegible] of the deceased in John Matlock; that the cause to his death at the Monte at Los Osos on the 12th day of June A.D. 1858 by a rifle shot by Pio Linares whom the Sheriff was attempting to arrest for Murder and who commenced the fire and the said deceased being a member of the Sheriff's Posse.

[signatures]
Daniel McLeod
J. G. Sweet
F. Wichender
B. J. Davenport
B. G. Jones
B. R. Hamilton

[pg. 3]

This 13th day of June A.D. 1960

[signed] Jauns Wirl [?]

Justice of the Peace

B. J. Davenport, Isaac H. Runes, Patrick Brad, R. Fran, B Hamilton, and J Sweet, being sworn in and depose each for hunderstand [sic] not one for the other that he was a member of the [illegible] that he has read and hunderad [understand] the deposition of B. J Jones Esquire that it contains the [illegible] and true relation of the fact, in cative to who the persons referred to in whom and where and by what means for cause to live the atta as much so as any thing which they could add insight to.

[signatures]

Isaac H Bane

J. G. Sweet

Patrick Bradly

Benjamin F Hamilton

B. F. Davenport

Jury ordered and sworn to before seen this 13th day of June A.D. 1858

Janee Wita Oesio [?]

Justice of the Peace

Letter from Joaquin Valenzuela

[The original letter was not found. It was probably in Spanish, and the committee translated it, since the handwriting is in that of the committee's secretary]

San Luis Obispo May 21st, 1858

Dear Alexander,

I send you my last farewell in [sic] a few hours I will not be any more of this world, give my last love to my dear wife and I hope I shall see her again in the other world, for what I owe you, you can take what I have got at your place and the balance give to my dear wife, and if there is not enough I can not pay you any more[.] Give my best respects to don Julian and his wife and to all the people on the rancho also to Miguel and his family in Fraticulas [?] to Cassimera and his family to Dolores + his family[.]

I recommend to you my poor wife. I think I shall confesse hefare [sic] I suffer death and I hope you wife[,] forgive me every thing I have done you[.]

I am forever yours
Joaquin X Valenzuela [sic]

PS

Send my respects to Don Rafael Caravajala and his family in Los Angelos [sic], to Juan Moramand his family all in Los Angelos [sic ,] hiciente Caraspo and his family all and that they all forgive me Miguel the driver and his family[.] Please as the last favor from you to write to them and that they should forgive me for God[']s sake[.] This shall be the last of my life[.]

List of special companies
 [accession #1952.305.027]
 [pg. 1]
 [extremely illegible]

Special Companies

Co "A"

Pesrueru Capt.	D. Thur
Robert Haldford	I. Slaughter

, "B"

Antonio Stanisich Capt.
 [pencil] Francisco Brazzolaro
 [pencil] Capuro Antonio
 [pencil] J Calistro
 [pencil] Pedro Raperas

,, "C"

Joseph Lutty Capt.
 [pencil] Charl Deety
 [pencil] Leonardo Lopez
 [pencil] Doyingo Learcia
 [pencil] Albert Keanea
 Lt. Chuch Look
 [pencil] ~~Pedro Raperas~~

,, "D"

Alexander Murray	Frenedad Becerro
[pencil] J. O. Sweet	
[pencil] W Boats	
[pencil] R. Blum	

~~Detectives~~

Joseph Itutz
 Benijaeir Henchejo
 [pencil crossed out]

[pg. 2]
 [names are hardly legible]

Capt. Abbey Company

W. Hill	W. Jones
W. Johnsten	W. Kilfagle
F. Hamilton	L. Agilla
I. Herrera	J. A. Chanes
B. Brown	Lidu Lyluas

Ben Williams

Capt. Price's Company

W. J. Beebee	Thos. Graves
Jose Cantua	J. A. dela Pueneu
Chas. Dana	J. J. Linnulee
J. Michenden	Ramre Valdez
J. Hilliard	Manuel Otero
Ferdinand Lunreaz	

Capt. Albarelle's Company

Labat Pere	H. Revelle
Chas. Pelerien	W. Murray
Albero Manu	John Pattern
B. Larcano	

Executive Committee Membership signatures

Executive Committee	
Bernardo Lazcano	Aperteri Albarelli
C. G. Abbey	Walter Murray
S. A. Pollard	Thomas Herr[a]ra
Nicol[o] Revell[o]	Capt. Hilliard
Presdent [sic] Wm. L. Beebee	John M. Price
D. P. Mallagh	Dan[ie] Blackburn
Secretary	P. A. Forrester
Sergeants at arms	Thomas Graves
	B. Brown
Constables	B. F. Hamilton
	B. J. Jones
Sheriff	I. H. Hill

Vigilance Committee Membership signatures
[pg. 1]

Nicolo Revello	Executive
Walter Murray	

J. T. Zamorano	L H Morrison
Ll[Y]sidro Balderrama	John Wilson
Ysidro Silvas	F. Laburthe
R[u]dolph Se[l]m	Enrique Galindo
Alexander Mull[i]ns	Feliz Buelna
Isaac H. Bunce	Jose M. Topete
G. F. Sauer	Manuel Serrano
Reyes Enriquez	Selustriano Rojas
Antonio Stanisich	Bias Castro
Peter Forrester	Bentura Lopez
Robert Johnson	Ferna[n]do Martinez
Chas. Varain	Jose Canet
W. J. Graves	Fran cisco Salgado Exec
John Daley	Avendro Borques
Oscar Granie	Jesus Olgin
Juan Stanu[s]ich	Miguel Herrera
Ygna[cio] Ezque[rr]e	Franco Hwares
Dallide Hippaolit [Hypolite Dallidet]	[Ant]tonio Cordova

Victorino Chavey	Tore M[anuel] Cordova
C. Dockes	Modesto Carranza
Manuel Vanegas	Angel Carranza
Wm. Church	Byron Olney
William T. Gilkey	Lugardo Aguila
T. W. Gilk[e]y	Ri[c]ardo Durazo
[A. Mancillas? - illegible]	J. Roth
A. Herrera	Bice[i]nte La [Rey]
S. Mora	
Julian Garcia	

[pg. 2]

Juan Gelbes
Jose Antonio Garcia
Wm. Snelling
Noracio Carroso
Wm. E. Borland
A. Elgutter
Mariano Lazcano
Estevan Quintana
Sandy M[a]rtin
Ynocente Garcia
Franc[isco] Garcia
Dieloz [Carl Dietz?]

T. Ph. Schring
Gabriel Labot
Agicstion Garcia
Wm. [C.] Dana
Jose Carlon
Antonio Paredes
Peter Wm. Williams
James A. Wright
[P. Z.] Taylor
W. L. Gring
A. P. Hartnell
James McNicol
Angel Barron
J.M. Martinez
Valentin Ma[nci]llas

There are more listed in Myron Angel, *History of San Luis Obispo County*, (CA: Thompson & West, 1883) 302-303.

Minutes of Vigilance Ex Committee - Sunday, June 13, 1858.

[pg. 1]

Sunday June 13th, 1858

Ex Com re-assembled

On motion of W Murray Ex in area re-solved that a committee of [?] be appointed to incertepate [sic] the and ascerteuin [sic] the amount of money found on the persons of Pio Linares Miguel Blanco and Desiderio Grijalva. The chair appointed ~~W. Murray~~ [sic] J. M. Price and B. Larcand in said Committee [scribble x3]

Chairman Beebee presented \$89.31 as money found on persons of Desiderio Grijalva and was authorized to be paid to Wane Barata the indoor of Mous Bauratier [sic] who was h[i]ndered as San Juan Capistrano. [scribble x3]

It was resolved that the funeral of John Matlock take place this afternoon at five o'clock from the house of W Murray and that the funeral be conducted under the directions of the marshall John Hill, and that he emmediately [sic] take the necassary [sic] steps for to doing. A Albarelli + B Larcano [illegible] were appointed a committee to confer with Rev J Camopla about the night of having John Matlock interned acceeding [sic] in Catholic sites. The Com. proceeded to the examination of Desiderio Grijalva and Miguel Blanco. After testimony was taken, they were sentanced to hanged

[pg. 2]

At nine o'clock Tomorrow June 14th, 1858

June M[scribble x3]

Reassembled.

B Garceam gave wether [sic] that W Hammer had appored [sic] was aethon [sic] of his performed in the exercise of his duties as and of the Ex Com. and spoke very unjustly of his proceeding. In Mornin [sic] it was resolved that the said Stanner he brought before the Ex Com. and reprimanded by the Com. and he advised told no more under penalty of punishment. Whish h-as [sic] acertingly [sic] done. In morning it was resolved that the houses taken from Desiderio Grijalva and Miguel Blanco be sold by the marshall and the proceeds therof be paid erito [sic] the hands of the Treasurer of the Committee.

A committee was approved coresistiy [sic] of Apurtuie Albarelli Nieola Rebello and [left blank] to search for money lost by Miguel Blanco on the Luis above the Rancheta of Pio Linares, loss by Mee Blanco West escapery.

A hill of J. P. Mallagh for \$28. was indeced paid from the Com Fund.

A committee Cornistiry [sic] of B.J. [document ends]

Minutes of Vigalence Ex Committee - 6/7/1858
[accession #1952.305.028]

for \$200 in favor of C. G. Abbey as reward for the apprehension + delivery of Luciano Tapia for whom high reward was offered by the Comm. Said \$200 to be distributed to Capt. Abbey and his Company. Capt Abbey made a report regarding his disposition of the property found on the person of Luciano Tapia, which report was accepted, and the disposition of the property as made by capt. Abbey was approved of by the Committee

Monday June 7th

Mes and examination of Jose Antonio Garcia mad. Sentenced by Comm to be hung at 1' oclock [sic] P.M. on Tuesday.

Testimony of Andea Baretier [sic] taken Wative [witness?] to the late murder of San Juan Capistrano

J. M. Price and Capt. Pilliard appointed a committee to produce the necessary supplies to fill out companies. Juan Nae [sic?] examined and remanded for further trial

Commencing Suspicious persons order to leave the County
[accession #1952.305.020]

Moved - That a Committee of two persons be appointed to draft a notice to be signed by the Executive Committee warning all horse-runners upon the Valle [sic] within the boundaries of this County to quit said business, and to remove from the county, within 20 days under penalty of death should they be found again following the same.

That said Committee be empowered to puot [sic] said notice in Spanish in this County at the C[a]yucus, in San Luis Obispo Town, and Santa Margarita.

Also that Chico Martinez, Vicente el Pelon, Juan Figueroa, el Chapo, be personally notified in the Spanish language, by a written notification, ordering them to quit said business and to leave the county in 20 days under pain of death.

[signatures]
[smudged Pajkid?]
Wm. L. Beebee
[illegible Frisilluvo?]

Moved for subcommittee for full power
[accession #1952.305.026]

Moved - That Thesaro [?], Graves, Murray, Revello, ~~and~~ Alvarelli, Herrera, and Lascano, being the members of the Executive Committee living in town, be and constitute a sub-committee with full power to take whatever measure may seem to them meet, for the purpose of apprehending such criminals as shall be found to be hidden in or near town - Also with power to call in such other members of the Executive and General Committee to their assistance as they shall deem proper.

Murray's attorney acceptance
 [accession #1952.305.018]
 [pg. 1]

State of California
 County of San Luis Obispo | SS

I, D. F. Newfom [on] bhafe [sic] of the County Court in and for said County do hereby certify that upon examination in open court on Tues-Day the 5th day of September A.D. 1854. Walter Murray Esq was found duly qualified and was admitted as Attorney and counsellor in this court; and I do further certify that the same is [re]corded in the minutes of said County Court [county seal]

In Virtue fo [sic] W. hereof & hereunto sePony hand and affix the seal of the County Court this 7 the day of September A.D. 1854,.

[signed] D.F. Newfom
 Co. Clerk

I do solemnly swear that I will support the constitution of the United States and the Constitution of the State of California, and will perform the duties of Attorney and Councillor to the best of my knowledge and ability.

[signature] Walter Murray

Sworn subscribed
 before me this 8th: day
 of September A.D. 1854.
 [signed] D.F. Newfom
 Co: Clerk

[pg. 2]

Admission to District & County Courts

[pg. 3]

State of California
 County of San Luis Obispo |ss
 [tape on page makes text garbled]

District Court of the 2 Judicial District County of San Luis Obispo, do hereby certify that on Tues-day September 5th: 1854. Walter Murray Esq was examined in open court and being

found duly qualified, was admitted to practice as attorney and Counsellor in this court, and I do further certify [sic] that the same is entered upon the minutes of that court.

[county seal]

In Witness whereof I hereunto Sep. my hand, and affix the seal of said Court this 7th day of September A.D. 1852,.

[signed] D.J. Newfom
Clk: Dst: Court

I do solemnly swear that I will support the constitution of the United States, and the Constitution of the State of California, and will perform the duties of Attorney & Councillor to the best of my knowledge and ability.

[signed] Walter Murray

Sworn subscribed
before me this 7th day
of Septembe [sic] A.D. 1854
[signed] D. F. Newfom
Clerk: Dst: Court

Reward Notice

\$3000 Reward.

The above reward will be paid for the apprehension and delivery (dead or alive) to the Undersigned, of Jack Powers, Pio Linares, Rafael Money o Rafael Herrada, o el Huero Rafael, Miguel Blanco, Disederio Grijalva [sic], Froilan Servin, Jesus Valenzuela, Luciano, el Mesteno y Nieves Robles, or \$500 for ~~the~~ each of the four first named persons, and \$200 each for the remainder. Whoever shall give information which will lead to the detection of these offenders, shall receive the above reward, if taken by the Sheriff or his posse.

Fransisco Castro
Sheriff of San Luis Obispo

The following persons guarentee [sic] the payment of the above reward

Wm L. Beebee	Capt. D.P. Mallagh
Walter Murray	Capt. F. Hilliard
Bernardo Lascano	John M. Price
Don Tomas Herrera	C.G. Abby
Nicolas Revello	Augustin Alvarello
S.A. Pollard	

Vigilance Committee death sentence of Miguel Blanco

[June 14, 1858]

[pg. 1]

The San Luis Obispo Executive Committe [sic] of Vigilance after mature deliberation, and reform the full confesion [sic] of Prisoner Miguil [sic] Blanco, do hereby find him Guilty of murder in the first degree committed on the 12th day of May last, whom the bodies of Bartolome Baratie and M. Boral at the rancho of San Juan Capistrano in this County - also of the Crime of Murder in the first degree committed the same day at the ranch of Camate, whom the body of Jack Gilky, an American, also of the crime of being accesory [sic] after the fact to the Murder committed on the 1st day of December last up on the bodies of Pedro Abiesa and Graciano, on the Peach Tree road in this County - Also of the Crime of Murder in the first degree, committed on the 12th day of June present at the Osos rancho in this County whom the body of John Matlock, who was killed by and with the assistance [sic] of the said ~~Desiderio Grijalva~~ Miguil Blanco at the time and place above mentioned, (by means of the armed [written between the lines]) ~~afor stated~~ ~~to the~~ (resistance made by the, said whigned [sic] B layed and others [written between the lines]) execution of a Warrant to arrest the said culprit with other criminals, said Warrant being in the hands of Franco Castro, the Sheriff of this County, also of the Crime of attempt to commit Murder made

[pg. 2]

at the last mentioned time and place upon the bodies of Wm. Coates and one Rofs and divers [sic] other persons, forming part of the posse [sic] of said Sherriff [sic], And we do hereby adjudge the said Culprit to suffer the penalty of Death, [underlined at a later date] to be inflicted by hanging by the neck until he be dead, at the hour of one o Clock P. M. of Monday the 14th. day of June A. D. 1858.

[signatures]
 Wm. L. Beebee
 Thomas Herrera
 Fredk. Hilliard
 John M. Price
 W. J. Graves
 Nicolo Revello
 A. Albarelli
 Walter Murray
 B. Lazcano
 D. P. Mallagh
 C. G. Abbey
 S. A. Pollard

Sentence of Desiderio Grijalva

[accession #1952.305.021]

[pg1]

The San Luis Obispo Executive Committee of Vigilance, after mature deliberation, and upon the full confession of the prisoner Desiderio Grijalva, do hereby find him guilty of Murder in the first degree, committed on the the 12th day of May, last past, upon the bodies of Bartolomé Baratié and Th. Borel, at the rancho of San Juan Capistrano in this county - also of the crime of Murder in the first degree, committed the same day at the rancho of Camate, upon the body of Jack Gilkey, an American, - also of the crime of being accessory after the fact to the murder committed on the first day of December last past, upon the bodies of Pedro Obiesa and Graciano, on the Peach Tree road, in this County - also of the crime of Murder in the first degree, committed on the twelfth day of June present at the Osos rancho in this County upon the body of John Matlack [sic], who was killed by and with the assistance of the said Desiderio Gujalva at the time and place above

[pg2]

mentioned, by means of the in armed resistance made by the said Desidero Graciano and others to the execution of a warrant to arrest the said culprit, with other criminals, said warrant being in the hand of Francisco Castha [?], the Sheriff of this County - Also of the crime of Attempt to Commit Murder mad at the last mentioned time and place upon the bodies of William Coates and one Ross [sic - Roth], and divers [sic] other persons, forming part of the posse [sic] of said Sheriff, And we do hereby adjudge the said culprit to suffer the penalty of Death, to be inflicted by hanging by the neck until he be dead, at the hour of one o'clock P.M. of Monday the 12th day of June, A.D. 1858.

[signatures]

Wm. L. Beebee
 Tomas de Herrera
 David P. Mallagh
 W. G. Graves
 Fridk. [sic] Hilliard
 A. Alberelli
 B. Lazcano
 John M. Price
 Nicoli Revello
 Walter Murray
 B. Y. Abbey
 S. A. Pollard

Death Sentence of Jose Antonio Garcia by SLO Vigilance Committee
[June 8, 1858]

The Executive Committee of Vigilance of San Luis Obispo, after mature investigation, and upon the confession of the prisoner, Jose Antonio Garcia, a native of Santa Barbara, do find him Guilty of the Wilful Murder of Graciano and Pedro Obiesa, two Basque Frenchmen, at near the Aguage, six miles beyond San Miguel, on the Peach tree road, within this County, on Tuesday. The first day of December last past, And we do hereby adjudge him to suffer the penalty of Death, to be inflicted by hanging him by the neck until he be dead at the hour of one o'clock P.M. of Tuesday the 8th day of June, A. D. 1858.

[signatures]
Wm. L. Beebee
S. A. Pollard
Davis P. Mallagh
Thomas Herrera
Nicolo Rivello
Fredk. Hilliard
C. G. Abbey
Thomas Graves
Walter Murray
John M Price
A. Albarelli

Sentence of Luciano Tapia
[accession #1952.305.019]

The San Luis Obispo Executive Committee of Vigilance, after hearing the evidence in the case of Luciano Tapia, alias the Mesteño, do find him to be Guilty of the Crimes of Murder and Robbery, committed at San Juan Capistrano, on Wednesday May 12th A.D. 1858, on the bodies of Bartolo Baratie and M. Borel, two Frenchmen, and we do hereby adjudge him to suffer the penalty of Death, to be inflicted by hanging by the neck until he be dead. Said punishment to be put into execution today at the hour of three o'clock.

[signatures]
Wm. L. Beebee
Fredk. Hilliard
W. J. Graves
John M Price
David P. Mallagh
Toma de Herrera
Walter Murray
C. G. Abbey
Nicolo Revello
A. Albarelli

Sheriff's Letter to Committee Members
Sept. 27, 1861
Read and Laid on the table by Thm. Burton [clerk]

Sheriff's Office
San Luis Obispo County

To the Hon. Board of Supervisors
San Luis Obispo County

Gentlemen,

I beg leave to ask your attention to the condition of the county jail some two weeks since a vigilance committee broke it open the purpose of taking there from a prisoner there in custody. In so doing the front gate was broken in and the lock shattered to pieces, the front door was broken open and two cell locks destroyed. Consequently it is impracticable to secure a prisoners [sic] as the jail is at present I would likewise inform your honorable body that the handcuffs and shackles in my possession are worthless, and would recommend the purchase of 7000 and sufficient ones.

Very Truly
Fran. Castro [sheriff]
P.A. Forrester [sheriff]

Testimony of Andrea Barate

[accession #1952.305.023 A and B]

[filed June 29, 1858]

[signed by P. A. Forrester]

[pg. 1]

State of California County of San Luis Obispo	L. L.
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Andrea Baratie being duly sworn on her oath says, that on Monday the 10th day of May last a Mexican by the name of Luciano the Mesteño with two others arrived at the rancho of San Juan Capistrano, where she was living, with her husband, Bartolomé and ~~the~~ his partner M. José Borel, and asked to buy food. My husband Told them that he could not sell them what they wanted, but gave them what he had. About $\frac{3}{4}$ of an hour afterward some five others arrived, and the whole party slept in a house with the servants of the rancho that night. In the morning early they got up and left, going up the arroyo. On Wednesday, the 12th May, about 11 o'clock, one of the men returned and asked leave to be allowed to take off his saddle there. Borel gave him permission to do so, and he unsaddled and put his horse out to grass. About an hour and a half afterward, I was washing and heard a noise of shouting. I looked down where my husband, Borel, and the two

[pg. 2]

Californian servants were, and saw the smoke of the pistols. I could see no one fall, but notied [sic] that Ysidro was running away, and that two men on horseback pursued him and tied him. Then one man came up to the house alone and I asked him what they were doing down there. He replied that they were only fighting. I tried to enter the house, but the man told me not to go in. I asked why not? and he replied that if I entered he would shoot me. I then waited outside until the men brought up my husband and the two servants tied. They asked for the money, and Baratié offered to give up money and everything if they would only spare our lives. The Captain then placed a cloth on the ~~road~~ ground and divided the money into parts, and passed each portion to each one of the men. He also took from the drawer of a looking-glass, two gold watches, four large gold rings and two or three smaller ones, one pair of earrings [sic], four pearls for earrings [sic], and about two hundred dollars in gold slugs. One of the rings

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has engraved on it an A and an L, - another R. L. I delivered up the money when commanded to do so by the Captain and my husband. My husband was then wounded in the arm and shoulder. He appeared to have two wounds. I asked him if he were badly hurt. He replied no. The valuables the Captain placed in a handkerchief and held in his hand. Two men then entered and compelled my husband and I to go with them down the arroyo where there were some willow and sycamore trees. Here they stopped, and I saw one of them draw his pistol. My husband then stopped down as one of the men fired, the ball touching him in the shoulder, and the same man shot him in the head, killing him instantly. The same man then turned over the body and loosed the riata from his hands, and I covered his face with his hat and placed a coat which my husband had asked me to bring, over his body. The men then ordered me to come up to the house, under pain of death on refusal. I accompanied them thither, and on ar-

[pg. 4]

iving thither one of the men got up a black horse of my husband's and placed on it some clothes which I selected. He also saddled an American mare with my saddle, The captain then told me that one of the men would take me to some place from whence I would get home again whence I came. The man called the Mesteño then mounted a quattralvo horse; and another man told me that he (the Mesteño) would accompany me. We then set out, the man leading the black horse with the clothes. On the road the Mesteño told me that the rest of the men were all killed as well as my husband. He said that the rest of his party wished him to take me to a cave, and there keep me, until about five or six days had passed, and that then they would come and kill me. He said that he had replied to them that he would kill me himself. We went fast all Wednesday afternoon sleeping out in the camp. The only provision we had was a little biscuit and sugar. There was no grass nor was ther [sic] in the first camp. On Thursday

[pg. 5]

we traveled all day, as also Friday, and Saturday without coming to any house. At about 11 o'clock A.M. we reached the rancho of Hernandez, (Augustine) where I was well received by a woman. As I saw that they were all friends of the Mesteño's, I did not say anything to them on the matter. When we arrived the Mesteño asked for Hernandez. They said he was in San Juan. I only saw there the woman a boy and a man. We staid [sic] there that day and slept there at night. On Monday morning we set out and Traveled all day. We passed two small houses on the road. All night we reached the Espinosa rancho. There we found Espinosa and some other men all of whom were very friendly with the Mesteño. Here I slept in another house a few yards off, and the Mesteño cooked some beef which I ate. All day on Tuesday I staid [sic] there, I was very tired, and had been without food for four days, which had made me sick. On Wednesday we got to San Juan, where the Mesteño left me in a house with the wife of a

[pg. 6]

man named Chaves, about half a mile out of town. Chaves was not at home. The woman said that Chaves was out tending sheep. Of all of the houses the Mesteño was treated in a very friendly and familiar manner and I was afraid on that account to tell my story for fear that they would kill me. On Wednesday afternoon I went with the woman into San Juan, bought a pair of shoes and returned to the house. The Mesteño went away directly after arriving, leaving the horses at the house. He told the woman that they were my horses. He left the black horse and my mare. ~~The woman~~ A man in San Juan promised to send the horses on to San José by the first opportunity. I slept that night in a hotel at San Juan. The Mesteño when he left, gave me two twenty dollar pieces and two five dollar pieces. He said it was to pay my fare and expenses. In San José I told my story to a friend of my husband's. On Thursday I went to San José in the stage. On Friday morning early I went to Oakland there I declared my story to various persons who came

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to solicit information for the newspapers. I told my story in Spanish & English, and have since seen it in print, but very different from the way I told it. The man whom I first acquainted with my story was M Dutesh. I slept at San José in Madame Martin's hotel.

[signed] Andrea Baratie

Sworn to and subscribed before me this twenty ninth day of June, AD. 1858

[signed] José M. Aleruos
County Judge

Examination of Juan Herrera before the Executive Committee of Vigilance touching the murders of the two French men in the Nacimiento.

On the night of the day of the horse race in Santa Margarita, that is to say, Monday December 1st. I came to San Luis Obispo and happened to meet Juan Pedro Oliveras who told me that a plan was afoot to murder the two Bascos, and that John Powers, Pio Linares, Rafael el Huero, and Nieves Robles were following them with the intention of murdering[.]

Testimony of Jose Anto Garcia
[accession #1952.305.022]

[pg1]

~~Yous Pio Raphael Edubiga~~

Jose Antonio Garcia, sworn. - I was born in Santa Barbara, am 22 years of age. Harus Jack Powers, Pio Linares, the Huero Rafael, + Eduviquez. = About three or four days after the horse race of Jack Powers and Robinson and a week before the Horse-race at Santa Margarita, I had an interview with Jack Powers in Alvarelli's billiard room in San Luis Obispo. He collects himself and says that it was to the best of his recollection on Saturday, two days before the Paco race was seen, that Jack Powers talked with him. Powers. [sic] Powers invited him to help rob Graciano the Frenchman and his companion. Wanted to rob part of the cattle. Powers was about to leave for the horse-race, which was appointed to come off that day, ~~Powers~~ I set out in advance of Powers at 11 o'clock for Santa Margarita on a horse of my own. I had \$35 with me. On Sunday afternoon I saw Powers at Santa Margarita in the house of Joaquin Estrada. He had just reached there, alone, at about twilight. He then told me that Pio Linares, the Huero Rafael and Eduriquez were were to assist me. Jack Powers, myself and Eduriquez slept that night at the runner of

[pg2]

Joaquin Estrada's garden fence. We got up before break of day and Powers complained that the rest had not come. About daybreak we saw Pio Linares and the Huero Rafael coming along. Jack said, here they are. We then all set out and galloped over the main road, passed San Miguel and reached the Aguage six miles beyond ~~the~~ San Miguel on the Peach Tree road. Here we stopped on a side hill about one mile beyond the aguage, to feed the horses. Rafael and Pio Linares staid [sic] behind to water. We unsaddled our horses and saw one of the Frenchmen coming along the road [.]. We then saw Pio and Rafael retron [sic] on the road toward him. Shortly afterwards are heard shots fired, and Powers said, "How is this; those boys have done very ill," Afterwards we heard other [sic] shot, and Powers repeated his exclamations, and proposed that we should saddle up and go and see what was the matter. We then saddled up and went to the road, near the Aguage, and there saw the two dead bodies of the Frenchmen lying on the road fifty yards apart. I was terrified, felt sick, and went off to drink water and from there started home without talking any more to the rest. At San Miguel, Eduriquez reached me and gave

[pg3]

me \$200 which he said Jack Powers sent me. I then went to San Luis and from there went to Santa Barbara County.

Testimony of Luciano Tapia
[accession #1952.305.024 A+B]

[pg. 1]

Examination of Luciano Tapia before the Executive Committee of Vigilance of San Luis Obispo.

My name is Luciano Tapia. I was born in San Vicente in Lower California. My father and mother live in Los Nietos near Los Angeles. I came to San Luis from the Valle [sic], where I was hunting deer from the horse-runners of Chico Martinez, on Saturday May 8th, 1858. In San Luis I conversed with Santos ~~Romero~~ Peralta about taking the Frenchmen's money. He said that he had friends who would assist us to do it. I and the Pelado [sic] left here on Sunday about 6 or 7 A.M. sleeping at the Estrella that night. On Monday morning at Bareras' ranch. about two leagues further on I met with Santos, who had agreed with me to meet me there. There about [sic] I found Miguel Blanco, Froilan, and Huero Rafael; a Chileno, who knew the parties in Oakland, and from whose conversation I gathered that he had come expressly to San Luis, to prompt the robbery. There were about [sic] two other persons

[pg. 2]

whom I do not know, as I had not seen them before. Santos and Miguel Blanco are the only ones whom I had known before. We had ~~am~~ a conversation as to the robbery of the Frenchmen, - all the rest wishing to kill every one, and I and Miguel Blanco wishing to save her life. We went in the direction of San Juan Capistrano, and on the way we resolved to do nothing in the matter, on account of the dispute. We then went to the rancho and asked to buy provisions, which the Frenchmen refused to sell, but gave to us. We slept that night with the servants of the Frenchmen. On Tuesday morning we go up with the intention of catching some strayed horses in the Camate. I and Miguel separated from the rest to kill meat, but found none. Before now we reached Camate and found there the rest of the party who had got a quarter of venison from the American who lives there. (Gilkey) We staid [sic] there a spell and then ~~came~~ ~~back~~ went to the Agua de los Godornizos, where we camped for the night. In the

[pg. 3]

morning we went down stream, and I wished to leave the party, but Froilan followed me and told me that the Captain had ordered that no one should leave the party, under pain of death. We then went on to the rancho, - Miguel Blanco going on ahead and commencing the murder by killing the first French-man. We then rode up, and Miguel fired a shot at the other Frenchman, striking him in the shoulder. Others also fired at him. Froilan fired a shot at one of the servants.

The other ran away, and the Huero Rafael and another man headed him off. We then tied the two ~~Fren~~ servants and the Frenchman and took them tied to the house. Froilan went ahead and took the arms from the house, giving me a single barreled pistol. I took a five-shooter also. In the house, the Captain and the Chileno divided out the money, and Miguel Blanco handed me my share. The captain then ordered me to go with Froilan and kill the two servants out in the woods. We then went off

[pg. 4]

with them, I going ahead and Froilan behind, with one pistol in his left and one in his [right] hand. When we got off about two miles from the house ~~to~~ Froilan proposed that one of us should kill ~~the~~ one of them and the other should kill the remaining one. I proposed to let them live, and he agreed. I then loosed them, and I gave one of them five dollars; Froilan giving the other the same amou[trails off] We then came back to the houses and found there the woman alone with the rest of the band. They were preparing to leave. The captain then took the pistol from me. I then went in and told the woman to get on horseback and I would save her. There black horse saddled [sic], laden with the woman's clothes, and a mare with a side-saddle. The men ordered me to take the women [sic] to the caves in the Estera. I took her off in another direction, with the intention of saving her. I took her off by the way of the Avenales and the rancho of Hernandez to San Juan, where I left her in the house

[pg. 5]

of Julian Chaves, the sheep drover. Of the money which I got for my share I paid out as follows:

-	
To one of the servants saved	\$5.00
Spent in Chaves's house	10.00
To the woman, (4=200 & 2=50)	90.00
For two horses, at Angel Castro's	190.00
Taken from me by Brown	30.00
In San Juan, (meat & segars [sic])	2.50
In rancho Hernandez	5.00
	<hr/>
	\$332.50

The captain took also from me my rifle.

APPENDIX B

El Clamor Publico

Ramirez, Francisco. "San Luis Obispo: Asesinato-Linchamientos, Atrocidades, &, &c." *El Clamor Publico*, v3 n49 (June 5, 1858) 2. Accessed 10/19/15:

<http://digitallibrary.usc.edu/cdm/fullbrowser/collection/p15799coll70/id/329/rv/compoundobject/cpd/332/rec/1>

San Luis Obispo: Asesinato, Linchamientos, Atrocidades, &, &c.
[in Spanish]

Han circulado desde algunos días los rumores de la muerte de dos franceses en las inmediaciones de San Luis Obispo, pero no se daban ningunos detalles. El señor Don Jose Maria Romero, una persona cuya veracidad es digna de todo respeto, que acaba de llegar a esta ciudad, nos suministra los siguientes pormenores de los asesinatos y de las abominables atrocidades cometidas contra individuos de nuestra raza, so pretexto de castigar a los autores del crimen:

Como a veinte leguas de San Luis Obispo, existe un rancho, fundado recientemente por dos franceses (de cuyos nombres nuestro informante no se acuerda) a quienes se suponía que tenían dinero. El martes 17 de Mayo, llegaron ocho individuos bien armados y montados, quienes pidieron algo para comer. Fueron muy bien recibidos por los franceses, y se les sirvió de lo mejor que tenían. Después de esto se marcharon y en la mañana del miércoles se aparecieron otra vez, pero de una manera muy diferente. Al acercarse a la casa, avanzaron en violencia de carrera, disparando sus armas. Los dueños de la casa se imaginaron que era por divertirse, pero luego vieron que sus intenciones eran del todo siniestras, porque disparaban los tiros contra ellos. Los franceses tenían dos mexicanos o californios como sirvientes que les ayudaban en el trabajo del rancho: uno de ellos había salido al campo y el otro estaba en la casa cuando llegaron los ladrones. Los dos franceses se alarmaron como es de suponerse, estando desprevenidos contra un ataque tan brusco como este, y su primer esfuerzo fue suplicar a los ladrones que no los mataran y que les darían todo lo que poseen con tal que no les hicieran ningun dano. Una señora (también francesa) se puso de rodillas para pedir misericordia y excitar la compasión; pero los asesinos, que habían ahogado en sus corazones todo sentimiento de humanidad, se desentendieron de los sollozos de la mujer y de la ardiente súplica de estos desgraciados. En aquel momento los dos perecieron traspasados a balazos. El sirviente también fue herido, y el otro que estaba en el campo, al llegar a la casa, fue tomado prisionero. A la señorita la hicieron entregar el dinero, que ascendió a la suma de \$2,634.50. Después la montaron en un caballo y la obligaron a que los acompañara. Todavía se ignora cuál haya sido la suerte de esta infeliz muger.

Los dos sirvientes que hemos mencionado también fueron llevados como prisioneros. El jefe de los banditos, para mejor ocultar el horrendo crimen que acababa de cometer, despachó a varios de sus cómplices para que los asesinaran a cierta distancia del lugar en donde habían fijado su campo. La situación de estos dos infelices más bien se podrá imaginar que describir. Habían perdido ya toda esperanza de vivir, pero hicieron el último esfuerzo para ablandar el corazón de los banditos. Les suplicaron que no los mataran, que eran paisanos, y

que su muerte era inútil porque ya habían ellos conseguido el fin que deseaban. Después de repetidas instancias obtuvieron la promesa de que no les harían ningún mal. Los malvados ya estaban en sangre fría, y como esta era su primer hazaña en la carrera del crimen, no quisieron añadir más sangre a la que habían derramado. La compasión llegó a tal grado que perdonaron la vida a los destinados a muerte : les dieron cinco pesos a cada uno, y una reata para que tomaran un caballo. Finalmente, los banditos dispararon dos tiros y se volvieron al campo de su jefe, y este que oyó los balazos, creyó que habían cumplido con la orden.

Los dos sirvientes lanzaron un caballo, y llegaron al rancho de Mr. Mallard, en donde dieron noticia de los acontecimientos que hemos relatado. Uno de los sirvientes se quedó en este rancho, porque estaba muy enfermo de la herida que había recibido, y el otro se fue con Mr. Mallard para San Luis Obispo, con el objeto de dar parte a las autoridades y conseguir la aprehensión de los criminales. El mismo día que llegaron a San Luis Obispo, el sirviente conoció a uno de los que habían tomado parte en los asesinatos. Este era un tal Santos Robles, sonorense, natural de Sahuaripa. Tenía en su poder una mascada que había pertenecido a los difuntos, y en las bolsas se le encontraron otras dos mascadas que había quitado al mismo criado. Al ser tomado prisionero se puso pálido como la muerte y manifestó otras señales del delito en que había participado, pero protesta ser inocente. Fue puesto en la cárcel. Por la noche se notó una gran animación en la ciudad. La mayor parte del pueblo, a cuya cabeza figuraban todos los italianos y judíos que están empleados en el comercio, asaltaron la cárcel, le quitaron las llaves al Sheriff, y se apoderaron del reo. Este pidió un sacerdote para confesarse antes de morir, lo cual le fue negado. Así es como se hace justicia en este país en donde se pretende que hay *leyes*, que hay *derecho*, que hay *libertad*! Mienten! ...aquí, cuando se pretende castigar un crimen, se comete otro crimen mayor que el primero!

Siguiendo el ejemplo de las demás poblaciones de California, en semejantes casos, se formó un Comité de Vigilancia. Creemos que las autoridades de San Luis Obispo son bastante fuertes para sostener las *leyes*, si hubieran querido. Salieron partidas de hombres en todas direcciones para aprehender a las personas sospechosas. Pocos días después, esa canalla que se titula PUEBLO, ejecutó públicamente en San Luis Obispo a un hombre inocente llamado Joaquín Valenzuela, conocido más generalmente con el apodo del *Nacamereno*. Don David W. Alexander, que acaba de llegar a esta ciudad, y en cuyo rancho estaba empleado ese pobre hombre, dice que fue arrancado de su trabajo y del seno de su familia, y que nunca se había apartado por un solo momento de su casa. He aquí pues otro hecho de sangre, que marcará de eterna infamia a los *reformadores* de la *moral* y de la *justicia* en San Luis Obispo.

Pero esto no es todo. El Comité, compuesto como de cuarenta personas, hizo una visita a un tal Pio Linares, que vivía cerca de una milla de San Luis Obispo. El Sheriff dirige la expedición. Le intimaron al dicho Linares que iban con objeto de registrar su casa, él respondió que podían entrar, pero que no lo tomarían mientras tuviera modo de defenderse. Le dijeron que pegarían fuego a la casa si no se rendía lo cual llevaron a efecto. Linares se escapó en medio de la bulla, y su mujer e inocentes hijos que iban a ser presa de las llamas, se salvaron milagrosamente. La casa fue reducida a cenizas. Este hombre sería un criminal, pero esta no es la manera como se debía proceder contra él. Su familia a lo menos es inocente. Sin duda esta cuadrilla de santos habría hecho profundas libaciones de aguardiente antes de empezar la fiesta, porque le dieron de balazos a uno de sus mismos camaradas, creyendo que era ladrón.

Ya no podemos seguir por más tiempo esta relación sin horrorizarnos. Confiamos en la Providencia que ningun inocente haya sufrido igual suerte desde aquella fecha. Nosotros detestamos el crimen, y nos regocijamos cuando el delincuente sufre el castigo que merece. Pero nada aborrecemos más como cuando una turba de malvados, se toma sobre sí la responsabilidad de las leyes, y bajo el nombre sagrado del PUEBLO, descarga sobre el inocente todo su furor. Y que lastima que no haya leyes en nuestros codigos que castiguen a esos hombres que disponen a su antojo de la vida y de la propiedad del primero que cogen en sus manos! No... estos estan exentos de todo. No hay leyes para el que roba el tesoro público y se marcha para otro país a gozar el fruto de sus rapinas. Para el infeliz, para el desgraciado - para estos si hay leyes!

Para que nuestras autoridades estén en el quién vive, y procuren aprehender a alguno de los malhechores que cometieron los asesinatos de San Luis Obispo, daremos aquí los nombres de los principales que se creen implicados. El jefe es un tal Money, los demás son : Frauyland, Miguel Blanco, Desiderio Grijalba, (natural de Nuevo México) Nieves Robles, y Juan Herrada, (alias) el Tobacco. También se dice que Jack Power es uno de los cabecillas.

San Luis Obispo: Murderous Lynchers, Atrocities, & More
[in English]

They have circulated for several days rumors of the death of two Frenchmen in the vicinity of San Luis Obispo, but no details were given. Don Jose Maria Romero, a person whose veracity is worthy of respect, and who just came to this city, provided us with the following details of the murders and heinous atrocities committed against individuals of our race under the pretext of punishing the perpetrators:

About twenty leagues from San Luis Obispo, there is a ranch, recently founded by two Frenchmen (whose names our informant does not remember) who were supposed to have money. On Tuesday May 17, there arrived eight well-armed and mounted individuals who asked for something to eat. They were very well received by the French, who served the best they had. After that they left and Wednesday morning appeared again, but in a very different way. As they approached the house, they changed to violence, firing their weapons. The owners of the house figured it was for fun, but then saw that the intention was quite sinister, because the shots fired toward them. The Frenchmen had two Mexicans or *Californios* as servants helping them in ranch work: one of them had left the country and the other was in the house when the robbers came. The two Frenchmen were alarmed and caught unprepared against such an abrupt as this attack, and his first effort was begging the thieves, "do not me and I'll give you everything I can provide so long as you do not harm me." A lady (also French) knelt down to beg for mercy and compassion; but the murderers, who had drowned in their hearts all feelings of humanity, lost interest in the woman's sobs and fervent prayer for these unfortunates. At that moment they both were killed, pierced by bullets. The servant was also shot, and the other was in the field, out of reach of the house, so he was taken prisoner. The Miss did give the money, which amounted to the sum of \$2,634.50. Then they rode on a horse and forced her to accompany them. She was ignored and left, which has been the fate of this unhappy wife.

The two servants mentioned were also taken prisoner. The leader of the bandits, in order to hide the heinous crime he had committed, sent several of his accomplices to the murder the servants a ways away from the house. The situation of these rather unhappy two could not be imagined. They had lost all hope of living, but made a last effort to soften the heart of the bandits. Begged not to be killed, because they were civilians, and that their deaths were useless because they [the bandits] had gotten what they wanted. After repeated instances, they [the servants] obtained the promise that they would not be harmed. They [the bandits who had separated to kill the servants] were not wicked or cold-blooded, so they would not add more blood spilled. Compassion came to such a degree that the bandits not only spared the intended victims, but gave them five pesos each, and a rope to take a horse. Finally, the bandits fired two shots in the air and returned to the camp of their boss, who he heard the shots and believed that they had complied with the order.

The two servants took a horse, and reached the ranch of Mr. Mallard, where they gave news of the events we have described. One of the servants stayed at this ranch, because he was very ill from the wound he had received, and the other went with Mr. Mallard to San Luis Obispo, in order to give the authorities the story so they could apprehend the criminals. The

same day he came to San Luis Obispo, the servant met one of those who had taken part in the killings. This was a certain Santos Robles, a Sonora from Sahuaripa. He possessed a scarf that belonged to the deceased, and in his bags were found two other scarves that had been removed from the same servant. He was taken prisoner, then turned pale as death and showed other signs of the crime in which he had participated, but protested his innocence. He was put in jail. At night there was a marked excitement in the town. Most of the village, whose headed by what appeared to be all Italians and Jews who are employed in trade, stormed the jail, took the keys to the Sheriff, and seized the defendant. They called for a priest for confession before he was killed, which was denied. This is how justice in this country is intended. There are *laws*, there is *righteousness*, there is *freedom*! They lie! ...Here, when they intend to punish a crime, another major crime is committed first!

Following the example of other populations of California in such cases, it formed a vigilance committee. We believe that the authorities in San Luis Obispo are strong enough to sustain the *law*, if they wanted. They sent men heading in all directions to apprehend the suspects. A few days later, this dirty entitled TOWN, executed publicly in San Luis Obispo an innocent man named Joaquin Valenzuela, more generally known by the nickname of *Nacamereno*. Mr. David W. Alexander, who has just arrived in this city, and on whose ranch employed the poor man, said he was torn from his work and from the bosom of his family, and had but a moment before being taken from his home. This then is another bloody event, which will be a mark of eternal infamy *reformers of morality and justice* in San Luis Obispo.

But that is not all. The Committee, consisting of about forty people, visited a certain Pio Linares, who lived about a mile from San Luis Obispo. The Sheriff lead the expedition. They commanded Linares out in order to search his home. He replied that they could enter, but he would defend himself. He was told that they would light the house on fire if he did not surrender, which they did. Linares escaped amid the noise, and his wife and innocent children, who would have fallen prey to the flame, were miraculously saved. The house was reduced to ashes. This man might be a criminal, but this is not the way to proceed against him. At least his family is innocent. No doubt this gang of saints has taken deep libations of brandy before starting the party, because they shot one of their own comrades, believing that he was a thief.

We cannot continue any longer with this horrifying relationship. We must proceed, confident that no innocents have suffered the same fate from now on. We hate crime, and we rejoice when the offender suffers the punishment he deserves. But there is nothing we hate more then when a mob becomes evil, taking upon themselves the responsibility of the law, and under the sacred name of the TOWN, unload on innocents all their fury. And what a shame, there are no laws in our codes that punish those men who have, at will, taken life and property of the first person at hand! No ...they are exempt. For them, there are no laws against robbing the treasury and going to another country to enjoy the fruit of their robberies. For the unhappy, for the downtrodden - that is where there are laws!

So that our authorities are the ones to seek and apprehend any of the criminals who committed the murders in San Luis Obispo, I will give the names of the bands that are believed involved. The head is one such Money, the others are: Frauyland [sic], Miguel Blanco, Desiderio Grijalba, (native New Mexican) Nieves Robles and Juan Herrada, (alias) Tobacco. It is also said that Jack Power [sic] is one of the ringleaders.

APPENDIX C

List of Known Crimes in SLO

This list contains only what can be verified. Since there were so many tales of further murders beyond the reported incidents of violence, it is safe to assume that this list is far from comprehensive.

1848	<ul style="list-style-type: none"> • San Miguel Mission Murders - 10 murdered - 3 hung (somewhat legal) - 2 KIA
1849	<ul style="list-style-type: none"> • Ross Browne's experience - Murder-Suicide and assault
1850	<ul style="list-style-type: none"> • fight with <i>Los Chaguanosos</i> - 1 KIA - several WIA
1851	<ul style="list-style-type: none"> • Salomon Pico Gang captured - 1 lynched - several released
1852	nothing found
1853	<ul style="list-style-type: none"> • Joaquin Murrieta comes through town • 2 Peddlers murdered - 4 lynched (possibly up to 7, including a woman) - 1 KIA - more arrested, but released • Man attacked with a sword and constable kills bystander accidentally
1854	<ul style="list-style-type: none"> • Mateo Andrade lynched • 1 random murder, still with money in purse • Amerindian raid on drover, but he punched his way out
1855	<ul style="list-style-type: none"> • 8 random murder • Murder of Judge Isaac B Wall • Officials attacked - 2 murdered - posse has inconclusive shootout • barfight nearly turns to lynching
1856	<ul style="list-style-type: none"> • George Fearless murdered • 2 drovers murdered
1857	<ul style="list-style-type: none"> • 2 Frenchmen/Basque murdered
1858	<ul style="list-style-type: none"> • 1 german attacked • Casa de Dana attacked, no casualties • Baratier Attack - 3 murdered - 5 lynched - 2 KIA - 5 WIA - 3 innocents arrested statewide - 3 people with bounty escaped - 1 prisoner • Joaquin Valenzuela lynched • duel between Murray and Mallagh aborted • 1 unsolved murder • 1 solved murder
1859	<ul style="list-style-type: none"> • 1 murder w/ quick arrest • 2 Horse rustlers - 1 prisoner
1860	<ul style="list-style-type: none"> • John Price wounded - 1 KIA - 1 prisoner

	<ul style="list-style-type: none"> • 2 horse rustlers - 1 prisoner • 1 burglary • 1 assault w/ deadly weapon
1861	<ul style="list-style-type: none"> • 2 solved murder - 3 prisoners - 1 escapee • Shooting b/c secessionism • 1 rape - 1 lynching • Horse rustlers - 1 KIA - 1 prisoner
1862	<ul style="list-style-type: none"> • 2 murdered - vigilantes take 4-5 false arrests
1863	<ul style="list-style-type: none"> • 1 suicide

KIA = Killed in Action, as in during a shootout with vigilantes or authorities

WIA = Wounded in Action

Later known murders*:

- 1 murder in 1868
- 3 murders in 1869
- 2 murders in 1871
- 4 murders in 1874
- 1 murders in 1875
- 2 murders in 1878

*as reported by Myron Angel, *History of San Luis Obispo County (CA: Thompson & West, 1883) 304-311.*

List of Linares Gang Members

	name	resolution
1	Pio Linares	KIA
2	Jack Powers	Probably executed in Sonora, Mexico
3	Miguel Blanco	Lynched
4	Nieves "Eduriquez" Robles	Lynched
5	Froilin Servin	Legally imprisoned till death
6	Desidero Grijalva	Lynched
7	Luciano "Mesteno" Tapia	Lynched
8	Rafael "Huero" Herrada (or Money)	Possibly KIA or lynched
9	Antonio Garcia	Lynched
10	Santos Peralta	Lynched
11	Jesus Valenzuela	Escaped
12	unnamed Chilean	Unknown

APPENDIX D

