

Asserting Their Racial Order:  
The Origins of The Los Angeles Chinese Massacre of 1871

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### Dedication

The thesis is dedicated to the victims of the Los Angeles Chinese Massacre of 1871. The story of their murder amid one of the deadliest mass lynchings in American history has largely fallen victim to historical obscurity and misunderstanding. This story is for the following men:

Gene Tong  
 Wa Sin Quai  
 Chang Wan  
 Leong Quai  
 Joung Burrow  
 Ah Long  
 Wong Chim  
 Tong Wan  
 Ah Loo  
 Wan Foo  
 Day Kee  
 Ho Hing  
 Ah Wan  
 Ah Cut  
 Lo Hey  
 Ah Wan  
 Wing Chee

At Least 2 Unidentified Victims<sup>1</sup>

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Note on Chinese Names– Because all surviving sources on the Los Angeles Chinese Massacre are in English, Chinese names are spelled as they appear within the 19<sup>th</sup>-century Los Angeles newspapers and court cases. Chinese characters and modern Chinese-language transliterations are unfortunately unavailable.

<sup>1</sup> “The Tragedy of Negro Alley,” *The Los Angeles Daily News*, October 26, 1871, Readex: America’s Historical Newspapers, <https://infoweb-newsbank-com.ezproxy.cul.columbia.edu/apps/readex/doc?p=EANX&docref=image/v2%3A15DF0623DE2A18D2%40EANX-165C806FD6067168%402404727-165C30485F4E9A48%402>.

## Introduction

### *A Prophecy for an Anti-Chinese Riot*

“We had a dream. We saw that most horrid of horrors, a mob in their frenzy, drunk with blood and whisky, headed by two notorious demagogues, who called upon the multitude in the name of Christianity and civilization to drive the Chinamen from San Francisco...

There were no punishments and no arrests. The world lifted up its hands in horror at the new St. Bartholomew; but that did not hurt the bloodthirsty wretches who had been guilty of the massacre. The name of the city bore a stain that never could be washed out...

The projected mob, we are confident, will never be organized; there are too many people who desire to maintain the value of real estate here, and to advance the general prosperity of San Francisco.”<sup>2</sup>

The above excerpts from an editorial called “A Dream of an Anti-Chinese Riot,” published in San Francisco’s *Daily Alta California* on July 31<sup>st</sup>, 1870, predicted the possibility of an anti-Chinese attack on an unprecedented scale. Only two “demagogues” would be needed to stir a massive mob to murder and drive out the city’s entire Chinese population, a deed that would go unpunished. The editorial correctly states that no such event would ever occur in San Francisco, but prophesizes the events of the following year’s Los Angeles Chinese Massacre with frightening accuracy.

On the night of October 24<sup>th</sup>, 1871, a mob of roughly 500 residents of Los Angeles stormed the neighborhood of Calle de los Negros in response to the killing of a white man by a

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<sup>2</sup> “A Dream of an Anti-Chinese Riot,” *Daily Alta California*, July 31, 1870, California Digital Newspaper Collection, <https://cdnc.ucr.edu/?a=d&d=DAC18700731.2.38&e=-----187-en--20--1--txt-txIN-alta+california+31+July+1870-----1>.

This article from the *Daily Alta California*, as well as articles cited in the *Los Angeles Daily Star* and the *Los Angeles Daily News* are also cited in Scott Zesch’s *The Chinatown War*, but were discovered independently through database research. *The Chinatown War* is a valuable resource on the history of the Los Angeles Chinese Massacre of 1871 that has constructed a highly detailed narrative history of the event using surviving primary source accounts. Although the narrative retelling in “The Night of October 24<sup>th</sup>” frequently cites Zesch, the thesis differs from *The Chinatown War* in its effort to investigate the racism behind this attack rather than the exact circumstances that prompted the Massacre.

group of Chinese alleged gang members.<sup>3</sup> Over the course of only a few hours, the mob killed at least 19 Chinese immigrants, 10% of the city's Chinese population, committing one of the deadliest acts of racial violence in American history.<sup>4</sup> The fictional narrative detailed in the *Daily Alta California* did not manifest in San Francisco, the urban hub of Chinese American society as well as anti-Chinese activism, but in Los Angeles, a smaller city with a much smaller Chinese population.<sup>5</sup> Why was Los Angeles the eventual home of this prophesized anti-Chinese riot?

In existing narratives of early Chinese American history, the Los Angeles Chinese Massacre is frequently mentioned as a particularly deadly incident of anti-Chinese violence, a fact that makes the lack of detailed historical analysis of this subject surprising. Attempts to examine and differentiate the specific conditions that prompted this Massacre, so far removed in time and space from other notable anti-Chinese attacks, are rare. Rarer still are interpretations of the uncomfortable fact that the Massacre's perpetrators included not just white settlers, but also a significant number of ethnic Mexican community members. While the Los Angeles Massacre was undoubtedly symptomatic of the broader landscape of anti-Chinese racism, an examination of the Massacre's immediate causes and the process of racialization within Los Angeles's diverse population yields invaluable insight into the Massacre as well as the dynamic nature of race and racism in 19<sup>th</sup>-century California. Moreover, better understanding the historical origins of anti-Asian racism is imperative for an appropriate negotiation of rising anti-Asian violence and antipathy in the present day.

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<sup>3</sup> Scott Zesch, *The Chinatown War: Chinese Los Angeles and the Massacre of 1871* (New York: Oxford University Press, 2012), 133.

<sup>4</sup> *Ibid.*, 150.

<sup>5</sup> *Ibid.*, 159.

*The Night of October 24<sup>th</sup>*

The Los Angeles Chinese Massacre of 1871 erupted over a conflict between two rival Chinese *huiguan* leaders over their disputed ownership claims to a Chinese prostitute named Yit Ho.<sup>6</sup> *Huiguan*, translated in English language sources as “companies,” were the mutual aid organizations that served a broad range of functions in the young Chinese American communities of 19<sup>th</sup>-century California.<sup>7</sup> Yo Hing and Sam Yuen, who led the Hong Chow and Nin Yung *huiguans* in Los Angeles, respectively, competed locally in the trafficking of prostitutes and other illicit businesses in Chinatown, but the dispute over Yit Ho finally caused their rivalry to boil over.<sup>8</sup> In October of 1871, fighters associated with Yo Hing and Sam Yuen’s *tongs*, Chinese secret societies associated with gang activity, arrived in Los Angeles from San Francisco on steamboats in preparation for the impending turf war.<sup>9</sup> The *Los Angeles Daily News* reported that members of the rival Chinese *huiguans* purchased as many as 600 firearms across the city in the days preceding the massacre.<sup>10</sup>

On October 24<sup>th</sup>, members of the Hong Chow *huiguan* shot and killed Ah Choy, a member of the Nin Yung *huiguan*, inciting a public shootout between Los Angeles’s rival companies along Calle de los Negros, the main street in the city’s Chinatown.<sup>11</sup> Policeman Jesús Bilderrain rushed to the scene after hearing gunfire from a nearby saloon, following the Chinese gunmen into the Wing Chung store, owned by Sam Yuen and the Nin Yung company. Outside of

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<sup>6</sup> Paul R. Spitzerri, “‘Shall Law Stand for Naught?’: The Los Angeles Chinese Massacre of 1871 at Trial,” *California Legal History*, 2008, 187, <https://link.gale.com/apps/doc/A225794132/LT?u=columbia&sid=summon&xid=3ab47706>.

<sup>7</sup> Hao Zou, “Tracing Their Transpacific Tradition: A Reconstruction of the Organizational and Functional Characteristics of the Nineteenth-Century San Francisco Huiguan,” *Chinese America: History and Perspectives*, 2019, 54-55, <https://link.gale.com/apps/doc/A634052267/EAIM?u=columbia&sid=summon&xid=59f9fecf>.

<sup>8</sup> Zesch, *The Chinatown War*, 110.

<sup>9</sup> *Ibid.*, 43, 120.

<sup>10</sup> “The Tragedy of Negro Alley,” October 26, 1871.

<sup>11</sup> Zesch, *The Chinatown War*, 121, 13.

the store, Bilderrain was shot and wounded by the unidentified gunmen and a teenage bystander named Juan José Mendibles was shot in the leg. A white rancher named Robert Thompson then entered the Wing Chung store, where he was shot and fatally wounded by the Chinese fighters.<sup>12</sup>

After the shooting of Bilderrain, Mendibles, and Thompson, Los Angeles's police officers blockaded Calle de los Negros, forcing the entire Chinese population into an adobe structure called the Coronel Building in an attempt to identify and arrest the guilty gunmen.<sup>13</sup> An armed crowd headed to Calle de los Negros after hearing that the Chinese were shooting at white men. After Robert Thompson died, an hour and a half after being shot, anger at the Chinese heightened and the crowd swelled to an estimated five hundred strong.<sup>14</sup> The armed gunmen responsible for the earlier shootings escaped amid the chaos, and the Coronel Building's walls were the only defense between dozens of innocent Chinese immigrants and the furious mob.<sup>15</sup>

For three hours, the mob desperately tried to break into the adobe structure to reach the dozens of hiding Chinese men and women. Men climbed the roof of the Coronel Building, madly slashing through the roof with axes and shooting at the Chinese beneath with their pistols.<sup>16</sup> During this time, a Chinese man armed himself with a hatchet and escape through the crowd, but was quickly apprehended. The mob dragged the man to a nearby gateway, forced a rope around his neck, and hoisted him upon their makeshift gallows—this was the first lynching of the night.<sup>17</sup> By 9 o'clock, the mob finally broke into the building, setting off a brutal and efficient

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<sup>12</sup> Zesch, *The Chinatown War*, 122-123.

<sup>13</sup> *Ibid.*, 128.

<sup>14</sup> *Ibid.*, 133; "Tragedy in Negro Alley," *The Los Angeles Daily News*, October 25, 1871, Readex: America's Historical Newspapers, <https://cdnc.ucr.edu/?a=d&d=LADS18711025&e=-----187-en--20--1--txt-txIN-Los+Angeles+star----->.

<sup>15</sup> Zesch, *The Chinatown War*, 128-129.

<sup>16</sup> *Ibid.*, 134-136.

<sup>17</sup> "The Los Angeles Massacre: Particulars of the Wholesale Lynching of Chinamen—An Eyewitness' Account," *The New York Times*, November 10, 1871, <https://www.nytimes.com/2022/09/14/us/massacre-chinese-los-angeles-1871.html?referringSource=articleShare>.

massacre that targeted any Chinese person in sight. Surviving accounts convey a scene of unspeakable racial violence, whose cruelty and death toll could hardly be measured by existing precedent. Eight Chinese men were dragged out and publicly beaten and hanged with whatever materials were on hand. One man was killed after being dragged over stones by a rope tied around his neck. Three men were hanged on a nearby wagon, and four others were hanged on the gateway of a nearby corral.<sup>18</sup> On Los Angeles Street, six Chinese, including a young boy, were hanged from the awning that extended from right in front of their residences.<sup>19</sup> A doctor named Gene Tong pleaded with the crowd for his life in both English and Spanish, but was unmercifully hanged. His body was found with one finger missing, cut off to steal the rings he wore.<sup>20</sup>

In response to these violent acts, Los Angeles's law enforcement mounted a timid response: some officers helped Chinese men and women escape Calle de los Negros, while others attempted to prevent the looting of Chinese businesses. At no point in the night did any police officers make any arrests or use their weapons to prevent the ongoing hangings.<sup>21</sup> The police were ineffective in either stopping the ongoing massacre or preventing the disastrous plundering of an estimated \$14,000 to \$30,000 of Chinese property.<sup>22</sup> Citizens who tried to prevent further lynching were threatened by the crowd with murder.<sup>23</sup>

Over the course of four hours, 19 to 22 Chinese men were lynched, shot, or stabbed to death.<sup>24</sup> According to the most recent census in 1870, Los Angeles had at least 179 Chinese

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<sup>18</sup> "Chinese Massacre at Los Angeles in 1871" (Los Angeles: Curran & Bireley, Printers, 1894), 24, [http://www.chinacultureandsociety.amdigital.co.uk/Documents/Details/Z129\\_08\\_0249](http://www.chinacultureandsociety.amdigital.co.uk/Documents/Details/Z129_08_0249).

<sup>19</sup> "Tragedy in Negro Alley," October 25, 1871.

<sup>20</sup> "Chinese Massacre at Los Angeles in 1871," 24.

<sup>21</sup> Zesch, *The Chinatown War*, 134, 146.

<sup>22</sup> "The Los Angeles Massacre: Particulars of the Wholesale Lynching of Chinamen."

<sup>23</sup> Zesch, *The Chinatown War*, 145.

<sup>24</sup> Victor Jew, "The Anti-Chinese Massacre of 1871 and Its Strange Career," in *A Companion to Los Angeles*, ed. William Deverell and Greg Hise (Chickester, West Sussex, U.K.: Wiley-Blackwell, 2010), 117; William David Estrada, *The Los Angeles Plaza: Sacred and Contested Space* (Austin: University of Texas Press, 2008), 75.

residents, meaning roughly 10% of the city's Chinese population was murdered within a single night.<sup>25</sup> The legal proceedings that followed the Massacre did little to address the injustice and trauma inflicted upon the Chinese community. In 1872, eight men were convicted of manslaughter for their participation in the lynch mob, but their sentences were overturned by the California Supreme Court just one year later.<sup>26</sup> Adhering to the *Daily Alta California's* prophesized anti-Chinese riot, the Massacre's perpetrators were left unpunished.

That this attack was racially motivated goes without saying. In response to the murder of a single white man who intervened in a Chinese criminal dispute, the mob indiscriminately targeted any Chinese person within reach. The racist motivation of the murderers themselves and the widespread solidarity that bystanders felt towards the mob's extralegal violence was demonstrated repeatedly by mainstream, contemporary accounts of the events. The very first article covering the massacre in the *Los Angeles Daily Star*, entitled "The Chinese Outrage," begins by describing the crimes of the Chinese community in explicitly racist terms, rather than mentioning the anti-Chinese mass lynching: "The horrible assassinations which were perpetrated in our city last night by the brutal, uncivilized barbarians that infest the country, is an indication of what the consequence would be were their race transmigrated in large numbers upon this coast."<sup>27</sup> The shooting of a single white man seems to take prominence over the atrocities committed against the Chinese community in the eyes of this publication, one of the city's main

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<sup>25</sup> Isabella Seong-Leong Quintana, "National Borders, Neighborhood Boundaries: Gender, Space and Border Formation in Chinese and Mexican Los Angeles" (University of Michigan, 2010), 180.

<sup>26</sup> "Indictments for the Chinese Riot, Los Angeles Criminal Court, Case No. 01089," *Los Angeles Area Court Records, 1850-1910.*, March 26, 1872, Huntington Library; "People v. Crenshaw, 46 Cal. 65 (1873)," Caselaw Access Project, accessed October 15, 2022, <https://cite.case.law/cal/46/65/>.

The circumstances surrounding the manslaughter convictions and California Supreme Court decisions will be discussed in Chapter III.

<sup>27</sup> "The Chinese Outrage," *The Los Angeles Daily Star*, October 25, 1871, California Digital Newspaper Collection, <https://cdnc.ucr.edu/?a=d&d=LADS18711025&e=-----187-en--20--1--txt-txIN-Los+Angeles+star----->.

newspapers during this time.<sup>28</sup> The rage that the lynch mob felt towards their Chinese neighbors had complex and diverse origins; the murder of a white citizen was merely the catalyst for their cruel onslaught. Whether the Chinese victims participated in the shooting in the first place was irrelevant. Their race alone determined their guilt.

*A New Approach to the Los Angeles Chinese Massacre*

Scott Zesch's *The Chinatown War* and other secondary source literature has already performed the painstaking work of combing through myriad primary source accounts to piece together the specific series of events that led up to the Los Angeles Chinese Massacre. With this in mind, the thesis will not lend excessive attention to the workings of the 19<sup>th</sup>-century Chinese criminal underground or the specific disputes between Los Angeles's *huiguan* that ultimately led to the murder of Robert Thompson. Instead, this paper aims to answer a more challenging and pressing question: what was the specific character and origin of anti-Chinese racism in Los Angeles that allowed for the death of a single white man to erupt into such unprecedented racial violence? Considering the prevalence of Sinophobia across the mid- to late 19<sup>th</sup>-century United States, the particular nature of anti-Chinese sentiment in Los Angeles that led to this extreme outbreak of violence makes such a study urgent.

In the present historiography surrounding the Los Angeles Chinese Massacre, this event is largely characterized as one particularly brutal chapter within a broader history of anti-Chinese violence. Beth Lew-Williams's *The Chinese Must Go* and Jean Pfaelzer's *Driven Out: The Forgotten War Against Chinese Americans* are two of the most comprehensive histories of anti-Chinese attacks and anti-Chinese racism in the 19<sup>th</sup> century. In these survey-level overviews of

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<sup>28</sup> Estrada, *The Los Angeles Plaza*, 4.

events spanning the entire Western United States from the mid- to late 19<sup>th</sup> century, Lew-Williams and Pfaelzer examine an escalating sequence of incidents to trace the emergence of widespread support for ethnic cleansing of the Chinese population through legal policies and extralegal violence alike. Despite its massive scale, the 1871 Massacre occupies a minor role in these histories, which make little differentiation between the local factors influencing anti-Chinese violence in disparate regions like Los Angeles and the Washington Territory, set apart by unique histories, economies, and geography. Still, their accounts are highly useful for understanding the character of anti-Chinese racism in the Western United States and for understanding the broader scope of anti-Chinese violence.

The primary explanation that has emerged to address the question of why Los Angeles was the specific site of a large-scale anti-Chinese massacre relates to the city's reputation for lawlessness and its longstanding notoriety for vigilante violence. For example, Zesch highlights the city's high murder rate and widespread gun ownership.<sup>29</sup> Victor Jew's "The Anti-Chinese Massacre of 1871 and Its Strange Career," and William David Estrada's *The Los Angeles Plaza: Sacred and Contested Space* similarly employ Los Angeles's tradition of mob violence as a major explanation for why anti-Chinese racism took an especially violent turn in this city. The confluence of Sinophobia and a particularly violent town, then, could spell the ingredients for a racially motivated mass lynching on such a horrific scale. While it is true that Los Angeles may have had a higher murder rate than a city like San Francisco, this explanation does not uncover the actual source of the town's widespread anti-Chinese animosity. Similarly, the city's history of mob violence hardly explains the Massacre's emergence in Los Angeles, seeing as the

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<sup>29</sup> Zesch, *The Chinatown War*, 24-25.

lynching of Chinese Americans was a statewide phenomenon rather than a local one. Out of 302 lynchings in California from 1849 to 1902, 200 had Asian targets.<sup>30</sup>

It is instead the unique historical context surrounding the Los Angeles Chinese Massacre of 1871, as well as the unique history of Los Angeles, that makes this tragedy stand apart from other major incidences of anti-Chinese violence. First, this conflict arose without the presence of local economic competition between Chinese immigrants and their working-class white counterparts. Instead, the Massacre emerged as a form of extralegal mob violence without a proximate economic conflict or even the pretext of economic competition. Second, the Los Angeles Massacre's lynch mob was a multiracial and multiethnic coalition with widespread participation by both white settlers and ethnic Mexicans, including both native-born Californios, who descended from older Spanish and Mexican settlers, and more recent Mexican immigrants. The lack of an economic catalyst and the diverse racial makeup of the lynch mob mean that typical explanations for anti-Chinese violence—such as the desire to reinforce white supremacy and white economic dominance—are insufficient interpretations of the Los Angeles Chinese Massacre. To more adequately assess the reasons for this massacre, it is necessary to outline the history of anti-Chinese racism in the Western United States as well as the unique history of Los Angeles in order to appropriately investigate the reasons for this violent tragedy's emergence under such unique conditions.

Chapter I examines the Los Angeles Chinese Massacre within the broader history of anti-Chinese violence in the Western United States. This section will begin with an overview of early Chinese American history before discussing the anti-Chinese attacks that preceded and followed the events of 1871. These attacks across the Western United States were perpetrated by the

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<sup>30</sup> Jean Pfaelzer, *Driven Out: The Forgotten War Against Chinese Americans* (Berkeley: University of California Press, 2008), 54.

region's white settlers, whose racist views and economic insecurity propelled the increasing popularity of anti-Chinese sentiment. To investigate how outbreaks of racial violence could emerge in a city where the economic dominance of white settlers was hardly in jeopardy, this section will use newspaper articles from 19<sup>th</sup>-century Los Angeles to interpret the principal intent of the lynching and the particular forms of racism that motivated the Massacre.

Chapter II examines an even more puzzling aspect of this massacre—the mass participation of Californios and Mexican immigrants in an anti-Chinese attack. White supremacist movements of the 19<sup>th</sup> century championed Chinese exclusion efforts, so the prominent participation of Californians whom whites generally categorized as non-white in the Massacre warrants further investigation. Were these ethnic Mexican members of the lynch mob accomplices to a white-led campaign? Or, were there specific grievances that caused ethnic Mexicans to eagerly join an anti-Chinese lynching initiated by the killing of a white man? This section involves an analysis of census data and the court cases that followed the Massacre to identify the specific members of the lynch mob and trace the reasons for their participation.

Chapter III focuses on the legal proceedings that led to the lack of justice for the Los Angeles Chinese Massacre's victims. Although several men suspected of leading the killings were tried for murder, their manslaughter convictions could hardly be considered a sufficient measure to bring about justice. The reversal of their sentences by the California Supreme Court seemed to further suggest the expendability of Chinese lives. This final section engages in a close reading of the surviving records of key court cases that followed the Massacre to determine the role of the victims' race in these legal outcomes.

## Chapter I: Anti-Chinese Violence in the Western United States and the Origins of the Los Angeles Chinese Massacre

### *A History of Early Chinese America*

Although the Los Angeles Chinese Massacre of 1871 stands out as a particularly brutal incident in California's early history, this mass lynching did not emerge in a vacuum. Situating this event within the broader historical context of 19<sup>th</sup>-century anti-Chinese violence is essential towards interpreting the principal intent of the Massacre's white perpetrators.

The first wave of Chinese immigration to the Western United States can be attributed to the confluence of challenging conditions at home and the new promise of untold riches abroad. Although China's Qing Dynasty was the largest and most powerful economy in the world from the 16<sup>th</sup> to mid-18<sup>th</sup> centuries, the empire had been militarily and economically dominated by Europe and the United States after the devastating Opium Wars and the series of unequal trade treaties that followed during the mid-19<sup>th</sup> century.<sup>31</sup> The greatly diminished might of the Chinese empire prompted a massive wave of emigration to regions with better economic prospects, including California and Southeast Asia.<sup>32</sup> By the end of 1848, Hong Kong publications had already begun reporting on a lucrative gold rush underway across the Pacific in California. Huge quantities of gold were reportedly being extracted, and the process of panning for the precious metal was not complicated.<sup>33</sup> During a period of decline in a once-powerful empire, the California Gold Rush seemed an especially attractive opportunity. Disaffected Chinese laborers sold their land and possessions or borrowed money to finance their travel to California.<sup>34</sup> These

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<sup>31</sup> Mae Ngai, *The Chinese Question: The Gold Rushes and Global Politics* (New York: W.W. Norton and Company, 2021), 9-12.

<sup>32</sup> Madeline Y. Hsu, *Asian American History: A Very Short Introduction* (New York: Oxford University Press, 2017), 12.

<sup>33</sup> Ngai, *The Chinese Question*, 19-20.

<sup>34</sup> Pfaelzer, *Driven Out*, 5.

Chinese immigrants joined tens of thousands of prospectors from the Eastern United States, Europe, Mexico, Chile, Hawaii, and Australia to strike their fortune.<sup>35</sup> As Euro-American and Chinese settlers converged in California during the frenzy of the Gold Rush, widespread interaction between these previously disparate populations would be inevitable.

Once settled in California, Chinese immigrants adopted labor arrangements that largely paralleled those of other groups. The most common labor patterns were group arrangements of varying sizes that united laborers under the promise of shared profit. Some Chinese established companies that employed ten to twenty laborers that each earned a share of the total gold output; cooperative organizations of five to ten men were also common.<sup>36</sup> Many other Chinese immigrants were employed as wage laborers for white employers.<sup>37</sup>

Despite the fact that Chinese patterns of free labor mirrored those of American, European, and Latin American settlers engaged in gold prospecting, they were plagued by the racist rumor that they were actually indentured workers, pejoratively called “coolies.” *Kulis*, spelled “coolies” in English, were South Asian and Chinese indentured workers recruited to work on the plantations of European colonies in the Caribbean after the abolition of the African slave trade demanded new inexpensive labor sources.<sup>38</sup> The myth that Chinese immigrants to the United States were coolies arose after the circulation of reports on the implementation of “coolie” labor in the Caribbean during the mid-19<sup>th</sup> century.<sup>39</sup> The rumor of Chinese “coolie” labor threatened the “free labor ideology” at the core of California’s state-building project. Slavery and indentured servitude were banned during California’s Constitutional Convention in

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<sup>35</sup> Ngai, *The Chinese Question*, 3.

<sup>36</sup> *Ibid.*, 42-43.

<sup>37</sup> *Ibid.*, 45.

<sup>38</sup> Hsu, *Asian American History*, 11-13.

<sup>39</sup> Beth Lew-Williams, *The Chinese Must Go* (Cambridge: Harvard University Press, 2018), 32.

1849.<sup>40</sup> The impetus of “Manifest Destiny” that justified westward expansion of the American land empire was highly tied to the “free labor ideology” that was held by the Western United States’ settlers. Not only was the vast territory their God-given right, so was the right to ample employment, not to be impeded upon by unfree forms of labor that threatened the opportunities of average whites.<sup>41</sup>

The widespread belief in an entitlement to desirable employment opportunities among white settlers, coupled with an increasing anxiety towards California’s ballooning Chinese population, allowed the coolie myth to widely disseminate and permeate Californian politics. In July of 1849, there were just over 50 Chinese immigrants in California.<sup>42</sup> In 1851, the state’s Chinese population had exploded to 4,180, and nearly doubled to 7,520 in 1852.<sup>43</sup> As non-European immigrants arrived in such significant numbers for the first time, there was no existing notion of immigration control, “illegal aliens,” or a need for passports. The idea to ban a particular group from entering the United States on the basis of nationality or race was a radical concept that originated with the “Chinese Question.”<sup>44</sup> The Chinese immigrants who settled in this early period sought the same employment opportunities as their white American counterparts, and even organized themselves in similar labor organizations, but the myth that these free laborers were “coolies” proved to be pervasive. Chinese “coolie” labor became an issue significant enough to base a political career on, as seen in California Governor John Bigler’s repeated, unsuccessful bills to ban Chinese immigration during the 1850s.<sup>45</sup>

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<sup>40</sup> Pfaelzer, *Driven Out*, 24.

<sup>41</sup> Tomás Almaguer, *Racial Fault Lines: The Historical Origins of White Supremacy in California* (Berkeley: University of California Press, 1994), 12.

<sup>42</sup> Ngai, *The Chinese Question*, 21.

<sup>43</sup> *Ibid.*, 86.

<sup>44</sup> Lew-Williams, *The Chinese Must Go*, 5.

<sup>45</sup> Mae Ngai, “The Chinese Question: The Gold Rushes and Global Politics, 1849-1910,” *Bulletin of the German Historical Institute* 69, no. (Fall 2021 / Spring 2022): 103.

The myth that Chinese immigrants were not free gold prospectors like other immigrant groups or American settlers was predicated on the racist perception that they were naturally servile.<sup>46</sup> The notion that these workers were “coolies” would not have gained any traction if Americans did not assume that the Chinese, on the basis of race, were docile enough to accept this type of indentured servitude. The “coolie” trope is a significant and enduring racist stereotype that guided anti-Chinese racism from the very onset of their mass immigration. Although this stereotype stems from a racist perception about their servile character, this form of racism became coded in class-conscious, populist rhetoric that spoke to the insecurities of the white working class.

Despite its origins in the Gold Rush, the “coolie” trope proved to be a surprisingly enduring and far-reaching component of anti-Chinese racism in the 19<sup>th</sup> century. By the time of the Los Angeles Chinese Massacre, anti-Chinese political activists continued to agitate for the protection of free white workers against the threat of Chinese “coolie” laborers. An 1870 column in the *Los Angeles Daily Star* reports on a recent meeting of “anti cooliest” in San Francisco, who claim that competition with Chinese manufacturers in the boot and shoe industry have reduced the wages of white workers by 50%. The column echoes the anti cooliests’ concerns that Chinese labor has driven up white unemployment in the manufacturing sector overall, and consequently calls for a “law prohibiting Mongolians coming to this country” as a protection of white labor.<sup>47</sup> This reporting on anti-Chinese political activism in San Francisco demonstrates the extension of the “coolie” trope 20 years beyond its inception in the California gold fields. Despite their claims about widespread Chinese indentured servitude being blatantly untrue, this

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<sup>46</sup> Lew-Williams, *The Chinese Must Go*, 5-6.

<sup>47</sup> “By Telegraph. Special to the Daily Star. Latest Dispatches. Pacific Coast Dispatches.,” *The Los Angeles Daily Star*, July 10, 1870, California Digital Newspaper Collection, <https://cdnc.ucr.edu/?a=d&d=LADS18700710.1.2&srpos=12&e=-----en--20-LADS-1--txt-txIN-chinese----->.

racist perception remained the principal justification for legislation to prevent Chinese immigration.

A separate 1870 editorial in the *Daily Star* called “The Labor Question” similarly reported on the anti-Chinese activist movements of Northern California, claiming that the working class comes in competition with the “coolie system of labor.”<sup>48</sup> This editorial exposes the class-conscious rhetoric that was deeply conflated with activism to prevent Chinese immigration: “When we take into consideration of what society is composed, when we find that the bone and sinew of a country are its workingmen, that the bold peasantry is, indeed, the country’s pride, and that, if once destroyed or broken down, their place can never be supplied; then we begin to appreciate the fact, that the workingmen of a country are indeed its very life-blood.”<sup>49</sup> This article simultaneously idealizes the white working class while presenting the Chinese immigrant population, stereotyped as unfree laborers, as its single greatest threat. Anti-Chinese racism tied to the “coolie” myth was at the very core of political agitation against the Chinese. This form of racism emerged not just from the racist stereotype of Chinese docility, but also from the insecurity of the white working class.

Whether or not the removal of California’s Chinese population, who were not actually “coolies,” would have improved the economic conditions of the white-working class, sources like “The Labor Question” consistently encode anti-Chinese racism behind a class-conscious, populist message. This persistent economic argument against Chinese immigration is perpetuated in Los Angeles in the *Daily Star*, showing the statewide reach of the “coolie” trope. However, it is notable that the “anti coolest” meetings reported on take place exclusively in Northern

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<sup>48</sup> “The Labor Question,” *The Los Angeles Daily Star*, August 24, 1870, California Digital Newspaper Collection, <https://cdnc.ucr.edu/?a=d&d=LADS18700824.1.2&srpos=158&e=-----en--20-LADS-141--txt-txIN-chinese----->.

<sup>49</sup> *Ibid.*

California, with its much older and larger Chinese population. There is no evidence of anti-Chinese political activist assemblies in Los Angeles publications prior to the Massacre, suggesting that the “coolie” trope was imported from the North, and not a sentiment that emerged independently in Los Angeles.

In spite of the traction gained by these anti-Chinese activist meetings, the Burlingame Treaty of 1868 became a significant obstacle in realizing the racially pure society desired by white Californians. This foreign policy milestone, which was primarily intended to strengthen American commercial and political interests with China, included a provision that ensured reciprocal migration between the two states.<sup>50</sup> After the failure of Bigler’s immigration restrictions and the reassertion of the Chinese right to immigration after the Burlingame Treaty, Californians resorted to extralegal campaigns of terror and economic disenfranchisement as their principal means of exclusion.

As Sinophobia became deeply entrenched in the populist rhetoric of the Western United States, anti-Chinese violence proliferated. In the 1850s, Chinese gold prospectors were routinely threatened by white miners with theft and vigilante violence.<sup>51</sup> In one notorious incident, a white miner named George Hall, along with his brother and another white miner, assaulted and robbed a Chinese miner in Nevada County, California. When another Chinese miner heard the disturbance and stepped out of his tent, he was shot and killed by Hall.<sup>52</sup> Although Hall was initially convicted of murder based on the accounts of Chinese witnesses, the California Supreme Court overturned his sentence upon ruling that Chinese testimony against whites was an invalid form of evidence, aligning with the existing ban on black and Native American court testimony

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<sup>50</sup> Lew-Williams, *The Chinese Must Go*, 28.

<sup>51</sup> Pfaelzer, *Driven Out*, 20.

<sup>52</sup> *Ibid.*, 39.

against white defendants.<sup>53</sup> In remote areas where extralegal justice prevailed, Chinese immigrants experienced violent repression on account of their race. While activists in San Francisco were campaigning to end Chinese immigration, white miners were taking Chinese exclusion into their own hands.

Economic restrictions that targeted Chinese immigrants were a third form of anti-Chinese discrimination that prevailed during the Gold Rush. The 1850 and 1852 iterations of the Foreign Miners Tax levied taxes on foreign gold prospectors, and were intended to be too expensive to justify the continued stay of any foreign miner. In 1855, new legislation incurred a \$50 fee on all immigrants who were unable to become citizens of California, a category that exclusively affected the Chinese. The 1862 “Police Tax” taxed Chinese immigrants who did not produce rice, sugar, tea, or coffee, while the “Commutation Tax Act” charged expensive fees for ship owners carrying Chinese passengers.<sup>54</sup> These repeated legislative efforts attempted to reduce Chinese immigration by making their settlement economically unviable. Like mob violence on the Gold Fields and anti-Chinese political movements, these tax policies were unsuccessful in halting the unrelenting influx of Chinese immigrants.

### *Urbanization and Economic Uncertainty*

The next phase of Chinese American history was initiated as California’s gold prospects diminished during the 1850s, leading large numbers of Chinese immigrants to resettle to urban

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<sup>53</sup> Pfaelzer, *Driven Out*, 39.

The California Supreme Court’s infamous *People v. Hall* decision and its implications are discussed further in Chapter III.

<sup>54</sup> *Ibid.*, 31.

areas, most notably the city of San Francisco.<sup>55</sup> In urban environments, Chinese communities were forced to live in much closer proximity to the white majority and forge their own economic opportunities in an extremely hostile environment. Initially, many Chinese immigrants worked in all economic sectors of the relatively insulated Chinatown community that they established. As the population expanded, these immigrants were increasingly employed in the broader urban economy, operating laundries or working as domestic laborers.<sup>56</sup> As Chinese immigrants sought employment in the local cigar and shoe manufacturing industries, they were employed in the most menial positions possible and paid lower wages than whites.<sup>57</sup>

As Chinese and white settlers worked and lived in increasingly close proximity, the “anti-coolest” claim that Chinese labor was driving down white wages becomes worth discussing. The tax programs designed to deter Chinese immigration during the Gold Rush yield some insight into the relative financial success of early Chinese immigrants. According to Mae Ngai’s investigation of Gold Rush-era tax records, in 1861, the roughly 30,000 Chinese miners in California paid over \$2 million in taxes and licenses and roughly \$1.3 million in buying claims, indicating that most miners were likely quite successful in their prospecting.<sup>58</sup> In cities, white and Chinese workers began to encounter some competition for employment, especially in smaller-scale manufacturing settings where employers sought the cheapest labor available. Chinese workers were paid less than their white counterparts; this fueled animosity among the white working-class population, who argued that they could not accept comparable wages to Chinese immigrants, who were typically single male sojourners without families to support.<sup>59</sup>

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<sup>55</sup> Ngai, “The Chinese Question,” 98; Almaguer, *Racial Fault Lines*, 171.

<sup>56</sup> Almaguer, *Racial Fault Lines*, 171.

<sup>57</sup> *Ibid.*, 171.

<sup>58</sup> Ngai, *The Chinese Question*, 100.

<sup>59</sup> Almaguer, *Racial Fault Lines*, 172-173.

This unsympathetic argument against Chinese labor ignored not only the financial responsibilities of the Chinese population in the form of remittance obligations or debt burdens, but also the narrow opportunities available to Chinese workers in the manufacturing sector.

San Francisco's segregated workforce hardly supports the notion that Chinese immigration detrimentally impacted the wages of white workers on a large scale, especially considering that Chinese workers occupied the least desirable, menial positions unlikely to be accepted by whites.<sup>60</sup> However, there were occasions where white and Chinese workers came into direct competition, especially through the use of Chinese laborers in strike-breaking. In 1869, Chinese workers were brought in to break a major strike across the San Francisco boot and shoe industry.<sup>61</sup> This could be seen as a more direct source of animosity between the white working class and the Chinese immigrants who, without much of a choice, undermined their labor organization. As tensions grew, anti-Chinese violence made its way into the urban sphere. Attacks on Chinese immigrants and businesses, such as laundries, became commonplace.<sup>62</sup>

*Huiguans* became the community's most powerful tool of resistance as anti-Chinese antipathies only escalated. *Huiguans*, typically translated as "company" but more accurately as "association," were merchant-led organizations, joined by practically every Chinese immigrant, that served a variety of functions in the community. *Huiguans* were a concept that originated in Mainland China, but upon the establishment of San Francisco's first *huiguan* in 1851, their responsibilities adapted and increased tremendously.<sup>63</sup> *Huiguans* were first and foremost mutual aid organizations that holistically served the needs of recent immigrants: they lent money to finance the passage to California, provided temporary housing and employment assistance,

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<sup>60</sup> Almaguer, *Racial Fault Lines*, 173.

<sup>61</sup> *Ibid.*, 173.

<sup>62</sup> Ngai, *The Chinese Question*, 144.

<sup>63</sup> Zou, "Tracing Their Transpacific Tradition," 49-51.

delivered mail and assisted elderly sojourners in their return to China, and provided many more important services.<sup>64</sup> California's *huiguans*, all based in San Francisco, were divided along the lines of their members' spoken languages and places of origin, but came together to represent the broader immigrant community in response to anti-Chinese sentiment and violence. Collectively they came to be known as the Chinese Six Companies.<sup>65</sup> Distinct from *huiguans* were *tongs*, which were the Chinese secret societies that controlled the illicit businesses of prostitution, gambling, and opium in California.<sup>66</sup> Although there were many men who were members of both a *tong* and a *huiguan*, the two organizations were distinct. Furthermore, the criminal activities engaged in between the Nin Yung and Hong Chow companies that preceded the Los Angeles Chinese Massacre were not directed by the Six Companies in San Francisco.<sup>67</sup> By and large, *huiguans* were benevolent organizations that allowed the Chinese community to thrive despite seemingly narrow economic opportunity and frequent anti-Chinese criminal activity.

During the 1860s, as anti-Chinese racism and Chinese resistance took shape in California's urban landscape, Chinese immigrants also became the indispensable labor force behind the construction of the western portion of the Transcontinental Railroad. As gold mining prospects diminished and Chinese immigrants faced widespread hostility in urban labor markets, many flocked to railroad construction, where labor was still in great demand. To the fabulously wealthy capitalists behind this monumental project, Chinese workers were an ideal labor source, not only for their abundance and willingness to accept lower wages than white workers, but also

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<sup>64</sup> Zou, "Tracing Their Transpacific Tradition," 54-55.

<sup>65</sup> *Ibid.*, 55.

<sup>66</sup> Ngai, *The Chinese Question*, 53.

<sup>67</sup> Zesch, *The Chinatown War*, 49-50.

because of their reputation for reliability.<sup>68</sup> Roughly 12,000 Chinese immigrants were employed during the height of construction, constituting 90% of the total workforce.<sup>69</sup>

For Chinese Americans and white settlers in the Western United States alike, the completion of the Transcontinental Railroad in 1869 marked the beginning of heightened economic uncertainty and a rekindling of anti-Chinese sentiment.<sup>70</sup> First, many thousands of Chinese workers suddenly lost their jobs after the railroad's completion, leading them to seek opportunities in both manufacturing and agricultural labor markets.<sup>71</sup> Second, the continent-wide social and economic integration associated with the railroad had detrimental effects on the West in the short term. Migration from the Eastern United States picked up once again, exacerbating an already tight labor market. The widespread importation of inexpensive manufactured goods from the East rendered California's manufacturing sector relatively uncompetitive and caused further strain on the urban economy.<sup>72</sup> Finally, the Panic of 1873, a nationwide financial crisis incited by the Jay Cooke and Company's declaration of bankruptcy in September of 1873, plunged the nation's economy into a full-on depression.<sup>73</sup> Conditions were so severe that by 1876, almost one-fourth of San Francisco's workforce was unemployed.<sup>74</sup> Although the Los Angeles Chinese Massacre of 1871 occurred before the economic depression of the 1870s had fully set in, California's gradual economic downturn formed the backdrop for a renewed intensification of anti-Chinese sentiment and exclusion efforts.

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<sup>68</sup> Almaguer, *Racial Fault Lines*, 166-168.

<sup>69</sup> Hsu, *Asian American History*, 19.

<sup>70</sup> Ngai, *The Chinese Question*, 143.

<sup>71</sup> Pfaelzer, *Driven Out*, 167; Almaguer, *Racial Fault Lines*, 168.

<sup>72</sup> Ngai, *The Chinese Question*, 143.

<sup>73</sup> Pfaelzer, *Driven Out*, 64.

<sup>74</sup> Ngai, *The Chinese Question*, 143.

*“Fiends in Our Midst”: The Racist Stereotype of Chinese Immorality*

The thesis has so far discussed one set of anti-Chinese racist stereotypes used to agitate for the exclusion of Chinese immigrants: the stereotype of Chinese servility fueled the “coolie myth” and resulting claims by white populists that Chinese immigrants represented the single biggest threat to the employment opportunities of whites. In the 19th century, a second category of dominant anti-Chinese stereotypes pertained to this group’s threat to American society, rather than its economy.

Stereotypes concerning the perceived moral threat of Chinese immigrants could operate alongside the “coolie myth” and its class-conscious rhetoric, but these stereotypes did not always go hand-in-hand. The Chinese were seen as cunning, lying, and thieving. Their Confucian, Taoist, and Buddhist religious practices deemed them heathens in the eyes of Christian Americans. Their foreign diet, language, clothing, and male practice of donning a single long braid were seen as peculiar. Chinese settlements were viewed as havens for the vices of gambling, opium, and prostitution. Chinese men were thought of as a sexual threat to white women, and Chinese women were widely assumed to be prostitutes.<sup>75</sup> This particular set of stereotypes caused white Americans to view the Chinese as completely unassimilable and unworthy of citizenship. The gender imbalance of the Chinese population, which was largely composed of working-age men, particularly disturbed California’s white settlers. For example, roughly 90% of Los Angeles’s Chinese population was male according to the 1870 census.<sup>76</sup> Of the few Chinese women who arrived in the United States during this period, most were prostitutes who had been kidnapped and trafficked by Chinese merchants.<sup>77</sup> Religious, cultural,

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<sup>75</sup> Almaguer, *Racial Fault Lines*, 158-160.

<sup>76</sup> James Roman, *Chronicles of Old Los Angeles: Exploring the Devilish History of the City of the Angels* (New York: Museyon, Inc., 2015), 29.

<sup>77</sup> Pfaelzer, *Driven Out*, 5.

and linguistic differences were sufficient to cause anti-Chinese animosity among California's white settlers, independent of class-conscious anti-Chinese rhetoric. The stereotypes that surrounded Chinese American communities in the 19<sup>th</sup> century set this group apart from Mexican or black racial minorities, who were subject to racism but not seen as completely unassimilable.

The notion that Chinese immigrants represented a moral threat to American society is reflected in Los Angeles's newspapers. In the wake of the Los Angeles Chinese Massacre of 1871, the *Los Angeles Daily News* and *Los Angeles Daily Star* made their feelings about the city's Chinese population abundantly clear. The *Daily News* stated that "The position of the News upon the Chinese question is too well known to be misunderstood. We regard the presence of these Asiatics in our midst as an unmixed evil."<sup>78</sup> This reference to an "unmixed evil" shows their perception of Chinese immigrants as an immoral group who has not assimilated to American society. The *Daily Star* was even more blunt in its moral assessment of the Chinese race: "Upon all earth there does not exist a people who judge life so lightly, who practice so many horrors, or who are so unmerciful in their outrages."<sup>79</sup> It is both ironic and disheartening that the "unmerciful" population with little regard for human life described by the *Daily Star* is not the lynch mob that slaughtered many innocent civilians, but the Chinese themselves. After the Massacre, the *Daily Star* employed a variety of epithets to convey their feelings about the Chinese race, calling them "brutal, uncivilized barbarians" that "infest the country," "a living curse," "devils," and "fiends in our midst."<sup>80</sup> As seen in the language used to describe Chinese

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<sup>78</sup> "The Scenes of Tuesday Night," *The Los Angeles Daily News*, October 26, 1871, Readex: America's Historical Newspapers, <https://infoweb-newsbank-com.ezproxy.cul.columbia.edu/apps/readex/doc?p=EANX&docref=image/v2%3A15DF0623DE2A18D2%40EANX-165C806FD6067168%402404727-165C30485F4E9A48%402>.

<sup>79</sup> "The Chinese Outrage."

<sup>80</sup> Ibid., "Murder! Terrible Outrages! Fiends in Our Midst! An Old Citizen Murdered! Policeman Shot by the Fiends! Fifteen Chinamen Hanged and Three Others Shot! The Killed and Wounded! Intense Excitement! Full Particulars.," *The Los Angeles Daily Star*, October 25, 1871, California Digital Newspaper Collection, <https://cdnc.ucr.edu/?a=d&d=LADS18711025&e=-----187-en--20--1--txt-txIN-Los+Angeles+star----->.

immigrants in Los Angeles newspapers, this group was unfairly portrayed as morally depraved. Thus, Chinese immigration was portrayed in Los Angeles as a moral threat to Anglo-American society as well as an economic threat.

### *Economic Prosperity in 19<sup>th</sup>-Century Los Angeles*

While the impact of Chinese immigration on the labor market was overstated by its racist opponents, it was indisputable that Chinese immigrants represented the single biggest threat to the formation of a racially pure society in the West. The Chinese became the most populous immigrant group by country of origin by 1860 and made up 9% of California's total population by 1870.<sup>81</sup> It is easy to imagine how challenging economic conditions, a swelling Chinese population, and Burlingame's protection of Chinese immigration could propel anti-Chinese violence on an even greater scale heading into the 1870s. So why did such a deadly anti-Chinese riot arise in a growing and prosperous region like Los Angeles?

In the decade preceding the Los Angeles Chinese Massacre, the small city grew in population from 4385 to 5728 residents.<sup>82</sup> Despite the economic issues brewing in Northern California and the dominant narratives about the economic threat of Chinese immigration, the economy of Los Angeles continued to thrive leading up to the Massacre.<sup>83</sup> In Los Angeles, labor was highly racially segregated. Los Angeles's Chinese community primarily operated laundries or worked as domestic servants, meaning there was little competition between white and Chinese laborers.<sup>84</sup> While local publications like the *Los Angeles Daily Star* spread the "coolie myth" and spread claims about the detrimental economic impact of Chinese immigration, this journalism

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<sup>81</sup> Almaguer, *Racial Fault Lines*, 27, 156.

<sup>82</sup> Quintana, "National Borders, Neighborhood Boundaries," 180.

<sup>83</sup> Zesch, *The Chinatown War*, 93.

<sup>84</sup> *Ibid.*, 7.

exclusively centered around economic conditions in Northern California.<sup>85</sup> In writing about the economic prospects of Los Angeles specifically, local publications had a remarkably positive outlook. A *Los Angeles Daily News* editorial titled “Los Angeles City,” published only two days after the Los Angeles Chinese Massacre in October of 1871, paints a propagandistic narrative of the city’s certain prosperity. This article tells of the constant “sounds of the saw and hammer” in describing rapid construction, showing that “the people here, and those interested here, have faith in the city and region. They have faith moreover, in the coming time and the rich promise of the future.”<sup>86</sup> The editorial continues to spread a narrative of optimism and certain economic prosperity:

“The general conviction and feeling seem to be that the next ten years will work a marvelous change and growth in all this region. Los Angeles at present represents this region. It is its commercial head and centre...And there are those whose faith is strong that it will so continue. This faith brings them here. It keeps them here. It leads them to make investments and to come out, in one way and another, with their money.”<sup>87</sup>

Although “Los Angeles City” reads like an advertisement for development, the confident prediction of economic growth highlights the radically different economic outlooks of Northern and Southern California during this period. Los Angeles’s racially segregated labor market and generally healthy economy did not provide its white residents with an economic pretense to call for Chinese exclusion. Local newspaper coverage of the Massacre did not even offer an economic excuse for the violence. This leaves no evidence to connect anti-Chinese sentiment in Los Angeles with the economic concerns of the white working class.

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<sup>85</sup> “By Telegraph. Special to the Daily Star”; “The Labor Question.”

<sup>86</sup> “Los Angeles City,” *The Los Angeles Daily News*, October 26, 1871, Readex: America’s Historical Newspapers, <https://infoweb-newsbank-com.ezproxy.cul.columbia.edu/apps/readex/doc?p=EANX&docref=image/v2%3A15DF0623DE2A18D2%40EANX-165C806FD6067168%402404727-165C30485F4E9A48%402>.

<sup>87</sup> Ibid.

*Shifting the Blame onto the Chinese Community*

In contrast with the minimal emphasis on Chinese immigrants as a labor threat in Los Angeles, the city's residents were especially preoccupied with the vice and immorality they associated with Chinese immigrants and the Chinatown they established at Calle de los Negros. In Los Angeles, the *tongs*, Chinese secret societies, conducted a range of criminal activity more or less out in the open, including the trafficking of prostitutes and the operation of illicit gambling institutions and opium dens.<sup>88</sup> 19<sup>th</sup>-century descriptions of Chinatown emphasized the neighborhood's vice and criminal activity and reflected racist assumptions about Chinese immorality. According to the New York Times, residents of Calle de los Negros were "the dregs of society," and Chinese "brothels monopoliz[ed] about two-thirds of an entire block."<sup>89</sup> While there was certainly a Chinese organized criminal presence in Los Angeles, their activity affected the city's Chinese population much more than those living outside of Chinatown's borders. *Tong* members exercised various racket schemes to extort prostitutes, business owners, and merchants under the threat of violence.<sup>90</sup> While whites assumed that Chinatown was composed largely of criminals on the basis of their racist stereotypes, it was actually the Chinese community who suffered from Chinese organized crime.

Portrayals of Chinatowns as havens for immorality were also hypocritical: in a state where miscegenation between white and Chinese Californians was banned, whites frequently solicited the services of trafficked Chinese prostitutes.<sup>91</sup> The white patronage of Chinese criminal activity shows that Calle de los Negros was not an independent well of sin in Los Angeles, contradicting white narratives. In a city with little economic competition between Chinese and

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<sup>88</sup> Zesch, *The Chinatown War*, 43.

<sup>89</sup> "The Los Angeles Massacre: Particulars of the Wholesale Lynching of Chinamen."

<sup>90</sup> Zesch, *The Chinatown War*, 46.

<sup>91</sup> Pfaelzer, *Driven Out*, 10.

white workers, but a visible Chinese criminal presence, it makes sense that racist white settlers clung to stereotypes that equated Chinese immigrants and Chinatowns with immorality.

The racist association between Chinese immigration and criminal activity was the stated justification for the anti-Chinese lynching itself. 19<sup>th</sup>-century accounts of the Los Angeles Chinese Massacre of 1871 consistently shifted the blame for this racially motivated attack on the Chinese, arguing that the massacre would never have erupted without the gang war between rival Chinese criminal factions.<sup>92</sup> 19<sup>th</sup>-century Los Angeles publications like the *Los Angeles Daily Star* and the *Los Angeles Daily News* share a sentiment that the blame lies first and foremost with the Chinese, and secondly with the city's pervasive history of mob violence. For example, the following extended headline from a *Los Angeles Daily Star* article published the day after the Massacre on October 25<sup>th</sup>, 1871: "Murder! Terrible Outrages! Fiends in Our Midst! An Old Citizen Murdered! Policeman Shot by the Fiends! Fifteen Chinamen Hanged and Three Others Shot! The Killed and Wounded! Intense Excitement! Full Particulars."<sup>93</sup> This newspaper coverage conveys a certain hierarchy of importance, in which the murder of Robert Thompson, the "old citizen" in question, precedes the killing of eighteen Chinese immigrants. A separate editorial in *The Star* entitled "Mob Rule," published the following day, argues that the Massacre should be blamed on both the Chinese and vigilantism: "We are opposed to the Chinese. We condemn them and their conduct in every manner; but, at the same time, we condemn and deprecate mob rule and violence."<sup>94</sup> The rhetoric in "Mob Rule" is shocking, showing how extreme Sinophobia is a given, but a condemnation of mob violence is somehow a more controversial conjecture.

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<sup>92</sup> Jew, "The Anti-Chinese Massacre of 1871 and Its Strange Career," 115.

<sup>93</sup> "Murder! Terrible Outrages! Fiends in Our Midst!"

<sup>94</sup> "Mob Rule," *The Los Angeles Daily Star*, October 26, 1871, California Digital Newspaper Collection, <https://cdnc.ucr.edu/?a=d&d=LADS18711026.1.2&e=-----187-en--20--1--txt-txIN-Los+Angeles+star----->.

Considering that a lynch mob of roughly 500 quickly assembled in a city of under 6,000 residents, the Los Angeles Chinese Massacre could hardly be considered the act of fringe extremists.<sup>95</sup> Yet, 19<sup>th</sup>-century sources claimed the Massacre was the doing of a small number of lawless individuals. According to the summary of the Grand Jury which investigated the 1871 Massacre, the violence arose during a “panic which opened the way for evil doers, and in the excitement that followed, the worst elements of society not only disgraced civilization by their acts, but in their savage treatment of unoffending human beings, their eagerness for pillage and bloodthirstiness, exceeded the most barbarous races of men.”<sup>96</sup> This narrative shifts the blame away from the masses within the lynch mob that encouraged the killing, and towards the most evil of the group. A *Los Angeles Daily News* editorial called “Let Punishment Follow Crime” calls for justice to be levelled against the “lawless elements of society” at fault.<sup>97</sup> Contemporary narratives condemn the few, particularly evil perpetrators of the massacre, ignoring the fact that a significant portion of the entire city’s population actively participated in the lynch mob. Los Angeles’s white majority simply displayed no accountability for the events of 1871.

### *Historiography and Anti-Chinese Violence after 1871*

The Los Angeles Chinese Massacre was not the only large-scale anti-Chinese attack of the late 19<sup>th</sup>-century, but it predated the majority of well-studied anti-Chinese purges by 15 years. Beth Lew-Williams’s *The Chinese Must Go* and Jean Pfaelzer’s *Driven Out: The*

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<sup>95</sup> Kelly Lytle Hernández, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771-1965* (Chapel Hill: University of North Carolina Press, 2017), 66, <https://doi-org.ezproxy.cul.columbia.edu/10.5149/northcarolina/9781469631189.001.0001>.

<sup>96</sup> “Chinese Massacre at Los Angeles in 1871,” 26.

<sup>97</sup> “Let Punishment Follow Crime,” *The Los Angeles Daily News*, October 27, 1871, Readex: America’s Historical Newspapers, <https://infoweb-newsbank-com.ezproxy.cul.columbia.edu/apps/readex/doc?p=EANX&docref=image/v2%3A15DF0623DE2A18D2%40EANX-165C807085DCA410%402404728-165C304863A4D508%402>.

*Forgotten War Against Chinese Americans* offer the most complete overviews of anti-Chinese violence in the 19<sup>th</sup> century, but their discussions center around a series of ethnic cleansing incidents during the 1880s that targeted the Chinese populations of Tacoma, Washington, Eureka, California, Truckee, California, and Rock Springs, Wyoming. Still, these monographs provide a useful historiographical framework for this discussion of the 1871 Massacre because both Pfaelzer and Lew-Williams address the general lack of discussion about anti-Chinese violence while countering the long-standing assumption that these attacks could be explained through the competition between white and Chinese workers.

Anti-Chinese violence proliferated after the passage of the Chinese Restriction Act of 1882, a long-awaited national measure to ban Chinese immigration.<sup>98</sup> This legislation, the nation's first immigration restriction on the basis of national, ethnic, or racial background, was made possible by the Angell Treaty of 1880. This partial repeal of the Burlingame Treaty with China allowed the United States to issue regulations on Chinese immigration for the first time, but protected the arrival of teachers, students, merchants, and laborers who had already entered the United States.<sup>99</sup> The Chinese Restriction Act, with its easily exploitable loopholes for arrivals who claimed to be merchants or some other protected group, failed to significantly slow Chinese immigration to the United States, with numbers falling only 16% compared to pre-1882 levels.<sup>100</sup> Only after the passage of the much stricter Chinese Exclusion Act of 1888 did Chinese immigration significantly decline.<sup>101</sup> This intervening period saw the most dramatic and most concentrated outpouring of anti-Chinese violence throughout the entire 19<sup>th</sup> century.

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<sup>98</sup> Lew-Williams, *The Chinese Must Go*, 188.

<sup>99</sup> Hsu, *Asian American History*, 34.

<sup>100</sup> Lew-Williams, *The Chinese Must Go*, 201.

<sup>101</sup> *Ibid.*, 188.

Unlike the earlier mass lynching in Los Angeles, later anti-Chinese attacks took diverse forms. In Eureka and Tacoma, white mobs violently drove out hundreds of Chinese residents in 1885, while Truckee successfully drove out its Chinese residents by imposing a total ban on Chinese labor.<sup>102</sup> Although this wave of expulsions was violent, but rarely deadly, the Rock Springs Massacre in September, 1885 would go on to become the deadliest outbreak of anti-Chinese violence in American history.<sup>103</sup> Rock Springs, Wyoming, was the home of a coal mine owned by the Union Pacific Railroad Company. In 1875, the mine's white laborers staged a strike, leading the company to bring in 150 Chinese workers as strike-breakers. The white laborers eventually agreed to return to work with reduced wages, and hundreds more Chinese immigrants were employed at the mine over the next ten years. In 1885, there were more than twice as many Chinese miners as white miners, and they were paid equal wages.<sup>104</sup> When Chinese miners refused to join the white miners in a new strike attempt, they decided to expel them through force.<sup>105</sup> An armed mob of roughly 150 white workers stormed the community's Chinatown, firing at the Chinese and ordering them to leave, and set fire to Chinese residences. At least 28 Chinese miners were killed through shooting and arson, another 15 were wounded, and hundreds of others fled to the surrounding hills.<sup>106</sup>

Tacoma, Eureka, Truckee, and Rock Springs are just a few well-studied events among nearly 200 anti-Chinese purges that forcibly removed Chinese immigrants from towns all over the Western United States in the second half of the 19<sup>th</sup> century.<sup>107</sup> The immediate provocations were diverse: the Eureka mob formed in response to the killing of a white man, while the Rock

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<sup>102</sup> Lew-Williams, *The Chinese Must Go*, 1-3, 113; Pfaelzer, *Driven Out*, 190.

<sup>103</sup> Lew-Williams, *The Chinese Must Go*, 117.

<sup>104</sup> Pfaelzer, *Driven Out*, 209-210.

<sup>105</sup> *Ibid.*, 210.

<sup>106</sup> Lew-Williams, *The Chinese Must Go*, 117.

<sup>107</sup> Pfaelzer, *Driven Out*, xxv.

Springs Massacre erupted from a labor-related dispute.<sup>108</sup> The human costs were highly uneven: most purges were violent, but not deadly, while the Rock Springs Massacre stands out alongside the Los Angeles Massacre for its death toll.

However, there were some common threads that tied together these acts of ethnic cleansing. The largest employers in these towns with sizable Chinese populations were the capitalist mega-corporations that defined late 19<sup>th</sup>-century economic inequality, including Truckee's Charles Crocker, whose family funded the construction of the Central Pacific Railroad, and the Union Pacific Railroad Company's coal mine in Rock Springs.<sup>109</sup> In both Tacoma and Rock Springs, the vigilantes were affiliated with the Knights of Labor, a populist, nation-wide labor organization with roughly 700,000 members by the mid-1880s.<sup>110</sup> In Eureka, the mob was influenced by widely circulated newspapers and pamphlets that demonized Chinese laborers as an economic threat to white labor.<sup>111</sup> The core of these anti-Chinese attacks was the white working class, often exploited by spectacularly wealthy capitalists and influenced by anti-Chinese populist rhetoric. For this reason, economic justifications for Chinese exclusion stated by anti-Chinese activists have long been accepted at face value.

In the face of assumptions that anti-Chinese violence was a result of genuine economic strife between the white working class and Chinese immigrants, Jean Pfaelzer argues in *Driven Out* that the class-conscious language intertwined with anti-Chinese rhetoric was based on racial perceptions rather than economic realities. Guided by a complex set of socioeconomic and cultural factors, as well as racial stereotyping, anti-Chinese rhetoric "projected onto the Chinese

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<sup>108</sup> Lew-Williams, *The Chinese Must Go*, 115.

<sup>109</sup> Pfaelzer, *Driven Out*, 187, 209.

<sup>110</sup> Lew-Williams, *The Chinese Must Go*, 97, 210.

<sup>111</sup> Pfaelzer, *Driven Out*, 139.

the needs, dissatisfaction, and disillusion of white workers' own lives."<sup>112</sup> According to Pfaelzer, anti-Chinese sentiment did indeed have a strong class component, but one that resulted from generally poor economic conditions as well as the exploitation of the working class by fabulously wealthy individuals and corporations. Beth Lew-Williams extends this argument in *The Chinese Must Go*, saying that the "image of the heathen coolie" was a sufficiently powerful stereotype to unify white settlers across class and political divisions behind a single anti-Chinese movement.<sup>113</sup> In the eyes of Pfaelzer and Lew-Williams, economic conditions fueled white discontent, but extreme racism scapegoated the Chinese for the issues that plagued the white working class.

Both Pfaelzer and Lew-Williams describe the violent anti-Chinese attacks of the late 19<sup>th</sup> century as acts of "ethnic cleansing." More than campaigns of terror meant to subdue the Chinese population, they were genuine efforts at forging a racially pure society when existing political or economic exclusion attempts were deemed insufficient.<sup>114</sup> This historiographical context raises the question of whether the Los Angeles Chinese Massacre, which predated these incidents, was an outbreak of vigilante violence or an attempted ethnic cleansing in and of itself.

#### *Extralegal Violence or Ethnic Cleansing?*

A study of the Los Angeles Chinese Massacre of 1871 contributes to existing historiography on anti-Chinese violence by yielding even stronger support that anti-Chinese violence was not a result of economic competition between the white working class and Chinese immigrants. In Rock Springs, the white miners could claim that their Chinese coworkers

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<sup>112</sup> Pfaelzer, *Driven Out*, 139.

<sup>113</sup> Lew-Williams, *The Chinese Must Go*, 34.

<sup>114</sup> *Ibid.*, 116; Pfaelzer, *Driven Out*, xxix.

undermined their economic interests by refusing to join their strike in 1885, making separating the economic and racial motivations for anti-Chinese violence a more challenging exercise. In the case of Los Angeles, because there was no economic pretense to begin with, there is absolutely no ambiguity that the most extreme forms of anti-Chinese violence could emerge without some type of economic motivation. The Los Angeles Chinese Massacre is an especially valuable case study within the broader history of anti-Chinese violence because it illustrates how even in the absence of economic issues, racist stereotypes—specifically those concerning Chinese criminality, immorality, and heathenism—were not simply necessary, but sufficient for racial violence in its most extreme forms.

Reports on the Massacre in the *Los Angeles Daily Star* and the *Los Angeles Daily News*, the city's two regularly published newspapers during the early 1870s, yield the clearest possible insight into the motivation of the lynch mob members. Although there were Spanish-language newspapers that went out of print prior to the events of 1871 that served the city's ethnic Mexican population, the *Star* and the *News* were the mainstream outlets for the city's English-speaking, white settler population.<sup>115</sup> Even though journalists blamed the Chinese community for the riot and denied any accountability on the part of the city's white majority, their writing makes the primary intent of the Los Angeles Chinese Massacre clear. On October 26<sup>th</sup>, 1871, a *Los Angeles Daily News* editorial offered the publication's official stance towards Chinese immigration, reiterating their firm opposition to Chinese immigration and the presence of Chinese immigrants in the United States in general: "we regard the presence of these Asiatics in our midst as an unmixed evil, and in common with those of our political faith, we have striven to prevent their importation."<sup>116</sup>

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<sup>115</sup> Estrada, *The Los Angeles Plaza*, 68.

<sup>116</sup> "The Scenes of Tuesday Night."

The *Los Angeles Daily Star*'s narration of the Massacre in an editorial published only one day after the event alludes to the thought process of the lynch mob members: "The shooting of four of our citizens upon the streets yesterday, ere daylight had gone, and the frequency of their horrible acts of a sinful nature, has now, at last, set our citizens thinking as to the best mode of ridding ourselves of such a living curse."<sup>117</sup> The *Daily Star* suggests that the shooting of non-Chinese community members was merely the catalyst that stretched existing anti-Chinese animosity to its breaking point. The "best mode" of ridding the town of its Chinese population, then, seemed to come in the form of mass lynching.

It is clear that the reason that the murder of a single white man erupted into a racially motivated attack on an unprecedented scale was well-understood by the writers of its time. The Los Angeles Chinese Massacre of 1871 should not be understood as a brutal form of extralegal punishment applied on racial lines. It was something much more sinister: a full-blown attempt of ethnic cleansing that targeted the Chinese population of Los Angeles under the pretense of extralegal justice. Although the Massacre was not necessarily premeditated, it was nonetheless aimed at driving the Chinese from Los Angeles after tensions had reached a tipping point.

This ethnic cleansing explanation, although never explicitly communicated through newspapers or court testimony, helps elucidate the disproportionate punishment towards Los Angeles's innocent Chinese population on a purely racial basis. The fact that accounts of the Massacre are accompanied by descriptions of the Chinese as "fiends in our midst" and "brutal, uncivilized barbarians" only further supports the notion that the Massacre was not simply a repayment for the murder of Robert Thompson.<sup>118</sup> Criticisms of Chinese immigrants as a moral threat to Californian society, rather than just an economic threat, shows that racial stereotyping

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<sup>117</sup> "The Chinese Outrage."

<sup>118</sup> "Murder! Terrible Outrages! Fiends in Our Midst!"; "The Chinese Outrage."

alone could fuel an ethnic cleansing incident, even without an economic catalyst. In Northern California, the Chinese population became a scapegoat for the economic exploitation of the white working class, and anti-Chinese rhetoric in these regions accordingly targeted the Chinese as an economic threat. In Southern California, the Chinese became a different sort of scapegoat. Instead of becoming a scapegoat for economic hardship, they were blamed for the city's reputation for crime, violence, and moral depravity. In the Western United States as a whole, anti-Chinese racism became a dynamic reflection of the most pressing issues facing white settlers in their respective local contexts.

## Chapter II: Understanding Ethnic Mexican Participation in the Los Angeles Chinese Massacre of 1871

### *Ethnic Mexicans and the Los Angeles Chinese Massacre*

In addition to the lack of an economic pretense, the Los Angeles Chinese Massacre of 1871 also stands apart from other mass lynchings because its perpetrators were not only white settlers. In fact, the Los Angeles Massacre's lynch mob featured widespread participation by the city's significant ethnic Mexican minority. According to the 1870 census, 37.7% of Los Angeles residents had Spanish surnames, indicating Mexican or Californio descent.<sup>119</sup> Ethnic Mexicans constituted one-third of the indicted lynching suspects in the wake of the massacre.<sup>120</sup> According to testimony during the coroner's investigation in the days following the massacre, a sizable share of the lynch mob spoke only Spanish, and many testified that "Native Californians," referring to Californios, were the most active participants within the mob.<sup>121</sup> While it is impossible to gain a complete sense of the composition of the 500 person crowd that gathered on the night of the Massacre, anecdotal and legal accounts both suggest that ethnic Mexican Californians participated in this anti-Chinese lynching as eagerly as their white counterparts, in numbers proportional to their share of the city's population.

This chapter employs three non-interchangeable terms to describe groups of Californians with Spanish ancestry: Californio, Mexican, and ethnic Mexican. The Californios descended from California's earliest settlers of Spanish descent, and were the group that founded Los Angeles and other settlements in Mexico's Alta California Territory prior to its annexation by the

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<sup>119</sup> Quintana, "National Borders, Neighborhood Boundaries," 31.

<sup>120</sup> *Ibid.*, 28.

<sup>121</sup> "The Tragedy of Negro Alley," *The Los Angeles Daily News*, October 29, 1871, Readex: America's Historical Newspapers, <https://infoweb-newsbank-com.ezproxy.cul.columbia.edu/apps/readex/doc?p=EANX&docref=image/v2%3A15DF0623DE2A18D2%40EANX-165C8071E678F7F0%402404730-165C30486A228790%400>.

United States in 1848.<sup>122</sup> “Mexican,” as used in this chapter, refers to Mexicans who immigrated to California after its annexation by the United States. Although both Californios and Mexicans had similar ethnic ancestry, the terms cannot be used interchangeably: Californios were the earliest inhabitants of Los Angeles and had a unique history of dispossession under Anglo white settlement, whereas Mexicans were more recent arrivals to the state of California and its urban centers. The thesis uses “ethnic Mexican,” a term favored by David Gutiérrez and other prominent historians of Mexican America, to describe Californians of Spanish descent as a whole, inclusive of both Californios and Mexicans.<sup>123</sup> Deliberate distinction between Californios and Mexicans will be essential to interpreting the role of the Californios’ dispossession in motivating their participation in the Los Angeles Chinese Massacre.

The alliance between white and ethnic Mexicans in the Massacre is undoubtedly puzzling given the existing animosity between these groups. Although their legal racial status remained ambiguous, ethnic Mexicans were generally categorized as non-white by Anglo-American settlers, and experienced unique forms of marginalization under an emerging white supremacist order. The victims of the Chinese gang shooting that prompted the Massacre included two ethnic Mexican men, the police officer Jesús Bilderrain and a teenager named Juan José Mendibles, raising the question over whether ethnic Mexicans retaliated against the Chinese in response to a perceived attack on their own community.<sup>124</sup> However, it was the news of the death of a white resident, Robert Thompson, that prompted the mass lynching in Calle de los Negros.<sup>125</sup> The fact that the Massacre only commenced after the death of the single white victim casts doubt upon the

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<sup>122</sup> Hunt Janin and Ursula Carlson, *The Californios: A History, 1769-1890* (Jefferson, NC: McFarland & Company, Inc., 2017), 2.

<sup>123</sup> David Gregory Gutiérrez, *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity* (Berkeley: University of California Press, 1995), 218.

<sup>124</sup> Quintana, “National Borders, Neighborhood Boundaries,” 42.

<sup>125</sup> Zesch, *The Chinatown War*, 132.

idea that attacks on the ethnic Mexican community were the main cause of their violent response towards the Chinese community.

Chapter I has established that the Los Angeles Massacre was an attempted ethnic cleansing motivated by a fear of the moral threat posed by Chinese immigrants. This sentiment would have been a more universal rallying cry than class-conscious rhetoric that prioritized the economic advancement of whites. Yet, broadly applying the motivations of white lynch mob members to the ethnic Mexican members would certainly be an insufficient explanation for their participation. There was no broader context for anti-Chinese violence committed by ethnic Mexicans, and none of the sources discussed so far come from an ethnic Mexican perspective.

In the historiography surrounding the Los Angeles Chinese Massacre of 1871, mention of the lynch mob's multiracial coalition is sparse, and any attempt to explain why ethnic Mexicans joined arms with their white counterparts is even sparser. Victor Jew's article "The Anti-Chinese Massacre of 1871 and Its Strange Career" acknowledges the significant presence of ethnic Mexican lynch mob participants and asserts that their affinity with white Angelenos explained why both racial groups took part in the massacre of Chinese immigrants.<sup>126</sup> Scott Zesch's *The Chinatown War* acknowledges Mexican participation in the Massacre, but also declines to differentiate the motivations of white and ethnic Mexican members of the lynch mob.<sup>127</sup>

Isabella Seong-Leong Quintana's PhD dissertation, "National Borders, Neighborhood Boundaries: Gender, Space and Border Formation in Chinese and Mexican Los Angeles," is the only study to directly address the role of Mexican-Chinese relations in 19<sup>th</sup>-century Californian history. In one chapter, Quintana poses the question of how to understand ethnic Mexican

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<sup>126</sup> Jew, "The Anti-Chinese Massacre of 1871 and Its Strange Career," 120.

<sup>127</sup> Zesch, *The Chinatown War*, 168.

participation in an anti-Chinese lynching.<sup>128</sup> She argues that the motivation of ethnic Mexican Californians for slaughtering Chinese immigrants should not be lumped in with the white settlers' form of racial hatred, and that "their participation must be understood in relation to the changing locations of U.S. borders that displaced their claims to state power."<sup>129</sup> Quintana hints that the fading authority of the Californios may be related to their animosity towards their new Chinese neighbors, but does not elaborate on the specific connection between the dispossession of the Californios and the turn towards anti-Chinese violence.

With the exception of Quintana's discussion of Mexican-Chinese relations in Los Angeles, little research has been conducted to differentiate the distinct motivations of white and ethnic Mexican lynch mob participants in the Los Angeles Chinese Massacre of 1871. This chapter will employ census and court records to identify the specific men who participated in the Massacre, analyze their backgrounds, and interpret their motivations. This primary source-driven study will address unanswered questions over what kinds of men actually participated in the lynch mob, and whether there is any tangible connection between anti-Mexican racism in California and the Los Angeles Chinese Massacre. To understand the forces that led ethnic Mexicans to embrace the violent anti-Chinese movement, it is necessary to retell the history that leads up to the events of 1871—this time not from the perspective of Chinese immigrants, but from the perspective of the Californios, Los Angeles's first residents.

### *The Rise and Fall of the Californios*

In 1781, the city of Los Angeles was founded by a group of poor farmers and artisans from Sonora, in present-day Mexico, to the south. This first group of eleven settler families

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<sup>128</sup> Quintana, "National Borders, Neighborhood Boundaries," 28.

<sup>129</sup> *Ibid.*, 44.

represented the diverse racial makeup of Spanish Mexico; these settlers included individuals whose races, or *caste*, were recorded as *Indio*, *Negro*, *Mestizo*, *Mulato*, and *Español*. In other words, Los Angeles's first residents included Indigenous peoples, Black Mexicans, Mexicans with mixed Spanish and Indigenous ancestry, Mexicans with mixed black and white ancestry, and purely Spanish ancestry, respectively.<sup>130</sup> In fact, 95% of the town's original inhabitants had at least partial indigenous or black ancestry, indicating that many of the Californios who remained in Los Angeles by 1871 were not purely European in ancestry.<sup>131</sup> Upon settling in the Los Angeles Basin, they encountered the roughly 5,000 Native Americans who resided in the area, some of whom were gradually assimilated through intermarriage and the adoption of Spanish language.<sup>132</sup> The society they formed in the far northern reaches of Spain's colonies in the Americas produced the Californio culture that white Anglo settlers encountered during their mass migration to the American west in the mid-19<sup>th</sup> century.

Unlike the market economy of the United States, a semi-feudal economic system predominated the Mexican Alta California Territory, which later comprised the American Southwest. Under both Spanish and Mexican rule, large plots of land were administered to individual families as a government grant, and land was not a commodity that could be purchased or sold.<sup>133</sup> These land grants were awarded to the families of prominent soldiers as a reward for military service, and were intended to stimulate economic development in the sparsely populated region.<sup>134</sup> The recipients of these massive tracts of land formed the wealthy *ranchero* class who presided atop this feudal system. Below the *rancheros* were the artisans and

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<sup>130</sup> Estrada, *The Los Angeles Plaza*, 27-33.

<sup>131</sup> Hernández, *City of Inmates*, 27.

<sup>132</sup> Estrada, *The Los Angeles Plaza*, 38.

<sup>133</sup> *Ibid.*, 54.

<sup>134</sup> Janin and Carlson, *The Californios*, 23-25.

smaller-scale farmers, who were primarily *mestizo*. At the very bottom rung of Californio society was the indigenous population, who served the *ranchero* class through labor systems that resembled serfdom. Indigenous peoples, bound to their *ranchero* masters' land, provided labor in exchange for subsistence in a relationship characterized by coercion and paternalism.<sup>135</sup> There was no pretense of racial equality in Californio society despite the greater frequency of intermarriage between racial groups. There was a strong correlation between ancestry and complexion and placement within the feudal class system: the *ranchero* elite were mostly fair-skinned with predominantly European ancestry, the middle class was predominantly *mestizo*, and the laboring class was entirely indigenous.<sup>136</sup>

The Mexican-American War of 1846-1848 resulted in a United States victory that culminated in the Treaty of Guadalupe Hidalgo of 1848, ceding Alta California to the United States and expanding the nation's territory all the way to the Pacific Coast.<sup>137</sup> California's annexation resulted in tremendous demographic changes, not only for the booming populations in the gold-producing regions of Northern California, but also for the distant urban centers like Los Angeles. As white settlers arrived from the eastern United States and Europe, the population of Los Angeles nearly tripled during the 1850s, leading the Californios to become a minority of the city's population within only ten years of California's statehood in 1850.<sup>138</sup>

The first few decades after statehood saw the economic, social, and political decline of the Californio elite. Although the Californio population was rapidly becoming outnumbered by recent white settlers, they still laid claim to vast swaths of the American Southwest. In 1851, Congress passed "An Act to Ascertain and Settle Private Land Claims in the State of California,"

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<sup>135</sup> Almaguer, *Racial Fault Lines*, 47-48.

<sup>136</sup> *Ibid.*, 53.

<sup>137</sup> Estrada, *The Los Angeles Plaza*, 54.

<sup>138</sup> Zesch, *The Chinatown War*, 11; Estrada, *The Los Angeles Plaza*, 57.

which formed the Board of California Land Commission. This commission set out to verify the land claims of the Californios, but left the burden of proof with the land owners themselves.<sup>139</sup> Because their land grants were established using *diseños*, rough property sketches deemed insufficient under United States law, many Californios experienced financial ruin during the legal battles that would ensue. Many Californios spent their fortunes or sold their land to fund the high legal fees owed to white lawyers.<sup>140</sup> Exorbitant interest rates on mortgages, penalization of the failure to pay property tax, and bankruptcy settlements were other avenues exploited by white settlers to gradually dispossess the Californios of their wealth and land.<sup>141</sup> At the core of this exploitation was a fundamental difference in how land was understood in capitalist and feudal societies: in the United States, land was a commodity and a store of wealth, and not the form of patrimony it represented in the Spanish or Mexican legal systems.<sup>142</sup>

Using legally grey, non-violent means of exploitation, recent white arrivals to California succeeded in dispossessing the majority of Californio land by the end of the 1860s.<sup>143</sup> Their loss of wealth and shrinking share in the overall population helped strip the Californio elite of their political power. White male settlers frequently married wealthy Californio women of fair complexion, a dynamic that further benefited their access to California's vast land resources.<sup>144</sup>

Although the Californios were the state's earliest Spanish-speaking residents, thousands of Mexican and South American prospectors arrived soon after the discovery of gold in 1848.<sup>145</sup> These recent arrivals were subjected to both violent and structural forms of repression on California's gold fields. Mexican, Argentinian, and Chilean immigrants were victims of vigilante

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<sup>139</sup> Janin and Carlson, *The Californios*, 102.

<sup>140</sup> Estrada, *The Los Angeles Plaza*, 54-55.

<sup>141</sup> Almaguer, *Racial Fault Lines*, 67.

<sup>142</sup> Estrada, *The Los Angeles Plaza*, 55.

<sup>143</sup> *Ibid.*, 70.

<sup>144</sup> Almaguer, *Racial Fault Lines*, 60.

<sup>145</sup> Ngai, "The Chinese Question," 97.

violence similar to those that affected Chinese miners, and were targets of the 1850 Foreign Miners Tax that required a prohibitively expensive license fee for foreign miners.<sup>146</sup> These forms of repression led to the departure of 4/5ths of the Latin American population of California's gold country by 1860.<sup>147</sup> Many disappointed prospectors from Sonora, Mexico, ultimately settled in Los Angeles, in an ethnic enclave bordering Chinatown that came to be called "Sonoratown."<sup>148</sup>

The experience of land and wealth dispossession was unique to the Californios, but all ethnic Mexican Californians, regardless of national origin or class background, broadly experienced coercive marginalization in mid- to late 19<sup>th</sup>-century Californian society. Prior to the 1871 Massacre, Los Angeles had a longstanding history of vigilante violence and lynching. Public lynching was common, and three-quarters of victims from the period between statehood and the Massacre were ethnic Mexican.<sup>149</sup> In *The Los Angeles Plaza*, William David Estrada argues that these extralegal attacks were meant to assert white dominance over the ethnic Mexican population, while simultaneously differentiating between whites and Mexicans as two distinct racial groups.<sup>150</sup> After the theft of their land and wealth reduced the economic prominence of the Californios, racially motivated attacks enforced the racial separation between whites and Mexicans through a campaign of violence. A complex racial hierarchy once differentiated Spanish and Mexican California's residents along the lines of ancestry, complexion, and class. Yet under American rule, structural and coercive forces repressed ethnic Mexicans of all backgrounds, compressing this once-stratified society into a single racial group.

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<sup>146</sup> Pfaelzer, *Driven Out*, 20-22.

<sup>147</sup> *Ibid.*, 23.

<sup>148</sup> Zesch, *The Chinatown War*, 99.

<sup>149</sup> *Ibid.*, 29-30.

<sup>150</sup> Estrada, *The Los Angeles Plaza*, 60.

*Emergence of an Ambiguous Racial Hierarchy in California*

Ethnic Mexicans and Chinese immigrants, the two largest racial minorities in California, experienced entirely different forms of oppression as white supremacy prevailed in the young state. Tomás Almaguer's *Racial Fault Lines* examines the process of racialization in California, which he argues functioned independently from the racial categorization that occurred elsewhere in the nation. According to Almaguer, the economic interests and racial ideologies of white settlers both played a role in determining the forms of marginalization applied to non-white groups.<sup>151</sup> Unlike the black and white binary that defined race and race relations in the Eastern United States, California would come to develop a racial hierarchy to sort the relative position, privilege, and rights of five groups who were racially categorized as distinct: whites, ethnic Mexicans, blacks, Chinese, and indigenous peoples.

White settlers unequivocally presided atop this emerging hierarchy. Unlike in the Eastern United States, where whiteness excluded certain European immigrant groups that were seen as undesirable, all Euro-American settlers were categorized as white in 19<sup>th</sup>-century California.<sup>152</sup> Inclusion in the white racial group meant having the full rights of citizenship and no racial barriers to employment.

Beneath whites in this hierarchy were ethnic Mexicans, including Californios and Mexican immigrants. Los Angeles had a significant Californio community, but their population across the rest of California was much sparser, so they were not generally viewed as a threat to the economic opportunity of whites.<sup>153</sup> But the ability of white settlers to dominate the Californian economy first depended on the acquisition of land owned by the Californios.

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<sup>151</sup> Almaguer, *Racial Fault Lines*, 6.

<sup>152</sup> Lew-Williams, *The Chinese Must Go*, 33.

<sup>153</sup> Almaguer, *Racial Fault Lines*, 45-46.

Dispossessing Californio land and wealth, through the means discussed earlier in this chapter, became the form of repression most appropriate to consolidate white dominance. The racial perceptions that surrounded ethnic Mexicans were ambiguous: they were seen as “half civilized” because they could claim partial European ancestry, practiced Christianity, and had some degree of cultural similarity to American and European settlers.<sup>154</sup> Because these racist sentiments denoted inferiority, but not the inability to assimilate into white American culture, it makes sense that the Treaty of Guadalupe Hidalgo of 1848 granted Californios formal citizenship and legal whiteness.<sup>155</sup> Even though Californios and Mexicans were legally granted citizenship, they did not have political equality with whites in practice, and many were coerced into casting votes to forge white political authority.<sup>156</sup>

Beneath ethnic Mexicans were black Californians, a smaller minority that was denied civic rights and experienced limited economic opportunity. Although slavery was banned under the 1849 California State Constitution, black Californians were denied suffrage and the right to testify against whites in court, criminalized for miscegenation with whites, and banned from attending public schools—racism that originated in the slave South and East and infused national political culture as it expanded across the continent.<sup>157</sup> Fear over the use of slave labor on the gold fields, as well as a fear of labor competition with working class whites, motivated numerous unsuccessful attempts to bar black migration into the state and led to their subordination to unskilled manual labor positions in the state’s urban centers.<sup>158</sup> In these ways, the denial of civic rights, attempted exclusion by whites, and labor discrimination experienced by black settlers

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<sup>154</sup> Almaguer, *Racial Fault Lines*, 8.

<sup>155</sup> Lew-Williams, *The Chinese Must Go*, 33.

<sup>156</sup> William F. Deverell, *Whitewashed Adobe: The Rise of Los Angeles and the Remaking of Its Mexican Past* (Berkeley: University of California Press, 2004), 16.

<sup>157</sup> Almaguer, *Racial Fault Lines*, 38-39.

<sup>158</sup> *Ibid.*, 38-40.

paralleled the structural disenfranchisement of Chinese immigrants. Black settlers constituted only about one percent of California's population during the 1860s and 1870s, so they were never seen as posing a legitimate threat to white dominance, unlike Chinese immigrants.<sup>159</sup> That black migrants were Christian, spoke English, and generally perceived to be partially assimilable were additional factors that improved their status relative to the Chinese.<sup>160</sup> Black migrants were even privileged over Chinese immigrants in certain labor contexts, showing that the black and white racial binary of the Eastern United States failed to describe racial politics in the West.<sup>161</sup> Black Californians were followed by the Chinese, who were seen as unassimilable heathens with few redeeming qualities. At the bottom rung of this racial hierarchy were indigenous Californians, who were seen as savages and subject to coercive land dispossession and violent extermination at the hands of white settlers.<sup>162</sup>

This racial hierarchy was never explicit, and was clearly contested. Californios theoretically stood near the top of this hierarchy by possessing the legal rights associated with whiteness, but their downward economic trajectory contrasted with the growth of the Chinese population. If the relative position of the once-privileged Californios seemed to be slipping, their participation in the Los Angeles Massacre was a means of violently reasserting their racial superiority to the Chinese. Studying Mexican-Chinese relations through geographic and demographic lenses can help shed further light on the scarcely examined nature of the Californios' resentment of Chinese immigration.

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<sup>159</sup> Almaguer, *Racial Fault Lines*, 40-41.

<sup>160</sup> *Ibid.*, 8.

<sup>161</sup> Pfaelzer, *Driven Out*, 192.

<sup>162</sup> Almaguer, *Racial Fault Lines*, 8; Pfaelzer, *Driven Out*, 19.

*From La Plaza to Chinatown: Geographic Uprooting and Californio Resentment*

A geographic or spatial understanding of the site of the Los Angeles Chinese Massacre of 1871 makes clearer the nature of ethnic Mexican resentment towards the Chinese population. Occupation of the Los Angeles Plaza area changed hands three times during the short span from the annexation of Alta California in 1848 until the Massacre in 1871: once the heart of Californio society, it was dispossessed by white settlers, and then later densely occupied by Chinese immigrants. The Los Angeles Plaza was constructed during the period of Mexican Rule and became the hub of the wealthy Californio *ranchero* class. During this time, the flat-roofed adobe buildings that gave the Plaza a distinctly Spanish appearance were constructed.<sup>163</sup> The Plaza was highly significant in this prosperous agricultural society, and housed both secular and religious community events.<sup>164</sup> This center of Alta California urban life fell victim to the dispossession that broadly affected Californio landholders across the state. By the 1870s, many of Southern California's Californios had become impoverished.<sup>165</sup> The families who constructed the Plaza lost their land to white settlers through exploitative means, leading them to either join working-class Mexican immigrant neighborhoods as tenants and not landowners, or to relocate to farms further away from the city center.<sup>166</sup> The dispossession of Californio land and the racial segregation imposed by white landowners contributed to the emergence of an ethnic Mexican neighborhood to the northwest of the Plaza. This neighborhood was referred to as "Sonoratown" by white settlers for the immigrants from Sonora, Mexico, that first settled there.<sup>167</sup>

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<sup>163</sup> Estrada, *The Los Angeles Plaza*, 9-10.

<sup>164</sup> *Ibid.*, 10.

<sup>165</sup> Janin and Carlson, *The Californios*, 11.

<sup>166</sup> Quintana, "National Borders, Neighborhood Boundaries," 31.

<sup>167</sup> *Ibid.*, 33.

As the Californios were stripped of their land and segregated alongside working-class Mexican immigrants, the city's Chinese immigrant population exploded. There were a modest 16 Chinese residents in 1860, but the Chinese population had rapidly expanded to 179 residents by 1870.<sup>168</sup> Roughly half of this Chinese population settled on Calle de los Negros, a street bordering the Plaza.<sup>169</sup> The street name referred not to African Americans, but to the darker-skinned Californios who once called the Plaza home.<sup>170</sup> This reference to Californios as *negros*, or blacks, serves as a prescient reminder that Californios who claimed European ancestry were subject to racism and viewed as racially inferior to whites. The main site of the Massacre was the Coronel Adobe, a Californio-constructed building that would ultimately become one of the main Chinese residences along Calle de los Negros.<sup>171</sup>

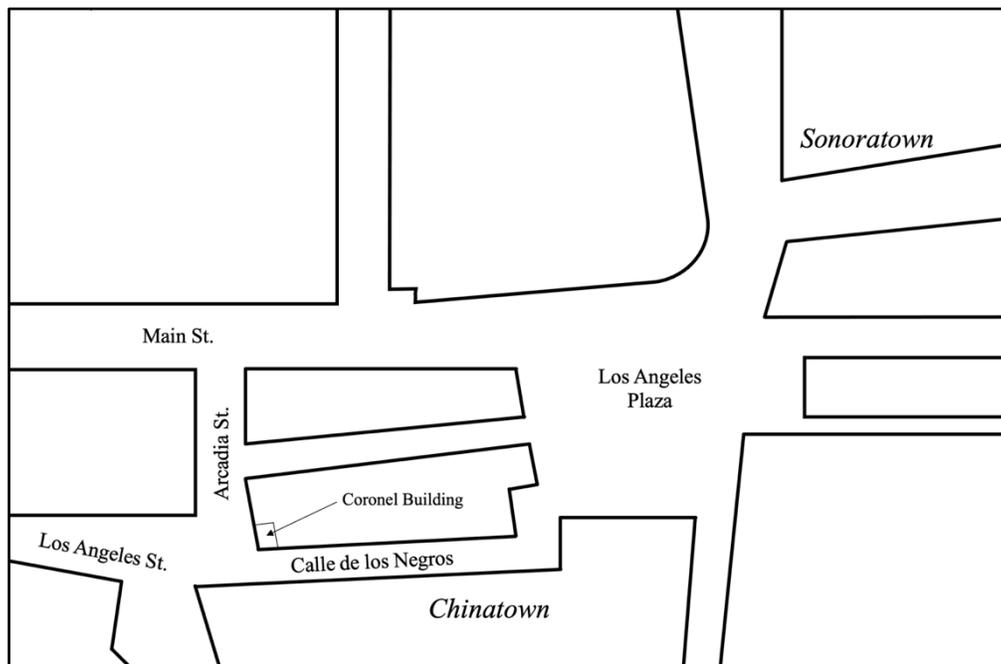


Figure 1<sup>172</sup>

<sup>168</sup> Quintana, "National Borders, Neighborhood Boundaries," 33.

<sup>169</sup> *Ibid.*, 33.

<sup>170</sup> Zesch, *The Chinatown War*, 13.

<sup>171</sup> Quintana, "National Borders, Neighborhood Boundaries," 33.

<sup>172</sup> Based on Zesch, *The Chinatown War*, X and Quintana, "National Borders, Neighborhood Boundaries," 1.

For the Californios, the trauma inflicted during the period from 1848 to 1871 extended far beyond a simple narrative of downwards economic mobility. After their land was cheated from them, many Californios lived alongside recent Mexican immigrants as tenants, blocks away from their proud city center. This process of dispossession and segregation reflected a dynamic process of racialization that compressed ethnic Mexicans into a single racial group. Within two decades, their evicted city center became a densely populated Chinatown that they likely associated with the negative racial stereotypes surrounding Chinese immigrants in this period, particularly those concerning immorality and vice. By the 1870s, the Plaza area had acquired a nasty reputation that stained the proud memory of the former hub of Californio civic, religious, and public life. For example, the *New York Times*, already a major national publication, described Calle de los Negros as a brothel-lined “hotbed of crime and depravity” filled with “murderers, horse-thieves, highwaymen, burglars, &c.”<sup>173</sup>

Their once proud city center had become a site associated with heathenism and sin. The direct geographic connection between the decline of the Californios and the rise of the Chinese explains why Californios harbored a resentment of Chinese immigration on a basis deeper than economic concerns. For the Californios, the loss of the Plaza and its subsequent occupation by the Chinese was not just an issue of wealth, it was an issue of pride. Their genuine resentment towards the group that not only appeared to be slipping ahead in California’s racial hierarchy, but appeared to be rapidly replacing them in a geographic and demographic sense, is what explains the motivations of Californios to participate in the anti-Chinese lynching.

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<sup>173</sup> “The Los Angeles Massacre: Particulars of the Wholesale Lynching of Chinamen.”

*From Dispossession to Anti-Chinese Violence*

To address the hypothesis that Californios resented Chinese immigrants because of the role that they played in their geographic dispossession away from the Los Angeles Plaza and out of a more general fear of the relative loss of privilege, two points must be established. First, that the ethnic Mexicans who expressed their extreme form of anti-Chinese animosity by joining the lynch mob were members of the Californio elite who originally resided in Los Angeles. Second, that these individuals were actually the victim of some form of economic disenfranchisement. If both can be demonstrated on an individual scale for the identifiable members of the lynch mob, then it is reasonable to draw a direct connection between the economic dispossession of Californios in Los Angeles and the development of extreme anti-Chinese sentiment, as demonstrated by the participation of economically dispossessed individuals in the Massacre.

The general lack of written primary source material makes investigating the particular nature of the Californios' perceptions of Chinese people and Chinese immigration a challenge. The two major publications during this period, the *Los Angeles Daily Star* and the *Los Angeles Daily News*, served the city's English-speaking audience, reflecting the anti-Chinese attitudes held by white settlers. *El Clamor Público*, the city's major Spanish-language newspaper, championed liberal values and spoke out against the lynching of ethnic Mexicans, but its publication ended in 1859—itsself a measure of their dispossession—before the arrival of most Chinese immigrants.<sup>174</sup> By the time of the Massacre, the majority of Californios were poorly educated and illiterate, representing an additional challenge to understanding the attitudes of this group.<sup>175</sup> For these reasons, there are no surviving written accounts that specifically convey the anti-Chinese resentment held by the Californios.

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<sup>174</sup> Estrada, *The Los Angeles Plaza*, 68-69.

<sup>175</sup> Janin and Carlson, *The Californios*, 103.

At the same time, contemporary accounts of the Los Angeles Chinese Massacre of 1871 from white perspectives blamed the violence on the Chinese community or admonished mob violence in general. Even if it is possible to determine that the true motivation of the attack was an attempted ethnic cleansing, this interpretation requires a nuanced reading of primary source materials, as the surviving English-language materials do not openly admit the motivations of the lynch mob's white faction. Similarly, even if there were rich Spanish-language materials from the Californios, they would be unlikely to transparently reveal the exact nature of the animosity that prompted their participation in a mass lynching. Fortunately, the argument that the economic dispossession of the Californios was tied to the Los Angeles Chinese Massacre is much better served by a demographic study that sheds light on the specific histories of the men involved in the lynch mob. By piecing together the family backgrounds and economic conditions of the lynch mob's members, this chapter can trace the connection between the dispossession of the Californios and the Massacre with much greater historical specificity than would be possible through an analysis of written accounts.

The Los Angeles Area Court Records, preserved at the Huntington Library, can be used to construct the fullest possible picture of the lynch mob's composition. Out of an estimated 500 members, the Grand Jury's investigation identified a total of 37 men for their participation in the Massacre, of which no complete list survives.<sup>176</sup> However, it is still possible to identify 19 individual indicted members of the lynch mob through surviving court records.<sup>177</sup> Based on the *Los Angeles Daily News's* reporting on testimony conducted during the coroner's investigation,

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<sup>176</sup> Zesch, *The Chinatown War*, 180.

<sup>177</sup> Huntington Digital Library, "Los Angeles Area Court Records," accessed November 16, 2022, <https://hdl.huntington.org/digital/collection/p16003coll10>;

"Indictments for the Chinese Riot, Los Angeles Criminal Court, Case No. 01089";

"People v. Richard Kerren, Los Angeles Criminal Court, Case No. 01101," *Los Angeles Area Court Records, 1850-1910*, January 5, 1871, Huntington Library.

it appears that these men were indicted because they were definitively placed at the crime scene by multiple witnesses. For example, A.R. Johnston and J.G. Scott were seen preparing a rope for the purpose of hanging the Chinese victims, and Jesus Martinez was identified as one of the men who mounted the roof of the Coronel Building where the Chinese were hiding.<sup>178</sup> This sample is relatively small compared to the overall group that witnessed or joined the lynching, but this group of 19 men, indicted because they could conclusively be identified within the mob, is certainly a good representative sample of the Massacre's core leadership.

Figure 2 is a summary of the 19 identifiable men involved in the massacre, and draws from the surviving court records as well as census data.<sup>179</sup> The "Ethnic Mexican?" column is based on whether the individuals had Spanish surnames, which would indicate either Californio or Mexican ancestry during the 19<sup>th</sup> century in Los Angeles. This table does not include a complete record of the twenty survey questions from the census, but the information on the individuals' self-reported race, birth year, birthplace, parents' birthplace, and occupation are based on the census questionnaire. Finally, the trial results are based on court records.

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<sup>178</sup> "The Tragedy of Negro Alley," *The Los Angeles Daily News*, October 27, 1871, Readex: America's Historical Newspapers, <https://infoweb-newsbank-com.ezproxy.cul.columbia.edu/apps/readex/doc?p=EANX&docref=image/v2%3A15DF0623DE2A18D2%40EANX-165C807085DCA410%402404728-165C304863A4D508%402>.

<sup>179</sup> Notes on Census Data Collection Methodology:

**Name Discrepancies**– Several names are spelled slightly differently on the court records and the 1870 Census; for example, Ambrosio Ruiz versus Ambrocio Ruis. The table uses the names as they appear in the court documents for the purpose of consistency.

**Census Year**– This table uses the 1870 Census data to be as up-to-date as possible for the massacre in 1871, with the exception of Refugio Botello, whose name is found in the 1860 Census but missing in the 1870 Census.

**Missing Data**– L.F. Crenshaw, P.M. McDonald, and Edmund Crawford are not present in any surviving census data from the period. With these exceptions, the census records remain very complete.

**Duplicate Names**– The names Louis M. Mendell and Jesus Martinez appear multiple times on the California census; the information provided is based on the individuals who were the correct age to have participated in the Massacre. For example, the Jesus Martinez who was 10 years in 1871 is certainly not the specific person indicted for murder.

Who Were the Indicted Perpetrators of the Los Angeles Chinese Massacre of 1871?								
Name	Ethnic Mexican?	Self-Reported Race	Birth Year	Birthplace	Parents of Foreign Birth?	Occupation	Tried?	Verdict
Ambrosio Ruiz	Yes	White	1844	Mexico	Foreign Born	Laborer	No	
Victor Kelly	No	White	1851	California	US Born	Waiter in Hotel	No	
Bob Styles	No	White	1832	New York	US Born	Laborer	No	
John Styles	No	White	1844	England	Foreign Born	Bricklayer	No	
L.F. Crenshaw	No						Yes	Guilty of Manslaughter
D.W. Moody	No	White	1851	Missouri	US Born	Clerk in Store	Yes	Not Guilty
Louis M. Mendell	No	White	1844	Prussia	Foreign Born	Laborer	Yes	Guilty of Manslaughter
Jesus Martinez	Yes	White	1848	California	US Born	Laborer	Yes	Guilty of Manslaughter
A.R. Johnston	No						Yes	Guilty of Manslaughter
Charles Austin	No	White	1841	New York	Foreign Born	Constable	Yes	Guilty of Manslaughter
P.M. McDonald	No						Yes	Guilty of Manslaughter
J.C. Cox	No	White	1835	Pennsylvania	US Born	Plasterer	No	
Edmund Crawford	No						No	
Refugio Botello	Yes	White	1835	Mexico	Foreign Born	Vaquero (Herdsman)	Yes	Guilty of Manslaughter
Ramon Dominguez	Yes	White	1846	California	US Born Mother; Foreign Born Father	Laborer	No	
Adolfo Celis	Yes	White	1851	California	US Born	Laborer	Yes	Not Guilty
J.G. Scott	No	White	1832	New York	US Born	Carpenter	No	
Estevan Alvarado	Yes	White	1839	California	US Born	Laborer	Yes	Guilty of Manslaughter
Richard Kerren	No	White	1843	Maryland	US Born	Constable	Yes	Not Guilty

Figure 2<sup>180</sup>

<sup>180</sup> Huntington Digital Library, “Los Angeles Area Court Records”; “Indictments for the Chinese Riot, Los Angeles Criminal Court, Case No. 01089”; “People v. Richard Kerren, Los Angeles Criminal Court, Case No. 01101”; Ancestry Library, “1870 United States Federal Census,” accessed October 16, 2022, <https://www.ancestrylibrary.com/search/collections/7163/>; Ancestry Library, “1860 United States Federal Census,” accessed October 16, 2022, <https://www.ancestrylibrary.com/search/collections/7667/>.

Upon conducting this data collection, it becomes possible to piece together the makeup of the Los Angeles Chinese Massacre's leadership. Every man self-identified as white, but six out of the nineteen were ethnic Mexicans. On the 1870 Census, the options for race were white, black, mulatto, Chinese, and Indian.<sup>181</sup> Even though ethnic Mexicans were treated as a distinct racial group locally, the Census was a national survey and its racial categories did not neatly align with the racial stratification present in California. Even though both Californios and Mexicans may have had a mixture of European and indigenous ancestry, it should not be surprising that they universally indicated their race as white, rather than Indian, given their legal status as whites after the Treaty of Guadalupe Hidalgo.

The white settlers were diverse in origin: only the relatively young Victor Kelly was born in California, while the other men hailed from the Eastern United States and Europe. Constituting a substantial third of the indicted group, six ethnic Mexican men were indicted, meaning their participation in the massacre was indeed proportional to their share of the population.<sup>182</sup> Out of the ethnic Mexican men listed, two are Mexican born, and four are Californios. Jesus Martinez, Ramon Dominguez, Adolfo Celis, and Estevan Alvarado are identifiably Californio based on their Spanish surnames, birthplace in California, and American-born parents. Spanish ancestry and multigenerational residence in California are firm indicators that these men were from the demographic group likely to have been victim to land and wealth dispossession during the first decades of California's statehood.

The group also includes two Mexican-born men: Refugio Botello and Ambrosio Ruiz. Immigrants from Sonora, Mexico settled in Los Angeles in significant numbers from 1850 to 1853, forming the "Sonoratown" ethnic enclave that later came to be cohabitated by dispossessed

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<sup>181</sup> Ancestry Library, "1870 United States Federal Census."

<sup>182</sup> Quintana, "National Borders, Neighborhood Boundaries," 28-31.

Californios. These Mexican immigrants were the largest immigrant group in the first few years of statehood, predating the arrival of European or Chinese immigrants.<sup>183</sup> Because both Refugio Botello and Ambrosio Ruiz are marked as citizens in the 1860 and 1870 census, and the fact that European immigrants like Louis Mendell are non-citizens, they were very likely to have been naturalized members from this established earlier immigrant wave.<sup>184</sup> Their citizenship indicates that despite Mexican birth, Refugio Botello and Ambrosio Ruiz were established members of the Los Angeles ethnic Mexican community, granting them greater affinity to the interests and struggles of the Californios. Refugio Botello even married a Californio woman during the first decade of statehood, when Californios were rapidly becoming integrated with the Mexican immigrant community due to their own displacement.<sup>185</sup> This familial connection would have given Botello a particular proximity to the grievances of the Californio community during their economic and geographic dispossession.

The white rioters come from noticeably more diverse backgrounds than the ethnic Mexican rioters. While the white perpetrators hailed from several states and European nations, the ethnic Mexican perpetrators were entirely Californios or naturalized citizens from Mexico with strong ties to the Californio community. This observation supports the argument that white anti-Chinese sentiment was about the forcible assertion of a multiethnic white supremacy, while ethnic Mexican anti-Chinese sentiment was connected to a specific history of geographic and economic displacement.

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<sup>183</sup> Quintana, "National Borders, Neighborhood Boundaries," 31.

<sup>184</sup> Ancestry Library, "1860 United States Federal Census"; Ancestry Library, "1870 United States Federal Census."

<sup>185</sup> Ancestry Library, "1860 United States Federal Census."

The 1850, 1860, and 1870 censuses do not list the address of the surveyed residents, instead listing the “Dwelling Number” of residences in the order in which they were surveyed.<sup>186</sup> While it is likely that the order of “Dwelling Numbers” indicates the immediate proximity of individual households, it gives little insight into the vicinity of particular neighborhoods. The fact that dwelling numbers would change between censuses merely because the order that households were surveyed would vary also means it is impossible to trace the exact nature of the geographic displacement of the Californios. Although it is not possible to trace the individual nature of each person’s geographic dispossession, the occupational, literacy, and estate sections of the Census still illustrate a narrative of economic dispossession.

This census data also gives some insight into the economic conditions of these men. The white men listed in Figure 2 come from the middle class or artisan class; for example, bricklayers, clerks, and constables. In contrast, the ethnic Mexican men all come from the working class, as seen through their employment as laborers or farmhands. While all of the white men are marked as literate in the census, two of the Californios—Jesus Martinez and Estevan Alvarado—checked the census boxes for “Cannot Read” and “Cannot Write.”<sup>187</sup> There is a separate column in the census for “Value of Real Estate” and “Value of Personal Estate,” but it was left blank in all but a few exceptions, making it challenging to quantify the relative wealth of these men. Men who left the real estate and personal estate question blank likely had little worth reporting, suggesting that the lynch mob overall was not from a landholding class. Only four men responded to this survey question: D.W. Moody had \$100 worth of real estate and unknown personal estate; J.G. Scott had \$1800 worth of real estate and \$150 worth of personal estate; and

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<sup>186</sup> Ancestry Library, “1850 United States Federal Census,” accessed October 16, 2022, <https://www.ancestrylibrary.com/search/collections/8054/>; Ancestry Library, “1860 United States Federal Census”; Ancestry Library, “1870 United States Federal Census.”

<sup>187</sup> Ancestry Library, “1870 United States Federal Census.”

Richard Kerren had \$1500 worth of real estate and \$100 worth of personal estate. Refugio Botello, a Mexican immigrant, had \$400 worth of real estate and \$75 worth of personal estate.<sup>188</sup> This would seem to suggest that some of these white men had much greater property claims than the single Mexican respondent to this section of the survey. The combination of working-class occupations, incidences of illiteracy, and insignificant estate value indicates that these Californio and Mexican men occupied the lowest socioeconomic rung of Los Angeles's society. The census's insight into the economic transformation of Californio men, who would have come from land-owning families, to poor manual laborers, points firmly to the fact that these men came from economically dispossessed backgrounds.

Regardless of whether the identifiable Californio lynch mob members formerly lived in the Los Angeles Plaza before it was dispossessed by whites and converted into a Chinatown, they still would have associated this specific locale with their proud culture and former prosperity. As they were displaced from their land and economically marginalized, the Chinese population was exploding, turning their cultural center into a place they likely viewed as a haven for heathenism, sin, and violence. This narrative is reinforced through the individual histories of several economically disenfranchised Californios who went on to become the indicted leaders of the 1871 Massacre. In contrast with the diverse backgrounds of white lynch mob members, the ethnic Mexican members were uniformly from the working class, and would have felt especially threatened by a growing Chinese population with the potential to even further displace their economic position and placement within California's contested racial hierarchy.

On both the individual and community-level scales, a geographic and demographic study of the Californios involved in the Massacre shows that there is a direct connection between

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<sup>188</sup> Ancestry Library, "1870 United States Federal Census."

geographic and economic displacement and the extreme act of participating in a violent act of ethnic cleansing. These Californios and Mexicans did not merely join the Massacre in support of white supremacy; they were driven by a geographically, economically, and culturally motivated sense of extreme resentment towards a racial group whose inferiority could only be asserted through violence and expulsion.

### **Chapter III: The Massacre's Legal Proceedings and Anti-Chinese Bias in the Courtroom**

#### *Could There Be Justice for the Massacre?*

As hundreds of rioters flooded the streets of Los Angeles's Chinatown to take part in a racially motivated mass lynching on the night of October 24<sup>th</sup>, 1871, it became clear that anti-Chinese sentiment in its most extreme forms was commonplace in the southern Californian city. In the days and months that followed, Los Angeles's criminal justice system undertook the unenviable task of determining how to bring about justice for the horrific crimes of the Massacre. How would they go about prosecuting the dozens, if not hundreds, of murderers and accomplices? In a city with such open hostility towards Chinese immigrants, would it even be possible to punish the Massacre's perpetrators?

Although the crimes committed during the Massacre were numerous, the criminal justice system's response was limited. The relevant legal proceedings include the Coroner's Inquest, the indictments of the Grand Jury, the trials against suspected lynch mob participants, legal actions taken by the Chinese victims, and the city's effort to prosecute the Chinese men suspected of killing Robert Thompson. An analysis of surviving court records and newspaper coverage will be valuable in assessing the court system's intentions during the legal proceedings and discerning the specific anti-Chinese bias that influenced the disappointing legal outcomes that followed.

#### *A History of Chinese Disenfranchisement in the Criminal Justice System*

During the initial wave of Chinese mass immigration to the United States during the mid-19<sup>th</sup> century, there were no clearly defined privileges or processes of citizenship at the national level. After the passage of the 14<sup>th</sup> Amendment, which guaranteed birthright citizenship, and the further enumeration of the privileges associated with citizenship under the 1866 Civil Rights Act,

many more Americans were deemed citizens, including African Americans and many Native Americans, and could claim legal entitlement to a range of civic rights. Despite this progress, the status of Chinese Americans remained unclear.<sup>189</sup> In practice, this majority-immigrant population was denied naturalized citizenship, and foreign-born Chinese were formally restricted from citizenship under the Chinese Restriction Act of 1882.<sup>190</sup>

The California Supreme Court's decision regarding the murder of a Chinese man by George Hall would become the first milestone in determining the legal rights and status of Chinese immigrants in the United States. George Hall, a white gold miner, was convicted of murder and sentenced to be hanged after killing a Chinese miner who attempted to prevent his robbery of a separate Chinese miner.<sup>191</sup> As the California Supreme Court reviewed Hall's sentence in 1854, they took issue with the local court's verdict on account of "the admissibility" of Chinese witness testimony as evidence.<sup>192</sup> The decision first issues a reminder that black and indigenous witnesses cannot offer testimony against white defendants in the state of California, a precedent justified out of fear of the "corrupting influences of degrading castes."<sup>193</sup> The court then integrates this existing restriction on black and indigenous testimony into a bizarre racial argument to disenfranchise Chinese Americans in the courtroom. The *People v. Hall* decision argues that because Native Americans originally arrived in North America by crossing the Bering Strait, they are essentially the same race as the Chinese: "From that time, down to a very recent period, the American Indians and the Mongolian, or Asiatic, were regarded as the same type of human species."<sup>194</sup> By arguing that Chinese immigrants were racially indistinguishable

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<sup>189</sup> Lew-Williams, *The Chinese Must Go*, 30-31.

<sup>190</sup> Almaguer, *Racial Fault Lines*, 180.

<sup>191</sup> Pfaelzer, *Driven Out*, 39.

<sup>192</sup> "People v. Hall, 4 Cal. 399 (1854)," Caselaw Access Project, accessed October 18, 2022, <https://cite.case.law/cal/4/399/>.

<sup>193</sup> Ibid.

<sup>194</sup> Ibid.

from Native Americans, the California Supreme Court applied an existing disenfranchising legal precedent to an immigrant group without well-defined rights. George Hall's murder conviction was overturned, and this precedent resulted in the ban on Chinese witness testimony against white defendants after 1854.<sup>195</sup>

The *People v. Hall* precedent meant that all manners of anti-Chinese crime could go unpunished in California. The California State Legislature reported that there were 88 Chinese immigrants murdered by whites in 1862 alone, but the murderers were convicted and hanged in only two of these cases.<sup>196</sup> In California, anti-Chinese crime was so rarely successfully prosecuted for two main reasons: Chinese witnesses were not allowed to testify against whites, and white witnesses were often unwilling to provide testimony that would convict the white perpetrators of these crimes. The ongoing restriction on Chinese witness testimony tremendously increased the challenge in prosecuting the perpetrators of the Los Angeles Chinese Massacre. Chinese survivors would likely have been able to identify the specific men who committed particular crimes during the Massacre, but the only eligible witnesses were white and ethnic Mexican men who were either bystanders, accomplices, or participants in the crimes themselves.

#### *The Coroner's Inquest and the Grand Jury*

Over the course of the four days that followed the Los Angeles Chinese Massacre, the coroner staged a thorough investigation into the riot's criminal activity, known as the Coroner's Inquest. Although the Coroner's Inquest itself does not survive, its contents can be surmised through the *Los Angeles Daily Star* and the *Los Angeles Daily News*' detailed coverage.<sup>197</sup> The

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<sup>195</sup> Hsu, *Asian American History*, 31.

<sup>196</sup> *Ibid.*, 31.

<sup>197</sup> Spitzerri, "'Shall Law Stand for Naught?'" 188-190.

first responsibility of the coroner's investigation was identifying the names and causes of death of the Chinese victims, which included shooting, hanging, stabbing, beating, or some combination of these four.<sup>198</sup> Next, the Inquest conducted interviews with dozens of witnesses whose testimony is recorded in the *Los Angeles Daily News*. Most of the interviews follow a similar pattern: the men testified that they headed to Calle de los Negros after hearing that the Chinese were shooting at whites, where they witnessed the formation of a large mob and several hangings. The vast majority of the witnesses claimed to be unable to identify a single person in the crowd, and none were able to identify a specific murderer.<sup>199</sup> These testimonies initially seemed to be a dead end, as few witnesses were willing to provide useful testimony. A.R. Johnston, who was ultimately convicted of manslaughter, claimed that he went to Los Angeles Street, near the riot, but "got so drunk afterwards that I do not remember what happened."<sup>200</sup>

Ultimately, the Coroner's Inquest was able to piece together a cursory view of which men were likely at the scene of the crime, even if the evidence produced in this early investigation was not sufficient to convict any murderer outright. For instance, a witness named Ben McLaughlin claimed to have seen Ramon Dominguez and A.R. Johnston taking away a Chinese man to be hanged, but not the hanging itself.<sup>201</sup> By examining the *Los Angeles Daily News's* reporting on the Inquest, it becomes clear that the men who were frequently named through this type of circumstantial evidence were those who went on to become indicted.

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<sup>198</sup> "The Tragedy of Negro Alley," October 26, 1871.

<sup>199</sup> "The Tragedy of Negro Alley," October 27, 1871.

<sup>200</sup> Ibid.

<sup>201</sup> "The Tragedy of Negro Alley," *The Los Angeles Daily News*, October 28, 1871, Readex: America's Historical Newspapers, <https://infoweb-newsbank-com.ezproxy.cul.columbia.edu/apps/readex/doc?p=EANX&docref=image/v2%3A15DF0623DE2A18D2%40EANX-165C807135B69088%402404729-165C304865DFF7F8%400>.

Soon after the Coroner's Inquest's conclusion, on November 8<sup>th</sup>, 1871, Judge Ygnacio Sepulveda convened a special Grand Jury to investigate the Los Angeles Chinese Massacre.<sup>202</sup> In his opening remarks to the jury, Sepulveda framed the trial as a struggle between justice and mob violence: "Remember, gentlemen, the accountability you owe to society. Act and be true to your manhood, to morality, and to mankind. You must indict all, who, after the hearing of legal evidence, you consider obnoxious to punishment for crimes committed within the county."<sup>203</sup> By all indications, his remarks suggest that Sepulveda took the Grand Jury's task of indicting the lynch mob members seriously. Records of the Grand Jury do not survive, but there were a reported 37 men indicted through this investigation, a sizable number considering the unwillingness of most witnesses to provide useful testimony.<sup>204</sup>

### *The Prosecution of the Lynch Mob*

After the Grand Jury's delivery of dozens of indictments, it seemed that Los Angeles's criminal justice system sought to punish the Massacre's perpetrators to the best of its ability. Despite the Grand Jury's achievement, the Los Angeles County Court failed to bring the majority of the indicted rioters to trial. Why so many of the indicted men were not tried for their suspected criminal activity remains unknown, but could potentially be explained by the court's limited resources. After the conclusion of only two trials, *People v. Kerren* and *People v. L.M. Mendell et al.*, the District Attorney conducted no further investigations into the murders, assaults, and looting that targeted the Chinese community of Los Angeles.<sup>205</sup>

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<sup>202</sup> Spitzerri, "Shall Law Stand for Naught?" 191.

<sup>203</sup> "Judge Sepulveda's Charge to the Grand Jury," *The Los Angeles Daily Star*, November 9, 1871, California Digital Newspaper Collection, <https://cdnc.ucr.edu/?a=d&d=LADS18711109.1.2&e=-----187-en--20--1--txt-txIN-Los+Angeles+star----->.

<sup>204</sup> Zesch, *The Chinatown War*, 180.

<sup>205</sup> *Ibid.*, 207.

Dated January 5<sup>th</sup>, 1872, *People v. Kerren* involved the Los Angeles County Court's prosecution of Richard Kerren, a police officer charged with "assault with a deadly weapon" after shooting at two Chinese women name Cha Cha and Fan Cho during the riot.<sup>206</sup> *People v. Kerren* is the most complete surviving account of the Los Angeles County Court's approach towards prosecuting members of the lynch mob, and includes Kerren's indictment, instructions to the jury, and an incomplete trial record. Fellow policemen and other white male witnesses are asked about their activities during the night of the Massacre, but any accounts that stray from the specific charges levelled against Richard Kerren are deemed "irrelevant" or "hearsay" and met with objections from the defense.<sup>207</sup> For this reason, *People v. Kerren* does not provide insight into the overall scope of criminal activity during the Massacre. Conspicuously absent is the testimony of the two Chinese women who were allegedly shot at by Kerren. Unsurprisingly, all of the white male witnesses claimed to have no knowledge of Kerren's assault, and the police officer was found not guilty.<sup>208</sup> In this early attempt to prosecute a member of the lynch mob, the ban on Chinese testimony against whites, the witnesses' unwillingness to provide valuable evidence, and the defendant's status as a police officer likely all played a role in the court's failure to bring about justice through any sort of criminal sentencing.

Dated March 26<sup>th</sup>, 1872, *People v. L.M. Mendell et al.* involved the prosecution of ten men indicted for the murder of several of the Massacre's Chinese victims.<sup>209</sup> The case began as an individual trial concerning the murder of the Chinese Doctor Gene Tong by a white man named L.F. Crenshaw.<sup>210</sup> Crenshaw's trial was then combined with the trials of nine other white

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<sup>206</sup> "People v. Richard Kerren, Los Angeles Criminal Court, Case No. 01101."

<sup>207</sup> Ibid.

<sup>208</sup> Ibid.

<sup>209</sup> "People v. L.M. Mendell et al., Los Angeles Criminal Court, Case No. 01071," *Los Angeles Area Court Records, 1850-1910.*, March 26, 1872, Huntington Library.

<sup>210</sup> Spitzerri, "'Shall Law Stand for Naught?'" 198.

and ethnic Mexican men, all indicted for murder against specific Chinese individuals.<sup>211</sup> Kerren was indicted for a non-fatal assault, meaning *People v. L.M. Mendell et al.* would ultimately become the city's sole effort to punish the men believed to have been involved in the actual lynching of the Massacre's Chinese victims.

The surviving case record includes a full transcript of Judge Robert Widney's instructions to the jury, but no transcript of the actual trial proceedings.<sup>212</sup> Still, Widney's instructions highlight the challenges faced by the prosecution in proving the guilt of the suspected murderers. Widney repeatedly reminds the jury that the court is to acquit the defendants unless they can conclusively be proven guilty, even stating that "it is always better to err in acquitting than in punishing—on the side of mercy, than on the side of justice."<sup>213</sup> Widney states that only sworn testimony against the defendants may be considered by the jury, hearsay or circumstantial evidence will not suffice as proof, and Chinese testimony will not be considered.<sup>214</sup> These restrictions on the nature of viable evidence are justified throughout the court transcript with case law citations and California Supreme Court precedents, demonstrating the intention to provide an unbiased trial according to statewide standards of criminal law.<sup>215</sup> Through the judge's instructions, it becomes clear that the court's anti-Chinese bias lies not in a leniency afforded to the lynch mob members, but in the ban on Chinese testimony against whites enacted after *People v. Hall*. Judge Widney also clarifies the working definitions of murder and manslaughter employed by the court: manslaughter is "an unlawful killing of a human being without malice," but "if there be any mixture of deliberation it ceases to be manslaughter and becomes murder."<sup>216</sup>

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<sup>211</sup> Spitzerri, "'Shall Law Stand for Naught?'" 202.

<sup>212</sup> "Indictments for the Chinese Riot, Los Angeles Criminal Court, Case No. 01089."

<sup>213</sup> Ibid.

<sup>214</sup> Ibid.

<sup>215</sup> Ibid.

<sup>216</sup> Ibid.

Despite all ten men being indicted for murder, eight men were sentenced for manslaughter and two men were found not guilty.<sup>217</sup> The length of the convicted rioters' prison sentences ranged from two years, in the case of Refugio Botello, to six years, in the case of A.R. Johnston, and they were imprisoned in San Quentin State Prison.<sup>218</sup> That the city's punishment for a mass lynching, with participation numbering in the hundreds, amounted to just eight manslaughter convictions with only modest prison sentences was a disappointing outcome that could hardly be considered justice, despite the court's apparent attention to provide a fair trial.

The defendants' appeal of their manslaughter convictions resulted in review by the California Supreme Court in April of 1873, titled *People v. Crenshaw*. In their decision, the court determined that "the indictment in this case is fatally defective in that it fails to allege that Chee Long Tong was murdered."<sup>219</sup> The Supreme Court called for a retrial in the local Los Angeles court that never materialized. The eight convicted men were immediately released from San Quentin, meaning that the minimal punishments inflicted upon the perpetrators of the Massacre were overturned only one year after their conviction.<sup>220</sup> This decision rested on a legal technicality: even if the court successfully proved the presence of these men in the lynch mob, they did not conclusively show that Gene Tong, whose name appears as Chee Long Tong in the decision, was murdered.

The California Supreme Court's ruling initially appears to be a clear instance of anti-Chinese bias, exploiting a legal technicality concerning a Chinese immigrant's death which was indisputably caused by lynching—the Coroner's Inquest clearly noted the cause of death to be a

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<sup>217</sup> "Indictments for the Chinese Riot, Los Angeles Criminal Court, Case No. 01089."

<sup>218</sup> Spitzerri, "Shall Law Stand for Naught?" 206.

<sup>219</sup> "People v. Crenshaw, 46 Cal. 65 (1873)."

<sup>220</sup> Ibid; Jew, "The Anti-Chinese Massacre of 1871 and Its Strange Career," 121.

gunshot to the head, followed by hanging.<sup>221</sup> Although the *People v. Hall* decision of 1854 proved that racism could influence the legal arguments of the state's highest court, the *People v. Crenshaw* decision was more likely rooted in a skepticism towards the circumstantial testimonial evidence that proved the presence of the indicted men in the lynch mob, but not their specific crimes against particular Chinese victims.

For witnesses of the Massacre, it was not ignorance, but an unwillingness to truthfully testify against its perpetrators that prevented the delivery of accurate sentences. The Los Angeles Chinese Massacre was not a discreet crime, but a highly public mass lynching. There were hundreds of potential witnesses who could have identified the murderers, and the city's small population makes it even more implausible that witnesses of the hangings and shootings would have been unable to name members of the lynch mob. As an editorial in the *Los Angeles Daily News* titled "Let Punishment Follow the Crime" bluntly points out, "Is it not incredible that the sworn officers of the law, those who from the very nature of their duties come to know almost every man in the entire community should, in the present instance, be unable to identify a single one of the lawbreakers, who were robbing and murdering before their very eyes?"<sup>222</sup> Even to the journalists of one of Los Angeles's consistently racist publications, the idea that none of the members of the city's law enforcement could provide valuable testimony is absurd. In the absence of Chinese testimony, the city's uncooperative witnesses failed to provide sufficient evidence to ensure justice for the crimes of 1871. The overt anti-Chinese bias in these cases is

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<sup>221</sup> "The Night of Horrors! Names of the Killed. \$10,000 Alleged To-Have Been Stolen. Additional Captures and Further Particulars. The Coroner's Inquest.," *The Los Angeles Daily Star*, October 26, 1871, California Digital Newspaper Collection, <https://cdnc.ucr.edu/?a=d&d=LADS18711026.1.2&e=-----187-en--20--1--txt-txIN-Los+Angeles+star----->.

<sup>222</sup> "Let Punishment Follow Crime."

not very visible; rather, the well-established structural disenfranchisement of Chinese immigrants in the Californian legal system was at fault for the lack of justice for the Massacre's victims.

### *No Reparations, No Justice*

In addition to its high death toll, the Los Angeles Chinese Massacre represented a tremendous financial loss for the city's Chinese community: during the riot, an estimated \$14,000 to \$30,000 of property in Chinatown was destroyed, looted, or missing, equivalent to roughly \$330,000 to \$710,000 in the present day when adjusted for inflation.<sup>223</sup> To seek justice for the material toll of the Massacre, Sam Yuen, leader of the Nin Yung Company and owner of the Wing Chung Store in Chinatown, sued the city of Los Angeles to compensate his business for damages. The surviving transcripts of the trial that followed in June of 1872, *Wing Chung Co. v. Los Angeles City*, display a rare exception to the near absence of Chinese testimony in California's courts. Because the defendant was not a white individual, but the city of Los Angeles itself, Sam Yuen and three Chinese store employees were able to testify before the county court and verify the \$6530.45 worth of property looted during the riot.<sup>224</sup> In response to the Wing Chung Company's claims, the defense alleged that the city should not be held liable for the damages because the employees supposedly knowingly incited the riot, seeing as it was this particular store where Robert Thompson was shot and killed.<sup>225</sup> Ultimately, the County Court sided with the defense's claim that the city was not responsible for damages because of the role of the Chinese plaintiffs in inciting the riot. This case also led to an appeal in the California

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<sup>223</sup> "The Tragedy of Negro Alley," October 26, 1871; Federal Reserve Bank of Minneapolis, "Consumer Price Index, 1800-," accessed March 22, 2023, <https://www.minneapolisfed.org/about-us/monetary-policy/inflation-calculator/consumer-price-index-1800->.

<sup>224</sup> "Wing Chung Co. v. Los Angeles City, Los Angeles District Court, Case No. 01941," *Los Angeles Area Court Records, 1850-1910.*, June 24, 1871, Huntington Library.

<sup>225</sup> *Ibid.*

Supreme Court, *Fong Yuen Ling v. the Mayor and Common Council of City of Los Angeles*, dated January 1<sup>st</sup>, 1874. The Supreme Court's decision affirmed the ruling of the lower court: "On these facts the plaintiffs are not entitled to recover: 1st, because they made no effort to notify the Mayor; and 2nd, because at least one of them instigated and participated in the riot."<sup>226</sup>

Even though the *Wing Chung Co. v. Los Angeles City* trial enabled the use of testimony from Chinese victims, the court's anti-Chinese bias was evident upon basing a decision on the mere presumption of Chinese guilt. The case rested entirely on the absurd assumption that the racially motivated Massacre and looting that accompanied it was the fault of these Chinese men. As seen in contemporary newspapers, the common narrative after the Massacre involved shifting the blame for the riot on the Chinese themselves, and this same mentality was applied in a legal setting against Sam Yuen and the Wing Chung Company. In fact, Sam Yuen had been personally indicted for the murder of Robert Thompson, leading to a trial titled *People v. Sam Yuen* on November 19<sup>th</sup>, 1872. Although the surviving case file is very incomplete, the "not guilty" verdict seemed to be a rare bright spot in absolving Chinese community members of blame for the ensuing Massacre, and showed that Chinese defendants could receive a fair trial.<sup>227</sup>

For all of the County Court's principled speech about how defendants are innocent until proven guilty, as seen in *People v. L.M. Mendell et al.*, the same standard was not applied to the Chinese in their suit against Los Angeles. The Supreme Court's logic is further eroded in light of the city's inability to prove Sam Yuen's guilt in inciting the riot through the murder of Robert Thompson. By assuming without proof that the Chinese were guilty of inciting the riot, which was undoubtedly related to racist stereotypes surrounding Chinese immorality, the County Court

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<sup>226</sup> "Fong Yuen Ling v. the Mayor and Common Council of City of Los Angeles, 47 Cal. 531," Casetext, January 1, 1874, <https://casetext.com/case/fong-yuen-ling-v-the-mayor-and-common-council-of-city-of-los-angeles>.

<sup>227</sup> "People v. Sam Yuen, Los Angeles Criminal Court, Case No. 01164," *Los Angeles Area Court Records, 1850-1910.*, November 19, 1872, Huntington Library.

and California Supreme Court both hypocritically undermined their legal principles and denied Chinese defendants a fair trial.

Despite initially promising signs that the city of Los Angeles would deliver on its promise to bring about justice for the horrible crimes of the Los Angeles Chinese Massacre, the Chinese community was met with consistently disappointing legal outcomes. In trials against the perpetrators of anti-Chinese crime, the resounding failure of eligible witnesses to provide useful testimony meant that horrific, and highly public, murders went unpunished. When Chinese testimony was allowed in Sam Yuen's lawsuit against the city of Los Angeles, evident anti-Chinese bias within the courts presumed Chinese guilt and denied the city's liability to any financial compensation for property damages. After rulings from the Los Angeles County Court and the California Supreme Court, the legal proceedings of the Los Angeles Chinese Massacre proved to be no aberration from the broader history of Chinese immigrants' disenfranchisement within the 19<sup>th</sup>-century Californian criminal justice system.

### Conclusion

In 1871, Los Angeles became the unexpected home of one of the deadliest incidences of racial violence in American history. This southwestern city, which had a small Chinese population, should have been far removed from Northern California's already-entrenched tradition of anti-Chinese violence. Instead, the death of a single white man at the hands of Chinese alleged gang members incited the mass lynching of 19 to 22 Chinese men and the plundering of Chinatown's wealth.

Unlike other incidences of anti-Chinese attacks during the mid- to late 19<sup>th</sup> century, the Los Angeles Chinese Massacre had no economic pretense; instead, extralegal justice for the murder of Robert Thompson became the stated justification of the lynch mob. Historians have agreed that the indiscriminate targeting of Chinese civilians made the Massacre a racially motivated attack. However, they have failed to explain how statewide anti-Chinese rhetoric, which often emphasized the economic threat that Chinese immigration posed for white laborers, could apply in the economically prosperous context of Los Angeles. Although Los Angeles did not experience labor competition that would strain relations between white settlers and Chinese immigrants, the city was plagued by vigilante violence and the open operation of brothels, eagerly patronized by whites, which were established by some Chinese residents. An examination of 19<sup>th</sup>-century newspaper coverage from Los Angeles reveals that the dominant strain of anti-Chinese racism in this local context stoked fears over the supposed moral threat associated with Chinese immigration, predicated on racist stereotypes that cast Chinese men as an immoral, heathen race. By clinging to stereotypes concerning the immorality of Chinese immigrants in their justifications for the Massacre, 19<sup>th</sup>-century white writers demonstrated that

anti-Chinese racism could dynamically morph to suit different settings, scapegoating their most pressing insecurities onto the Chinese population.

Historians have also struggled to explain the intent behind the lynch mob's disproportionate response to the murder of a single white man. Although the Massacre assumed the same pattern as other racially motivated lynchings, which occurred on numerous occasions statewide, this event was not simply an attempt to bring about extralegal justice. As demonstrated in 19<sup>th</sup>-century newspaper coverage, the principal intent of the Massacre was well-understood by writers of the time. The Massacre's aim was ethnic cleansing, intended not only to punish the Chinese community, but to completely drive them out of the city through a campaign of violence and terror.

In addition to the lack of an economic pretense for the Massacre, histories of the Massacre have also failed to explain, or even acknowledge, the uncomfortable fact that ethnic Mexicans, in addition to white settlers, participated in large numbers in this anti-Chinese mass lynching. Compared to the anti-Chinese movements of Northern California that pandered to the economic desires of the white working class, anti-Chinese sentiments based on the moral threat of Chinese immigration, which were prevalent in Los Angeles, would not have alienated ethnic Mexicans. For the Californios that descended from the city's first Spanish and Mexican settlers, anti-Chinese racism was linked to the dispossession of this formerly wealthy, landowning class during the early decades of California's statehood. As their land and wealth were seized by white settlers, the Californios were forced to leave the Los Angeles Plaza. In their place, a Chinatown rapidly emerged, replacing the center of their proud culture with a neighborhood associated with sin. As demonstrated through surviving court records and census data, the lynch mob's leadership included a number of dispossessed and impoverished Californios, supporting the link

between the geographic and economic displacement of Californios and the development of extreme anti-Chinese racism. To reassert their slipping position in California's emerging racial hierarchy against a group they blamed for the moral decline of their ancestral home, ethnic Mexicans readily joined their white neighbors to drive out Los Angeles's Chinese community.

After the Massacre, Los Angeles's criminal justice system produced initially promising signs that justice would be brought about for its Chinese community. Despite the delivery of dozens of indictments to punish the members of the lynch mob, the ban on Chinese testimony against whites and the unwillingness of white witnesses to provide useful testimony impeded the local court's efforts to punish the Massacre's perpetrators. The California Supreme Court's decision to overturn the manslaughter sentences of eight convicted rioters delivered the final blow against any hope for justice for the Chinese community.

The Los Angeles Chinese Massacre of 1871 was undoubtedly connected to statewide and national anti-Chinese sentiments, but its motivations were grounded in its local context, and differed among white and ethnic Mexican participants. This study of the Massacre, and the unique circumstances from which it emerged, demonstrates that racism and the process of racialization are dynamic, adopting diverse forms in different time periods and settings. As a case study, the Los Angeles Chinese Massacre illustrates patterns of anti-Chinese racism: for example, the link between the most prevalent anti-Chinese sentiments and the greatest insecurities of white Americans. But this study also shows the need for historical specificity, considering the close connection between the displacement of Californios and their anti-Chinese animosity, a result of the specific economic and demographic conditions of Los Angeles. Thus, investigating a subject as complex as race and racism requires a careful balancing of broader historical trends and a detail-oriented approach to relevant local conditions.

*Lessons of the Massacre*

With this lesson in mind, it becomes clear why politicians, journalists, and the general public have failed to comprehend the rise in anti-Asian racism and violence during the COVID-19 pandemic. It is anachronistic to simply apply the specific motivations for the Los Angeles Chinese Massacre in the present day, as the American public's perception of Chinese Americans and other Asian immigrant groups has changed dramatically over time. For example, the 19<sup>th</sup>-century perception that Chinese immigrants were a lawless, vicious race sharply contrasts the law-abiding "model minority" stereotype that surrounds Chinese Americans today.

However, this study of the Massacre still provides pertinent insight into the contemporary issue of anti-Asian violence by highlighting the dynamic nature of racism and the process of racialization. As in 19<sup>th</sup>-century Los Angeles, contemporary racist sentiments can emerge from a wide variety of sources. Political concerns, such as the loss of geopolitical influence to a rising People's Republic of China, threaten the fading myth of American exceptionalism and cast the Chinese as an existential threat to American sovereignty. Economic concerns, like the reduction in American industrial output in favor of cheaper Chinese manufacturers, prey upon the insecurities of uneducated workers with increasingly few job options and portray the Chinese as a threat to the economic opportunity of the American working class. Most recently, efforts by politicians and journalists to blame the COVID-19 pandemic on a Chinese lab leak, whether unintentional or deliberate, have cast China as a distrustful aggressor and consequently reinvigorated Americans' distrust of Asian immigrants. Although these animosities are largely rooted in a distrust of the Chinese government, racist stereotyping involves the conflation of individual characteristics with an entire group who becomes categorized as a race. Here, concerns over the Chinese state have spilled over not just to Chinese individuals, but to

American-born Chinese and other East-Asian immigrant groups, who have been indiscriminately targeted with violent attacks.

Although the specific racist sentiments that surround that Chinese community have changed since the 19<sup>th</sup> century, the pattern of anti-Chinese racism has remained largely unchanged. Rooted in political, economic, and public health concerns, Americans of East Asian descent are unfairly blamed for pressing issues affecting the American public. Journalists and politicians fail to understand that anti-Chinese stereotypes connected to political, economic, or public health issues may function in tandem or separately, and adapt in local contexts. In this sense, a politician that condemns China as the cause of a catastrophic pandemic may contribute to anti-Chinese antipathy, but the elimination of this rhetoric will be an insufficient means of fully inhibiting the perpetuation of prejudice. As demonstrated through the Los Angeles Chinese Massacre, local manifestations of racism may fail to fit a national mold. Therefore, confronting anti-Asian racism in the present day will require a more tedious approach that begins with understanding the complex root causes of this antipathy and promoting targeted solutions to reduce ignorance and prejudice.

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