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Southern California Chivalry: The Convergence of Southerners and Californios in the Far Southwest, 1846-1866

Author
Lynch, Daniel Brendan

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in the Far Southwest, 1846-1866

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in History

by

Daniel Brendan Lynch

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ABSTRACT OF THE DISSERTATION

Southern California Chivalry:

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in the Far Southwest, 1846-1866

by

Daniel Brendan Lynch

Doctor of Philosophy in History

University of California, Los Angeles, 2015

Professor Stephen Aron, Chair

From 1846 to 1866, the United States expanded national power in the West while confirming it in the South. In the far corner of the Southwest, two unlikely groups of men worked together to facilitate Southern California's incorporation into the Union: southerners—migrants from the antebellum South; and Californios—the Spanish-surnamed cattle ranchers of Alta California. Drawing upon census data, legislative documents, militia records and other sources, this dissertation demonstrates that seigneurial notions of social hierarchy and masculine honor stood behind their political alliance in a faction known as "the Chivalry" and their coordination of cavalry companies in vigilante justice.

While a desired state split may have done much to entrench seigneurialism and local militia organization, the primary result of the alliance was not to mediate but to hasten the region's incorporation. They brought a rough order to Southern California in the wake of the Mexican-American War that privileged white Americans and Californios over Indians and Spanish-surnamed people of lower social status. They also stimulated a military build-up in the region during the Civil War that strengthened local connections to the capitalist economy of the expanding nation-state. Driven by a desire to protect the embattled sister republics of the United States and Mexico, Californios would generally side with the Union and many joined the California Native Cavalry Battalion. Also known as the California Lancers, this mostly Spanish-surnamed unit played a critical role in Unionizing Southern California. The Chivalry alliance, though not fully destroyed by the Civil War, was greatly weakened by it, and a window of opportunity closed for those benefiting from a hybrid seigneurial society—land-owning rancheros, white southerners and a limited number of free black southerners. By focusing on the sectional dimension of American identity in the West and also on class distinctions within the Spanish-surnamed population, this dissertation outlines a case of culture trumping race in a period of US history typically defined by conflict between North and South on one side of the country and between whites and western peoples of color on the other.

The dissertation of Daniel Brendan Lynch is approved.

David E. Hayes-Bautista

Joan Waugh

Stephen A. Aron, Committee Chair

University of California, Los Angeles

2015

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VITA

University of California, Los Angeles

2012 C.Phil., United States History

California State University Long Beach

2009 M.A., World History

University of California, Berkeley

1999 B.A., History

Book Chapter

2015 "On the Border of Empires, Republics and Identities: De la Guerra's Sword of the War and the California Native Cavalry," Virginia Scharff, ed., *Empire and Liberty: The Civil War and the West* (Berkeley: University of California Press, 2015), 105-121.

Articles

2014 "Southern California Chivalry: Southerners, Californios, and the Forging of an Unlikely Alliance," Leading Edge, *California History*, vol. 91 no. 3 (Fall 2014), 60-62.

2014 "From Test Plots to Large Lots: The Gardens of San Marino, California as Natural and Social Laboratories," *UCLA History Journal*, vol. 25 no. 1 (2014), 17-29.

Grants and Fellowships

2014 UCLA Public History Innovators Grant

2013 Huntington Library-Western History Association Martin Ridge Fellowship, San Marino, CA

2012 Bancroft Library Gunther Barth Fellowship, Berkeley, CA

2011 UCLA Graduate Division Research Mentorship

2011 UCLA Graduate Division Summer Research Mentorship

INTRODUCTION

In 1865, the artist Edward Vischer sketched "A California Magnate in His Home," a drawing of Andrés Pico at "Ex-Mission San Fernando," one of Pico's properties located twenty-three miles northwest of Los Angeles. Pico is shown holding the hand of his "adoptive daughter" in the mission colonnade, or, as Vischer wrote, the "corridor of the farm-building." The girl, Catalina, was the biological daughter of Joseph Lancaster Brent, a Maryland-born attorney and politician who, shortly after Catalina's birth, travelled east to fight for the Confederacy and never returned. Brent rose to the rank of Brigadier General in the Confederate Army while Catalina remained at San Fernando with Pico—Brent's former friend, legal client and political ally in "the Chivalry," the pro-slavery faction of the California Democratic Party.[1]

The Chivalry dominated southern California politics for much of this period and brought the region to the brink of territorial separation from the state in 1859. The worsening sectional tensions on the eve of the Civil War killed any chance of the separation effort, which, if successful, would have helped entrench southern and Californio influence in the region. As it turned out, southerners and Californios, two groups known for going to war against the United States during the mid-nineteenth century, did more to facilitate than mediate the consolidation of Union power in the far corner of the Southwest. They did so, in part, by going to war together for a shared vision of local order. Southern and Californio men formed cavalry companies to pursue Indians and bandits and, more generally, to terrorize the non-elite, Spanish-speaking population of the region.

[1] Edward Visher, "A California Magnate in his Home," Vignettes of the California Missions, Photographs and Other Material, Claremont Colleges Digital Library, 1876, Accessed October 15, 2015. "Pioneer Family Member is Dead," *Los Angeles Times*, February 1, 1925, p. 6. Paul B. Gray, *Forster vs. Pico: The Struggle for the Rancho Santa Margarita* (Spokane, WA: Arthur H. Clark Company, 1998), 96-97.

Historiography of the Civil War Era West and the Promise of the Greater Reconstruction

The proper frame for understanding the Chivalry moment in Southern California and its surprising consequences is the "Greater Reconstruction," historian Elliot West's periodization of nineteenth-century US national development that takes into account the consequences of westward expansion as well as struggles over slavery and citizenship. The region was a microcosm of western diversity at a time when the expanded nation began grappling with how to incorporate these new ethnic groups. With its large population of migrants from slave states, which included slaves as well as former slaves, Southern California is an interesting place to examine how the sectional crisis, Civil War and Reconstruction played out in the Far West. Given the region's relatively large Spanish-surnamed population and its location at the far corner of the nation along the border with Mexico, Southern California is also a good place to look at how "borderlands" turned into "bordered lands" during a phase of North American nation-building that involved dramatic changes for both the American and the Mexican Republic.[2]

In the last two decades, much work has been done asserting the importance of the West to American national development in the mid-to-late nineteenth century, a period commonly defined as the Civil War Era. Moving beyond the few small battles fought in the region between 1861 and 1865, many historians have taken broader chronological approaches that focus on the importance of the region to national development in the years before, during and following the war. Instead of stressing the importance of the West to the Civil War Era, Elliot West uses western expansion to redefine the era itself. By breaking the scholarly fixation on the Civil War

[2] Elliot West explained that "by adding the modifier 'Greater' to 'Reconstruction' [he is] suggesting that we should keep our focus on the usual issues associated with Reconstruction but extend our thinking through both space and time." West, *The Last Indian War: The Nez Perce Story* (New York, NY: Oxford University Press, 2009), xx. Jeremy Adelman and Stephen Aron, "From Borderlands to Borders: Empires, Nation-States, and the Peoples in Between in North American History," *American Historical Review* 104 (1999): 814-841. In a global context, the incorporation of Southern California into the United States occurred during a dynamic period of nation building that saw the emergence of Germany, Italy and Japan as nation-states. Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (Verso: New York, 2006), 86-111.

and emancipation, this new approach promises to elevate the importance of western history while transforming the national narrative. The size of the country, the power of the federal government, the reach of American capitalism, and the notion of US citizenship all expanded dramatically in the mid-to-late nineteenth century. The Greater Reconstruction provides a way to analyze how a wide array of people, from freed African-American slaves to conquered Native Americans and Mexican citizens, were incorporated into the American nation at a time of tremendous national growth.

Older literature on the Civil War and the West portrays the battles and personalities of the trans-Mississippi West in rich detail, but does not effectively argue for the region's relevance to nineteenth-century national development. The most comprehensive work in this vein is Alvin Josephy's *The Civil War in the American West*. The book begins by relating the Confederate plan of seizing the New Mexico Territory on the way to capturing the mineral rich areas of Colorado and California, a plan thwarted by Union forces at the Battle of Glorieta Pass in northern New Mexico. Josephy stressed the importance of this battle by arguing, as others have, that it was "the Gettysburg of the West," but he strained to make an argument for its larger national significance by venturing into the hypothetical. The war was "full of 'ifs,'" he admitted, but if southern forces had prevailed at Glorieta Pass and if the South had won the war, then perhaps the Confederacy could have stretched from Virginia to California. The "if" regarding Confederate victory in the South, however, was undeniably more important than the "if" of Confederate victory at Glorieta Pass since defeat in the East would render western victory irrelevant. The Gettysburg of the West was, therefore, of much less consequence than the real Gettysburg, an event that was truly a pivotal moment in the war and in US national development. Ironically then, Josephy's attempt to

stress the importance of the West to the Civil War actually has the contrary effect of reinforcing the region's subordinate status in relation to the East.[3]

The limitations of looking for the Civil War in western battlefields have been well-articulated by William Deverell, who has recently endorsed a longer chronological framework for understanding the West in the context of the Civil War Era. "Western historians," he argues, "look for the Civil War in the West in the wrong places." They have looked for "trees," a "skirmish here or there," while "missing the magnitude of the forest," the reality that the Civil War was "everywhere in the West—before, during and after hostilities." While conceding that the "the war was fought on battlefields of the East and South," Deverell asserts that "it was fought there because of the ways in which northern, southern and western politicians disagreed about the West." The fundamental disagreement was over whether the West would have slavery. For Deverell, Lincoln's election and the South's immediate secession did not cause the Civil War but were, instead, "additional preludes." The war was brought about by a string of "shattering moments" that started in the West over the question of slavery and moved east when John Brown left Bleeding Kansas for Harper's Ferry.[4]

Deverell is not the only western historian who has recently asserted the region's critical importance to the start of the war. Leonard Richards argues that at the heart of the North-South divide was the question of slavery in the West and in California in particular. Southern slaveholders feared that if slavery was not allowed to expand westward, then they would be increasingly outnumbered and isolated by a growing free-state population. The California Gold Rush initially made many of these southerners hopeful since they regarded mining to be ideal

[3] Alvin M. Josephy, *The Civil War in the American West* (New York: Random House, Inc., 1991), 85, 92.

[4] William Deverell, "Redemptive California? Re-thinking the post-Civil War," *Rethinking History* 11, no. 1 (March 2007): 61-64.

work for slaves in an arid region that was not generally promising for plantation agriculture. These California dreams were dashed, however, in a string of disappointments leading up to southern secession: California's entrance into the Union as a free state; the failure of a southern Democratic plan to forge a separate slave state out of southern California; and the decline of southern Democratic support in California politics following the death of the northern Democratic faction leader in a duel that was orchestrated by Chivalry leaders. In addition to helping cause the Civil War, Richards also argued that California gold helped make Union victory possible. While transferring mass numbers of California recruits back east was impractical, California's gold was critically important to the Union economy and war effort. Richards quotes Ulysses S. Grant who explained, "I do not know what we would do in this great national emergency were it not for the gold sent from California." Much of the gold sent east was earmarked for the US Sanitary Commission, a predecessor to the Red Cross that helped take care of the Union wounded and dead. California gold also brought less direct benefits by stimulating the economy and boosting the creditworthiness of the nation overseas.[5]

Historian Glenna Mathews has also highlighted California's connections to the Civil War, while arguing that the state underwent a political and spiritual transformation as a result of the conflict. The Unionist zeal of the abolitionist preacher Thomas Starr King and other pro-Union Californians transformed the state, at least temporary, from a stronghold of Democratic white supremacy to a key supporter of the war effort and the goal of emancipation. Unlike Richards, Mathews delved into the cultural complexity of the state, devoting a chapter to "Californians of color" and interweaving into her narrative instances such as the Archie Lee case, in which a mass political movement coalesced around one man's effort to escape the

[5] Leonard L. Richards, *The California Gold Rush and the Coming of the Civil War* (New York: Random House, Inc., 2008), 230.

clutches of the 1850 federal Fugitive Slave Law. While Richards briefly mentions the bi-cultural Chivalry alliance in Southern California, Matthews discusses the alliance as an example of the pervasiveness of the Democratic Party in California before the Civil War. Still, like Richards, Mathews' primary emphasis is on California's importance to the Civil War era and vice versa, an approach that necessarily privileges eastern-based events and perspectives.[6]

Another recent scholarly trend has been to explore the possibilities of southern expansion as a way to shine new light on the nature of the South, southern slavery, and the wide-ranging influence of US slave states throughout the Western Hemisphere. Walter Johnson argues that a deeply held belief in the antebellum "Cotton Kingdom" was that "in order to survive, slaveholders must expand." Johnson focuses on Cuba and Nicaragua as the most cherished goals of a southern "imperialism," claiming that many southerners thought, "a map of the United States was not complete without the Gulf of Mexico." In addition to preserving and strengthening access to the Atlantic world, the Gulf was also crucial to expanding into Pacific markets via Central America. According to Johnson, "in order to look west, they first had to look south." But southern influence also stretched directly west. Southern-born leaders—most notably Secretary of War Jefferson Davis—pushed for a southwestern transcontinental railroad route that would terminate in a Pacific seaport. Southerners—black, white and Native American—also travelled throughout the West, transforming the social and racial landscape in the process. Historian Tiya Myles has argued that we must also look across the region for southern influence. The "long of arm of the South," she suggests, is detected in the "layered possibilities" for people in the West. As innovative as these southern expansionist approaches may be, they share the same weakness as approaches that stress the West's importance to the

[6] Glenna Mathews, *The Golden State and the Civil War: Thomas Starr King, the Republican Party, and the Birth of Modern California* (New York: Cambridge University Press, 2012), 1-7, 203-254.

Civil War era—They privilege the history of the East over the West. The intersection of southern expansion with the diverse peoples of the Western hemisphere is a complex phenomenon that deserves to be studied on a case-by-case and place-by-place basis. In the Southern California context, Elliot West's Greater Reconstruction provides the most useful frame for taking into how southern expansion played out in this diverse, far-southwestern corner of the United States.[7]

West criticizes the scholarly fixation on the Civil War and the black-white binary. "Because race remains strictly a matter of black and white," he explains, and "because its prime issue is African American slavery and its central event is the Civil War, western expansion is important only on eastern terms."[8] Instead, West suggests that the history of western expansion should be used to redefine the Civil War Era as the Greater Reconstruction. As he explains, "Between 1845 and 1877, two events reconstructed the nation—its expansion to the Pacific and the Civil War that held the expanded America together." The nation expanded territorially by 66% from 1845 to 1848, and the number of languages spoken in the country increased by 100%. The annexation of Texas, Oregon and the Mexican Cession during these years "triggered an American racial crisis" that was roughly comparable to the one triggered by the Civil War and Emancipation. "By the 1850s… no nation on earth had a region with so rich an ethnic stew as the American West," and it was not at all clear how that diverse population would be incorporated into the Union. In the West as well as in the South, the most pressing questions raised during the tumultuous Greater Reconstruction regarded the "nation's human composition."

The Southwest lends itself to this Greater Reconstruction framework. Not only did the conquest of the northern half of Mexico pose new questions about America's human

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[7] Walter Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge, MA: Harvard University Press, 2013), 12-14. Tiya Miles, "The Long Arm of the South," *Western Historical Quarterly*, 43 no. 3 (Autumn 2012), 274-281.

[8] West, "Reconstructing Race," *Western Historical Quarterly* 34, no. 1 (Spring 2003): 1-14.

composition, but the flow of southerners into Texas, New Mexico and California meant that the sectional crisis and the Civil War would be central to the region's development. While Deverell downplays the importance of western battles and suggests looking for the Civil War anywhere and everywhere else in the West, perhaps a Greater Reconstruction approach could meaningfully bring these relatively minor military engagements into a larger national narrative after all. The role played by Californios, Tejanos, and Nuevo Mexicanos in the Southwest could be understood in terms of their respective region's political incorporation into the nation-state and could also be compared fruitfully with the experiences of African Americans and Native Americans who served in the war. The incorporation of Mexican territory into the United States was a complicated and messy process and was so regarded at the time. West quotes General Phillip Sheridan who, while stationed in Texas near the Mexican border after the Civil War, wrote: "It is hard to tell who is who, and what is what, on that border… The state of affairs is about as mixed as the river is indefinite as a boundary line." Using Southern California as a case study, this dissertation explores the complex "state of affairs" in the far-southwestern borderlands.[9]

Seigneurialism in Southern California

While the Greater Reconstruction offers the best frame for understanding Southern California's place in national expansion and development, Douglas Monroy's ideas regarding seigneurialism in Southern California can help us understand the affinity between southerners and Californios. Originally applied to medieval Europe, the term seigneurial has been artfully reapplied to nineteenth-century Latin America and the antebellum South by Eugene Genovese and to Alta California by Douglas Monroy. While Monroy convincingly argues that Californio society, like antebellum southern society, developed in a seigneurial fashion partly in response to

[9] West, *The Last Indian War*, xx, 26-27, 318.

the introduction of Yankee capitalism, this dissertation focuses on how southern seigneurialism blended with and reinforced Californio seigneurialism in Southern California.

"Seigneurial" is a fitting descriptor for the culture of late Alta California. In the ranchos and households of early Los Angeles, the *gente de razon* (Spanish-Mexican "people of reason") began assuming an air of entitlement that resembled that of the *seigneurs* or sirs of medieval Europe. The Indians performed most of the labor, while the *gente de razon* could supervise "with arms folded," in Monroy's words. This left plenty of time and energy for leisurely pursuits such horse-riding, gambling and socializing. Following the secularization of the missions, a process by which the well-connected claimed the best mission lands for themselves, an elite class of *gente de razon* established themselves as landholding aristocrats who controlled vast ranchos worked by Indians. The rough, frontier lifestyle of these land-rich but cash-poor Californios was greatly improved by the escalation of trade with New Englanders and other Atlantic-based businessmen who purchased hides and tallow from the ranchos. Monroy argues that the arrival of mirrors and fashionable clothing increased sartorial distinctions between propertied and poor *gente de razon* and between *gente de razon* and local Native Americans, who traditionally wore very little clothing.[10]

In his analysis of the "making of Mexican culture in California," Monroy cites an 1840 Mexican Independence Day celebration as a turning point in the development of seigneurialism. For the first time, the haves celebrated this national holiday apart from the have-nots. Traditionally, such celebrations involved all classes of society, Native Americans as well as the ranks of the *gente de razon*, who varied in wealth and status but all considered themselves above Indians based on claims to Spanish-Mexican culture and lineage. This time, however, the haves

[10] Douglas Monroy, *Thrown among Strangers: The Making of Mexican Culture in Frontier California* (Berkeley: University of California Press, 1990), 50, 75, 115, 136.

gathered in the home of Abel Stearns, a Massachusetts-born trader who had married into the powerful Bandini family, and the celebration ended with the uninvited throwing stones at the Stearns home. A second celebration was held in the plaza for the have-nots, California Indians as well as those amongst the *gente de razon* without significant wealth or status, a group that, after the US takeover in 1848, would increasingly be known as Mexican as distinct from the more elite Californios.[11]

Monroy describes this exacerbated social stratification as seigneurialism and cites Eugene Genovese who defines it as the "mode of production characterized by a dependent labor force that holds some claim to the means of production." Genovese contrasts this seigneurialism with "capitalism": the "mode of production characterized by wage labor and the separation of the labor force from the means of production—that is, as the mode of production in which labor power itself has become a commodity." He argues that the rise of capitalism in Western Europe ironically revived seigneurialism, an "essentially archaic mode of production," which not only arose throughout North and South America but also in Eastern Europe, where a "second serfdom" took hold. According to Genovese, a "Luso-Hispanic equivalent of the second serfdom emerged, not in Portugal and Spain themselves, but in Latin America where Indian labor was exploited in ways resembling medieval serfdom." For Monroy, California Indian labor in Alta California was seigniorial but not quite serfdom. As he explained, the "social relations that bound the Indians and the rancheros were more indirect, if not very subtle, than those that bound serf and lord." If California Indians were not quite serfs then they were certainly not slaves. Nevertheless, Monroy acknowledges that Californio elites had much in common with their southern counterparts. "The worldview of the rancheros," Monroy concludes, "fundamentally

[11] Ibid., 162.

differed from that of the men on the ships who sold them manufactured commodities, though perhaps not so much from that of the cotton producers."[12]

Although acknowledging the seigneurial similarities of Alta California and the antebellum South, Monroy does not analyze the relationship between Californios and southern-born immigrants in the Southern California context. Instead, he focuses on two successive local conflicts—the first between Native Americans and Spanish-Mexican settlers and the second between Anglo-American settlers and the Spanish-surnamed population. In both cases, local people were "thrown among strangers"—newcomers who aggressively redefined the social order. Monroy argues that Yankee capitalism helped destroy California seigneurialism, after first boosting it, but he does not delve into southern and Californio efforts to preserve this way of life in Southern California. For example, Monroy discusses in detail the actions of the heavily-Texan "Monte Boys," vigilantes who brought their slave-state brand of lynch law to Southern California by "terrorizing" the Spanish-surnamed population. He also mentions that Californios such as Andrés Pico coordinated with the Monte Boys and suggests that this was part of a broader effort by elites to ingratiate themselves with the newly dominant Anglo-American society. He does not, however, discuss this coordination as being, to a great extent, with Anglo-Americans from the seigneurial South—"strangers" who bore a certain resemblance to the Californios.[13]

Southerners and Californios in Southern California

Despite Yankee contributions to the Californio lifestyle, some Yankees were quick to condemn that lifestyle, most famously Richard Henry Dana who described Californio men as

[12] Ibid., 100-101. Eugene Genovese, *The World the Slaveholders Made* (New York: Pantheon Books, 1969), 16-17, 54-55.

[13] Monroy, 206, 208-209, 211, 215.

"thriftless, proud, extravagant, and very much given to gaming."[14] The wave of US-born immigrants who arrived after the Mexican-American War, however, came disproportionately from the South. Unlike Northern California, which was inundated by Yankees arriving by ship during the Gold Rush, many early Anglo-American migrants into southern California came overland from slave states. For southerners travelling west, it was a straight shot across the Southwest to Southern California. Jefferson Davis also used his position as US Secretary of War in the 1850s to push for stronger connections between the South and West. Although Davis' dream of a southern railroad to the Pacific was not realized until the late nineteenth century, his experimental camel caravan system across the Sonoran Desert led to the construction of a military road and the initiation of regular stage coach service to Los Angeles. These improvements in overland transportation encouraged more migrants to travel from slave states to Southern California.[15]

My counting of census-date reveals that most US-born people in Los Angeles County in 1860 had been born in the South. People born in US states represented a minority in the county, only 15.7% of the population. The most common places of birth listed in the manuscript census reports were California (40.1%) and Mexico (15.1%). When divided by sectional origin, residents born in US southern states made up 8.1% and those born in northern states 7.6% of the county's population. [see Figure 1] There were 922 residents born in southern states compared to

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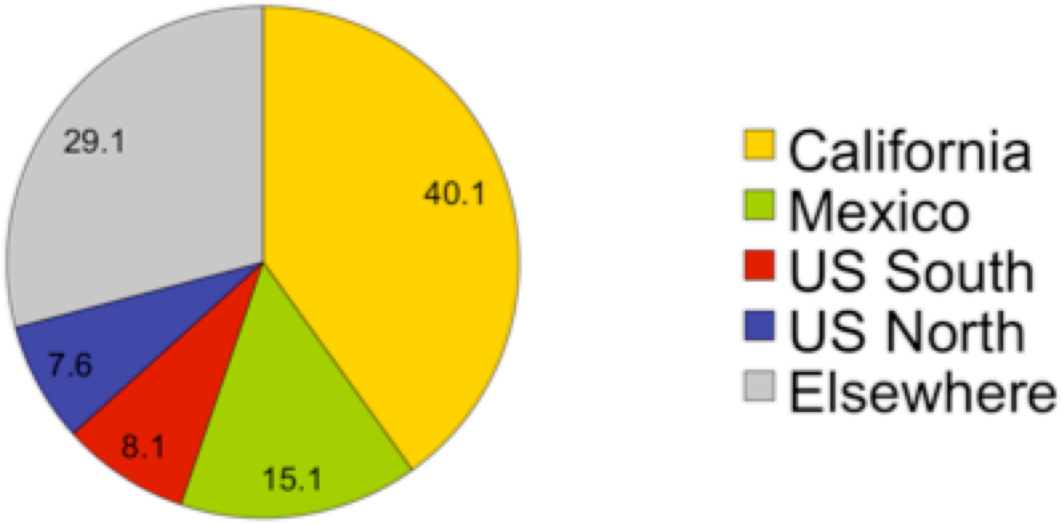
[14] Ibid., 166.

[15] Harold Lamar, *Texas Crossings: The Lone Star State and the American Far West, 1836-1986* (Austin, TX: University of Texas Press, 1991), 44-49. Henry H. Goldman, "Southern Sympathy in Southern California, 1860-1865," *Journal of the West* 4 (October 1965): 577. Odie B. Faulk, *Destiny Road: The Gila Trail and the Opening of the Southwest* (New York: Oxford University Press, 1973), 64-81. Benjamin Butler Harris, *The Gila Trail: The Texas Argonauts and the California Gold Rush*, Richard H. Dillon ed. (Norman, OK: University of Oklahoma Press, 1960), 16, 19, 24, 88, 127, 141. Helen B. Walters, "Confederates in Southern California," *The Historical Society of Southern California Quarterly* 35, no. 1 (March 1953): 42-43. "Arkansas Immigrant Route," *Los Angeles Star*, November 3, 1855, p. 2.

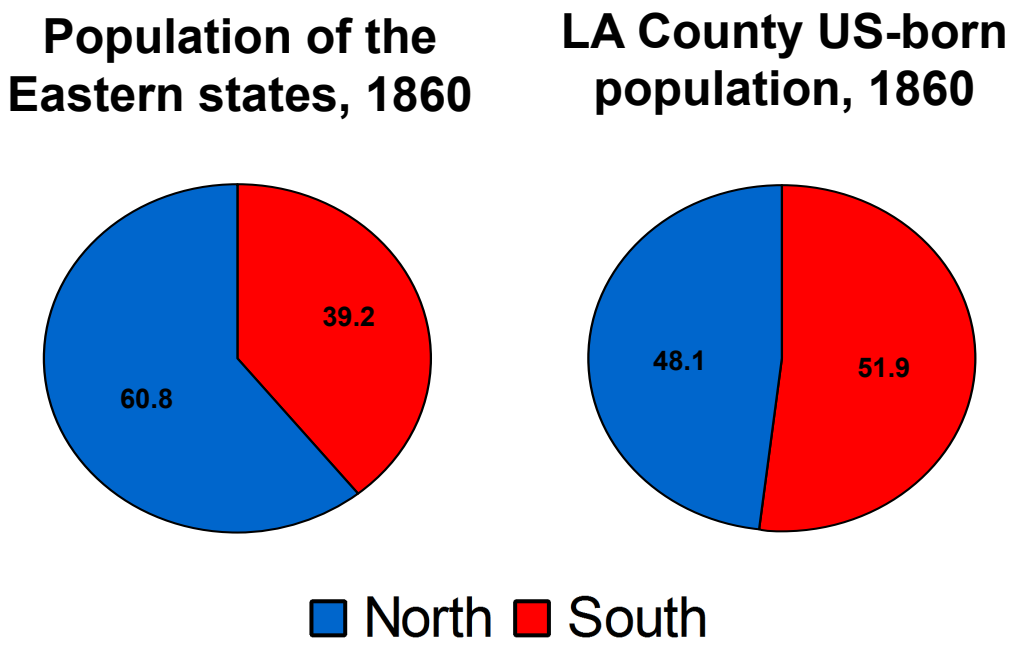
Figure 1 Los Angeles County population by place of birth, 1860. Data is derived from 1860 US Census manuscripts. Ancestry.com. *1860 United States Federal Census* [database]. Los Angeles County. Provo: Ancestry.com Operations, Inc., 2009. See table in Appendix A.



856 born in northern states: 51.9% and 48.1% of the states-born population respectively. Although this difference may appear slim, the fact that there were more southerners was striking considering that, in 1860, the combined population of the northern states was far greater than the combined population of the southern states: 60.8% to 39.2%. [see Figure 2].

Northerners outnumbered southerners statewide, but southern-born Californians punched above their weight politically. In the words of historian Stacey Smith, "White southerners may have been a minority and California [slave] masters may have been a minuscule group, but they had clout." They were "vastly overrepresented in the state legislature and judiciary" and were able to carve out some protections for slavery and other unfree systems of labor in a free state. According to fugitive slave laws passed in the early 1850s, masters who had brought slaves to California before statehood were allowed to keep them in bondage and recapture them if they ran away until they could, at their convenience, relocate to a slave state. Other laws protected

Figure 2 Los Angeles County population compared to eastern US states, 1860. Data is derived from 1860 US Census manuscripts. Ancestry.com. *1860 United States Federal Census* [database]. Los Angeles County. Provo: Ancestry.com Operations, Inc., 2009. See table in Appendix B.



masters who bound African-American or Native-American children and young adults to long-term contracts of indenture that typically did not provide workers with wages or the freedom to quit. Credit for these measures fell primarily at the feet of southern-born Democrats, most of whom belonged to the Chivalry political faction headed William Gwin. This faction had a heavy influence in California politics throughout the 1850s despite the fact that southern-born voters never represented a majority in the state. To achieve this influence, the Chivalry needed to mobilize southern-born voters while reaching out to other groups as well. In Southern California, appealing to Californios was central to Chiv success. Although outnumbering northerners in Los Angeles County, southerners were far too small of a group to dominate local politics without building alliances with voters born outside of the United States. The two largest groups in that

category were Californios and Mexicans. Southerners who wished to win elections locally had no choice but to reach out to large Spanish-surnamed population, despite the fact that this population was of mixed African, Native-American and European ancestry.[16]

Although this is the first extended work addressing the links between southerners and Californios, I am hardly the first to notice them. Carey McWilliams argues that there were direct correlations between the class systems of the antebellum South and Alta California. McWilliams quotes LA booster and local historian Charles Dwight Williard who likened the "gente de razon" to "plantation owners or 'whites,'" "Indians" to "slaves," and "Mexicans" to "poor whites." "Mexicans" and poor white southerners, the argument ran, cherished their semi-privileged position over a caste of coerced laborers despite the fact that they benefited little from the labor of that caste, but this connection across the middle strata is not as well-supported by evidence as the connections between the highest classes.[17] In his seminal work on the Californios, Leonard Pitt points out the alliance between these two groups of elites. Describing Southern California politics in the 1850s, Pitt argues that a "core of ricos and gringos, especially gringos who came from the Old South, created a Democratic majority which long withstood the shifting tides of California politics." Although I will also compare the lower tiers of both societies, my primary focus will be on the alliance between white male southerners and elite Californios, not only in the world of politics but also in the related realm of vigilantism.[18]

The main goals of this work are to outline a long-overlooked example of intercultural cooperation in the West and to show the Far Southwest's involvement in a dynamic period of

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[16] Stacey Smith, *Freedom's Frontier: California and the Struggle over Unfree Labor, Emancipation, and Reconstruction* (Chapel Hill, NC: University of North Carolina Press, 2013), 8.

[17] Carey McWilliams, *Southern California Country: As Island on the Land* (New York: Duell, Sloan & Pearce: 1946), 52.

[18] Leonard Pitt, *The Decline of the Californios: A Social History of the Spanish-Speaking Californians, 1846-1890* (Berkeley, CA: University of California Press, 1966), 133.

Greater Reconstruction. This work also highlights the counterintuitive role of southerners and Californios in hastening Southern California's integration into the United States. The Union war machine, in the words of one scholar, was "the largest, best equipped, best fed, and most powerful war machine ever assembled in the history of the world to that date." This machine finished the work US forces had started in Southern California during the Mexican-American War. Los Angeles County was targeted by Union authorities because of its strategic importance, as a coastal supply point for the Far Southwest but also as a potential hotspot of resistance and rebellion that needed to be neutralized. These authorities were nervous about both southerners and Californios. Winfield S. Hancock, whose success at Gettysburg would lead to a Democratic presidential nomination in 1880, was stationed in Los Angeles in the early months of the Civil War. "When once a revolution commences," he predicted in 1861, "the masses of the native population will act." Perhaps thinking of the Chivalry alliance as well as the Californio insurgency during the Mexican-American War, Hancock concluded, "if they act it will be most likely against the government."[19]

Organization

This dissertation is divided into three parts, each narrating the experiences of two men—one southern and one Californio. It begins with the 1846 Battle of San Pasqual, in which a company of Californio lancers resisted US expansion, and ends with the 1866 discharge of the California Lancers, a mostly Spanish-surnamed Union force that played a symbolic and instrumental role in Unionizing Southern California. Within that timeframe, southerners and

[19] Bruce Porter, *War and the Rise of the State: The Military Foundations of Modern Politics* (New York: Free Press, 1994), 258. *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies: Series I, Volume L, Part 1* (Washington, D.C.: 1880), 477, 479-480. David M. Jordan, *Winfield Scott Hancock: A Soldiers Life* (Bloomington, IN: Indiana University Press, 1988), 28-34.

Californios built a powerful regional alliance. A dual-biography approach facilitates a comparison of the southern and Californio value systems that made the alliance possible but ultimately drove the two groups apart.

Part one, "Cavalries Converge," traces the intersecting paths of the well-born and well-educated southern doctor John Strother Griffin and the land-rich Californio ranchero and solider Andrés Pico. Griffin served as the surgeon for the Army of the West, the US force that was bested by Pico's lancers at San Pasqual in 1846. In his journal, the wary Griffin recorded Pico's transition from an enemy to a chastened war hero who negotiated an armistice and laid the groundwork for Californio cooperation with the new regime. As a civilian and pillar of the Los Angeles community, Griffin found himself a decade later coordinating a massive vigilante operation against a band of Spanish-surnamed outlaws. One of Griffin's most effective lieutenants in that paramilitary campaign was Pico, who, once again leading a company of lancers, tracked down the bandits. In the world of politics Pico's influence trumped that of Griffin, but both men were active in the pro-slavery Chivalry faction of the Democratic Party. Although of African, European and Native-American heritage, Pico became one of the most powerful leaders in this faction because of his chivalry—a term that aptly describes his skill as a leader of lancers, his gracious and gentlemanly conduct in defeat, and his stature as a cattle baron in a region that was even more seigneurial than the antebellum South.

Part two, "Southern California in a State of Flux," focuses on Pico's 1859 plan, as a leading Chivalry Democrat, to separate Southern California from the rest of the state. His proposed Territory of Colorado, which won support from a supermajority of the region's voters, would have helped preserve seigneurialism in Southern California and expand unfree labor. Behind Chiv schemes for state separation and Pico's rise to prominence within the faction was

his lawyer and friend Joseph Lancaster Brent. Arriving in Los Angeles in 1851 from Maryland by way of New Orleans, this bilingual Catholic attorney found a niche helping Californios protect their property in an unfamiliar and unfair legal system. Pico and Brent's dream for Southern California secession from the state was not realized. Congress ignored the proposal as sectional tensions led to war. Fears of a Southern California secessionist insurgency also came to nothing, thanks largely to the influence of Pico, Brent and other local elites. The war broke apart Pico and Brent's political alliance as well as their friendship, but these two men helped keep a lid on local unrest out of a shared concern that a risky rebellion would threaten the hybrid seigneurial society they had both worked so hard to build.

Part three, "Unionization and the Divergence of Southerners and Californios," charts the life trajectories of the Californio Juan de la Guerra and the African-American southerner Peter Biggs. Their paths intersected at Drum Barracks, the coastal military stronghold in Wilmington that sped Southern California's incorporation into the Union during and immediately following the Civil War. The former slave Biggs called himself "the Black Democrat" and was arrested in Los Angeles for celebrating the Great Emancipator's assassination, while de la Guerra carried on his family's tradition of military service by enlisting in the army that had conquered his homeland. Both were government guests at Drum Barracks, Biggs as a political prisoner and de la Guerra as an enlisted volunteer for the Union. From a highpoint of serving as an "illustrious and necessary appendage to Los Angeles society," in the words of one memoirist, Biggs was on a downward trajectory. His public enthusiasm for Lincoln's death was part of a decades-long performance as a "southern-style" barber and a multicultural "master of ceremonies," an act that gradually lost its power as the region was politically Unionized and culturally Americanized. De la Guerra, by contrast, left Drum Barracks on an upswing. Along with the other riders in the

California Lancers, he had helped hitch the Californio cavalry tradition to the US nation-building project, but he also hitched himself to the victorious Union and its ascendant free-labor ideology. De la Guerra was able to enjoy a long and fruitful post-war life by using his bilingual language skills, Union veteran status, and reputation as a living relic of California's seigneurial past to his advantage.

PART I
Cavalries Converge:
John Strother Griffin and Andrés Pico

In 1846, at the Battle of San Pasqual near San Diego, a cavalry company under the command of Andrés Pico was responsible for one of the United States' most embarrassing setbacks in the Mexican-American War. Armed as if medieval knights, Pico and his men wielded lances from horseback against a larger body of Americans whose industrial edge in firepower had been neutralized by wet gunpowder. Riding broken-down or untested mounts after a long overland journey, and deprived of effective firearms, the Americans were forced into a form of close-range equestrian combat that favored the highly-skilled Californio horsemen. After this engagement and several others, Pico negotiated an end to the fighting in Alta California with the maverick US Army officer John C. Frémont. The agreement assured Californios that their lives and property would be protected under the new regime. Pico then leveraged his status as a chastened war hero into a successful American political career and joined "the Chivalry," the pro-slavery faction of the state Democratic Party. In spite of his mixed African, European, and Native-American ancestry, his status as a land-owning and lance-wielding caballero fit well with the Chivalry image.[1]

In defining knighthood, the medievalist Richard Barber asserts that, "above all, two characteristics stand out: in war, he fought on horseback where the Roman legions had fought on foot; in peace, he held his land by virtue of his military service." In his critique of the South, *Life on the Mississippi*, Mark Twain blamed the British romantic

[1] Neil Harlow, *California Conquered: The Annexation of a Mexican Province, 1846-1850* (Berkeley: University of California Press, 1982), 193-218, 279-300. Lisbeth Hass, "War in California, 1846-1848," California History 76 (1997): 331-55. William Deverell and Daniel Lynch, "Our Own Civil War," Zócalo Public Square, April 28, 2011.

novelist Sir Walter Scott for infecting the South with the "sham chivalries of a brainless and worthless long-vanished world." Nineteenth-century *Californios* had a much stronger claim to chivalry. Alta California was dominated by men who derived their authority from horsemanship, ownership of land, and position atop patriarchal social networks. Born around 1810 in San Diego, the son and grandson of mission soldiers, Andrés Pico first appears in the public records in the 1830s as a Southern California-based cattle rancher, customs official, and military officer. He subsequently held a number of offices, obtained valuable lands, and was involved in military conflicts that often pitted *arribeños*, the "uppers" of northern half of Alta California, against the *abajeños*, the "lowers" of the southern half.[2]

The Virginia-born and Kentucky-raised Dr. John Strother Griffin arrived in Southern California as the surgeon of the US Army of the West. He bore witness to Pico's success at San Pasqual, and treated the grisly lance wounds inflicted by the *Californio* cavalry. After his discharge, Griffin decided to move to Los Angeles where he became a leading member of the growing Anglo-American community that was disproportionately southern-born. He became one of the town's leading doctors, a prominent real-estate developer and a public official who served on the school board as well as the board of health. Though a pillar of the community, Griffin sometimes demonstrated a characteristically southern lack of restraint. He had to be held back from running into the street to cheer Lincoln's assassination and, after the war, he beat a man

[2] Richard Barber, *The Knight & Chivalry* (New York: Harper & Brothers, 1970), 3. Mark Twain, *Life on the Mississippi* (New York: P. F. Collier & Son Company, 1874), 375. Agustín Janssens, *The life and adventures in California of Don Agustín Janssens, 1834-1856* (San Marino, CA: Huntington Library, 1953), 68.

with his cane in a disagreement over how to best connect Los Angeles to the trans-continental railroad network.[3]

Griffin's physical courage and military experience may have led to him to assume leadership over a massive vigilante organization following the 1857 murder of Los Angeles County Sheriff James R. Barton and several of his deputies. Barton, a fellow southerner and Mexican-American War veteran, was the first man to have been murdered while holding that office. His assailants, Juan Flores and his gang of Mexican bandits enjoyed some popular support from the Spanish-speaking majority and were seen by many Anglo Americans as the leaders of an insipient, anti-American insurgency. With local law enforcement decimated, militias stepped into breach to pursue the bandits and enforce order. In the frenzy that followed, elites called upon existing militias and hastily formed new ones in order to protect their women and children, catch and execute suspects, and intimidate the lower orders of the Spanish-speaking population.[4]

William Deverell has aptly characterized this violent period as a postwar "war against Mexican Americans."[5] One critical change was that some Californios had switched sides. Pico and Tomás Sánchez, another wealthy ranchero who had fought at San Pasqual, organized a company of Californio vigilantes. Armed again with lances,

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[3] J. A. Graves, *My Seventy Years in California, 1857-1927* (Los Angeles: Times-mirror Press, 1927), 112. Harris Newmark, *Sixty Years in Southern California, 1853-1913* (Los Angeles: Dawson's Book Shop, 1984), 337. Frances Dinklespiel, *Towers of Gold: How One Jewish Immigrant Named Isaias Hellman Created California* (New York: St. Martin's Press, 2008), 80-81.

[4] Dello G. Dayton, "The California Militia, 1850-1866" (PhD diss., University of California, Berkeley, 1951), 11. "The Barton Excitement" newspaper clippings in Benjamin I. Hayes, Hayes Scraps, bulk 1847-1875, Vol. 60 "Southern California: Los Angeles County XVIII 1856-1857," Bancroft Library, Berkeley, California.

[5] William Deverell, *Whitewashed Adobe: The Rise of Los Angeles and the Remaking of its Mexican Past* (Berkeley: University of California Press, 2004), 15

these Californios collaborated with a company from El Monte, a Los Angeles County township that had a large southern-born population. Despite the savage reputation of the Monte men, the Californio lancers once again bested their Anglo-American counterparts. After one suspect was captured, with a lasso according to one report, Pico and Sánchez turned him into an informant by promising immunity, a promise that was then publicly accepted by Anglo-American vigilantes. With better intelligence and superior equestrian skills, the Californios took the lead in tracking down the bandits. At one point, they handed suspects over to the fearsome Monte men who carelessly let them escape. Reacting to the news, Pico tore out his hair and proceeded to hang his remaining prisoners.

Robust Californio participation in the Barton excitement and other vigilante episodes did not go unrewarded. The governor appointed Pico commander of the southern section of the state militia, and Tomás Sánchez was elected Los Angeles County Sheriff, a position that he would hold through the Civil War years despite, or perhaps because of, his secessionist sympathies. The state also authorized two new militia companies: the Southern Rifles and the Lanceros de Los Angeles. The Lanceros, almost all of whom were Spanish-surnamed men, were issued cavalry sabers but not firearms. The Rifles received guns, as the name would suggest. Although members hailed from free as well as slave states, this militia had a loaded name, and some of the unit's guns were apparently whisked away to Texas during the Civil War. In 1857, both militias rode in Los Angeles' Fourth of July parade. Similar cavalries had clashed a decade earlier

during the Mexican-American War, but these mounted men were not working at cross-purposes. They were riding together.[6]

By focusing on the colliding trajectories of Griffin and Pico, part one addresses a broader convergence of cavalries that began with the clash at San Pasqual in 1846 ended with men from both sides of the war riding side-by-side to establish a shared vision of social order in 1857. Mirroring this cooperation in vigilante activity, southerners and Californios also forged a political alliance within the "Chivalry" faction of the California Democratic Party. This nickname originated as a reference to the aristocratic pretensions of some of the faction's southern-born leaders, particularly its chief William Gwin, a US Senator from California who maintained ownership of a vast Mississippi plantation. But the word had special resonance in Southern California where cavalry—an etymological ancestor of chivalry—was central to the alliance between southerners and Californios.[7] Reminiscent of the knights of medieval Europe, companies of men on horseback demonstrated their bravery, skill and capacity for brutal violence in order to preserve a seigneurial social order that was rooted in Alta California but also heavily influenced by migrants from the American South.

[6] "Military Department, Militia Company Records, 1849-1880," California State Archives, Sacramento, California. J. M. Scammel, "Military Units in Southern California: 1853-1862," *California Historical Society Quarterly*, vol. 29, no. 3 (1950): 229-249. "Celebration of the Fourth of July," *Los Angeles Star*, July 11, 1857, p. 2.

[7] "Chivalry," *Oxford Dictionary of Phrase and Fable 2 ed*. (London: Oxford University Press, 2014), Oxfordreference.com, Accessed October 15, 2015.

CHAPTER 1
Chivalry at San Pasqual

John Strother Griffin arrived as the surgeon for Army of the West, the prong of the US invasion that approached Alta California overland across the rugged Mexican North. The force was made up primarily of dragoons—the term used at the time for US cavalry. Their path would be followed by thousands of overland migrants in the coming years, many travelling from the frontier slave states of the Old Southwest to the new Southwest. In the far southwestern corner of that newly conquered territory lay Southern California, a region dominated by a people who spoke a different language and practiced a different set of customs but were nevertheless motivated by similar seigneurial notions of social hierarchy and masculine honor.

Griffin would become a pillar of Los Angeles society after the war, not only because of his education and military service but also by nature of his pedigree. The scion of two prominent Virginia families, the Griffins and the Hancocks, John Strother Griffin was born in Fincastle, Virginia, in 1816. Orphaned at a young age, he moved to Louisville, Kentucky to live with an uncle, George Hancock, who provided him with a classical education. After receiving a medical degree from the University of Pennsylvania, Griffin returned to Kentucky to practice medicine but soon joined the military, serving first in the Second Seminole War in Florida and then with the Army of the West in the war against Mexico.[1]

[1] John S. Griffin, *A Doctor Comes to California: The Diary of John S. Griffin, Assistant Surgeon with Kearny's Dragoons, 1846-1847* (San Francisco: California Historical Society, 1943), 1-2.; H. D. Barrows, "Memorial Sketch of John S. Griffin," *Historical Society of Southern California Annual Publication* (1898), vol. 4 no. 2 (1898), 184.

Unlike the many white southerners who would follow in his wake, Griffin did not arrive in Southern California by choice but rather by luck. When news reached the advancing Army of the West that California had already been subdued by US Naval forces, General Stephen Watts Kearny decided to divide the Army and send less than half of the men on to California. Griffin drew straws with another surgeon and won the privilege of continuing on to California while the other surgeon turned back towards New Mexico with three of the unit's five companies.[2]

Griffin was disappointed to hear that the Californios had already surrendered to Naval Commodore Robert F. Stockton since he had hoped for a "little kick up" with the Californios. He changed his tune though, when he heard that a "revolution" was under way in Southern California, predicting that "a small chunk of hell" awaited them. Knocking the occupying naval and marine forces back on their heels, insurgents had forced the Americans out of Los Angeles and most of Southern California.[3]

Before the Army of the West could join the fight, they had to first contend with the difficult terrain of the Mexican North. Thankfully, there was a "beaten trail" to follow and they had no choice but to follow it. Deviating from the well-worn paths was dangerous given the many holes dug by burrowing animals on either side. These paths had been travelled by Spanish-Mexican settlers and traders of various backgrounds, but the more frequent users were native people who still dominated the region and would continue to do so for many years after the US claimed sovereignty. The long, drawn-out conflicts between US forces and Southwestern Indians, however, were still in the future.

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[2] Griffin, *A Doctor*, 20 (October 6-7, 1846).

[3] Ibid., 20 (October 6-7, 1846), 36–37 (November 22-24, 1846).

For the time being, the Americans and Indians shared a common enemy. Griffin praised the "finely mounted" Apache warriors he encountered: "They were armed—some with guns, bows and arrows and all with lances, they are said to be very formidable with these weapons." They "expressed the greatest friendship" to their American allies as well as a "lasting hostility against the Mexicans." As Griffin explained, "they seem to think that the Mexicans are great rascals and that they have the right to kill them whenever they can."[4]

Griffin also thought that Mexicans were "rascals" and used this word repeatedly in his journal. This low opinion, shared by many Anglo-Americans, was based in part on the assumption that, after quickly winning the war, the US would easily pacify the tribes of the region. As historian Brian Delay has explained, this assumption was central to the US rationale for war. Anglo Americans thought they could do a much better job managing the region, transforming the barren Southwest into a productive zone for ranching and agriculture. They were largely oblivious to the fact that local Spanish-speaking people had a long, complicated relationship with the Indians that involved periodic violence but also, in Delay's words, "imperfect but workable peace agreements." The limited stability provided by these agreements had fallen apart, however, amid the chaos of the Mexican War for Independence, and the weak state that emerged from that conflict struggled to fend off Indian raiders in the North who destroyed Mexican settlements in search of livestock, human captives and revenge for past transgressions.

[4] Griffin, *A Doctor*, 24–25 (October 20, 1846).

This created "'a land of a thousand deserts,'" a wasteland that the US would take as evidence of Mexican inferiority and perpetual stagnation.[5]

After the Mexican War was over, such assumptions of Mexican inferiority and overconfidence in American power led the US government to agree, foolishly, to assume financial responsibility for Indian raids into Mexico. Showing little regard for the poorly defended border or claims of sovereignty by governments on either side, several Indian groups continued raiding for livestock and human captives. Cross-border Indian raids did not stop in the region until Geronimo and his band of Apache surrendered to the US in the mid-1880s.[6]

The Army of the West and the Indians of the region gestured to each other respectfully, though, in one instance, Indian warriors questioned why the Americans needed artillery to fight Mexicans. The two howitzers the Army of the West brought into California proved to be a major burden, and the mule carts carrying them often lagged awkwardly at the rear of the column. As Griffin recorded in his journal, "the Howitzers broke down another set of mules yesterday these devilish things cost us more in the shape of mules than a Company of Dragoons." Generally speaking, the unit's animals did not fare well on the rough terrain. Many died on the journey and had to be replaced by semi-wild mounts purchased along the way.[7]

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[5] Brian DeLay, "Independent Indians and the U.S.-Mexican War," *The American Historical Review* 112, no. 1 (February 2007), 35-68; DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven: Yale University Press, 2008) xv.

[6] James Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002) 349-355. DeLay, *War of a Thousand Deserts*, 306-309.

[7] Griffin, *A Doctor*, 25 (October 22, 1846).

After fording the Colorado River, the Army of the West started the hardest leg of the journey, crossing the Mojave Desert. When they reached Warner's Ranch, which Griffin referred to as the "extreme frontier settlement of California," the men were exhausted and in many cases riding broken-down or untested mounts. They were also dangerously overconfident, even as they entered a region that they knew was engulfed in the flames of insurgency.[8]

The Army of the West was in for a rude awakening, and the initial reaction of Griffin to the Californios was hatred. Griffin did, however, see much to admire in Southern California, not only in its natural beauty but also in the skills of its horsemen, whom he feared would wage a protracted insurgency like the Seminole insurgents he encountered in Florida. But Pico soon signaled that he wanted to end the fighting and began meeting with US military officials. Griffin still remained skeptical of Pico and the Californios, a group he thought was brutally violent on the battlefield and also brutal in its treatment of Native Americans.[9] Gradually, Griffin's distrust of the Californios softened as Pico reached out to the invading Americans and began to negotiate a new order.

"A Small Chunk of Hell": The Californio Insurgency

Warner's Ranch was the property of Juan Jose Warner, an assimilated immigrant from Connecticut. Like most Anglo-Americans who came to California before the Mexican-American War, Warner hailed from the northeastern United States. These Yankees arrived by nature of the seaborne hide and tallow trade that connected the US

[8] Ibid., 41 (December 2, 1846).

[9] Griffin, *A Doctor*, 4 (December 3-4, 1846).

Northeast to Alta California. The men typically enmeshed themselves in local society by marrying into Californio families, converting to Catholicism and becoming Mexican citizens. As important figures in hemispheric trade, they quickly achieved elite status and often received large tracts of land through family connections or government grants.[10]

Before the Army of the West arrived, Warner was arrested along with other US-born men under suspicions that they might side with the enemy. Warner's ranch was a large, family-owned cattle-ranching estate worked by resident Native Americans and, despite his origins, it was fairly typical of an Alta California rancho. Captain A.R. Johnson of the Army of the West observed, "the labor is performed by California Indians, who are stimulated to work by three dollars per month and repeated floggings."[11] After investigating Warner's Ranch and a neighboring one, Griffin concluded that "these Rancheros seem to live in a feudal style—each man has his band of Indian dependents—who are completely subject to his authority." His reference to the feudal system fits well with historian Douglas Monroy's use of the term "seigneurial" to explain Alta California society. On the ranchos, Monroy argued, Indians developed a relationship of "mutual and personal dependency" with their Californio *seigneurs*, or *señors*—landlords who provided "fiestas, cloth goods, and aquardiente [hard liquor]" to smooth over "the grimy bond" of dependency.[12]

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[10] Louise Pubols, *The Father of All: The de La Guerra Family, Power, and Patriarchy in Mexican California* (Berkeley: University of California Press, 2009), 105-148.

[11] As quoted in George Hardwood Phillips, *Chiefs and Challengers: Indian Resistance in Southern California, 1769-1906* (Norman, OK: University of Oklahoma Press, 2014), 80-81.

[12] Stephen W. Silliman, *Lost Laborers in Colonial California: Native Americans and the Archaeology of Rancho Petaluma* (Tucson: University of Arizona Press, 2004), 23; George Harwood Phillips, *Indians and Intruders in Central California, 1769-1849* (Norman: University of Oklahoma Press, 1993), 107; James J. Rawls, *Indians of California: The Changing Image* (Norman: University of Oklahoma Press, 1984), 21;

These landlords also presided over a system of mutual protection. As in feudal Europe, those lower on the social ladder owed service, including military service, to their superior. Griffin overheard Warner's mayor domo, or ranch manager, claiming that he "could raise 300 fighting men in a few hours." Southern slaves would have never been mobilized and armed by their overseers in this way, yet Griffin concluded that the lot for Native Americans on and around Warner's ranch was "worse by far" than the "worst treated slaves in the United States." Griffin was no stranger to slavery. He had been raised by slaveholding southerners and, like many US officers during the Mexican-American War, he had brought an African-American slave with him into Mexico named Caswell Wade. His comments should therefore not be taken as a condemnation of slavery generally but rather as a critique of the "most miserable condition" of the Indians, whom he claimed seemed to "live on the offal of the ranches principally."[13]

Griffin was hardly the only observer to compare California Indian servitude to slavery. In 1831, the Catholic priest and mission father Narciso Durán commented that "the Indian" was becoming "the slave of the *gente de razon*"—the Spanish-Mexican "people of reason." And the Ohio-born Lansford Hastings sounded a note similar to Griffin's when he contended that Indians in Alta California, and elsewhere in Mexico,

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Douglas Monroy, *Thrown among Strangers the Making of Mexican Culture in Frontier California* (Berkeley: University of California Press, 1990), 151.

[13] Griffin, *A Doctor*, 4 (December 3-4, 1846).Caswell Wade is described as the "negro servant of Asst Surgeon Griffin U.S.A" in an 1847 military trail transcript that also describes Peter Biggs, known to be a slave (see chapter 5), as a "negro servant." Viola L. Warren, *Dragoons on Trial, Los Angeles, 1847* (Los Angles: Dawson's Book Shop, 1965), 23. As was typically the case, evidence of Griffin's slave is scant, e.g. one letter to Griffin includes the line: "some sugar was left with your boy." G. B. Sanderson, letter from Sanderson to Griffin, March 19, 1847, Documentos para la Historia de California, 1846-1847, 34, microfilm BANC MSS C-B 79, Bancroft Library, Berkeley, California. For a description of how African Americans who served in the Mexican-American War are largely invisible in the historical record, see Robert E. May, "Invisible Men: Blacks and the U.S. Army in the Mexican War," *The Historian*, vol. 49 no. 4 (August 1987), 463-477.

were in a "state of absolute vassalage" that was "even more degrading, and more oppressive than that of our slaves in the South." Writing on the eve of the Mexican-American War, Hastings did "not pretend to say" whether "slavery will, eventually, be tolerated in this country," but he did contend that the "labor of Indians will, for many years, be as little expensive to the farmers of that country, as slave labor, being procured for a mere nominal consideration."[14]

After the war, Griffin would take advantage of Indian labor during the Gold Rush. It is not clear whether he took his African-American slave, Caswell Wade, but he did apparently take an Indian laborer named Domingo to the gold fields. After finding Domingo in the vicinity of Warner's Ranch, he had a Spanish-language contract drawn up, which was singed by the Los Angeles Alcalde, the mayor and judge of the city, as well as Narcisso Botello, a "friend of Domingo." In the contract, Griffin promised one quarter of the mining profits to Domingo as well as sustenance and free medical care. The period of the contract, however, was left undefined, suggesting that Domingo did not have the freedom to quit—a distinguishing characteristic of free labor. Still, Griffin probably saw himself as relatively liberal in his treatment of Domingo compared to the treatment Indian workers typically received in California, which was "worse by far" than the treatment of African-American slaves in the South.[15]

Griffin's slave and other African-American servants of US officers travelled with the armed forces and may have participated in combat in particular instances during the Mexican-American War, but they were not mobilized and armed en masse in the way

[14] Durán is quoted in Monroy, 111. Lansford W. Hastings, *The Emigrants' Guide to Oregon and California* (Princeton: Princeton University Press, 1932), 132.

[15] Narcisco Botello, "Contrato," March 28, 1849, Documentos para la Historia de California, 200.

Warner's mayor domo suggested. Indians had served martial roles in Spanish-Mexican California since the days of the missions, when select Christianized Indian men served in leadership positions that required them not only to discipline other mission Indians but also to participate in expeditions to punish livestock thieves and communities that harbored runaways. These men, like many of the Spanish-Mexican settlers, were often highly skilled horsemen who could be mobilized for cavalry engagements such as the one awaiting the Army of the West.[16]

Moving westward from Warner's Ranch, the Americans ran into a mounted group of Marines sent from San Diego to guide the scaled-down Army of the West through hostile territory. This detachment was led by Captain Archibald Gillespie, a man who was partly responsible for the "small chunk of hell" that Griffin was anticipating. In August of 1846, US forces had marched unopposed into the Pueblo de Los Angeles, the capital of the Department of Alta California. The governor, Andrés Pico's brother Pío Pico, had fled the city toward Sonora with the objective of obtaining military. Alta California politics were badly fractured between the more politically liberal *arribeños*, "uppers," of Northern California and the more conservative *abajeños*, "lowers", of the south. Following the US invasion, a half-hearted effort to coordinate a defense of Los Angeles by Pío Pico and northern California leaders Jose Castro and Juan Batista Alvarado quickly fell apart.[17]

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[16] Steven W. Hackel, "The Staff of Leadership: Indian Authority in the Missions of Alta California," *The William and Mary Quarterly*, Third Series, 54, no. 2 (April 1997): 347–76.

[17] Neal Harlow, *California Conquered: War and Peace on the Pacific, 1846-1850* (Berkeley: University of California Press, 1982), 137-151.

The split between *arribeños* and *abajeños* went back at least a decade. In 1836, an effort by *arribeños* to declare Alta California independent of Mexico was resisted by the *abajeños*. Foreshadowing roles he would play later in life, the 26-year-old Andrés Pico was charged with organizing militia forces to resist the rebellion. A settlement was eventually reached with Mexico City that upgraded Alta California from a province to a department, a status that brought greater autonomy. The *abajeño-arribeño* split provided an opening for the United States to assert control with minimal resistance, but the relationship between occupying US forces and the local population quickly soured.[18]

Commodore Stockton rounded-up government officials and prominent Californios, including Andrés Pico, and "paroled" them on the condition that they swore an oath not to resist the occupation. While this rankled Californios, real problems did not arise in Los Angeles until Archibald Gillespie was left in charge of the city. Gillespie had a very small force of only 21 men, and he commanded them ineffectively. He could not stop his men from drinking and carousing, and he alienated the local population by trying to enforce unrealistic and oppressive regulations drawn up by the hard-nosed Stockton. Gillespie decreed that all shops had to close at sundown, that no liquor could be sold without his permission, and that meetings could not be held in private homes or in public places. Groups of two or more were even prohibited from walking the streets.[19]

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[18] Leonard Pitt, *The Decline of the Californios; a Social History of the Spanish-Speaking Californians, 1846-1890* (Berkeley: University of California Press, 1966), 7. Pubols, *Father of All*, 197-214.

[19] Harlow, 159-161.

The insurgency began as a mob-action led by Serbulo Varela, a local dissident who in the previous year led a failed revolt against Governor Pío Pico.[20] According to the recollections of one prominent local elite, Antonio Coronel, the conflict started when Varela refused to pay an "arbitrary fine of fifteen pesos, more or less," issued by Gillespie for "breaking some rule." Varela fled rather than pay the fine, and Gillespie used this as an excuse to "intensify his tyranny." On September 23, 1846, Varela and a small band of only "eight or ten men," according to Coronel, attacked Gillespie's headquarters, a one-story adobe that had formerly served as the headquarters of Governor Pío Pico. Gillespie responded by trying to arrest anyone whom he "considered a suspicious character," which backfired, driving much of the population into Varela's camp. Faced with a growing insurgency, Gillespie moved to high ground, a hill not far from the main plaza.[21]

The following day, on September 24, 1846, Varela issued a proclamation signed by over 300 Angelenos of diverse occupations and backgrounds stating that all Mexican citizens of Southern California should take up arms against the occupying "adventurers." The Mexicans of Northern California were also invited to join the uprising. Perhaps the insurgents thought the American invasion could heal the rift between *arribeños* and *abajeños* after all. The day after Varela's proclamation, local elites took control of the movement. Jose Maria Flores, the highest-ranking political and military figure remaining in town, was elected "commander" by the insurgents. Flores, who hailed from the

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[20] Carlos Manuel Salomon, *Pío Pico: The Last Governor of Mexican California* (Norman: University of Oklahoma Press, 2010), 81. Pío Pico, *Don Pío Pico's Historical Narrative* (Glendale, CA: Arthur H. Clark Co, 1973), 19-22.

[21] Antonio Franco Coronel et al., *Tales of Mexican California* (Santa Barbara, CA: Bellerophon Books, 1994), 34–35.

Mexican state of Sinaloa, then appointed two prominent native-born Californios as his sub-commanders, José Antontio Carillo and Andrés Pico. Carillo and Pico were brothers-in-law and had both been born in Southern California, although Carillo had sided with *arribeños* in the 1836 dispute over Alta California independence. Varela, Flores, Carillo, Pico and several others had been granted paroles of honor by the Americans and faced possible execution if captured.[22]

Gillespie was no longer in a position to arrest anyone as the insurgency gained steam. Under siege in his hilltop fortress and without a reliable water supply, he agreed to sign "Articles of Capitulation" drawn up by Flores. These articles ensured the safety of Gillespie and his men if they left immediately, without their artillery. The insurgent leaders honored their obligation to protect the retreating Americans from popular reprisal but Gillespie broke the agreement when he delayed at San Pedro in anticipation of reinforcements arriving by sea.[23]

When those reinforcements arrived, the Americans attempted a march back to the city but this effort was thwarted by a cavalry company under Carrillo. In what became known as the Battle of Old Woman's Gun, Carrillo's company made clever use of an artillery piece that had been hidden on the property of an elderly Californiana. Pulled along by fast California horses, this small gun, previously used only for ceremonial purposes in the plaza, fired several devastating blasts while remaining just out of reach of the advancing Americans. Demonstrating their superior horsemanship while making

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[22] "Proclamation of Jose Ma Flores. Mexican Army, Section of Operations. Los Angeles, October 1, 1846," Typescript copy of translation. Seaver Center for Western Historical Research, Los Angeles, California. Harlow, 162-173.

[23] Harlow, 193-218.

creative use of their limited military technology, Carrillo's men forced the Americans to fall back to San Pedro. Stockton later remarked that "nothing short of a locomotive engine could catch those well-mounted fellows."[24]

Following this engagement, Carillo's men applied what military strategists call "maneuverability theory" against US forces remaining on the coast. As a much smaller force, they could not defeat the Americans outright through attrition but, by taking advantage of their superior maneuverability, they could nevertheless try to pressure or persuade the Americans into retreating. After depriving the Americans of fresh mounts by dispersing the free-roaming animals in the area, the Californios exaggerated the number of horses under their own control by driving them in in a circular pattern through hilly terrain. Although desperately short on ammunition, they treated the cannon balls they did have in a deliberately cavalier fashion—rolling them down a hill in view of the Americans and then holding them up in mocking gestures. After raising a Mexican flag near the American camp, they also sent a dog towards the camp with a note warning of imminent attack and asking that the coffee be kept warm. Gillespie recalled that these efforts kept the commanding US officer on the shore in a constant state of excitement. Here, and elsewhere, Californio forces exhibited an improvisational creativity and showmanship that contrasted sharply with the clunky maneuvers of the more modern American military machine.[25]

US forces abandoned San Pedro and regrouped in San Diego. When word arrived that Kearny was close, Gillespie and a detachment of marines were dispatched to escort

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[24] Ibid., 168.

[25] Robert Phelps, "On Comic Opera Revolutions: Maneuver Theory and the Art of War in Mexican California, 1821-45," *California History*, vol. 84, no. 1 (Fall 2006): 44-63. Harlow, 170.

the Army of the West to the safety of San Diego Bay. The combined army and marine force would then face what Gillespie later described as a "force of insurgents under Andrés Pico."[26] From their insurgent headquarters in Los Angeles, three cavalry companies of approximately 100 men were formed. In addition to Carrillo's company, which patrolled the San Pedro area, another company seized Santa Barbara while Pico's unit was dispatched to San Diego. After compelling the Americans to evacuate the town of San Diego and retreat to the bay, Pico's men themselves retreated inland and camped near the Indian *rancheria*, or village, known as San Pasqual.[27]

Kearny was informed by Gillespie that a Californio force was in the area, but its size and location were not known. Poor weather added to the confusion. As Griffin recalled, "rain did come down most severely." After the Americans had encamped for the night, Kearny learned that the enemy was nearby and made plans for an immediate surprise attack, but he changed his mind for "some reason" that was not apparent to Griffin. Instead, he ordered a smaller party to "reconnoiter" and determine the exact location of the enemy. They found Pico's unit but were discovered themselves in the process.[28]

Griffin wrote that the "Mexicans gave three cheers" as the Americans' reconnaissance party fled back to camp. According to Gillespie's report, they shouted "*Baja Los Americanos*," down with the Americans, as well as the "*Viva California*," long live California, an assertion of local instead of national loyalty. This Californio identity

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[26] Archibald H. Gillespie, "December 25 – San Diego: Gillespie to Stockton," Box 4 no. 140. p. 2, Archibald H. Gillespie Papers, 1845-1860, UCLA Special Collections, Los Angeles, California.

[27] Coronel, 39.

[28] Griffin, *A Doctor,* 45 (December 5, 1846).

could, at least in the long term, appeal to the American imagination in a way that Mexican identity could not. The United States had gone to war with Mexico for the purpose of obtaining land, and the most alluring prize was Alta California.[29] Although identifying with California, Pico's unit was probably not made up entirely of Californios. Besides Pico, there were other Californios in the company such as José Ramón Pico, Andrés' 17-year-old nephew from Northern California, and Tomás Sánchez, who, like Andrés, was the owner of vast ranch lands in Southern California. Andrés Pico, Sánchez and other Los Angeles-based Californios in the company may have ridden south with some of their most trusted Mexican and Native-American vaqueros. Andrés and Pío Pico also had claims to Rancho Santa Margarita, near San Pasqual, so it would not be surprising if some of the vaqueros from that rancho joined the unit as well.[30]

While the mayordomo's claim of "300 fighting men" was likely an exaggeration, land-owning Californios probably had a large hierarchy of skilled horsemen to call upon in an emergency. Assuming that the unit had a substantial number of Native-American vaqueros as well as many members of partial Native-American descent, San Pasqual may have been the perfect place for Pico's men to hide in plain sight. San Pasqual was not only an Indian village, it was also an official pueblo of Alta California. Upon its founding in 1835, the pueblo included 81 former mission neophytes. Every adult male specialized in a craft, and the village included herdsmen, muleteers, carpenters, millners, farmers, and leatherworkers as well as a blacksmith, a carder of wool and a cheese maker. The Native-American appearance of the Californios and the Spanish-Mexican appearance of

[29] Gillespie, "December 25 – San Diego: Gillespie to Stockton," Box 4 no. 233, Archibald H. Gillespie Papers.

[30] "Capt. Pico," *The Wilmington Journal*, March 10, 1866, 2.

the Native Americans may help explain why US forces were spotted first and lost all element of surprise. Perhaps the American scouts approached the Indian village only to realize too late that it was also a Californio military encampment.[31]

"Like Devils with their Lances": The Battle of San Pasqual

Assembled at two in the morning of December 6, 1846, the Americans, in the words of the incredulous Griffin, were still "expecting to surprise the party of Mexicans." To make matters worse, there "had been in the rain all night" and their weapons were "not reloaded." There was therefore a good chance that the damp guns would misfire. Nevertheless, "boots and saddles was the word, and off we put in search of adventure." After riding about 10 miles, they came within "sight of the enemys fire" and, while descending from a hill into a valley, "the shout and charge was commenced from the advance."

After riding their "jaded and broken down mules and horses some ¾ or a mile," the Army of the West began to come under fire from the Californios who were positioned in front of a "ranchereo [*rancheria*]" named "St. Pasqual." Day was breaking and it was hard to make out who was who in the dim early light. When a rider with "a most Mexican" look "came dashing by," the Americans began firing. A saber was raised to cut him down before it was realized that he was a member of Gillespie's party. Everything was "very disordered." Fresh horses ran ahead of the broken-down animals, and the American line was stretched perilously thin. Still, a Captain Moore at the front ordered that the charge be continued, which it did in "a most hurly burley manner." Only ten to fifteen men could

[31] Phillips, *Chiefs and Challengers*, 62-63. According to Benjamin Hayes, an prominent Anglo-American settler who arrived in Southern California in 1850, the chief of the San Pasqual village "rendered some aid to General Pico." Warner, Hayes, and Widney, *An Historical Sketch of Los Angeles County California*, 46.

keep up with Moore as about 40 men altogether made the charge. Led by Andrés Pico, the Californios feigned a retreat in the face of this disorderly American advance. According to Griffin, "the enemy continued to retreat for about ½ mile further when they rallied and came to us like devils with their lances—being mounted on swift horses." With "most of our fire arms having been discharged or missed fire from the rain of the night previous," Griffin wrote, "our advance was perfectly at their mercy."[32]

Pico's well-timed counterattack was maneuverability theory in action. Outnumbered and outgunned, Pico stood no chance in a war of attrition with the Americans. Lacking superior mass or firepower, he used upon the speed and maneuverability of his cavalrymen to strike a forceful blow. In doing so, Pico was drawing upon a long Spanish-Mexican tradition of warfare. Mounted units had served as the "shock troops of the conquistadors," and, in the repeated factional conflicts that plagued Alta California's history—several of which involved Pico—ample horses, experienced riders, and long distances between targets made "widespread use of cavalry in the territory a foregone conclusion." Clad in stitched-leather jackets and armed primarily with lances, Spanish-Mexican settlers had also employed lightning cavalry strikes against Native Americans, who, for the most part, fought dismounted with bows and arrows. At San Pasqual, Pico's force inflicted a shattering attack on a more modern army that was larger, clumsier, under-prepared and over-confident.[33]

Griffin soon "found that he had his hands full" dealing with the wounded. He dismounted during the counterattack and fired his pistol once before dropping and losing

[32] Griffin, *A Doctor*, 45 (December 6, 1846).

[33] Phelps, 44-63.

it on the battlefield. Six months later, Griffin was still trying to track down his sidearm by inquiring with American and Californio friends in the San Diego area.[34] The first American to fall was hit in the head by an insurgent bullet, dying instantly, but the other US casualties were felled by the horsemen's spear—the lance—which proved to be the most deadly weapon that day. Eighteen Americans were killed and nineteen were wounded. In total, 22 American service men would die as a result of the battle. The Californios did not, however, succeed in killing their main targets. In his report, Gillespie claimed that the lancers shouted his name when they spotted him and made special efforts to kill him. While he and General Kearny, another target, suffered multiple lance wounds, they both survived.[35]

The lances consisted of a long wood shaft and a double-edged metal head. Brought to Mesoamerica by mounted conquistadors in the sixteenth century, the weapon had been taken north into Alta California by Spanish colonial soldiers in the late eighteenth century. These frontier soldiers continued the Spanish conquest on the northern frontier by guarding Catholic missionaries and disciplining Indians who worked and worshipped at the missions. A skilled lancer could either hurl his lance at an enemy or jab at him repeatedly and with precision. Compared to the factory-made firearms and sabers of the US forces, the lances were primitive weapons, most of which were hand-made within months of the battle. Antonio Coronel claimed that he was "put in charge of

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[34] Ibid., 46 (December 6, 1846). Miguel de Pedrorena, letter from Pedrorena to Griffin, May 30, 1847, Documentos para la Historia de California, 56. Robert Clift, letter from Clift to Griffin, June 12, 1847, Ibid., 66.

[35] Stephen G. Hyslop, *Contest for California: From Spanish Colonization to the American Conquest* (Norman, OK: University of Oklahoma Press, 2012) 393-394. Archibald H. Gillespie, "December 25 – San Diego: Gillespie to Stockton," Archibald H. Gillespie Papers.

ordnance" for the insurgency. "Since we were short of guns," he explained, "we decided to arm the cavalry with lances." Local "smithies" were put to work manufacturing these weapons, including one workshop located in Pico's chief residence, the ex-Mission San Fernando. Pico had acquired this property after serving as an official in charge of mission secularization, a process of distributing mission property that was supposed to benefit Mission Indians but instead saw well-placed Californios acquiring the best land. The lance heads were forged out of "barrel hoops" or other pieces of "scrap metal," and the shafts were "laurel or ash cut in the sierras." Coronel claimed that the approximately 400 lances built "were the principal weapons we had."[36]

Makeshift or not, these weapons worked. As the battlefield surgeon, Griffin recorded that most of the dead and wounded Americans at San Pasqual had multiple lance wounds. As Griffin wrote, "some of my poor fellows have as many as 8 wounds on a side 3 are run through the arm—generally—[the insurgents] seem to aim with their lances so as to strike a man near the kidneys."[37] Though an ancient form of military technology, this weapon was far more effective in the hands of skilled Californio than the spent or misfiring rifles that the Americans were forced to wield as clubs at San Pasqual. Griffin recalled that many of the factory-made, steel sabers of the dragoons were also rusted in their sheaths. Even if usable, these sabers did not have nearly the reach of the lances.

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[36] Coronel, 39.

[37] George C. Stone, *A Glossary of the Construction, Decoration and Use of Arms and Armor in All Countries and in All Times* (Portland, ME: The Southworth Press, 1934), 407-409. Robert W. Cherny, et. al., *Competing Visions: a History of California* (Boston: Houghton Mifflin, 2005), 37-49. Griffin, *A Doctor,* 47 (December 6,1846).

Following Pico's counterattack, the Californios captured a mule cart containing one of the howitzers, though they would not be able to use this piece effectively. A US artillery sword that ended up in the possession of the Pico family may have been taken along with the howitzer. Andrés, or perhaps his son Romulo, would later convert this battle trophy into a machete and add a leather handle. In addition to being a potentially useful ranch tool, this modified weapon—with its "United States 1832" engraving still visible—served as a snarky reminder of the day that Andrés bested the Americans.[38]

Despite the capture of one of the howitzers, the decision to drag these cumbersome weapons across the rugged Mexican North was ultimately validated. When the second gun was brought into the fight, it "drove the enemy off," in the Griffin's words. This piece of technology ultimately proved critical to defeating a non-industrialized enemy. Since the Americans held the field at San Pasqual, they could and did stake a modest claim to victory. The body count, however, told a different story.[39]

According to Griffin, the Army of the West "suffered most terribly in this action." Of the 50 American men that engaged the enemy that morning, he estimated that 35 were dead or wounded. When Griffin offered to treat wounded Californios, Pico responded that there were none. This was a bold statement that may have been designed to further depress American morale, but only one Californio death can be confirmed.[40]

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[38] "Sword," made 1832 (captured 1840s), The Autry's Collections Online, Autry National Center, theautry.org, Accessed: December 22, 2014.

[39] Griffin, *A Doctor*, 46 (December 6, 1846).

[40] Ibid., 46-47 (December 6, 1846). Griffin, "Names of Men of K Company Killed at San Pasqual Dec 6th 1846," Documentos para la Historia de California, 2. "Capt. Pico," *The Wilmington Journal*, March 10, 1866, 2. "Francisco Antonio Lara," Early California Population Project Database, Huntington Library. Lara was buried on the day of the battle: 12/6/1846. A native of Southern California, he was baptized at Mission San Gabriel on 4/15/1822.

After the initial fighting was over, Griffin wrote that "a flag of truce" was "sent to us by Picot [Pico]," whom Griffin identified as "the commander of the Mexicans." Pico's objective was to arrange a prisoner exchange, but he also sent "some sugar & tea—a change of clothing for Capt Gillespie—which had been sent to Gillespie from St. Diego." Pico's chivalry made an impression on the Americans. One US officer responsible for negotiating the prisoner exchange met with Pico and found him a "gentlemanly looking and rather handsome man." Here was the skillful commander of the lancers acting a gracious gentleman, after issuing the overconfident Americans a surprising and humiliating defeat. The view that Mexican men were incompetent rascals was being tested. On the overland trek to California, Griffin imagined "handsome," "finely mounted" Indians making short work of the Mexicans with their lances, but these Californios were also lance-wielding warriors to be feared and respected.[41]

Though outnumbered and outgunned, Pico's force kept the Americans herded like cattle and prevented their continued march to San Diego. They also used their ranching skills to stampede wild horses at the American encampment. Griffin recalled that seeing the "wild devils with sheep skins & other things of that sort tied to their tails" presented "one of the most beautiful sights we had ever beheld." Gillespie, who anticipated this attack due to his time spent in the country, prepared the Americans, and they were able to divert most of the animals. Despite their ultimate failure to crush the Army of the West, Pico's men won the respect of the Americans for their stunning displays of horsemanship

[41] Griffin, *A Doctor*, 47 (December 6, 1846). Gillespie, "Gillespie to Andrés Pico: Copy of a letter," May 10, 1847, Box 4 no. 233A, Archibald H. Gillespie Papers. Harlow, 189.

at San Pasqual. Years later, Kearny remarked that they had proven themselves some of "the best horsemen in the world."[42]

Griffin and others cheered when a party on US marines and "Jack tars," armed sailors, belatedly arrived on foot from San Diego to rescue the besieged Army of the West. Commodore John Stockton would later explain that he did not understand the urgency of the situation and was slow to respond because he could not find mounts for a rescue party since Pico's men had driven away most livestock from the area. Pico had actually decided to end his siege shortly before the rescue force arrived. He may have been frustrated by Flores' decision to ignore his pleas for reinforcements, but Pico's own eagerness to fight may have also been an issue. Juan Bautista Moreno, one on Pico's subordinates who was interviewed decades, claimed that Pico did not want to fight the Americans in the first place. According to this witness, Pico ordered that the unit's horses be taken "to pasture" at a time when they did not know "when the enemy would appear." Having "suspicions that Don Andrés wanted us to surrender," Moreno claimed that he had to show him a "cape and a blanket" dropped by the Americans before Pico agreed to recall the horses. The Americans may have therefore pushed Pico into his heroic role at San Pasqual, even though he wanted to negotiate surrender.[43]

Pico and the Surrender of Alta California

Griffin continued to treat the wounded from San Pasqual at the army hospital in San Diego. Despite its chivalric image, the lance was a brutal weapon that surely left

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[42] Griffin, *A Doctor*, 48 (December 10, 1846). Hyslop, *Contest for California,* 393.

[43] Griffin, *A Doctor*, 48 (December 10, 1846). Juan Bautista Moreno, "Vida Militar : Santa Barbara, Calif. : ms.S, 1878 Nov. 3.," facsimile text, (1878), 25–29, California Digital Library, cdlib.org, accessed: December 20, 2014.

scars—psychic as well as physical—on the Americans. The blood loss suffered by these wounds was worrisome, especially since bleeding was itself one of Griffin's favored treatments. In "all the cases of wounded," Griffin bled and purged the men "as far as I thought was safe under the circumstances" since they "all [had] bled profusely after they were wounded." These were no mere flesh wounds. One "poor fellow" had been lanced four times in the brain and suffered delirium for several days before falling into a coma and expiring. Even if vital organs were not damaged, infection was a major risk. In his diary, Griffin described how some of the lance wounds underwent "mortification," or gangrene. In this instance, mortification may have also been fitting descriptor for the feelings of shame and humiliation that festered in the days after San Pasqual.[44]

While attending to these injuries, Griffin learned that "Picot & his party who were opposed to us in the fight had gone to the puebla de los Angeles." Stationed at San Diego, Griffin wrote that "Our General [Kearny] has no force at his command, and he seems low spirited." Naval Commodore John Stockton remained more optimistic, and spoke of "marching on the Puebla, the head quarters of the Mexican force." Based on his previous experience in the Second Seminole War in Florida, Griffin expected a protracted and bloody insurgency in Southern California. "I fear from the way things are conducted," he wrote, "that we are to have a second Florida business of it." As Griffin explained, "we do not own at this present more of California than we occupy with our forces, the enemy have the country and we have no communication with our friends in the north."[45]

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[44] Griffin, *A Doctor,* 49-50 (December 14, 20, 1846). Griffin, "Quarterly report of sick and wounded of a company of Dragoons," December 31, 1846, Documentos para la Historia de California, 5.

[45] Griffin, *A Doctor*, 49 (December 13, 1846), 51 (December 20, 1846).

During the Second Seminole War, from 1835 to 1842, the Seminole people of Florida resisted relocation. This was an extension of the policy that forced Cherokee Indians and other Native Americans out of the South in order to make room for white settlement. When negotiations fell apart, the Seminoles engaged in a very effective guerilla campaign against US forces, attacking and sometimes annihilating entire companies. Over time, the Seminole had also developed an effective divide-and-conquer strategy against southern Americans that encouraged African-American slaves to run-away from their white masters. Sometimes the Seminole would capture and re-sell these runaways, but they would also sometimes accept them into their society. African Americans typically held subordinate positions in the Seminole social hierarchy, but this was nevertheless a major improvement over slavery.[46]

Griffin linked Alta California with what he saw in Florida, not only because both places resisted US forces but also because the populations of these places would have appeared similar to him. Not only did both places have Spanish names reflecting a shared past of Spanish imperialism, but they also had populations of Native American and African descent, a mixture that may have been particularly troubling for a southerner such as Griffin. He persisted with the Florida analogy, particularly in reference to Pico, an individual, who, like many Californios, was of African, European and Native-American heritage. Pico's paternal grandmother was, according to the Spanish colonial casta system, *mulatta*, which meant that she was of European and African descent. Through marriage and social advancement, families such as his were increasingly categorized as white over time. This process was aided by a casta system that allowed

[46] Christina Snyder, *Slavery in Indian Country: The Changing Face of Captivity in Early America* (Cambridge, Mass.: Harvard University Press, 2010), 224–226.

families to blur their African and indigenous ancestry through imprecise conventions of labeling mixed-race offspring. This Afro-Mexican population, which was later listed as white by census takers, included prominent families like the Picos and was probably large, though it was not recognized as a distinct community at the time.[47]

On December 29, 1846, Griffin wrote in his journal that, "we left St. Diego on our march against the Puebla de los Angeles, the head quarters of the Enemy." The advancing force of six hundred included the crews of several US Naval vessels as well as "Dragoons, Volunteers and Californians." As they marched towards Los Angeles, the multicultural population of Southern California was engaged in complex patterns of political and military maneuvering. One day into the march, Griffin recorded that "in our neighborhood [there were] some seventy Californians and 300 Indians in arms." He also reported that "the Mexicans & a party of Indians had attached the Indians about Warner's ranch and killed some thirty of them," likely in retaliation for being too friendly with the American invaders. Before San Pasqual, Griffin had heard an Indian leader at Warner's Ranch express friendship for the Americans, and he believed that the Americans should reciprocate. "These Indians are our friends," Griffin wrote, "and I should think ought to be supported."[48]

While camped near one of several ranches controlled by the Pico family, Griffin spoke with Andrés' brother-in-law, "Foster the Englishman." As "Foster" (John Forster) explained to Griffin, "Andreas Picot by taking up arms has twice broken his parole, once given to Commodore Stockton and once to Capt Gillespie—he was told by doing so that

[47] Marne L. Campbell, "Heaven's Ghetto?: African Americans and Race in Los Angeles, 1850-1917," Ph.D. diss. (University of California Los Angeles, 2006), 24-40.

[48] Griffin, *A Doctor*, 55 (December 30-31, 1846).

he was risking all of his property and at the same time running a reasonable chance of being shot or hung if taken." But, as Forster related, "Picot believes the American government, will neither confiscate property—nor shoot a man, though he may have violated the most sacred pledge." This was a "misfortune," according to Griffin. "Our government has the reputation of exercising too much leniency," he explained that "these fellows suppose that they can make war as long as it is convenient." "When they get tired of it," Griffin continued they can "come in and be paid high wages for little or no service." "This was too much the case in Florida," he concluded, "and up to this time I have no doubt has been much the case here."[49]

As much as Griffin was inclined to mistrust the Californio enemy, at least while the conflict was still raging, he was soon entranced by California itself. The countryside began "to look beautiful, the young grass springing in all directions." He caught his first glimpse of the Pacific, where he saw "many whales spouting the water in the air." He was also impressed by Californios who weren't actively fighting him. After witnessing the butchering of cattle, he remarked that "the Californians lasso the cattle, throw them and in fact manage them with the greatest ease."[50]

He was particularly impressed with the "most grand appearance" of the San Diego Mission. He recorded in his journal a very early example of what has been described by scholars as the "Spanish Fantasy Past," the idealization of California's Spanish-Mexican history by Anglo-American Protestants who had an interest in marginalizing the region's contemporary Mexican-American population. In a similar way, Griffin used the Mission

[49] Griffin, *A Doctor,* 57–58 (January 3, 1847).

[50] Ibid., 56 (January 1, 1847), 58 (January 3, 1847).

period as a way to critique his Californio enemies. According to Griffin, "the Padres clothed, fed and educated the Indians well" and "all were happy." He even sexualized this paternalistic social order by adding that the padres "lived a most luxurious life" in the company of "the most beautiful young Indian girls." But this strange paradise came to an end, according to Griffin, when "the missions were broken up in 1834, and their property seized and confiscated." The Indians not "driven to the mountains" were "made slaves." The harmonious times of the missions were over, and the Indians "have been constantly harassing the Californians since."[51]

Once again, Griffin had claimed that Indian ranch workers were slaves and suggested that this was unjust. By contrasting the missions and what came after, Griffin was not, as a slaveholder, condemning slavery, so much as differentiating between benevolent patriarchy and brutal exploitation. This distinction is central to how he demonized the Californio insurgents who were, at that point, still very much his enemies. But, despite Griffin's fears of a prolonged insurgency, San Pasqual ended up representing the high-water mark of Californio resistance. For nearly three months, American forces abandoned the bulk of Southern California between San Luis Obispo and San Diego to the Californios.[52] US forces gradually recovered, however, and, after the brief battles of San Gabriel and La Mesa, a force under Commodore Robert Stockton reoccupied Los Angeles. Not being native to the region and fearing execution for violating oaths and

[51] Ibid., 57 (January 2, 1846). Phoebe Kropp defined the Spanish Fantasy Past as "an institutional public memory which fostered a continuing celebration of racial and national conquest and, in turn, informed regional agendas of culture and politics." Kropp, "All Our Yesterdays: The Spanish Fantasy Past and the Politics of Memory in Southern California" (Ph. D. diss., University of California San Diego, 1999), 1.

[52] Harlow, 182-188. Monroy, 179. Louise Pubols, "Born Global: From Pueblo to Statehood" in William Deverell and Greg Hise, eds. *A Companion to Los Angeles* (Oxford, UK: Wiley-Blackwell, 2010), 34-34.

leading the insurgency, Flores fled California, leaving Pico in charge of the remaining forces. Forster had earlier relayed reports to Griffin of the "movements of Fremont [Major John C. Frémont]" as well as "the intentions of the Californians to march out and give him battle," but Pico seized the opportunity to negotiate terms of surrender with Frémont instead of the hard-nosed Stockton with whom he and other Californios had violated oaths of honor.

Frémont was an insurgent leader in his own right who had recently helped launch the Bear Flag Rebellion in northern California. Although his stance later in life in favor of free soil and against slavery hardly fit the profile of a southern gentleman, this young upstart of humble birth had climbed the rungs of southern high society with the help of aristocratic patrons first in his native Charleston, then in Washington, and finally in the frontier slave state of Missouri where his father-in-law Thomas Hart Benton secured for him a leading role in the Mexican-American War. He cut a dashing figure in the conflict, helping to spark the Bear Flag Revolt and then commanding the motley California Battalion, a volunteer unit born out of the revolt, which included US soldiers, American settlers and even a few Native Americans and native-born Californios. While Pico faced possible punishment for breaking his parole with the US military, Frémont ultimately faced a court martial for his maverick maneuvers during the war. Both men doubled-down on their renegade reputations by negotiating an end to the war in California without consulting higher authorities.[53]

An agreement was hashed out through intermediaries who met in the Cahuenga Pass, a strategic spot above the Los Angeles basin that had featured prominently in

[53] Tom Chaffin, *Pathfinder: John Charles Frémont and the Course of American Empire* (New York: Hill and Wang, 2002), 321-381.

conflicts between *arribeños* and *abajeños*. Though never officially sanctioned by the US or Mexico, the resulting "Treaty of Cahuenga" ended the war in California and set the stage for peace. According to the terms of the agreement, the lives and property of the people of California would be protected if they refrained from taking up arms for the duration of the war. It also granted amnesty to those who had been paroled. Furthermore, it promised that the people of California would not be compelled to take any additional oaths until a formal peace treaty was confirmed by both national governments. In short, it protected the lives, property and honor of the Californios, specifically elite Californios such as Pico.[54]

The agreement served the interests of both Frémont and Pico, and it helped launch their political careers in the 1850s. Frémont could claim credit for the conquest of California. By launching the Bear Flag Republic, he had started the war in California without any direction from his superiors, and, with the Cahuenga Capitulation, he also ended it without any official mandate.[55] The treaty therefore sealed his reputation as a bold, initiative-taking hero, a reputation that helped him win election as California's first senator and, later, nomination as the first Republican candidate for President. He became known as "the pathfinder," an image that fit well with his achievements as an explorer of the West and put his questionable decisions as an officer in California in the best possible light. Cahuenga also helped Pico. The terms he negotiated served to protect the social order he presided over as a Californio. In particular, the protection of property stood to benefit land-owning Californios above all others. Also, if a second round of loyalty oaths

[54] Phelps, 44-63. Harlow, 201-232.

[55] Ibid., 232.

had been required, this may have seriously damaged the prestige and standing of elite Californios and Pico in particular. Most of those who had been arrested and paroled by the Americans were elite Californios. The memoirist Horace Bell wrote that Cahuenga was a "master stroke" for Pico that "reflected great credit on him as a diplomat" after he had already "demonstrated his prowess on the field." Bell recalled that the chastened war hero "Don Andrés was a great humorist" and "took huge delight in laughing over his Quaker demonstrations at Cahuenga.[56]

By ending the insurgency on his terms, Pico shored up his own reputation as well as a social hierarchy headed by himself and other elite Californios. One can only imagine how the treaty would have been different if a perennial dissident such as Serbulo Varela had negotiated the terms. As it turned out, Varela did not lead another uprising against the occupying American forces after Pico's surrender, nor did anyone else. This was at least partly due to the fact that the Americans were more careful this time in stationing a larger and more sober occupation force, including men from the Mormon Battalion. But Pico may have played an important role in keeping the peace as well. Having achieved a stunning victory against the Americans, Pico was the perfect person to negotiate a peace and then convince the local population to accept the new regime.[57]

Gillespie suspected that the Battle of San Pasqual probably made a big impression on the people of greater Los Angeles. After the Cahuenga Capitulation, Gillespie was charged by Commodore Stockton to investigate the defunct insurgency. His personal papers include a copy of a letter he wrote to an anonymous informant regarding the battle

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[56] Chaffin, 321-443. Bell, *Reminiscences of a Ranger*, 335.

[57] Ibid., 259.

of San Pasqual. "You were in the pueblo [Los Angeles] all the time and undoubtedly had the best opportunity of knowing the feelings of the people of the country," Gillespie wrote. "I take the liberty to ask if the success of San Pasqual inspired confidence in the sons of the country… and if it was not celebrated as a victory for them."[58] Gillespie's suspicions were probably right. The people of Los Angeles likely did celebrate San Pasqual. Pico's elevated status as a result of this battle may have also led many in the community to support his decision to surrender and also to trust the agreement that he negotiated.

But, regardless of whether the local population supported Pico's peace, the decision to surrender was made by elites. As part of his investigation, Gillespie also wrote to Pico to determine how many individuals were involved in the decision. The answer was about 20. This small group of men, elite Californios all, met in an adobe northeast of Los Angeles and decided how to best end the conflict with the Americans. This was a peace negotiated by elites and elite interests were clearly foremost in mind.[59]

By achieving victory in war and then securing peace, Pico preserved his status among the conquered Mexican population. This combination of victory and surrender also helped him win the admiration of the Americans. Even Pico's former nemesis, Captain Gillespie, wrote to Pico in the most respectful and friendly form after the Treaty of Cahuenga. In the letter asking about the decision to surrender, Gillespie addressed "General Pico" and referred to him as his "*amigo*" twice. The tone of this letter is an

[58] Gillespie, "April 5 - Los Angeles: Gillespie to (?). Autograph copy of a letter." Box 4 no. 209, Archibald H. Gillespie Papers.

[59] Harlow, 231-232. Paul B. Gray, *Forster vs. Pico: The Struggle for the Rancho Santa Margarita* (Spokane, WA: Arthur H. Clark Company, 1998), 49-50.

early example of the respect Pico was accorded by his former enemies as he quickly transitioned from an insurgent leader to an American politician.[60]

As the Cahuenga Treaty was being negotiated, Griffin was setting up the Army hospital in Pío Pico's Los Angeles residence, which would, once again, serve as US military headquarters. Griffin was struck by the "ugliness" of the low-slung adobes that were "badly ventilated and extremely filthy." But he was charmed by other aspects of Los Angeles. The wine, he said, was "as good as [he] ever tasted." He also "ate of a fine orange." After "taking everything into consideration," Griffin concluded in his journal that "this is decidedly one of the most desirable places I have ever been at."[61]

Even the Californios were starting to look better to Griffin. Critical to this shift was the fact that they were submitting to and respecting US power. Writing in Los Angeles after American forces had retaken the city, Griffin noted in his journal that the Californios had been greatly impressed by US military maneuvering in a recent engagement. "They were utterly surprised at our crossing the San Gabriel [River] in their face in the way it was done," wrote Griffin. He also suggested that this surprise turned to respect. The Californios, he claimed, "said that men who were capable of such actions ought not to be shot."[62]

While Griffin remained unsure about Pico and the other Californio leaders as they came to Los Angeles to meet with US military officials, he revealed in his journal that some Americans were starting to respect Californio elites. "Picot and several of the

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[60] Gillespie. "(May 10) - n.p.: Gillespie to Andrés Pico. Copy of a letter." Box 4 no. 233A. Harlow, 189.

[61] Griffin, *A Doctor*, 64 (January 11, 1847). Documentos para la Historia de California, 61-63.

[62] Griffin, *A Doctor,* 63 (January 10, 1847).

Mexican leaders have been in town nearly all day," Griffin wrote in Los Angeles. "Many believe that Picot is an honorable man and can be trusted," but "many believe that all of [the Californios] are a pack of scoundrels" and that "fear alone can controle" them. According to this pessimistic line of reasoning, the "very first chance they get [they] will turn against us." Griffin leaned in this more skeptical direction. He had still "not seen Pico yet" and remained unsure about his agenda. "What confidence can be placed in men—who have broken their honor," Griffin wondered, "and their commander Picot has twice done so."[63]

Pico's violation of oaths of honor would have infuriated Americans, particularly southern Americans such as Griffin who took such pledges especially seriously. However, once it became clear that Californio elites would not continue to resist US power, it would be relatively easy to forgive and forget this supposed violation. After all, forcing a man to take an oath to not defend his homeland was itself dubiously honorable. After the Civil War, southerners would take similar oaths with a spirit of defiance. As historian Bertram Wyatt-Brown has explained in his study of southern honor, "the imputation of shame [from such oaths] was to be rejected instantly as unworthy of a proud people."[64]

For Griffin, forgiveness could not come until disarmament was complete. As he wrote in his journal, "The delivery of arms it is understood was a sine qua non—yet they come in slowly—another canon given up to day, they yet have two with them." Pico remained central to this drawn-out process, and Griffin's attention focused on him. "Picot and his chief men have been in town all day, in close conference with Col Fremont, and

[63] Ibid., 67 (January 15, 1847).

[64] Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), 55–77.

consultations seems going on among all of our big guns—what may be in the wind I know not…"[65]

A decade later, Griffin would be a "big gun" in Los Angeles in his own right. He decided to move to this "most desirable" place, where he became a prominent doctor, investor, public servant, Chivalry Democrat and all-round pillar of the community. Perhaps because of his military experience, he would also lead a massive vigilance campaign in 1857 that formed in response to the assassination of the county sheriff. But, in this battle, Griffin would be presiding over Pico instead of fighting him. Pico co-commanded a military company of "Californians" along with Tomás Sánchez, his fellow veteran from San Pasqual. Once again mounted and armed with lances, the Pico-Sánchez company would perform valiantly. The mutual enemy of Griffin and Pico was a group of Spanish-surnamed men branded as outlaws and potential revolutionaries, a group that some Anglo-Americans feared might launch a full-scale insurgency. No longer on the side of the rebels, Pico would ride with Anglo-American vigilantes, most notably the men from the Monte, a township heavily populated by migrants from slave states.

[65] Griffin, *A Doctor*, 68–69 (January 16, 1846).

CHAPTER 2
Californio Vigilantism and the Southernization of Southern California

Despite the wartime fear and distrust of the Californio enemy, many Anglo-Americans came to view the Californios as an exceptional group that did not fit very well with their assumptions of Mexican inferiority. This was particularly true among southern Americans whose seigneurial ideals resonated with those of the Californios. In Southern California, where the contest over land between Californios and squatters was not nearly as fierce as it was in the north, an affinity developed between male southerners and Californios, two groups of men who coordinated violence from horseback in the interest of maintaining social order and a seigneurial social hierarchy.

Though he had once bested the Americans in equestrian combat at San Pasqual, Andrés Pico was quick to volunteer his cavalry skills for the new American regime. He organized and led mounted companies against Indian livestock thieves and, later, against Mexican bandits who targeted Anglo Americans. Pico and Tomás Sánchez, a fellow San Pasqual veteran, played a critical role in catching these Mexican bandits. In these efforts, they were joined by the genteel Dr. John Griffin but also by frontier southerners such as the men from El Monte, a farming community that was dominated by slave-state migrants. Many of these men had passed through Texas, the largest frontier slave state, which had schooled many a westward migrant in how to fight Indians and Mexicans.

Californio Indian Fighting

After hearing of Pico's surrender, Antonio Coronel, who had been confronting the "hardships" of "guerilla life" in the interior mountains of Southern California, returned to Los Angeles to take his chances along with rest of the Californio community. When he arrived in town, he was relieved to learn that the agreement between Pico and Frémont

was being "honored" and that Californios were no longer being punished for breaking oaths.[1] Pico remained in the spotlight as a representative for the Californios and as a supporter of the new regime. Before the treaty of Guadalupe Hidalgo marked the end of the war, Pico was already offering his services as a cavalry commander to the United States. Given the suspicion of many of the conquering Americans, however, this process was not without its setbacks.

In the secret meetings that Griffin noted in his diary, Pico began to build trusting relationships with American officials, particularly the Virginia-born Colonel Jonathan D. Stevenson, who became commander for the Southern District of California after the re-conquest of Los Angeles. In a letter he wrote to the military governor of California, Richard B. Mason, Stevenson reassured Mason that he need not worry about further insurrections in Southern California because of the understanding he had with local "men of property." Stevenson claimed that no men with any "personal or real property" to speak of would countenance revolution for three reasons. First, since the main priority of US forces would be to protect their own personnel and supplies during such an insurrection, property-owning rancheros would themselves likely become the targets of revolutionary mobs. Second, Alta California had experienced decades of uprisings, and these men of property craved the stability that US conquest promised. Third, Stevenson had cultivated strong personal relationships with local men of means, including Pico.

[1] Antonio Franco Coronel et al., *Tales of Mexican California* (Santa Barbara, CA Bellerophon Books, 1994), 50.

According to Stevenson, Pico had been approached to lead a second insurgency but had refused, telling the would-be rebels that he planned to warn the Americans instead.[2]

Stevenson believed in Pico enough to let him organize and lead a cavalry force to pursue Indian horse thieves. Taking advantage of the chaos of war, Indians based in the Tulare Valley had been actively raiding Southern California ranchos such as Pico's property at ex-Mission San Fernando. To put teeth in this new force, Stevenson authorized Pico and other local officials to fine any man who refused to join the militia "not less than $10 nor more than $25." Stevenson also promised to provide Pico's unit with ammunition. Pico accepted this responsibility and organized a force of approximately 200 men in the area from Los Angeles to Santa Barbara. An expedition to Tulare Valley never came to pass, however, since rumors of an insurrectionist plot cast suspicion on Pico and other Californios. According to testimony gathered by Stevenson, the rumors originated with Pedro Carillo, a Californio who told the US commander in Santa Barbara that Pico and other Californios were using the Indian expedition as an excuse to re-arm and resist the Americans. The theory was that Pico and his sub-commander Francisco de la Guerra of Santa Barbara would collect American ammunition, strike at the Indians in Tulare, and then return to seize command of the US arsenal in Santa Barbara.

After conducting an investigation, Stevenson concluded that the rumors were unfounded. Pico, de la Guerra, and other implicated Californios insisted on their innocence as well. When Governor Mason ordered the end of any arming of Californios, Stevenson accepted bitterly but voiced his frustration, claiming that they were in danger

[2] John D. Stevenson to Richard B. Mason, February 16, 1848, 116. Pacific Division, Records of the 10th Military Department, Letters Received, RG 98, Microcopy 210, Roll 3, United States National Archives.

of losing the good will that he had been cultivating with cooperative Californio elites. In a letter to Pico, de la Guerra made no effort to conceal his disgust with the whole affair. The rumors "ridiculous and frivolous," and the cancelation of the entirely "respectable campaign" would bring devastation to the rancheros as they would continue to be at the mercy of raiding Indians.[3]

In addition to defending his property, Pico had much to gain in terms of social status by continuing to fight Indians. Pico did raise a company of about 50 mounted Californios to coordinate with American volunteers during the 1851 Indian rebellion known as the Garra Uprising. The rebellion began as a result of increased taxation under US rule as well as the increased flow of American immigrants, particularly those coming from the east across the Colorado River. The Indian leader Antonio Garra sought to unify the Native Americans of Southern California and even reached out to local Californios. While many Indians responded to Garra's overtures, the Californios chose to remain neutral or side with the Americans. Californios took part in a number of military maneuvers, but Andrés Pico's force of 50 men represented the most significant Californio show of force in defense of the new American order. Although Garra's capture failed to quell the unrest, the Americans, with Californio support, were able to fight, intimidate and negotiate with the various Indian groups in order to eventually put an end to the uprising.[4] Pico continued to ride against Indians throughout the 1850s. The following year, in 1852, the *Sacramento Daily Union* reported that Pico had sustained an injury—

[3] Stevenson, "Instructions given to D. Andrés Pico," February 13, 1848, Ibid.; Andrés Pico to John D. Stevenson, April 13, 1848, Ibid.; Casareo Latillade to Stevenson, April 18, 1848, Ibid.; Juan P. Ayala, Pablo de la Guerra, and Jose Lugo to Stevenson, April 18, 1848, Ibid.

[4] Phillips, *Chiefs and Challengers*, 98-114. *Los Angeles Star*, December 6, 1851.

an arrow to the ankle—on one of his Indian-hunting forays. The memoirist Horace Bell wrote of Pico's bravery in confronting Native-American horse thieves in the early American era. In one instance, Indians had corned Pico's party in a canyon, but Pico "objected to be driven *forward*" by stampeding mustangs. Instead, he "faced his command about and desperately charged through the savages."[5]

When not fighting Indians, Pico found other ways to demonstrate his courage and skill on horseback. Bell recalled another instance when Pico competed in a contest of horsemanship that involved him and other competitors riding past and picking up a "live cock… buried in the middle of the street or road." Sergeant Daniel Tyler of the Mormon Battalion wrote of a spectacular bullfight observed by American servicemen occupying Fort Hill, the high ground above the main plaza of Los Angeles, in July of 1847. Tyler recalled that "expert Californians" wielded "spears or lances" at the bulls while riding "spirited horses." Several of the horses were killed, but the riders were able to escape when blankets were thrown over the "bulls to blind them." As Tyler recalled, "General Pico took an active part in these exercises, and the barbarous scenes were witnessed by several hundred people." Some of the riders were injured and an African-American slave "boy" of one of the officers was knocked "twenty feet" by a bull but was miraculously "unharmed." Although Tyler initially suspected that the bullfight was a ploy to get US forces to come down to the plaza and abandon their strategic high-ground position, Pico had other plans. He could demonstrate his manliness and virility in ways that impressed

[5] "San Francisco Correspondence," *Sacramento Daily Union*, August 10, 1853, p. 2. Horace Bell, *Reminiscences of a Ranger Early Times in Southern California* (Norman: University of Oklahoma Press, 1999), 123-124, 295.

and even intimidated the American conquerors without raising serious questions about his loyalty.[6]

None of this violence would have been new to Pico. He had spent much of his life demonstrating his skill fighting and controlling animals as well as Indians. Pico also came from a long line of warriors on horseback, his father and grandfather had served as guards at the Spanish missions, and he had served as an officer in the Mexican military. Californio violence against animals extended even to their own horses. Richard Henry Dana described Californio spurs as "cruel things." He wrote that "the flanks of the horses are often sore from them," adding that "I have seen men come in from chasing bullocks, with their horse's hind legs and quarters covered with blood."[7]

The horses were not the only ones in a constant state of fear. As historian Lisbeth Hass has explained, the missionaries and early soldier-settlers of Alta California lived under the threat of the *cimarones*, or maroons—Indians that lived in autonomous communities in the surrounding hills and mountains. Many of these *cimarones* had escaped from mission life and the lines between Mission Indian and *cimarone* was not always clear. They would frequently steal livestock, either for their own use or to sell to other Indians involved in the vast Great Basin trade network. Sometimes they would capture or kill Mission Indians or even Spanish-Mexican settlers. In response to these

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[6] Bell, *Reminiscences of a Ranger*, 286. Daniel Tyler, *A Concise History of the Mormon Battalion in the Mexican War, 1846-1847* (Chicago: Rio Grande Press, 1964), 297-298.

[7] Richard Henry Dana, Jr., *Two Years before the Mast: A Personal Narrative* (Boston: Fields, Osgood, 1869), 92.

actions by the *cimarones,* the mission soldiers and their ranchero descendants would respond with punitive mounted expeditions.[8]

Sometimes these counter-raids would involve kidnapping. Naval officer Charles Wilkes, who visited California on an official US expedition in the late 1830s and early 1840s, described Indian unfree labor as a form of retribution against livestock theft. According to Wilkes, the expedition parties would come across a village and "without inquiry as to whether its dwellers had been the aggressors, it was set on fire, and reduced to ashes." Captured men would be put to death, even the elderly and infirm, and women and children would be "apportioned as slaves to various families." This killing of males and taking captive of women and children fit a broader pattern of interaction throughout the Spanish borderlands, both between Indian groups and between Indian groups and Spanish-Mexican settler populations.[9]

In addition to being a method for gaining new servants or, in Wilkes words, "slaves," attacking horse thieves was a way to command authority and respect. When attacking Americans was no longer a practical option, attacks against Indians provided a way for Californios to use their skills on horseback to not only protect their property but also to help preserve their elite status while ingratiating himself with their conquerors.

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[8] Lisbeth Haas, *Saints and Citizens: Indigenous Histories of Colonial Missions and Mexican California* (Berkeley, CA: University of California Press, 2014), 46-47.

[9] Charles Wilkes, *Narrative of the United States Exploring Expedition. During the Years 1838, 1839, 1840, 1841, 1842*. (Philadelphia: Lea and Blanchard, 1845), 173–174. James Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002) 349-355.

Pico Becomes a US Politico and Southernization Begins

Pico was able to leverage his war hero status into an American political career, despite being a hero on the wrong side of the war. In 1851, Pico was elected without party affiliation as a state assemblyman for Los Angeles County. Upon entering the legislature, Pico initially supported with his former negotiating partner, Whig John C. Frémont, as did several other Californio legislators. But Frémont withdrew his candidacy when the legislature became deadlocked. This left two candidates: the free-soil Democrat David C. Broderick and the pro-slavery Democrat John B. Weller. Pico and the other Californios in the legislature initially supported Broderick because he had opposed a racist Foreign Miners Tax that discriminated against Spanish-speaking US citizens born in California as well as Latin American and Chinese immigrants. Only after Broderick lost did Pico decide to join the pro-slavery Chivalry faction.[10]

"Chivalry" entered the California political lexicon as a term of derision. One 1850 article in the *Marysville Herald* mocked a drunk official in San Francisco who, in a "blustery" tirade, asserted his "Southern Chivalry" and demanded satisfaction from several of those present. By 1852, "chivalry" was being hurled as an inflammatory "torch word" along with "abolitionist." It also began appearing around that time as shorthand for the pro-slavery faction of the Democratic Party. This "Chivalry" wing was opposed by another associated with Tammany Hall and nicknamed the "Bowery" after a working-class, Tammany-controlled section of New York City. Later, someone came up idea of juxtaposing the "Chivalry" with the "Shovelry"—a play on the working class-origins of many in the Bowery wing, especially the faction's leader David Broderick who had

[10] Paul B. Gray, *Forster vs. Pico: The Struggle for the Rancho Santa Margarita* (Spokane, WA: Arthur H. Clark Company, 1998), 67-73.

apprenticed as a stonecutter in New York.[11] But the Chivalry maintained an edge over the Shovelry in 1850s Southern California, a region that was disproportionately settled by migrants from slave states.

Southerners bent on expanding slavery were among the most ardently pro-war Anglo Americans in the run-up to the Mexican War. Many hoped to extend slavery into California, and some held onto these ambitions even after it entered the Union as a free state in 1850. The heavily southern-born group of Anglo-American adventurers known as "filibusters" also staged repeated attempts to take additional pieces of Mexico, often with the intention of spreading slavery. As historian Amy Greenberg has argued, this cavalier attitude regarding the sovereignty of the Mexican Republic stemmed from the relatively easy victory over that nation and also the emergence of a more "martial vision of manhood" that took hold in the years before the Civil War. But many Anglo Americans came to view the Californios, especially those of southern Alta California, as an exceptional group that did not fit very well with their assumptions of Mexican inferiority. This was particularly true among southern Americans whose seigneurial ideals resonated with those of the Californios. This affinity was sometimes strong enough to override strong southern prejudices towards people of mixed racial descent, a description that applied to even the most elite Californios.

Following his period of leave to hunt for gold with his Indian servant Domingo, John Griffin was transferred back east and then discharged from military service. But he ultimately would return to Los Angeles, the city he had fallen in love with during the war.

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[11] "Drunken Revelry," *Marysville Herald*, October 4, 1850, p. 2. "Legislative Intelligence," *Daily Alta California*, April 17, 1852. "Rusticus Letters," *Sacramento Daily Union*, April 14, 1852, p. 2. Stacey L. Smith, *Freedom's Frontier: California and the Struggle over Unfree Labor, Emancipation, and Reconstruction* (Chapel Hill: University of North Carolina Press, 2013), 8.

In 1856, Griffin married the Maryland-born Louisa Hayes in a Catholic ceremony in Los Angeles. Although Griffin was not Catholic, his new wife was. She was also the sister of Benjamin Hayes, an overland migrant to Southern California who followed the southern route blazed by the Army of the West. Hayes once wrote back to his sister, then living in St. Louis, that he was "necessarily Southern by nature and association." Born into a slaveholding Catholic family in Maryland, he migrated first to Liberty, Missouri, located in a region later known as "Little Dixie" due to its support for slavery and the Confederacy. From there, Benjamin Hayes travelled to California, where he set himself up as a lawyer and then won election as Superior Court Judge of the southern district of California. Hayes and Griffin became pillars of the bourgeoning Anglo-American community, as did Louisa Hayes Griffin, who served one of the first teachers in a two-story, brick schoolhouse that opened its doors in Los Angeles in 1855. John S. Griffin was active in the leadership of the Los Angeles Democratic Party from its inception and served on the school board and as a public health official. In 1857, he led the community in a more martial capacity, presiding over a vast vigilante operation. One of his subordinates in that operation, Andrés Pico, would build on his reputation as a highly effective leader of men on horseback.[12]

Anglo-American migrants who decided to settle in Southern California during the 1850s, such as Benjamin and Louisa Hayes, would join the small population of Mexican-American War veterans who had also decided to make the region their new home. One of these vets, Daniel Sexton of Louisiana, wrote a letter to the *Los Angeles Star* in which he

[12] "Married," *Los Angeles Star*, Oct. 11, 1856, p. 2. Hayes as quoted in Albert L. Lewis, "Los Angeles in the Civil War Decades, 1850 to 1868" (Ph. D. diss., University of Southern California, 1970), 60, 245. For a discussion of "Little Dixie" see T. J. Stiles, *Jesse James: Last Rebel of the Civil War* (New York: Vintage Books, 2002), 19, 20, 38, 40-1, 46.

explained how his wartime experience led him to oppose John C. Frémont, the Republican nominee for president in 1856, and instead support the Democratic ticket headed by President James Buchanan. While castigating Frémont for his performance in the war, Sexton praised the service of his former enemy, Andrés Pico, who by that point was well-established as a leading Chivalry Democrat in Los Angeles County.

Sexton urged "Californians" [Californios] against voting for Frémont. "By voting for him," Sexton claimed, they would be supporting "the man who wasted their property, ruined their ranches, and caused the murder of their peaceable, unoffending, unarmed compatriots." Shamefully, "Fremont never met the Californians in battle." Sexton claimed that this was because he shirked from a confrontation with a smaller Californio force that had "bravely prepared themselves" for combat. By contrast, Andrés Pico "met the American forces," despite being outnumbered, "and came very near routing them." Sexton, who "was present at the Battle of San Pasqual," claimed that "no men could behave better in battle than the Californians…" and that "no officer ever exerted himself more strenuously to support, and encourage his command, than Don Andrés Pico." Despite the fact that they were enemies, Sexton thought "it only right that justice should be done the Californians." Sexton emphasized the masculine honor of the Californios "who fought manfully and bravely in defense of their country and lives." Although he had "crossed blades with them in battle," they had "ever since met, in peace, as friends." Sexton also recalled how the force under Antonio Carrillo, Pico's brother-in-law who had also come into the Democratic fold, bested the Americans at the Battle of Old Woman's Gun. They "skillfully handled a small brass gun," compelled the Americans to retreat, and then graciously released their American prisoners.[13]

[13] "Correspondence," *Los Angeles Star*, October 25, 1856, p. 2.

In his recounting of local Mexican American War battles, this Southern Democrat's appeal to Californios was not based on any specific political issues but instead on shared martial values, values that are well-represented by the word chivalry. This word had a jocular connotation as the nickname for the state's Southern Democratic political faction, but chivalry in Southern California was no joke. The concept took on a concrete and brutal meaning in the cavalry actions of southerners and Californios, two groups that clashed on the battlefields of the Mexican-American War before riding side-by-side in the political campaigns of the 1850s and in the vigilante actions of that decade.

In 1853, Gwin used his political influence to get Pico appointed state tax collector for the district of Southern California. Hillard Dorsey, the Georgia-born man appointed to serve alongside Pico as the district's "register" of taxes, was not completely comfortable with his colleague's heritage. Dorsey wrote to his superior in Washington, "I hope you will extend to me all the favor in your power; as you know I have a Spaniard with me and I cannot do as I otherwise would." Notably, however, this southerner refrained from calling Pico a racial epithet regarding his African and Native-American background. Gwin's selection of Pico was symbolically important because land taxes were new to the Californios, and one way to manage Californio discontent with this system was to put one of their own in charge of tax collection. Since Pico collected the taxes in his townhouse on Spring Street near the main plaza, Californios and others could pay him personal visits while paying their taxes. This helped Pico build and maintain relationships with local landowners.[14]

[14] "La ellecion" *Los Angeles Star*, May 7, 1853, p. 3. Dorsey as quoted in Gray, *Forster vs*. Pico, 77. "Land Office Circular," *Los Angeles Star*, April 22, 1854, p. 4.

Southern Californios could not have been pleased with the new taxes, but they generally had a better relationship with Anglos than their counterparts in the northern part of the state. The southern Californio Chiv, Enrique Avila, wrote in an 1860 open letter that that "an affinity between Californios and Americans had developed despite the invasion and occupation." Such an affinity was much less likely in the north where a much larger Gold Rush influx of Anglo-American squatters ran roughshod over vast Californio property claims. Salvador Vallejo, a leading northern Californio, expressed particular scorn for cattle thieves and squatters from slave states. According to Henry Cerruti, an employee of the early California historian Hubert Howe Bancroft who interviewed Vallejo at length in 1874, "the persons who were foremost in robbing and persecuting Major Vallejo were the citizens of Missouri and Kentucky." Vallejo "never forgot" this, and, "when the War of Secession broke out," he offered to lead a Union Battalion of Native Californian Cavalry. His decision to volunteer, according to Cerruti, was "impelled by a desire to avenge the many wrongs which the southern people had heaped upon him."[15]

Southern-born squatters did not generally have the same intensity of conflict with the Californios of Southern California. In the most highly contested part of the region, the elites who claimed vast tracts of land did not happen to be native-born Californios. In 1855, Daniel Sexton wrote an open letter published in the *Los Angeles Star* that attacked those who were attempting to claim ownership of vast stretches of the San Gabriel and San Bernardino Valleys. His primary targets though were not men like Pico, whom he would later praise for his heroism at San Pasqual. They were the English immigrant

[15] Henry Cerruti et al., *Ramblings in California: The Adventures of Henry Cerruti* (Berkeley, Calif.: Friends of the Bancroft Library, 1954), 83–84. Avila as quoted in Lewis, *Los Angeles in the Civil War Decades*, 14.

William Workman and the estate of the recently deceased Scottish immigrant Hugo Reid. Both men had amassed their land holdings in the Mexican period following the secularization of Mission San Gabriel. British by birth, they had to be naturalized as Mexican citizens. Additionally, they had not married into Californio families but instead married Native-American women. Workman met his Native-American wife in New Mexico, while Reid had married the daughter of a local Gabrielino/Tongva chief.[16]

The area claimed by the Workman and Reid families was ground zero for the disproportionately southern-born migrants who travelled overland from frontier slave states. Reflecting the disproportionately Southern makeup of the caravans on the southern route, Benjamin Hayes wrote that his fellow travelers sang a song called "old Virginy" by the camp fire. Jumping off from Missouri or Texas, these travelers followed the trail blazed by Kearny's Army of the West and frequently used published reports of that expedition as guides. While passing the San Pasqual rancheria—and noting the famous battle—Hayes wrote that the "emigrant" must at this point choose whether to go to "San Diego, Los Angeles" or head north to "the nearest mines."

William H. Hunter, another well-educated man leaving from Missouri on what he termed "the Southern Gold Trail" described the emigrants he met along the way disapprovingly. "Instead of being directed to laudable objects," their "time and energies" were "prostituted to the worst of purposes." Only "charity and the honor of [his] County" constrained him from concluding that "most of them certainly must be refugees from justice." The key to controlling this rough, heavily-southern-born population were the

[16] William F. King, "El Monte, An American Town in Southern California, 1851-1866," *Southern California Quarterly*, 53 no. 4, 323-324. Marjorie Tisdale Wolcott, ed. *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875* (Los Angeles: Priv. print, 1929), 216-217. "California Land Claims," *Los Angeles Star*, December 20, 1856, p. 2.

"restraints of property" and "the influence of his almost guardian angel—Woman." Without women and property, Hunter thought, those "now on the route, or who may hereafter start for these regions" would likely become "dissipated, reckless, irreclaimable."[17]

Californio Involvement in anti-Mexican Vigilantism

Despite the toughness of the crowd of characters coming west, it was another group coming north that became the focal point of vigilante law enforcement in 1850s Southern California. The Gold Rush brought many migrants from Northern Mexico, especially from the state of Sonora. Many of the migrants had specialized mining skills derived from previous rushes in the Mexican North, but they were treated unfairly in the California mines and in many cases driven from them. According to popular legends, the Sonoran-born bandit Joaquin Murrieta and his family members had been attacked in the gold fields by Anglos. He then took to robbing and killing Anglo-Americans (and Chinese miners) as a means of sustenance, retribution and resistance. Although the authenticity of these stories cannot be verified, many Sonoran-born miners did move south after encountering Anglo resistance in the gold fields of Northern California and some of them settled in Los Angeles. There, they joined a Spanish-speaking community based in the neighborhood known as Sonoratown. In the words of the Prussian-born Jewish businessman Harris Newmark, this neighborhood featured "much indulgence in drinking, smoking and gambling, and quite as much participation in dancing." But, in addition to being a place for recreation and vice for Angelenos of various backgrounds, it was also a place for Mexicans to "feel at home," according to historian Richard Griswold

[17] Wolcott, 18, 23. William W. Hunter, *Missouri '49er: The Journal of William W. Hunter on the Southern Gold Trail* (Albuquerque, NM: University of New Mexico Press, 1992), ix, 59-60, 63-64.

del Castillo, and "abandon the masks they wore in the Anglo world." Sonoratown's Mexican-ness also made it a target for law enforcement officers, vigilantes, and, later, urban reformers. Many outsiders thought that "Sonora and Sonoratown *were* Mexico" in the words of William Deverell. In a sense, the ethnic enclave reminded Anglo-Americans that the conquest of Mexican California was far from complete.[18]

Pico would play a leading role in this continuing conquest. In 1852, he identified the head of Joaquin Murrieta, in effect validating the massive vigilante effort to capture and kill the legendary bandit. The following year, he was elected president of a primarily Anglo-American Los Angeles vigilante group. He declined to serve for reasons that are not clear but, two years later, Pico would become fully involved with anti-American vigilante efforts. On July 19, 1856, Deputy Constable William Jenkins shot and killed an unarmed Californio named Antonio Ruis. The dispute started when Jenkins took a guitar from Antonio Ruis as compensation for a court ordered fine. A woman who was with Ruis asked him to retrieve a letter hidden inside the guitar. An argument ensued, and Jenkins shot Ruis. Jenkins was arrested but soon released on bail. This sparked outrage within the Spanish-speaking community. Ruis was well-liked, and Jenkins' release seemed in keeping with a double-standard in local justice that favored Anglo Americans. After Jenkins was put back into custody, the French-born Fernando Carriaga urged the crowd that had gathered for Ruis' funeral to attack the jail where Jenkins was being held.

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[18] David S. Torres-Rouff, *Before L.A.: Race, Space, and Municipal Power in Los Angeles* (New Haven, CT: Yale University Press, 2013), 139-141. Harris Newmark, *Sixty Years in Southern California, 1853-1913, Containing the Reminiscences of Harris Newmark* (Los Angeles: Dawson's Book Shop, 1984), 31. William Deverell, *Whitewashed Adobe: The Rise of Los Angeles and the Remaking of Its Mexican Past* (Berkeley: University of California Press, 2004), 16.

A few elite Californios tried to dissuade the mob from violence, including Tomás Sánchez, the ranchero who had served in Pico's company at San Pasqual.[19]

Anglo-Americans and their allies among the Californios began organizing "military companies" to counter possible mob action. Griffin led one such company called the Citizens Guard. A call was also put out to the Monte, or El Monte, for reinforcements. This township was centered on Lexington, a community widely known as an "American town." The 1860 manuscript census reveals that most of those living at the center of town hailed from slave states such as Virginia, North Carolina, Texas and Missouri. Help from the Monte arrived in the form of 36 men armed with "muskets."[20] Southern men from the Monte were more likely than their Northern counterparts to have served in armed group such as a militia, a slave patrol, a lynch mob, or an irregular frontier force such as the Texas Rangers.[21]

While no strangers with organized violence, these southern-born men lacked experience operating in the Southern California context. Perhaps partly for that reason, Anglo-Americans in town also turned to the Californios and to Andrés Pico in particular. From Los Angeles, the Tennessee-born Benjamin Wilson wrote to his wife at their home near San Gabriel, explaining that "the Americans [had] fortified themselves in the Jail"

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[19] "News from the North," *Los Angeles Star*, September 3, 1853, p. 2. "From the South," *Daily Alta California*, 11 October 1853, p. 3. "Arrival of the Sea Bird! Exciting News from Southern California," *Sacramento Daily Union*, July 31, 1856, p. 2. Torres-Rouff, *Before L.A.*, 120-128.

[20] "El Monte Township," Los Angeles County, *1860 United States Federal Census* [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2009. William F. King, "El Monte: An American Town in Southern California, 1851-1866," *Southern California Quarterly* 53 no. 1 (1971): 318-332. Newmark, 90-92.

[21] Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge, Mass.: Harvard University Press, 2001) 2-4, 72-77. Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), 418-419, 433, 435-436**.** Frederick Wilkins, *The Legend Begins: The Texas Rangers 1823-1845* (Austin, TX: State House Press, 1996), 7, 59-61.

and that "most of the American women went to Pico's house near by." Wilson thought these emergency measures would prevent a bloodbath. The "Mexicans," he wrote, "saw plainly that the Americans were not to be caught asleep and butchered like sheep but under all circumstances they… would get the worst of a difficulty so peace will rain so far as revolutions are concerned."[22]

Pico, who claimed to have stood in the way of an anti-US insurgency in 1847, was once again using his influence to prevent rebellion against American authority. Not only did he help defend "American women," but he also led a military company of his own to track down Carriaga. Enduring "harassing duty," Pico's company rode for 70 miles before capturing this suspect.[23] As military companies began to take the upper hand, a "public junta," or meeting, was held on July 26, 1856, to explain, codify and justify the authority of the current vigilante regime. A surviving Spanish-language leaflet outlines the junta's proceedings. According to the document, the meeting "took place with the object of taking steps to prevent crime, and organize itself in defense of the lives and properties of the citizens." After an Anglo-American President and Secretary were selected, "D. ANDRES PICO" was called to the "rostrum" and "received with applause." Pico then addressed the gathering and explained in Spanish the purposes of the junta. A "commission" of 17 men was then named. The list started with "Dr. J.S. Griffin" and also included Andrés Pico as well as Tomás Sánchez.[24]

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[22] Benjamin D. Wilson to Margaret S. Hereford Wilson, July 20-August 3, 1856, B.D. Wilson Papers, box 5, WN 1756, Huntington Library, San Marino, CA.

[23] "A Man Killed," *Los Angeles Star*, July 26, 1856, p. 2-3.

[24] "Junta Publica," Coronel Collection Item 31 (GC 1001 #31). I left the word Junta un-translated since it has a variety of meanings: "board," "committee," "meeting," as well as "autonomous government in some

The document indicates that the public junta was then briefly "suspended" while the seventeen-man commission drafted a "preamble and resolutions." According to the preamble, the men of the commission were "convinced by experience, that there exist around us a large number of rascals, thieves and murderers, that they have stolen our property, murdered our citizens, and every hour we live in imminent danger of our lives." The group therefore resolved to form a "committee of twenty citizens" (including, again, Griffin, Pico and Sánchez) to hear "complaints and allegations" about "suspicious" persons. A majority of this committee could "sentence a person to be expelled from the country." The commission also authorized the formation of "military companies… to prevent and restrict violations of law." Although claiming to be "opposed to spilling blood," the men pledged "under our life and honor" that bloodshed might result if a man resisted the committee or disturbed "the peace and public tranquility with demonstrations with arms." Aside from the operations of the military companies, no armed gatherings would be permitted in "Los Angeles County, or on the roads and fields." In a contradiction that blurred the line between legal and extralegal authority, the companies would follow "the directions of the committee" while simultaneously serving "under the complete and absolute direction of the Sheriff." The commission also decided to print and distribute "1000 copies of [the] proceedings and resolutions… 500 in Spanish and 500 in English."[25]

Pico's symbolic and instrumental role in vigilantism in the wake of Ruis' 1856 murder may have been at the forefront of Daniel Sexton's mind when he praised Pico's

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regions of Spain." "Junta," *The Oxford Spanish Dictionary* (New York, NY: Oxford University Press, 2008). "Public Meeting," *Los Angeles Star*, July 26, 1856, p. 2.

[25] "Junta Publica."

battlefield heroics on the eve of that year's election. Once a divisive figure, who Griffin and other American military officials could not trust, he had now become an honorable pillar of the community. His effectiveness as a charismatic leader on horseback was no longer threatening but was instead reassuring. Coming from a region that typically armed and organized male citizens into slave patrols and militias in order to prevent slave escapes and uprisings as well as to fight Indians, migrants from slave states developed a powerful working partnership with Pico and his fellow Californios who had similar traditions of mounted militarism. This relationship would be developed further in the largest vigilante action in Los Angeles history, which took place the following year.

"The Barton Excitement"

On January 23, 1857, the Flores-Daniel gang ambushed and murdered Sheriff James Barton as well as three of his deputies near San Juan Capistrano. These bandits were characterized in the English-language press as "Mexican," as distinct from more elite native-born "Californians" like Pico. In his memoir, Horace Bell recalled that the conflict between the bandits and Sheriff Barton began with Barton's poor treatment of a Native American lover. According to Bell, Barton was "an unmarried man and lived in illicit intercourse with an Indian woman." Barton's "ill treatment" of this woman caused her to move out, and, when Barton attempted to violently "drag" her back, an eighteen-year-old Californio named Andrés Fontes "interposed in favor of the woman," and "Barton was constrained to desist." Barton retaliated by having Fontes arrested on an unrelated charge. Upon his release, Fontes joined the gang of Pancho Daniel and Juan Flores on the condition that they would help him murder Barton. But Bell also claimed that the assassination was in keeping with the larger "intent" of Daniel and Flores: "to go

to Los Angeles, raise the standard of revolt and rid the country of the hated gringos." With the population already stirred up by recent episodes of racial conflict and by the 7.9 Tejon earthquake, which had struck on January 9, Barton's murder triggered widespread discussion of an apocalyptic "war of the races," a phrase used in both the English and Spanish-language press. There was even a "rumor" reported in the *Los Angeles Star* that Mission Indians "were to join the natives of the pueblo and ravage and murder indiscriminately." Benjamin Hayes, then the Superior Court Judge for southern part of the state, dedicated a large section of one of his many scrapbooks to this dramatic period, labeling it "the Barton excitement."[26]

As with the unrest following the Jenkins-Ruis incident, this period of "excitement" saw the organization of several military companies. These included separate ethnic companies of French-born, German-born, and California-born men. The predominantly Southern-born men of the Monte formed their own company as they had after the Jenkins-Ruis affair. In addition to widespread panic, financial considerations may also explain why so many companies were organized. Benjamin Wilson, then serving as a state legislator, introduced and won passage of a $5000 emergency bill to help Los Angeles and San Bernardino Counties deal with recent "depredations." Griffin, now 40-years-old and a highly respected pillar of the Anglo-American community, once again took charge of a company before being elevated to serve as commander-in-chief over the

[26] Bell, *Reminiscences of a Ranger*, 383-385. "The Barton Excitement" newspaper clippings in Benjamin I. Hayes, Hayes Scraps, bulk 1847-1875, Vol. 60 "Southern California: Los Angeles County XVIII 1856-1857," Bancroft Library, Berkeley, California.

entire operation. He would receive commendation from the *Star* for his "honorable conduct" in this position.[27]

There would not be a full-blown race war, at least not one that unified all Spanish-surnamed people. As with the Jenkins-Ruis unrest, leading Californios had no interest in joining the outlaws. Californio sympathy for the Sheriff was expressed in an article in *El Clamor Publico*. Titled "vain regrets," this short piece shamed an unnamed person for not loaning Barton a strong horse before he left the city in pursuit of the bandits. The article asked "what honorable ranchero amongst us" does not now wish that Barton had been mounted on a strong horse. Although Californios could no longer prevent this tragedy by lending a horse, they could still use their superior horses and horsemanship to hunt down those responsible.[28]

Although fearful of the Spanish-speaking masses, Anglos welcomed Californio participation in the vigilante movement. In the words of the *Los Angeles Star*, "a Californian face" was needed. This face was provided by Pico, now 46, as well as the 31-year-old Tomás Sánchez. Together they led a force of about 50 men who, reminiscent of San Pasqual, were armed primarily with lances. Although the force was described in the English press as "Californian," it may have also included Mexican and Indian vaqueros. Like Pico, Sánchez was the owner of vast cattle ranches. He also owned a corral in Los Angeles that operated as a livery stable. Both men must have called for their best horses

[27] "Expeditions" *Los Angeles Star*, February 14, 1857, p. 2; Hayes, Scraps vol 60. "New Livery Stable," *Los Angeles Star*, July 24, 1852, p. 2.

[28] "Vanos Pesares," *El Clamor Público*, February 28, 1857.

and their most skilled and trusted vaqueros, friends and relatives before riding out to hunt the bandits.[29]

Whatever the exact composition of the Pico-Sánchez company, the group proved highly effective. As described at the time by John Forster, Pico's English-born brother-in-law, the company cooperated with independent Indian forces and units of Anglo-Americans, most notably the company from "the Monte." Forster wrote a letter to Griffin in response to a request for information. He had purchased land near Mission San Juan Capistrano when the mission's property was auctioned off by Andrés' brother, Pio Pico, in 1845. Having come close to establishing a semi-autonomous "pueblo" during secularization, many of the former neophytes in San Juan may have resented Forster as well as Andrés Pico, who also owned land in the vicinity and had demonstrated a long interest in establishing himself as a powerful man in the area. The bandits likely received support from the local people in and around San Juan, but Forster's main message to Griffin was not to worry since "Don Andrés" had the situation under control. Forster asserted that Pico and his men had obtained "fresh horses" at Rancho Santa Margarita, a ranch claimed by both Forster and Pico, and was making good use of local intelligence to track the bandits. Informants and some local "men" who knew every "nook & corner" of the area around the Mission San Juan Capistrano, were leading Pico's force to the bandits, believed to be hiding near the mouth of a stream in the Santiago Mountains. Forster said that Pico had left the previous evening, and he fully expected him to have already apprehended the bandits. Not only was the able Don Andrés armed with fresh horses and good intelligence, he was also working in concert with other groups: "the force from the

[29] Hayes, Scraps vol 60.

Monte"; a band of "upwards of 50" Indian fighters under a leader named Manuelito; another Indian force under a leader named Geronimo; 40 US Dragoons; and a group of presumably Anglo-American "citizens" from San Diego. These various groups blocked all possible egress from the mountains, save the western path to Los Angeles—the nerve center of the vigilante effort where Griffin was headquartered. While Griffin was trusted with the official leadership role, Pico was better suited to served as the battlefield commander, coordinating the complex social world of male frontier violence.[30]

According to the Los Angeles correspondent for the San Francisco-based *Alta California*, a bandit named Chino was captured by the Californio company with a "lasso." Chino was then turned into an informant when Pico and Sánchez promised him safety, a promise that Anglo-American vigilantes grudgingly accepted. By using information from this man as well as several other informants, they tracked down the main bandit group. Charging their horses up a steep hill near San Juan Capistrano, they pinned the bandits down until reinforcements arrived—the force from the Monte.[31]

The Monte men

Four of men from the Monte wrote a letter to the *Star* challenging the veracity of the lassoing story and attempting to defend their actions. It is clear from the overall coverage, however, that the Monte men played second fiddle to Pico-Sánchez company. Based on the names reported in the press during the Barton excitement and also on the

[30] John Forster to John S. Griffin, January 30, 1857, Abel Stearns Papers, Huntington Library. Phillips, *Chiefs and Challengers*, 64-66

[31] "Interesting Letter from Los Angeles," January 29, 1857, in Hayes, Scraps vol. 60. The correspondent was likely William Wallace. A schoolteacher and newspaperman from New Hampshire, Wallace claimed to have been the first Republican in Los Angeles. Lynch, Daniel. "'I Think I Must Quit the School': A Progressive Educator's Disillusionment in 1850s Southern California" (M.A. thesis, California State University Long Beach, 2009).

legible names that appear on an 1854 militia roster for the "Monte Rangers," the vast majority of fighters from the Monte had been born in slave states. El Monte was at the terminus of overland trails that connected Texas to California, and memoirist Harris Newmark recalled that the town was "inhabited by a party of mixed emigrants, largely Texans."[32]

The name "Monte Rangers" is also suggestive of the Texas Rangers, and the *Star* claimed that many of the Monte men had served in this paramilitary organization that would have trained them to fight crime, Comanche Indians and Mexicans and also catch runaway slaves. In his 1849 diary, Benjamin Harris Butler wrote that a large contingent in his party of migrants on the Gila Trail from Texas to Southern California were "discharged Texas Rangers." Those Rangers involved in campaigns against the Comanche during the 1840s would have gained experience using a cutting-edge frontier weapon. In the words of one historian of the Rangers, their "use of Colt revolvers in significant numbers completely changed frontier combat." Instead of having to fight a "controlled battle" that was highly dependent on terrain and required keeping a reserve of loaded rifles on hand, now they "could meet the Comanches in the open, fighting while mounted and matching the Indian bows with their own deadly form of close-range weapon." With the Colt, Texans also had found an equivalent of the Californio lance, an effective close-range weapon that could be used while mounted in free-ranging, frontier combat. While trained primarily at the Commanche in the mid-1840s, Rangers also used Colts and other weapons against Spanish-surnamed people—those deemed outlaws as

[32] Frank Gentry, Bethel Copwood, C. O. Cunninghman, W. W. Maxy, "Statement Concerning Chino," *Los Angeles Star*, February 14, 1857, p. 2. "Monte Rangers," 1854 muster roll, "Military Department. Militia Companies Records, 1849-1880," State Archives, Sacramento, California. Newmark, 90-91.

well as soldiers of the Mexican Republic, a nation that refused to recognize Texan independence.[33]

Like the Texas Rangers, the men from the Monte also gained a reputation for fighting Mexicans. But, when Pico and Sánchez handed over the bandit leader Juan Flores and two other prisoners to the Monte company, the prisoners managed to escape. According to the *Clamor*, Flores did not get his hands tied together like the other prisoners since he had been wounded in an accident involving a rifle. While pretending to sleep under a shared blanket, Flores managed to untie the hands of the other prisoners. After incapacitating the man on watch, Flores and the others then fled the Monte men's camp. Hearing of the escape, Pico "tore his hair" according to the *Star* and ordered that the two prisoners remaining in his custody be hanged immediately from a tree. Though the Monte men ultimately recovered Flores, the damage to their reputation had been done. "Monte is not popular just now," the LA correspondent for the *Daily Alta California* commented after the episode. As he explained, "the Monte men—those frontier savages, who spent their whole lives fighting Indians," had gone soft. "Just at the moment when they were desired to be ferocious, they took a freak to being kind-hearted."[34]

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[33] Harris, *The Gila Trail*, 30. For an accounting of the brutal fighting between Texas Rangers and the Comanche during the 1840s see Wilkins, *The Legend Begins*, 71-106, 178-82. Wilkins, *The Legend Begins*, 184-185. "Bond of Monte Rangers," March 25, 1854 Military Department, Adjutant General's Office Records, Company Records, 1849-1866," Box 9, Folder 27, California State Archives.

[34] Karen Wilson and Daniel Lynch, "Here Come the Monte Boys: Vigilante Justice and Lynch Mobs in 19th Century El Monte," East of East, June 25, 2015, kcet.org. "Ejecucion de dos Malhechores," El Clamor Público, February 7, 1857, p. 2. "The Pursuit of the Robbers," Los Angeles Star, February 7, 1857. "Interesting Letter from Los Angeles," Daily Alta California, February 15, 1857, p. 2. Horace Bell, Reminiscences of a Ranger: Early Times in Southern California (Norman, OK: University of Oklahoma Press, 1999; Original publication 1881), 49, 406-7.

Though not necessarily effective, the Monte men had a well-deserved reputation for brutality. One man from the Monte reportedly cut off the ears of Pico's executed prisoners and kept them as trophies. The *Clamor* claimed that at least 12 Spanish-surnamed men were "murdered" in the wake of Barton's assassination and that, "of these, three were murdered unjustifiably," including at least one who died at the hands of the Monte men. A man suspected of possessing Barton's shotgun was cornered by Anglos in a field near San Gabriel when "citizens from the Monte" appeared and set fire to the grass. The *Clamor* reported the suspect was shot dead as he ran from the blaze and that "immediately the head was cut off and taken to El Monte." The head was recognized as that of Miguel Soto, a man suspected of crimes unrelated to Barton's death. After hearing the rumors about Soto, Francisco Ramirez, editor of the *Clamor,* opined: "if all this is true there's no doubt that he was a criminal; but his death does not stop being terrible." The *Clamor* later quoted a witness—"one of the Mexicanos who was arrested, in whose truthfulness we have the greatest confidence"—who claimed that, "a justice of the peace of the mission took out his knife and cut off the head (even though some Americans opposed him in this) and rolled it around with his foot as if it were a rock." The decapitation may have been inspired by that of Joaquin Murrieta, whose severed head toured the state in a jar in 1853, but this type of barbaric violence against Mexicans was new to Los Angeles County, where Spanish-surnamed people remained in the majority and elite ranching families maintained a great deal of influence. Hispanic men had been lynched since the Mexican-American War, but always in ways moderated by local custom and a spirit of cross-cultural cooperation. Trying to make sense of the orgy of

Anglo violence that followed Barton's death, Ramirez wondered, "What civilized man cuts the head off a cadaver?"[35]

The group of vigilantes who rode out of El Monte, California during the Barton excitement are today commonly referred to as the Monte Boys, but this proper noun may not have appeared in print prior to 1930. That year saw the publication of Horace Bell's second memoir titled *On the Old West Coast* and edited by Lanier Bartlett, a Hollywood screenwriter who specialized in westerns. In the introduction, Bartlett described Bell as both an "iconoclast" and a "skilled caricaturist," an image-breaker as well as an image-maker who used the "weapons of irony, satire, or broad humor" to critique his contemporaries. Following Bell's lead, Bartlett used humor to cut the Monte men down to size. Explaining El Monte, Bartlett wrote, "it was settled largely by rough-and-readies from Texas and the 'El Monte Boys' were long celebrated for their proclivity to seek out trouble and add to it." Stripped of the "El" and the irony, however, the now widely used term "Monte Boys" suggests a level of organization and a youthful male innocence that does not fit the historical record.

Press coverage in the 1850s doesn't refer to them as "Monte Boys" or as members of any capitalized organization. They were the "men from the Monte," the "citizens from the Monte," or simply "the Monte men." The "Monte Rangers" militia does appear in state records in 1854, but, as was often the case in early California, the impetus for the

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[35] Wilson and Lynch. "The Affair at the Mission," *Los Angeles Star*, February 7, 1857, 2. "Los Asesinatos en San Gabriel," *El Clamor*, February 14, 1857, 2. "Muetro de Miguel Soto en San Gabriel," *El Clamor Público*, February 7, 1857, p. 1. "Cronica Local," *El Clamor Público*, February 21, 1857, p. 3; Paul Gray, *A Clamor for Equality: Emergence and Exile of Californio Activist Francisco P. Ramirez* (Lubbock, TX: Texas Tech University Press, 2012), 46-47; Douglas Monroy, *Thrown Among Strangers: The Making of Mexican Culture in Frontier California* (Berkeley: University of California, 1990), 209-210. "Cuando se abrió le Corte de Sesions…," *El Clamor Público*, April 11, 1857, p. 2.

Anglo men (and one Hispanic man) to form the militia was likely to obtain weapons from the state—40 rifled muskets, 40 Colt revolvers, and 40 cavalry sabers in the case of the Rangers. In the unrest that followed the Ruiz-Jenkins incident in 1856, the *Star* reported that the Monte men rode to Los Angeles carrying 36 muskets, ostensibly the remnants of the 40 issued by the state, but the paper made no mention of the Monte Rangers as a unit.[36]

The Monte men were essentially a well-armed mob on horseback that was vicious but not particularly effective at fighting crime. In the 1901 manuscript that would later be published as *On the Old West Coast*, Horace Bell described the Monte men's reckless and violent social world. In El Monte, Bell wrote, "Lynchings were sort of interludes to pistol practice, shotgun exercises, and except for these, poker playing was a perpetual motion." In his 1881 memoir, Bell referred to the men as "Monte gringos"—gringo, he explained, meant "ignoramus." Harris Newmark stripped the Monte men of their manhood in his 1916 memoir by calling them the "El Monte boys." He sarcastically praised these "recognized disciplinarians" while noting their "peculiar public spirit." Bartlett added to this sarcasm by capitalizing the name of the "long celebrated" vigilantes in 1930, but, today, "Monte Boys" is used in popular histories as a neutral or even positive label.[37] [see Figure 3]

By considering these evolving notions of Monte masculinity, we can see something of historical memory's malleability as well as its power to rehabilitate even the

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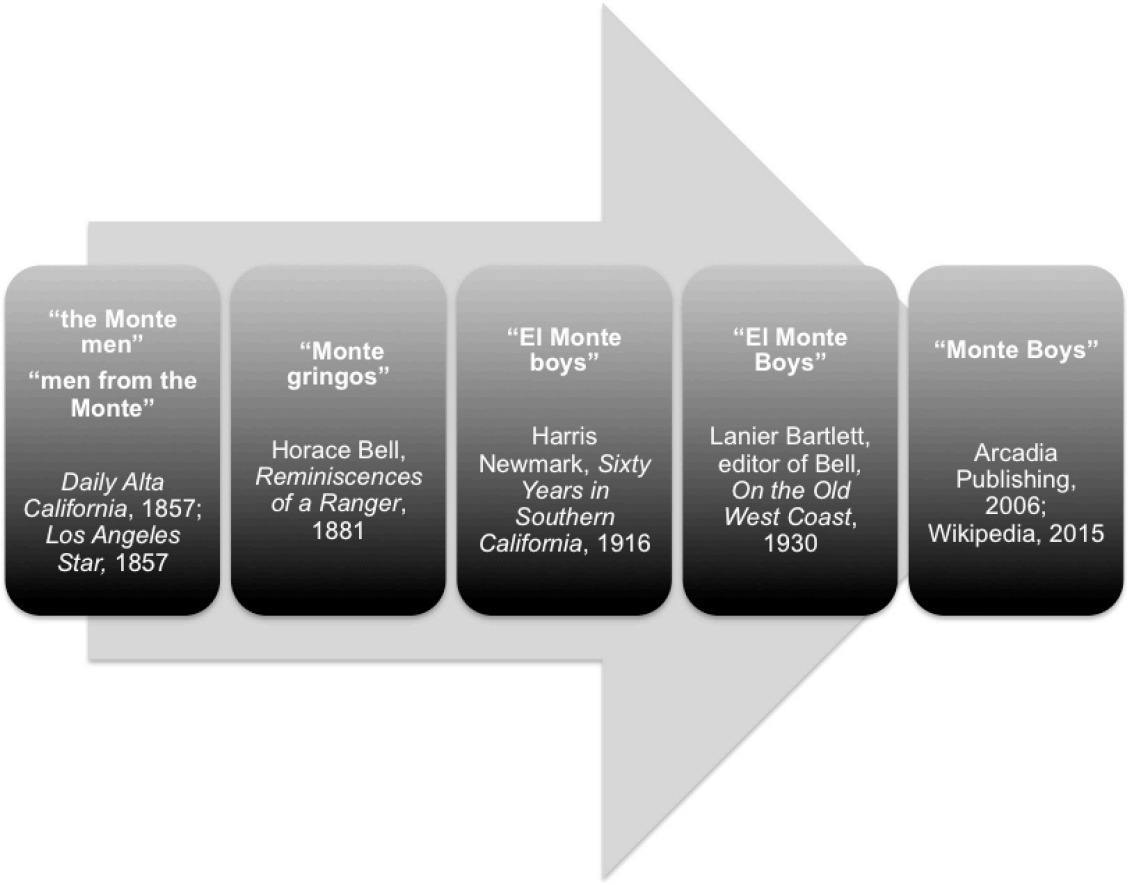
[36] *Daily Alta California*, February 15, 1857. *Los Angeles Star*, July 26, 1856. "Bond of the Monte Rangers," March 25, 1854, Military Department, Militia Company Records, California State Archives.

[37] Newmark, 91, 324. Bell, "On the Old West Coast," manuscript, Horace Bell papers, Huntington Library. Joraine King Barton and the El Monte Historical Society, *Images of America: El Monte* (Charleston, SC: Arcadia Publishing, 2006), 53. "El Monte, California," *Wikipedia*, last modified October 12, 2015, wikipedia.org.

most notorious and ineffective vigilantes. While certainly deserving of their savage reputation, the mostly slave-state-born Monte men were not nearly as effective at hunting the bandits as were the men of the Pico-Sánchez company, and this Californio success did not go unrewarded.

Figure 3. Evolution of El Monte masculinity: from "Monte men" to "Monte Boys"



Californio Commendations

Following the Barton excitement, Pico was elected again to the state legislature and, in 1858, appointed by Chivalry governor John Weller a Brigadier General in command of the state militia's southernmost section: San Diego, San Bernardino and Los Angeles Counties. "This is an excellent appointment," the *Star* opined, "there is no man

in the county more capable of discharging the duties incident to the position, nor who possess to so great a degree the confidence and esteem of all classes of the community." A year later, in 1859, Tomás Sánchez was elected Los Angeles County Sheriff on the Chivalry Democratic ticket. He held this position throughout the Civil War, despite—or perhaps because—of his well-known pro-Confederate sympathies.[38]

The state of California also created two new militias for Los Angeles County. One was a predominantly Anglo-American militia called the Southern Rifles. In contrast to the mostly southern-born Monte men, only about half of the members of the Southern Rifles hailed from slave states. Still, by adopting this name they were certainly not eschewing an association with the South. Perhaps the biggest affirmation of the Californio role in the Barton excitement came with the formation of another militia named the Lanceros de Los Angeles. The petition to form the unit was singed by Cristobal Aguilar, a Chivalry Democrat who, in the early 1870s, would serve as Los Angeles' last Spanish-surnamed mayor of the millennium. Captained by Juan Sepulveda—who had ridden alongside Tomás Sánchez during the Barton excitement—and staffed entirely by Spanish-surnamed men, the Lanceros de Los Angeles was the first Spanish-named militia company recognized by the state. Unlike other state militias, however, this unit does not appear to have been issued firearms. An 1858 "schedule of arms issued to the Southern Rifles and Lanceros de Los Angeles suggests that the Lancers were armed only with 60 cavalry sabers whereas the Southern Rifles received 60 riles as well as 60 sabers.[39]

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[38] Hayes, Scraps Vol. 59 "Southern California: Los Angeles County XVIII 1856-1857." Dayton, Dello G. "The California Militia, 1850-1866" (Ph. D. diss., University of California, Berkeley, 1951), 113-114.

[39] "Lanceros de Los Angeles" and "Southern Rifles," Military Department, Adjutant General's Office

The militiamen of these two companies rode together in Los Angeles' 1857 Fourth of July parade. Having militias take part in a parade was hardly unusual. In mid-nineteenth-century California "almost any public affair in any community was an occasion for military participation." This event also featured the "Band of the First Dragoons, U.S.A," an army unit visiting from Fort Tejon. But the Rifles and Lancers represented a new order in Southern California, a region that would continue to bear the deep and overlapping imprints of Alta California and the American South. Once enemies in combat, southerners and Californios now participated in a public celebration of American patriotism together. Later in the day, the Kentucky-born judge William Dryden read the Declaration of Independence in Spanish, and, that evening, the Southern Rifles hosted a ball, which the *Star* reported was "attended by the youth, beauty and fashion of the city and county." If local custom was followed, the ball would have been open to *Californios* provided that they offer the typically hefty donation to the company—a practice that would have kept the event exclusive in terms of class. Over the next several days, according to the *Star*, "dinner parties and balls were of nightly occurrence" until the dragoons left Los Angeles, "escorted by the Rifles, Lancers and citizens."[40]

Horace Bell claimed that after Barton's Death, "the country rose as a man." As he explained, "Spaniard and gringo rode stirrup to stirrup, determined to make such an example and to mete out such retribution as would be a terrible warning to all future

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Records, California State Archives, Sacramento, CA. Although the Lanceros de Los Angeles was the first Spanish-named militia in the state of California, a similarly named unit—the National Lancers—formed in San Francisco in 1852. Dayton, "The California Militia, 1850-1866," 130, 431-432.

[40] Ibid.; "Celebration of the Fourth of July," *Los Angeles Star*, July 11, 1857, p. 2. "Lanceros de Los Angeles," 1857 muster roll, "Southern Rifles," 1857 muster roll, "Military Department. Militia Companies Records, 1849-1880." "Horrenda Tragedia," *El Clamor Público*, January 31, 1857, p. 2. Dello G. Dayton, "Polished Boot and Brand New Suit": The California Militia in Community Affairs," *California Historical Society Quarterly*, Vol. 38, No. 1 (Mar., 1959): 18.

disturbers of the peace of our angel land." In Bell's recollection, "Andrés Pico and Tomás Sánchez," were due special commendation, which they received in the form of their new positions as militia commander and sheriff. Speaking more broadly, Bell asserted that "Many of our citizens, both gringo and to the manor born, showed of what mettle they were made." By contrasting class-neutral term "gringo" with "manor," Bell makes clear that it was upper class, land-owning Californios such as Pico and Sánchez who deserved credit for cooperating with Anglo-American vigilantes.[41]

Bell also described another instance of Pico intervening on horseback in the interest of Anglo-American law and order. In 1854, the State Supreme Court in Sacramento ruled that David Brown, a notorious Anglo-American murderer awaiting execution in Los Angeles, was to be freed due to a legal technicality while a Mexican-American murderer awaiting execution received no such reprieve. The Spanish-speaking population was outraged, since many felt that, in Bell's words, "when a Mexican was convicted of a crime he was always promptly punished but that an American in like circumstances always escaped punishment." As Bell conceded, "there was a good deal in this argument."

In order to appease the angry mob that gathered outside of the jail holding Brown, mayor Thomas Foster temporarily resigned his office to lead the mob into the jail to execute Brown. According to Bell's recollection, Pico "fought" the mostly Mexican mob in defense of American law and government," even when the Anglo mayor would not. "Strange as it may seem," Bell recalled, "a valiant Californian, who had commanded his countrymen at the Battle of San Pasqual" once again gathered a "trusted group of

[41] Bell, *Reminiscences of a Ranger*, 390—391.

Californios" to defend the jail. Pico, "then Brigadier General of the California Militia," sat on "his magnificent horse, sword flashing as it plied about him." In this way, Bell claimed, Pico was able to hold "the mob at bay for an hour." Pico eventually moved aside, not because of threats to himself, but because the swelling crowd threatened to take out their frustrations on the sheriff and deputies inside the jail. This story about Pico is not corroborated by other sources. One detail, that he was then serving as Brigadier General in the state militia is clearly false, since he did not hold that post until 1858. Nevertheless, the story may reflect a greater truth about Pico—that he used his status as aristocratic warrior on horseback to defend American notions of law and order, even when it meant taking on the Spanish-speaking community.[42]

In Californio efforts to comply with Anglo-American notions of justice, Andrés Pico was the tip of the spear. While the genteel, Virginia-born John S. Griffin also played a leading role, the notions of Anglo justice in play stemmed most-directly from the frontier South. Men from Texas and other western slave states brought with them a vigilantism borne out of southern racial hierarchy but also conflict with Mexicans and Native Americans. These southern frontiersmen made common cause with Californios, men who also came from a culture that prized physical courage and the use of violence to keep outsiders and social inferiors in check.

[42] Ibid., 242-243.

PART II
Southern California in a State of Flux: Andrés Pico and Joseph Lancaster Brent

Proponents of extending slavery westward had long had their hopes set on Southern California. During debates on whether slavery should be allowed in the territory acquired in the Mexican-American War, many southern politicians wanted the Missouri Compromise line of 1820 extended to the Pacific Coast, an extension that would have opened up Southern California for slavery. Although this did not come to pass, many slavery proponents in the South continued to work behind the scenes to promote the spread of slavery across the Southwest. Such scheming was going on locally as well. A chapter of a secret organization called the Knights of the Golden Circle met in El Monte before and during the Civil War. Members of this group dreamed that Southern California would help complete a "golden circle" of slavery that would include parts of the US Southwest as well as filibuster-founded slave states south of the border.[1]

Those hoping for a slave state in southern California received a boost of confidence when the region's electorate voted overwhelming for separation from the rest of the state in 1859. This vote was the result of a successful bill proposed by Andrés Pico, then representing Los Angeles County in the California State Senate. Although the Pico resolution did not mention slavery, some politicians in the South considered the proposed Territory of Colorado a potential slave state that could restore the sectional balance in the

[1] Stephen R. Woodworth. *Manifest Destinies: America's Westward Expansion and the Road to the Civil War* (New York: Alfred A. Knopf, 2010), 329-240. Helen B. Walters, "Confederates in Southern California," *The Historical Society of Southern California Quarterly* 35, no. 1 (March 1953): 42-43.

US Senate—a balance that was upset when California entered the Union as a free state in 1850.[2]

In 1860, Southern California voters broke with the state electorally by supporting the southern Democrat John Breckinridge for President over all other candidates, including the Republican Abraham Lincoln, who won in California, and the northern Democrat Stephen Douglas, who came in second statewide. All the states that voted for Breckinridge, save Maryland, seceded from the Union by the end of 1861. If Southern California had attempted to split off in 1861, it would not have been the only part of a state to do so. A successful Unionist movement to separate western Virginia from the rest of state began that year, as did a similar but unsuccessful effort in eastern Tennessee. In Missouri, two rival state governments formed in 1861, one Union and one Confederate. The Union was breaking apart and so were several states. With the perforations for secession already made by the voter-approved Territory of Colorado and with strong demonstrated support for the Southern Democratic ticket in 1860, why then was there no attempt by Southern Californians to secede from the Union in 1861?[3]

In that year, the editor of the pro-Breckinridge *Los Angeles Star* encouraged Southern Californians to consider their options. While he also entertained California Senator Milton Latham's proposal for an independent Pacific Republic that would have included all of the state and perhaps more, Hamilton ended a January 1861 editorial with the idea that Southern California could join the Confederacy:

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[2] Leonard L. Richards, *The California Gold Rush and the Coming of the Civil War* (New York: Random House, Inc., 2008), 215-216.

[3] Kevin Starr, *California: A History* (New York: Random House, 2007), 105-107. James McPherson, *Battle Cry Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 290-92, 297-299, 304.

> …The people of these southern counties have voted time and again to be disconnected from the State Government, on account of burdensome taxation. In case of an independency, these counties might be set apart as a Territory of the Pacific Republic, or if the people prefer it, they might seek admission as a Territory of the Southern Republic. We perceive, from the *Mesilla Times*, that the people of Arizona are in favor of a Southern Confederacy, and that they will seek admission as a Territory, when the Confederacy is formed.[4]

Arizona did become the first and only Confederate Territory in 1861 and, if Southern California had followed her lead, a coast-to-coast Confederacy could have become a reality, at least for a short time. But there was no uprising in Southern California.[5]

To understand how the region could vote for secession from the state and yet not support the kind of secession from the state and the Union that Hamilton suggested, we need to examine the actions of the leading Chivalry Democrats of Los Angeles County, Joseph Lancaster Brent and Andrés Pico. At the close of the Mexican-American War, Pico had been motivated as a "man of property" to bring peace to Southern California and stand in the way of would-be revolutionaries. At the outset of the Civil War, both Pico and Brent stood firmly against a local rebellion because it threatened the interests of local landowners. Although there was some speculation that Southern California could become a slave state or even part of the Confederacy, these were not the priorities of important local leaders such as Brent and Pico. They had helped fashion a hybrid social order that reflected the values of both Alta California and the antebellum South. While based on unfree labor, this hybrid order did not depend on the perpetual enslavement of African-Americans. Instead, it relied on restrictive forms of guardianship for young

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[4] *Los Angeles Star*, January 5, 1961, 2.

[5] Andrew E. Masich, *The Civil War in Arizona: The Story of the California Volunteers, 1861-1865* (University of Oklahoma Press, 2006) 35-55.

Indians and African Americans, Indian convict labor, and the continuation of a less-rigidly defined system of Indian dependency on ranchos. The Territory of Colorado would have nurtured the southern and Californio hybridity that men such as Pico and Brent had worked for. Instead, southern sectionalism, which had long been a force for state division, ended up dividing the nation, badly damaging the local Chivalry alliance, and killing the Chivalry dream of a Southern California territory and state.

CHAPTER 3
Separation Schemes and Unfree Labor

From the mission and rancho eras through the Civil War, the bulk of labor in Southern California was provided by Native Americans. During the 1850s and 1860s, Indian men arrested for drunkenness and vagrancy were auctioned off for weekly terms of coerced labor by the city of Los Angeles. Whether paid in hard alcohol upon their release or in small cash payments that could be quickly converted into drink, many of these men were immediately re-incarcerated and re-sold in a vicious and often deadly cycle. This labor market was disparaged by elites, not so much for exploiting indigenous labor as for lacking the kind of permanency and paternalism cited by defenders of southern slavery or the California mission system. Southern California politicians tried to construct more permanent labor arrangements by strengthening indenture and apprenticeship laws at the state level. They also tried repeatedly to split the state. Separation schemes were promoted as a way for rural Southern Californians to escape an unfair state tax system that taxed land but not mining profits. A split would also lead to increased local control over labor practices, and those opposed to the idea stoked fears of southern slavery spreading to the Pacific. As the chief leaders of the Southern California Chivalry, Andrés Pico and Joseph Lancaster Brent pushed for a shared vision for the region. They hoped that a planned-for Territory of Colorado, and, ultimately, a State of Colorado, would shelter a largely autonomous and rigidly hierarchal Southern California society in which land and labor were concentrated in the hands of Anglo-Americans and elite Californios.

A Southerner Arrives First Class

Born into a slave-holding family in Charles County, Maryland, Joseph Lancaster Brent came to California at the age of 24 after living for a time in New Orleans. Brent was one of two Americans travelling first class on the California-bound Scottish ship "Queen of the Seas" in 1850. The other first-class passenger was "also from Louisiana" according to Brent, who claimed in his memoirs that the British passengers and crew regarded the two aristocratic southerners as their equals, unlike the Americans in steerage whom they treated like "so many cattle." But Brent did not isolate himself from the lower-status Americans. Instead, he served as an intermediary between the captain and passengers that foreshadowed his later role as a Southern California politician. Based in Los Angeles, Brent was able to enmesh himself in elite Californio society while maintaining a strong relationship with Anglo-American newcomers, particularly those from the South.[1]

The ship's destination was San Francisco, the epicenter of the Gold Rush. Brent did not intend to mine himself but instead to mine the burgeoning economy by "building up a large and lucrative [law] practice." His experience as a lawyer in New Orleans proved helpful. In the "Courts of Louisiana," he explained, he had acquired a "thorough knowledge of Civil Law, which was in principle, the Spanish Law of California." This knowledge would help Brent carve a niche for himself in a frontier region that was transitioning from a Spanish-Mexican to an Anglo-American legal regime. He began to

[1] Joseph Lancaster Brent, *Memoirs of the War Between the States* (New Orleans: Fontana Printing Co. Inc., 1940), 3-4. George Brent, Joseph's older brother, was also a lawyer and owned eight slaves in 1850. Presumably George inherited the family estate in Maryland, which prompted Joseph to move west. "George Brent," Middletown, Charles County, Maryland. 1850 US Census, Slave Schedule, 1850 US Federal Census - Slave Schedules [database on-line]. Provo, UT, USA: Ancestry.com Operations Inc., 2004.

build a legal practice in San Francisco but took ill and did not soon recover. His doctor, cousin Thomas Brent, advised him to relocate to Los Angeles—an "inland town" where he could recover his "health and strength."[2]

Brent's health improved immediately in Los Angeles, and "this in itself made [him] like the place." He told himself that if he could not find work in the law he "would work at something else" so that he could remain in sunny Southern California. It was "not many weeks" before he became "very fluent in Spanish." This rapid language acquisition was due in part to his fluency in French, which the Maryland-born Brent had picked up while living in Louisiana. He was also "a good Latin scholar," and his "knowledge of Latin" was "of even greater assistance."[3]

Initially, Brent relied on Anglo-American clients. Among them was fellow southerner and US Army Captain John B. Magruder of Virginia, whom Brent would later serve under in the Confederate Army. Brent claimed in his memoir that when they fought together during the Civil War, General Magruder "seemed to think that in a way he was still my client." But it was his Californio clients who were most important to his "success" in Southern California, which, he boasted in an 1851 letter to his brother in Maryland, was "continuous and unbroken and is rapidly rolling me along the path of wealth." As he explained, "I stand well in the community and among the Spanish portion, who constitute four fifths of the population I am regarded without a rival in the most flattering way." He had "not yet realized in cash anything yet," since the golden state was ironically cash poor. "There is not only here a great scarcity of money but throughout the entire state,"

[2] Brent, *Memoirs*, 3-4.

[3] Ibid., 4-5.

he wrote, since "we are only able to give money and not products" to purchase imports. His wealth was instead being realized "by obtaining property" as payment for his legal work on behalf of local landowners. He thought that the land would ultimately make him very rich in cash terms as well since Southern California contained "in itself more substantial elements of improvement and wealth than any other section of the state…."[4]

Brent took up residence with another Maryland-born attorney, Benjamin Hayes, who also quickly learned Spanish and made strong connections to the Californio community, which would help him win election as a Superior Court Judge. According to Brent, American men in early 1850s Los Angeles socialized together in male-dominated public spaces. As "there were no American ladies in those days," Brent explained that "there was no place for us to meet except in the barrooms and gambling houses, and no other place to go where we could find companionship, or in winter, where we could keep warm." But Brent did not just forge strong bonds with fellow Anglo Americans. As he wrote in his memoirs, he "made some very warm friends in Los Angeles, both among the Americans and the Californians." As he explained, "we were all thrown very closely together and learned to know each other well." [5]

Horsemanship provided one important arena for American men to engage with the Spanish-speaking population, and this engagement was not always friendly. As a southern gentleman who had been raised on a plantation, Brent was probably very familiar with horses before coming to California and, once he arrived, he was frequently

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[4] Joseph Lancaster Brent to Edward Brent, April 16, 1851, Folder 1, Box 1. Joseph Lancaster Brent Papers, Huntington Library, San Marino, CA.

[5] Brent, *Memoirs*, 6-9. "Benjamin Hays" and "Joseph L. Brent," 1850 US Federal Census. Los Angeles, Los Angeles County, California; Roll: M432_35; Page: 5B; Image: 16. Ancestry.com. 1850 [database on-line].

called upon to join mounted posses. He explained that "in the first year or two that I was in California, it was very usual for the sheriff to come to the young Americans of the better class and ask them to help in arresting some troublesome character among the gamblers, etc." He recalled one specific instance when Sheriff James Barton came to Brent while leading a posse against the infamous Sonoran-born bandit Joaquin Murrieta. "Barton's object in coming to me was to borrow my horse," in order that he may "mount a man who was willing to go with the posse but had no horse." As Brent explained, "I had then become a man of too much business to be asked to go out with the sheriff, but I had several times lent my horse, a very good one." But, "on this occasion," Brent "told Barton that not only my horse would go, but that I would ride him." Brent described the scene when the posse rode into a "Mexican village," a segregated settlement that was probably similar in composition to Los Angeles' Sonoratown barrio. Brent recalled the "black looks and scant courtesy" the posse received as they went from home to home "bursting in upon" Mexican families in their fruitless pursuit of Murrieta and his gang.[6]

Brent described both the bandits and the villagers who sheltered them as "Mexican," and he drew a clear line in his memoir between these Mexicans and "the Californians" who were of a higher social class and were generally friendly to Americans. He recalled that in 1851 and 1852 "the Californians seemed to wish to prove their allegiance by celebrating the 4th as much and as long as possible." This led to displays of Californio horsemanship and "the young Americans were of course ready to join in the excitement." As Brent remembered, "we would all mount our horses and charge about the streets, throwing fire crackers under the feet of the horses and making them prance as

[6] Brent, *Memoirs*, 8-9, 29-31.

much as possible." The men and boys also began "wrestling as if we were on horseback." Brent recalled that "the Californians were superb riders and it was almost impossible to unhorse them," but he also claimed to have picked up much of their esteemed riding ability. "After I had been in the country for a little while and learned to ride in California style," he explained, "I came also to have a firm seat, and my compadre, Don Ignacio [del Valle], has told me that he heard me spoken of as a good rider, even by the Californians, who in the frolics had sought to pull me off my saddle."

Brent learned that horsemanship was central to both socializing and conducting business with the Californios since they "never walked unless it was absolutely necessary" and "spent nearly all their time on horseback." As he explained, "when one ranchero came to see another at his house, instead of being asked to dismount and come in the host would frequently come out of doors, have his own horse brought, mount him, and the two men would sit on their horses talking together for hours."

While the social spaces for playing, fighting or talking on horseback were male-dominated, the bars and gambling houses Brent visited to socialize with other American men and "keep warm" would have been frequented by prostitutes and other women of lower status. He would later marry into a prominent family of Louisiana planters, and it is not surprising that these women are absent from his memoir. Brent's memoir does mention balls and weddings where he was able to dance with higher-status Californiana women. He was clearly impressed by "the dances at these balls," which included "not only waltzing, etc., but quadrille and contra dances with figures like the Lancers and the

Cotillion." In particular, "the dancing of the women was remarkable" as "they were very graceful and danced so smoothly."[7]

He also noted the grace of the Californianas that he met in the homes of prominent local families. When he "began to go into society, among the Spanish speaking population of Los Angeles," he frequented the house of Antonio Coronel who lived with his "two charming sisters." The older, Solidad, was "one of the brightest and most entertaining women" that Brent had ever met. She could engage a "room full of people without effort." The younger, Maria Antonio, was very attractive with a "complexion" that was "dark but animated" and, "like many California girls," her "eyes and eyelashes were beautiful." Brent also mentioned getting to know a "daughter of Don Manuel Dominguez named Victoria who was quite a little child when I began to visit the house." He became "very fond" of Victoria and "called her my little sweetheart." Brent mentioned that "she afterwards married Carson"—George Carson, originally from New York. Brent explained that "California girls were not disinclined to marry the American man, who treated their wives with greater consideration." In Californio culture, by contrast, a married woman "often became a household drudge." With the exception of "the highest and most refined classes," a woman "did not eat with her husband" but instead had to serve him.[8]

Brent himself did not marry a Californiana, although he claimed to his brother that one of his "Spanish clients insisted as a part of a very substantial fee that I should marry his daughter." It was a tempting offer. She was "a black eyed signorita, young

[7] Ibid., 32-35.

[8] Brent, *Memoirs*, 9, 16, 33.

lovely & graceful" and he would have been able to "settle down on a Rancho of I don't know how many square leagues" stocked with "a countless number of cattle." Saying that he "had taken vows of perpetual celibacy, Brent turned down this "flattering & fascinating" offer. [9]

As evidenced by the birth of his daughter Catalina, we know that Brent was not celibate in California, but he did abstain from marriage until he returned to the South where he could find a more suitable partner. As he explained to his brother, his "greatest objection" to California was the "absence of Woman," by which he meant "the refined women of our own homes." He compared these white women from back home to "the Levees of the Mississippi"—once you "withdraw the influence of either one" then "the mad waters will rush over the loveliest improvement and obliterate the most refined sentiments that civilization has created." The only remedy for this "great evil," Brent suggested, was time, which would bring more Anglo-American women to improve "California sentiments & society."[10]

Of course, not all Anglo-American men shared the same view or at least displayed the same patience. Marriage between Anglo-American men and Californianas, which was common before the war, remained common for many years after, but southerners such as Brent were less likely than northerners to marry local women in Los Angeles. Ten northerners married or cohabitated with California-born and Mexican-born women in 1860 compared to only four southerners. That included an older generation of mostly northern men who arrived during the Mexican period, at a time when the hide-and-tallow

[9] Joseph Lancaster Brent to Edward Brent, April 16, 1851, Folder 1, Box 1, Joseph Lancaster Brent Papers, Huntington Library.

[10] Ibid.

trade linked Alta California cattle ranches to the leather industries of the northeastern United States. But even if men over 50 are excluded, the ratio is still skewed with seven northern men married to or living with Californianas and Mexicanas compared to three southern men.[11] This lopsided pattern is especially striking considering that southerners made up 51.9% of the US-born population in the county. [See Appendix B]

Brent did not marry a Californiana, but he did become enmeshed with Californio society in other ways. He made a big step towards gaining acceptance into the Californio community when he earned the trust of Ignacio del Valle, patriarch of one of the largest landowning families in Southern California. When "Don Ignacio" asked for Brent's advice on a land dispute he had with another Californio, Brent dissuaded him from taking legal action and refused any payment for the advice. According to Brent, del Valle respected him for doing this since it would have been in Brent's interest to launch a protracted legal battle. Brent also expressed admiration for del Valle, describing him as a "man of great integrity and honour" whose "word was absolutely to be depended on." He had come to California "on the staff of Genl. Figueroa" and the old soldier was "the most imperturbable of men." Once you "got through his shell," however, "he was warm-hearted and had a good deal of humor." Brent moved into a spare room of del Valle's townhome in Los Angeles. There he would spend many an evening by the fireside with "Don Ignacio." According to German-born Jewish Businessman and lifelong Democrat

[11] "Los Angeles Township," *1860 United States Federal Census* [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2009.

Harris Newmark, Brent's room in the del Valle home, which also functioned as his legal office, was the site of many closed-door political meetings.[12]

Through his knowledge of language and law, Brent was able to carve out a lucrative niche for himself as an attorney by defending Californio land claims. Known as "el abogado, Don Jose," Brent further enmeshed himself in the community by nature of being Catholic. He was so frequently asked to serve as a godfather to Californio boys that he had "some idea of ordering cups by the dozen" from San Francisco for the Catholic compadrazgo, or co-parenthood, ceremonies. As one scholar of nineteenth-century California has noted, "compadrazgo emerged as an effective instrument in establishing interethnic ties that furthered community formation in Southern California." Aside from marriage, compradrazgo was the most powerful tool Brent could use to build a strong kinship network in the region.[13]

By his telling, Brent was godfather to the Californios in a political sense as well. As he claimed, "the great political influence I had acquired came from my control over the California population, most of whom were my clients, and who, ignorant of American politics always followed my recommendations." He explained that one of his clients, Julio Antonio Verdugo, "took great pride each election day, in riding up to me accompanied by ten of his sons and sons-in-law, and demanding from me tickets to be voted at the election by his whole clan." Newmark confirmed this in his memoir, writing

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[12] Brent, *Memoirs*, 12; Leonard Pitt, *The Decline of the Californios: A Social History of the Spanish-Speaking Californians, 1846-1900* (Berkeley: University of California Press, 1966), 241. Harris Newmark, *Sixty Years in Southern California, 1853-1913, Containing the Reminiscences of Harris Newmark* (Los Angeles: Dawson's Book Shop, 1984), 511-512.

[13] Brent, *Memoirs*, 13. Erika Pérez, "'Saludos from your comadre': Compadrazgo as a Community Institution in Alta California, 1769—1860s,' *California History* Vol. 88, No. 4 (2011), 47-73. Pérez, *Colonial Intimacies: Interethnic Kinship, Sexuality, and Marriage in Southern California, 1769-1885* (Ph.D. diss., University of California, Los Angeles, 2010), 131-210.

that "J. Lancaster Brent, whose political influence with the old man was supreme, took the Verdugo party in hand and distributed, through the father, fourteen election tickets, on which were impressed the names of Brent's candidates." Brent claimed that, by the mid-1850s, he had become "so decidedly the leader in Los Angeles politics that at that time no one could be elected whom I did not support, and no one defeated whom I befriended." While putting his friends in office, "he held no office, nor cared to do so." As he explained, "I have always preferred to put other men forward and have them carry out my political ideas."[14]

He did break this rule, however, by serving two terms in the state assembly in 1856 and 1857. One reason for serving in the legislature was to help secure William Gwin's second term as a US Senator. Brent had met Gwin in San Francisco, and they soon "became friends and allies." He explained that whenever he returned to San Francisco the Gwins "always received me with great hospitality and kindness, and I became in time very intimate with them, and almost like a member of their family." In the assembly, Brent briefly assumed a leadership position. Although declining the speakership of that body, he did become the chairman of the powerful Ways and Means Committee. Deciding not to run in 1858, he instead went east, having been named by President Buchanan as "visitor to the Military Academy at West Point."[15]

When he returned to Southern California, his influence over the local Democratic party had waned somewhat or at least was being challenged. When that challenge came to a head, Brent and his allies bolted from the 1859 Los Angeles County Democratic

[14] Ibid., 22. Newmark, 178.

[15] Brent, *Memoirs*, 23-24.

Convention. "The Bolters" were characterized by the Massachusetts-born J. J. Warner's newspaper, the *Southern Vineyard,* as a "silk stocking aristocracy" that was led by "Mr. Brent the fugleman of this chalked-shirt and high heeled aristocracy." Alongside Brent was "Gen. Pico" as well as a "Col. Kewen." The Mississippi-born attorney and pro-slavery firebrand Kewen was mocked repeatedly by the *Vineyard* for his participation as a filibuster in William Walker's invasion of Nicaragua. Kewen used "Nicaraguan tactics" to try to force the County Convention into accepting Brent's list of nominees for local and state office. This list included southern-born Anglo Americans as well as a number of Californios: Andrés Pico for delegate to the state convention; Tomás Sánchez for county sheriff; and Antonio Coronel and Cristobal Aguilar for the county board of supervisors. The *Vineyard* described Brent's faction as an aggressive paramilitary group, blindly following the orders of its "commander":

> Mr. Brent, like a good commander, ordered his forces to leave the Convention, and they, like obedient and loving subjects, obeyed the command, and they all took themselves up, each for himself, pursuant to order, and with their hats walked out and over to the private room of this commander.

Referring to Kewen's part in executing the evacuation, the Vineyard doubted "if the noted Walker Colonel ever sub-commanded a more delectable set of filibusters in all his Nicaraguan filibuster expedition."[16]

Not surprisingly, Brent claimed in his memoirs that his opponents at the convention were in fact the aggressors. According to Brent, they were "the rougher element and men who looked upon politics as a money making business." Most powerful

[16] "The Result," *Southern Vineyard*, June 10, 1859, p. 2. "Bolters," *Southern Vineyard*, June 10, 1859, p. 2. "The Democratic Party of Los Angeles," *Southern Vineyard*, June 14, 1859, p. 2

among his enemies within the Democratic Party was the Irish-born druggist and real-estate baron John Downey. Brent recalled that he and Downey were initially "warm personal friends, and were in strict alliance in all political matters," but this relationship broke down when Brent served as attorney in a case in which Downey "was very interested in the result." Brent also recalled that his nominee for sheriff, Tomás Sánchez, was "the first native Californian who had run for this office," and that his candidacy "excited violent opposition." "Many Americans," Brent claimed, "bitterly opposed [Sánchez], owing to their race prejudices." In spite of this racism and Downey's significant influence, "even among the Californians who were [Brent's] particular followers," Brent nevertheless won a "substantial triumph" in the primary elections, but he claimed that this victory at the polls was eroded when opponents "created many contests upon trivial points" and "made no disguise of their intention to enforce by violence their claims as contestants to their seats in the Convention." It was out of fear for his safety of his friends and allies—men "who were generally quite citizens, men of families and many native Californians"—that Brent decided to bolt and hold a separate convention to nominate candidates. Although not recognized by the state Democratic Convention, the "Brent ticket," as it was known locally, triumphed with Sánchez and other nominees winning election. Brent claimed that after this election, the "excitement all disappeared, and my friendly relations were renewed with everybody, and when I left the country in 1861 to take part in the war, there was not a man holding office in the county, townships or city wards that was not an open and avowed friend of mine."[17]

[17] Brent, *Memoirs*, 36-41.

The Pico Plan for a Territory of Colorado

The election of 1859 that saw the triumph of the "Brent ticket" also witnessed overwhelming support for Pico's proposal for a new Territory of Colorado. A week after criticizing Brent, Pico and Kewen for bolting from the convention, the *Southern Vineyard* claimed that the Pico proposal was intended to spread slavery. Although "not made manifest in the preamble and resolutions," that was the true "object of this movement, headed by Gen. Pico." With support from "the entire representation from the Southern States" assured, the plan had a "pretty fair prospect of success" upon reaching Congress. Then, "under the Dred Scott decision," the "'glorious institution'" will spread across the new Territory of Colorado, "without any action on the part of the people of that territory."[18]

In 1858 and again in 1859, Andrés Pico, the state assemblyman for Los Angeles County, introduced bills calling for a new Territory of Colorado to be carved out of the southern half of California. In 1859, his plan was approved by the legislature, the governor and two-thirds of the voters in the affected counties. This was the closest the state of California ever came to splitting. Yet, the final step, approval by Congress, did not happen. It was easy for leaders in Washington to ignore a scheme to divide California when the nation itself appeared to be at risk of falling apart. Under any circumstances, it would have been difficult for the free-soil Republicans controlling Congress to accept territorial status for a region so deeply committed to unfree labor.[19]

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[18] "The Division of the State," *Southern Vineyard*, June 17, 1859, p. 1.

[19] Leonard Richards, *The California Gold Rush and the Coming of the Civil War*, 1st ed. (New York: Alfred A. Knopf, 2007), 215–216.

In proposing the new territory, Pico argued that high state land taxes put an unfair burden on rural Southern Californians. Compared to the Northern California economy that was based on mining, manufacturing and commerce, the Southern California economy depended primarily on ranching and agriculture. With the low profit-per-acre ratio that these pursuits entailed, Southern California was disproportionately affected by state land taxes. Massive migration to Northern California during the Gold Rush left the southern part of the state proportionally more Californio in terms of population. Considering that Los Angeles was largest city and final capital of Mexican California, Southern California was a particularly important stronghold of Californio influence. But that influence had been waning since the American takeover. Californio families who had depended on ranching for generations were losing their lands as the result of new taxes, the demands of an unfamiliar legal system, and the constant threat of squatters.[20] By proposing the split, Pico could therefore be seen as defending the interests of his fellow Californios. At the same time, however, he was also advancing the agenda of those who saw Southern California as ripe for the expansion of slavery.

The idea of turning Southern California into a slave state had deep roots. The Compromise of 1820 allowed for slavery below the 36° 30' parallel, a line of latitude that ran curiously close to the dividing line proposed by Pico in 1859. While serving as a US Senator from Mississippi in the aftermath of the Mexican-American War, the future Confederate President Jefferson Davis had argued for splitting California at the 36° 30' parallel. Although California entered the Union as a free state in 1850, southerners had already begun flooding into Southern California along the Gila Trail, a pattern that was

[20] Kevin Starr, *California: A History* (New York: Modern Library, 2005), 105–107.

reinforced when Davis became Secretary of War. In that capacity, Davis supervised the completion of Pacific Railroad Surveys by the US Topographical Engineers, who determined the feasibility of a southern railroad to the Southern California coast that would have connected the Cotton Kingdom to Pacific markets. While Davis' dream of a southern railroad was not realized until after the Civil War, his experimental camel caravan system across the Sonoran Desert led to the construction of a military road and the initiation of regular stage coach service to Los Angeles. These improvements in overland transportation encouraged further migration from slave states to Southern California.[21] The migration of southerners into Southern California helped make the region distinct from Northern California, where more immigrants came from the northeastern United States than from the South.[22]

Given the large contingent of southerners in Southern California, it is not surprising that many observers saw the Pico plan and earlier schemes for splitting the state as attempts to expand slavery. Like many prominent Californios in Southern California, Pico belonged to the pro-slavery "Chivalry" wing of the Democratic Party. Henry Foote, a US Senator from Mississippi, was a long-time supporter of creating a slave state in Southern California, and he proclaimed in 1859 that California was being split "for that purpose."[23] A correspondent for the New Orleans *Picayune* also reported that the intention of the Pico bill was "the organization of another slave state out of the

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[21] Odie B. Faulk, *Destiny Road: The Gila Trail and the Opening of the Southwest* (New York: Oxford University Press, 1973), 64-81. Helen B. Walters, "Confederates in Southern California," *The Historical Society of Southern California Quarterly* 35, no. 1 (March 1953): 42-43.

[22] Kevin Starr, *Americans and the California Dream, 1850-1915* (New York: Oxford University Press, 1973), 69-109.

[23] Foote is quoted in Richards, 215–216.

Southern portion" of California.[24] Although supporters in California refused to acknowledge that extending slavery was the purpose of Colorado Territory, opponents were quick to make this claim. The *San Francisco Herald* asserted that slavery would "immediately" expand into the new territory. Furthermore, the paper claimed that many of the Californios whom the proposal was supposed to help would themselves end up in slavery. "Californians are so exceedingly dark-complexioned," the paper put forward, "that it frequently requires an expert to detect the difference between them and Indians." It was also asserted that the Californios were "but little removed from the black race." Following the "immediate introduction of slaves" into Southern California following territorial secession, "an intimacy would be engendered between the native Californians (we allude to the ignorant masses) and the slaves." This miscegenation would then lead to the "fusion of the two races and the eventual enslavement of both." The entrenchment of this hybrid slave system would also produce a "never-ending clash of contention" between the free and slave sections of California that would be "infinitely more prejudicial than all our present evils combined."[25]

This kind of incendiary propaganda was designed to rally free-soil Anglo Americans against splitting the state, not convince Californios of the errors of their ways. Nevertheless, the *Herald* piece did hit on a contradiction that must have caused some unease among the Californios. Many were in fact of mixed African, European and Native-American background, and this characterized not just the "masses" but also elites, including Pico himself. Considering his background, it is worth wondering why Pico may

[24] The *Picayune* is quoted in "Political Intelligences," *Daily Alta California*, May 23, 1859, 1.

[25] The *San Francisco Herald* article is reprinted in "Territory of Colorado," *Los Angeles Star*, February 19, 1859, 2.

have joined the Chivalry faction and served as their standard-bearer for Southern California secession.

Beyond the issue of race, there were good reasons for Pico to be a Chiv. First of all, the Chivs actively recruited Pico and other elite Californios. William Gwin masterminded Chiv dominance in state politics for much of the 1850s, and a big part of his success in the southern part of the state was due to his efforts to reach out to Californio elites. In 1852, Gwin appointed Pico as vice president of a California Democratic Party Convention. Although one southern-born man at the convention announced to great applause that he would not bring his wife to California "until it was a Nigger state," Pico, who had African ancestry, was nevertheless nominated by that convention to serve as a presidential elector.[26]

Despite his complexion, Pico fit the Chivalry image in some ways even better than even Gwin. An article published in the *Calaveras Chronicle* and then reprinted in the *Sacramento Daily Union* claimed that some of Pico's many of his landholdings were so vast that they were not measured in leagues but instead in "lines of longitude and latitude." The piece also asserted that he would become "one of the richest men of the world" when and if all of his land claims were "confirmed." But confirmation proved incredibly costly to Pico and the other Californios, thanks to a land law that originated with none other than Chiv leader and US Senator William Gwin. A greater irony than Pico's tolerance of southern racism was his tolerance of Gwin's land policy.[27]

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[26] Paul Bryan Gray, *Forster vs. Pico: The Struggle for the Rancho Santa Margarita* (Spokane, WA: Arthur H. Clark Co., 1998), 67–73. Marne L. Campbell, "Heaven's Ghetto?: African Americans and Race in Los Angeles, 1850-1917," Ph.D. diss. (University of California Los Angeles, 2006), 24-40.

[27] "Spring Valley Correspondence" (reprinted from the *Calaveras Chronicle*), *Sacramento Daily Union*, March 1, 1853.

Like most land-owning Californios and early-arriving Anglo landholders, Pico was caught up in costly litigation to confirm his land titles for decades after the US takeover. According to the rules of the US Land Commission, which was set up settle such claims, the burden of proof was on landowners to demonstrate ownership. At the same time, landowners had to fend off the legal and sometimes violent attacks of squatters. Although eventually confirming the majority of Californio claims, the confirmation process contributed to Californio land loss by burdening Californios with legal debts at a moment when they were already struggling to adjust a more capitalist, cash-based and tax-heavy US economic regime. Californios had Chivalry leader William Gwin to thank for this system, something critics of the faction were quick to point out throughout the 1850s. The Land Law of 1851, which established this detrimental confirmation process, originated with Senator Gwin. The measure was opposed by California's other Senator, John C. Fremont, who had promised Pico the protection of Californio property at Cahuenga and himself owned lands that would also have to pass muster with the confirmation process. Fremont's father-in-law, Senator Thomas Benton of Missouri, vigorously opposed Gwin's proposal on the Senate floor claiming that the costly litigation would ruin Californios. He also suggested that Californios might violently rebel and even assassinate Gwin himself.[28]

There was no revolt. Many Californios in the southern part of the state, a group that had a reputation for rebellion, instead became political allies of Gwin. There are several explanations for this seemingly irrational decision. Californios in the south did not face the same threat from squatters as did those in the north due to the fact that the

[28] Leonard Pitt, *The Decline of the Californios: A Social History of the Spanish-speaking Californians, 1846-1890* (Berkeley: University of California Press, 1966), 85.

bulk of gold rush migration was directed to the northern part of the state. The biggest threat from squatters in the region came from the heavily Texan community of El Monte where settlers attempted to poach land from the Rowland, Temple and Workman estates—which were owned by British and American-born men who had married into Californio families. Although valued members of the Californio community, these men did not have the stature of their Spanish-surnamed fathers-in-law. In contrast, Salvador Vallejo, a leading patriarch of a powerful Northern California family, developed a deep hatred of southern-born squatters that would influence his later decision to head the Union Native Cavalry Battalion during the Civil War.[29]

The relative lack of friction with squatters left room for the Chivarly alliance to form in the South on cultural grounds, particularly in regard to notions of masculine honor and organized violence. The same *Calaveras Chronicle* piece which praised Pico as "one of the richest men in the world," pending confirmations by the US Land Commission, also reminded readers that he was responsible for the "heavy loss" by the Americans at San Pasqual during the Mexican-American War. The article did not mention that this US defeat, the most significant of the California campaign, was inflicted by a small contingent of Californios armed primarily with lances. After the war, Pico continued to lead companies of Californio lancers against Indian horse thieves and Mexican bandits. As a lance-wielding aristocrat, Pico was a force to be reckoned with. Of course, Pico also had a force to contend with as well—a wave of southern-born Anglo-

[29] Ibid., 85-105.

American migrants washing into the southern region of California that he called home. His awareness of this migration certainly influenced his decision to join the Chivalry.[30]

Also critical was the personal influence of Gwin's right-hand man in Southern California, Joseph Lancaster Brent. Since Pico never learned to read or even speak English very well, he relied on Brent to help him navigate the new American political system. At the same time, Brent and other southern-born Chivs also needed Pico for his influence with Spanish-speaking voters and for his powerful image with Anglos and Californios alike.[31]

Southern-born elites like Brent tried to adapt to Californio society, and Californio elites like Pico also made efforts to comport with southern expectations of gentlemanly behavior. In one instance, Pico even participated in the Anglo-Celtic dueling tradition that was popular with southerners but previously foreign to Californios. Tucked in an obituary for Brent in the publication of the Southern California Historical Society is the story of dispute between Pico and John Downey who, as mentioned above, opposed Brent and Pico's political faction in 1859. Downey successfully ran for Lieutenant Governor that year but had an argument over "electioneering debt" with a Californio named Jose Rubio. A scuffle ensued, and Downey gave Rubio a black eye with his cane. Rubio later asked Andrés Pico to deliver a letter challenging Downey to a duel, but Downey did not accept on the grounds that Rubio was not his social equal. Pico then challenged Downey to a duel and Downey accepted. Mutual friends intervened to prevent

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[30] "Spring Valley Correspondence" (reprinted from the *Calaveras Chronicle*), *Sacramento Daily Union*, March 1, 1853.

[31] Joseph Lancaster Brent, *Memoirs of the War Between the States* (New Orleans: Fontana Printing Co. Inc., 1940), 1-34. Gray, *Forster vs. Pico*, 74.

bloodshed, but this incident nevertheless provides an interesting example of how Californio notions of masculine honor could be adapted to a tradition of dueling that was popular with southerners. Downey had spent several years in the South before coming to southern California, but he may have also learned about the *code duelo* in his native Ireland, a country that had strong traditions of dueling and other forms of honor-based violence that Scotch-Irish immigrants brought to the American South.[32]

Pico's broad-based support from Californios and his ability to appeal and adapt to southern notions of masculinity made him an ideal standard bearer for the Territory of Colorado. His bill specified the geographic boundaries of this new territory, which was to be bordered by the Colorado River in the east, Mexico in the South, the Channel Islands and Pacific Ocean in the west, and the uppermost edge of San Louis Obispo County in the north. It also described how state debt would be divided and how a new territorial government would be established. On the subject of what kind of society the new territory would foster, however, the document is mute. Although Pico did not spell out his vision for Colorado, aside from suggesting that property taxes would be lower, we can gain a sense of Pico's expectations by examining the social world that he supervised on the grounds of the former San Fernando Mission.[33]

Pico's Social World

The *Sacramento Daily Union* claimed in June, 1859, that "Pico is ambitious, and desires to be Governor of the proposed new Territory." If Pico had succeeded in forming

[32] H. D. Barrows, "J. Lancaster Brent," Annual Publication of the Historical Society of Southern California 4 no. 3 (1906): 238-241. "From the South," Sacramento Daily Union, August 18, 1859, 1. Grady McWhiney, *Cracker Culture: Celtic Ways in the Old South* (Tuscaloosa: University of Alabama Press, 1988), 148-153.

[33] Andrés Pico, *Joint Resolution Relating to the Formation of the Territory of Colorado*, Assembly Joint Resolution, no. 22 (Sacramento, CA: 1859).

and governing a new territory in Southern California, what would the resulting society look like? The best indication is Pico's social world as it existed at Ex-Mission San Fernando. In contrast to his grandfather, who patrolled the California missions as a Spanish solider, Pico is shown exercising soft power at San Fernando in an image drawn by Edward Vischer in 1865. Pico stands in front of the "chapel and principle buildings of ex-Mission San Fernando," holding the hand of his "adoptive daughter," Joseph Lancaster Brent's daughter Catalina. The two stand above a group of seated figures identified as the "oldest surviving mission Indians of California." Pico is casually supervising his estate while his well-trained vaqueros take care of the ranch work in the middle distance. The older Indians show the gentle side of Pico's paternalism, since he is looking after those who probably cannot take care of themselves, but the image also reveals a spirit of accommodation. He is meeting with the Indians where they sit by a campfire. At the same time, he also maintains a degree of difference. He stands while they sit.[34]

In her 1875 book, *California of the Padres: Footprints of Ancient Communism*, Elizabeth Hughes presented San Fernando as a picturesque reminder of a by-gone utopian age. As described by Hughes, the "mission buildings" and "the surrounding gardens, stand seemingly isolated in the midst of a desert plain, and produce a most beautiful effect," while the "long portico formed by a colonnade with twenty arches" makes for a "pleasant promenade." Although she did not mention meeting Pico or anyone else at San Fernando, she must have recognized that the property continued to function much like

[34] "Division of California" *Sacramento Daily Union*, June 15, 1859, 4. Edward Visher, "Chapel and Principle Buildings of the Ex-Mission San Fernando," Vignettes of the California Missions, Edward Vischer Photographs and Other Material, Claremont Colleges Digital Library, 1876, Accessed October 15, 2015.

"the large ranch houses, of a date coeval with the latter period of the mission." These ranchos, according to Hughes, had "their own peculiar and picturesque interest." In a line that could have been lifted from the literature of the Southern Lost Cause, Hughes explained that on the ranchos "life was carried on… in a grand, old, patriarchal fashion."[35]

An 1874 article in *The Los Angeles Star* described a "religious ceremony" that occurred on the grounds at San Fernando with Pico in attendance. According to the anonymous author, Indians built a fire pit near the mission and threw in rags. Pico explained to the reporter that this was an old tradition in which garments of the deceased were burned. One Indian, the "chief Devil," sang a "weird, wild song" and another "shrieked" a sermon while "gesticulating" in a dramatic fashion. After the fire was put out and the pit filled in, a woman began leading others away before turning around, "seemingly" remembering something, and then approached Pico, giving him some coins. Other Indians followed suit until Pico had a total of $2. Pico explained to the observer that these gifts had to do with the fact that they had "elected him their chief" many years before (he had lived on the property since 1845).[36]

In her notes from a speech to the Los Angeles Landsmarks Club, circa 1920, Josephine Llyod Maclay Walker claimed to have witnessed the event as well. Born in 1865, Walker would have been eight at the time of the ceremony. Originally from Pennsylvania, her family had moved to San Fernando earlier that year from Northern

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[35] Elizabeth Hughes, *The California of the Padres; or, Footprints of Ancient Communism* (San Francisco: I.N. Choynski, 1875), 4-8. Kevin Starr, *Americans and the California Dream, 1850-1915*, 395.

[36] *Los Angeles Star*, 1874.

California after her father purchased half of Rancho Ex-Mission San Fernando from Eulogio de Celis. The other half was controlled by Andrés Pico and, according to Walker, the Maclay family lived in the main building along with Pico. Walker appears to have copied much of the 1874 *Star* article in this portion of her speech, but she does add a few details of her own. For example, Walker notes that, in addition to the Indians who came from a nearby "house," many came from far away. She pointed out that the women who first paid Pico were among the Indians who did not live nearby. They were headed back to their home before they reversed direction and returned. She also claimed that Pico gave gifts to all of the Indians after receiving the cash. These gifts included calicos, bandanas, and beads. According to historian Sonya Lispsett-Rivera, "supplying clothes…was one of the most basic underpinnings of household authority." As she explained, "more than any other aspect of the body, both hair and clothes expressed the inside of a person to the outside world." Gifts of clothing as well as hair accessories such as bandanas could therefore represent "the soul, the morals, and the ethnicity of a person."[37] In Walker's version, Pico also gave the Indians a speech that, she claimed this was a "moral lesson."[38]

In both the 1874 article and in Walker's version, Pico appeared as a man who embraced his status with the native people with authority but also with a spirit of accommodation. In Walker's account, Pico stood out for his generosity. Beyond the gifts he gave at the ceremony, she asserted that he was asked by many for help but "never

[37] Josephine Maclay Walker, "Reminiscences of General Andrés Pico," MC 150 (A+B) Typescript, The Huntington Library, San Marino. Sonya Lipsett-Rivera, *Gender and the Negotiation of Daily Life in Mexico, 1750-1856* (Lincoln, NE: University of Nebraska Press, 2012), 213-214.

[38] Walker, "Reminiscences of General Andrés Pico."

turned anyone away." These strategies worked according to Walker. She concluded her speech by asserting that the Indians had "the utmost respect for him." The Indians appear to have been able cultural negotiators as well. They paid Pico respect in the form of hard cash, but the choreography of the event also distanced him from the community. The woman turned around, "seemingly" forgetting to pay homage, signaling perhaps a break between the spiritual and the secular aspects of the event.

Although Pico was somewhat distanced from the religious aspects of the event, he was playing an altered version of a tradition role. The event is known in the anthropological literature as a "mourning ritual." More specifically, it was the "burning ceremony" held at the close of a typically eight-day mourning period. According to one Gabrielino/Tongva informant of the early twentieth-century anthropologist John Harrington, it was traditional for a "captain" to accept money for hosting a mourning ceremony "as would… a priest." The informant also claimed that the "Fernandino," the Gabrielino/Tongva living near Mission San Fernando, and the "Gabrielino," those living near Mission San Gabriel, would host one another's mourning ceremonies. It is plausible then that Pico served a role similar to that of a Fernandino captain, and that the Indians who Walker remembered coming from far away were coming from San Gabriel.[39]

Historian Lisbeth Haas argues that dance had broad importance for Southern California native peoples that often defied Euro-American understanding. She quotes the history of Pablo Tac, a mission Indian of the Luiseño tribe, who claimed that, in contrast to white people who "dance only for celebration," Southern California Indians also traditionally danced to mourn the dead and to prepare for war. After Euro-American

[39] As quoted in William McCawley, *The First Angelinos: The Gabrielino Indians of Los Angeles* (Banning, CA; Malki Museum Press, 1996), 114.

conquest, Tac noted, Indians danced mainly to mourn and honor the dead. Tac also noted that various communities including "Gabrielinos" and "Fernandinos" had distinct dance traditions passed down from generation to generation. Haas maintains that dance was an important way in which native "people adjusted to this world of constraint, the loss of loved ones, ancient territories, and political power." Seen through this lens, the accounts of the burning ceremony and tribute paying at San Fernando show us the negotiated nature of Pico's relationship with native people. He clearly had a great deal of influence over local Native Americans, but that influence that was structured in part by indigenous traditions that had been adapted to fit changing circumstances in California.[40]

In addition to its spiritual significance, anthropologist William McCawley has contended that the burning ceremony served an economic purpose for the Gabrielino/Tongva. The destruction of goods by fire necessitated their replacement, which provided work for Gabrielino craftsmen. Pico's gift distribution may have been a way for Pico to insert himself in the Gabrielino economy and strengthen a patron-client relationship. Instead of turning to native craftsmen, they may have come to rely more on Pico as a provider.[41]

Of course, the relationship between Californios was not always harmonious. Andrés' brother Pío had a particularly rocky relationship with the Indians at ex-Mission San Luis Rey that was marked by tense-standoffs and near rebellions. And both Pío and Andrés had conflict with the independent Indian villagers of Las Flores who believed that they were entitled to Temecula rancho, a property claimed by the Pico brothers.

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[40] Lisbeth Haas, *Saints and Citizens: Indigenous Histories of Colonial Missions and Mexican California*, 2014, 76–82.

[41] McCawley, *The First Angelinos*, 114.

Nevertheless, Californios such as the Picos had inherited, improvised and maintained a relationship with native people that was built not only on coercion and exploitation but also on paternalism and accommodation. This complicated relationship indicates the type of improvised social hierarchy that would have flourished in a Pico's Territory of Colorado.[42]

The Chiv Machine in Southern California

Whether holding court in the buildings of ex-Mission San Fernando, in his Los Angeles townhome, or atop his horse anywhere in Southern California, Pico presided over a large social hierarchy of Spanish-speaking people that included his extended family as well as other Californios, Mexicans and Indians. According to historian Leonard Pitt, a solid Democratic majority was established in Southern California around "friendships" that developed early on between "*ricos*," or wealthy Californios, and "gringos, especially gringos who came from the Old South." These relationships were, no doubt, strengthened by the fact that both sides represented key voting blocs. Southern leaders could call upon the many settlers from the South who lived in Southern California, while the *ricos* could command the support of numerous "underlings" who were "long accustomed to following their 'betters' in public matters." These underlings, according to Pitt, included the many sons a *rico* typically had, as well as a "bevy of servants and relatives." But commanding the support of the Spanish-speaking community in the early

[42] George Harwood Phillips, Indian Resistance and Cooperation in Southern California, 1769-1906 (Norman, OK: University of Oklahoma Press, 2014), 58-62.

American period could go well beyond any traditional *patrón* system of lower status Californios respecting their social superiors.[43]

Sometimes party organizers literally corralled their voters. Pitt described how, in 1852, an "enterprising Whig stumper" used liquor to entice a crowd of "Sonorans, lower-class Californios, and Indians" into a livestock corral where they were to be kept until they could vote the next morning. But his plan backfired when the Californio Chivalry politician Tomás Sánchez paid an expected visit to the corral. After an "impromptu speech" by Sánchez, the corralled crowd was ready to vote Democratic. Five years later, in 1857, Republican schoolteacher and newspaperman William Wallace recorded a seminar scenario in his journal under the heading: "Corralling Voters!" About "seventy five of the piebald classes" were gathered between 3 and 8 in the morning. "All shades of dark colors were there, half breeds, Indians, Sanoreonos" [Sonorans], and "long before the hour for voting they began to get uneasy." They had been "plied with bad whiskey," and "when they became riotous" they were struck "on the head." Wallace concluded that they were probably all illiterate and that the whole scene "certainly was not credible." Nevertheless, such corralling was a necessary evil: "No matter how worthy or honest a man may be, if he wishes an office or if the people want him for office, he must use this kind of assistance or it will be thrown against him."[44]

According to the *Sacramento Daily Union*, Pico's voters were typically "herded and driven" to the polls. While the Chivs by no means had a monopoly on treating voters like livestock, they dominated local politics in the years when it was common.

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[43] Leonard Pitt, *The Decline of the Californios: A Social History of the Spanish-Speaking Californians, 1846-1890* (Berkeley, CA: University of California Press, 1966), 133.

[44] William A. Wallace, *Diary* vol. 2 (Huntington Library, San Marino, California), September 7, 1857.

Nevertheless, voting by the "piebald classes" was probably a source of some tension within the Chiv faction. In his memoir, Horace Bell recalled an instance in 1853 when a Spanish-speaking voter with a dark complexion was challenged on the basis of race by a Southern-born Anglo American. Bell was accompanying a Democratic candidate for the state legislature, the Tennessee-born Dr. J. P. MacFarland, who was trying to get Spanish-speaking voters to the polls in the community of Agua Mansa east of Los Angeles. Joining them was an important supporter of MacFarland, a Lieutenant Smith, who was stationed at a nearby military post. Smith challenged the vote of a man who Bell recalled was "as black as a polished boot, with hair peculiarly kinky." When MacFarland found out that the man was voting for him, he tried to convince Smith that the man could vote since California was a free state. But Smith declared, "I am a Virginian, sir, and I would rather die, sir, than to vote, sir, at the same polls, sir, with a nigger." MacFarland dropped the issue, not wanting to lose Smith's support. But, after leaving the "ladies's man" Smith talking to Mexican women at a nearby rancho, Bell and MacFarland returned to the voting place and tried to talk to the "man of color," whom they discovered did not "speak one word of English." Ironically, this lack of English was proof enough for MacFarland that the "man of color" should be able to vote. "This man is not a nigger, he is a Mexican," declared MacFarland. The "Mexican" may have been a member of the ranch-owning class. As Bell wrote, "he was elegantly dressed in extreme ranchero style, and was in reality a decent-looking, well-mannered man." This story suggests that while some southern Democrats had difficulty treating Spanish-speaking people of African descent as political equals, others openly solicited and often earned their votes.[45]

[45] "Division of California," *Sacramento Daily Union*, June 15, 1859, 4. Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War* (New York: Oxford University Press,

The Mixed Picture of Unfree Labor in Southern California

Coinciding with the bicultural political alliance between southerners and Californios in Southern California was a hybrid system of unfree labor. Southern California had a long history of coerced Indian labor. The missions and ranchos had relied on unpaid or virtually unpaid Indian workers who were typically not free to quit or move. Californios also purchased Indian slaves from indigenous traders, something that Andrés' brother Pío admitted to doing in his memoir. According to Horace Bell, a "slave mart" also existed in Los Angeles during the early American period. As Bell recalled, it involved the auctioning off of Indians arrested for drunkenness or vagrancy for two-week periods, at the end of which they would be paid only in aguardiente, a cheap form of hard liquor produced during the wine-making process. According to the *Los Angeles Star* the county grand jury accused Mayor John Nichols of personally pocketing some of the money from this weekly sale of Indian prisoners. Another scrap of evidence comes in the form a letter to the ranch owner Abel Stearns from his mayordomo, or ranch manager, Charles Henry Brinley. In the letter, Brinley expresses a "wish" to his employer that he would "deputize someone to attend the auction that usually takes place at the prison on Monday's [sic], and buy for me five or six Indians." An 1869 article in the *Los Angeles Daily News* asserts that the practice had been ongoing for twenty years.[46]

1995), 230. Horace Bell, *Reminiscences of a Ranger, Or, Early Times in Southern California* (Santa Barbara: W. Hebberd, 1927), 284–285. According to Benjamin Hayes, the residents of Agua Mansa were "all nearly from New Mexico, and some of them Indians from the Pueblo of Taos." Marjorie Tisdale Wolcott, ed., *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875* (Los Angeles: Priv. print, 1929), 219, 270.

[46] Stacey L Smith, *Freedom's Frontier: California and the Struggle over Unfree Labor, Emancipation, and Reconstruction*, 2013, 147. Abel Stearns Collection, SG Box 11 item #17. *Daily Alta California*, 15 October 1852.

Although Bell was critical of this form of coerced Indian labor, he did not oppose more permanent arrangements. He recalled how Dr. McFarland, the same politician who wanted the Spanish-speaking "man of color" to vote for him, "introduced a bill in the Senate to have all the young Indians apprenticed." Writing in the 1870s, Bell recalled that McFarland's bill was virtually the same as the "present law of apprentices" but was attacked and defeated merely because it included the word "Indian." He also claimed that it was characterized in the press as "'the most glaring, bare-faced and outrageous attempt to engraft the barbarous peon laws of Mexico on our free institutions.'" As a result of the bill's defeat, Bell explained, "the Indians, boys and girls, became vagabonds and our free institutions and John Brown's soul goes marching on" while "McFarland is an honored and wealthy resident of his native state [Tennessee].'"[47]

California Assembly Bill 143 of 1853 matches Bell's description of the McFarland Bill. The manuscript copy of the defeated bill outlines how Indian minors—males under 25 and females under 21—would be bound to other families to work until their majority if a justice of the peace deemed their family too poor to care for them. The bill also put a burden on justices of the peace to seek out these poor Indian children and on poor Indian parents to give up their children. As historian Stacey Smith has explained, this would have been a marked shift from the 1850 Act for the Government and Protection of the Indians, which required that Indian parents, if living, give consent to the bondage of their children. Bill 143 also called for male "Indians" of any age found guilty of vagrancy by a justice of the peace to be bound to serve five years of labor in a household of the justice's choosing. Reflecting a paternal attitude towards the Indians, the

[47] Bell, *Reminiscences of a Rang*er, 281-282. "Labor the Great Necessity of Los Angeles," *Los Angeles Daily News*, February 13, 1869, p. 2.

bill prohibited "furnishing" Indians with alcohol as well as the cruel treatment of bonded Indians. Still, the only redress for cruel treatment was reassignment by a justice of the peace to another family. In the words of the free-soil *Alta California*, these measures would "reduce the Indians to a state of slavery."[48]

Perhaps as a last-ditch measure to save the bill, someone added a final section, "Sec 22," which appears to have been written in a different hand or at least with a different pen than the rest of the document. This section asserted that the "Act shall apply only to the counties of Los Angeles, San Diego, San Barnindino [San Bernardino], Santa Barbara and Monterey." By leaving out the mining counties where free labor sentiment was particularly strong, this section may have been inserted in order to answer protests from legislators based in Northern California. But the addition also suggests that Southern California was the strongest region of support for the bill and provides an indication of what kind of unfree labor policies would have taken shape in the region had it achieved separation from the rest of the state.[49]

As was apparently the case with Bill 143, the Pico Resolution was not popular statewide. The California Chivs were at the peak of their influence in 1859, holding the governorship and having a strong influence in the state legislature. Since most of the representatives in the state legislature were from the more populated northern half of the state, Pico's proposal for letting Southern Californians escape state taxes would not have had much chance of passing without vigorous Chiv support. According to the *Sacramento Daily Union*, the "rapid progress" of the Pico bill through the legislature

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[48] Assembly Bill 143 (1853), Original Bill File, California State Archives. Smith, *Freedom's Frontier*, 132.

[49] Assembly Bill 143.

involved "the support of this pet scheme of the southern delegations by all who wanted the votes of the latter to carry the other matters of special or general importance." As a result of such horse-trading, the bill was supported "even [by] Republicans (not much to their credit, be it said)." After passage, the next step was to put the issue to a vote in the affected southern counties. Although the voters of San Luis Obispo County did not approve the separation, overwhelming support in the other counties helped put the measure over the two-thirds threshold called for by the Pico Resolution.[50]

This vote did not result in seperation, however, since congressional approval was required to create new territories. With the promise that we would advocate for a Territory of Colorado, Milton Latham resigned from the California governorship in 1860 in order to take a seat in the US Senate. Before resigning, he addressed an open letter on the territorial issue to President Buchanan and Congress. Latham was required by the terms of the Pico Resolution to make a simple statement of support, but Latham did more than this in his lengthy letter. First, he affirmed the constitutionality of the separation. He countered critics who argued that only a constitutional amendment could alter the state's boundaries, which were first spelled out in California's 1850 constitution. Latham asserted that all that was needed to carve a new state or territory from an existing state was the approval of Congress as well as the legislature of the affected state. Despite making a defense of the measure on constitutional grounds, he also warned Congress to

[50] "Division of California," *Sacramento Daily Union*, June 15, 1859, 4. William H. Ellison, "The Movement for State Division in California, 1849-1860," M.A. thesis, University of California Berkeley, 1921, 167–191. J. P. Widney, "A Historical Sketch of the Movement for a Political Separation of the two Californias, Northern and Southern, under both the Spanish and American Regimes," *Annual Publication of the Historical Society of Southern California* 1, no. 4 (1888-1889): 21-24. Richards, *The California Gold Rush*, 216.

"be careful" before approving this division, suggesting that it could result in a "war" that the federal government would be responsible for ending.[51]

As it turned out, the federal government would soon be tasked with ending a much broader conflict. Sectional tensions escalated in Washington following Bleeding Kansas, the raid on Harper's Ferry, and the divisive 1860 presidential election. Fears of the nation breaking apart put talk of splitting the state on the backburner. Even if introduced as a compromise measure to appease the South, the idea had little chance of passage in Congress. In 1861, some Republican congressmen disobeyed their party platform and pushed for New Mexico Territory to enter the Union as a slave state. The hope was that the prospect of another slave state would be enough to keep most of the upper South in the Union. Although it may have helped keep some of these states in the Union during a critical period, the effort to make New Mexico a state had little chance of success. Republicans dominated the House of Representatives and most were not so strategic. When it came to a vote in the House, Republicans voted against New Mexico statehood by a three-to-one margin. The proposed Territory of Colorado would have probably suffered a similar fate if it had been offered up by a contingent of Congressmen as a compromise measure. Republicans were committed to free soil, and they would not likely approve a new territory that would expand unfree labor.[52] Back in the California, some state legislators fought to keep the Territory of Colorado scheme alive in 1860. These measures would have called for the state's congressional delegation to press for

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[51] Letter included in Benjamin Hayes, "Constitutional Law," vol. 19, Hayes Scraps, Bancroft Library, Berkeley, CA. "Communication of Governor Latham," January 12, 1860, *Journal of the Senate of the State of California, 11th Session of the Legislature* (Sacramento: C.T. Botts, State Printer, 1860), 126-133.

[52] James McPherson, *Battle Cry of Freedom : The Civil War Era* (New York: Oxford University Press, 1988), 256.

territorial separation. One bill passed in the assembly. The senate's committee on federal affairs approved a similar bill, but it never came to a vote in that chamber.[53]

Although the Territory of Colorado appeared stalled, southerners and their Californio allies tried to carry California for the southern Democratic Party ticket in the contentious 1860 election. Californios and Anglo-Americans of southern extraction represented two significant constituencies in Southern California that came together to support the proposed split as well as the southern Democratic candidate for president, John C. Breckinridge.[54] The front man for the Chiv campaign in Los Angeles was actually a Californio, Antonio Coronel, who served as the Breckinridge elector for the county. While he was probably chosen to appeal to Spanish-speaking voters who might not have been as naturally enthusiastic in their support of Breckinridge as Anglo southerners, Coronel was clearly regarded by the national party organization as more than a figurehead. He received, via the Pony Express, two hand-written letters from Isaac Stevens, the Chairman of the National Executive Committee of the Breckinridge Democrats. In these letters, Stevens informed Coronel of the state of the campaign in battleground states such as Pennsylvania, while stressing the importance of California to Breckinridge's chances of victory. As Stevens wrote at the end of his second letter to Coronel, "we are looking for good news from your state + Oregon."[55]

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[53] *Los Angeles Star*, Feb. 26, 1859, p. 3; *Los Angeles Star* Mar. 12, 1859, p. 1; *El Clamor Público*, May 21,1859, p. 1; *Southern Vineyard*, Feb. 22, 1859, p. 1-2. *Los Angeles Star*, Mar. 10, 1860, p. 1. *New York Times* Feb 6, 1860, p. 1. *New York Times* Feb 13, 1860.

[54] Richards, 228-229.

[55] Isaac Stevens, "Letters," Antonio F. Coronel Papers, GC 1001, 116a-116b. Seaver Center for Western History Research, Natural History Museum of Los Angeles County, Los Angeles, California (hereafter Seaver Center).

Stevens also sent Coronel a pro-Breckinridge pamphlet produced by his National Democratic Executive Committee. The pamphlet lays out the case for why Breckinridge represented the best hope for saving the Union. The argument seems aimed at fence-sitters in battleground states such as Pennsylvania, California and Oregon who were neither slaveholders nor abolitionists, but who cared about the preservation of the Constitution and the Union. One line, though, may have caused offense with Coronel and other Mexican-Americans. The pamphlet identifies Lincoln as "the sympathizer with Mexico, and now the sympathizer with fanaticism." As a veteran of the Southern California insurgency against occupying US forces during the Mexican American War, Coronel might have been offended by this attack on Lincoln who, in his famous "spot resolution," challenged President James K. Polk's dubious justification for war.[56] Although a loyal American citizen who made great efforts to assimilate into the new political culture, Coronel would have remembered defending his homeland against US forces. He probably shared some of Lincoln's doubts regarding the legitimacy of the American invasion. If reading this attack on Lincoln made him feel alienated from fellow Democrats as a Mexican-American, it was not likely the first time.

Coronel suffered from Democratic racism first-hand during the local elections of 1855, a particularly divisive year for Los Angeles race relations. According to the Spanish-language newspaper, *El Clamor Público*, Democrats shouted at Coronel: "Here comes another Greaser vote! Here comes another vote for the Negro! If the Negro Coronel comes to vote, don't let him." The editor, Francisco Ramirez, was a Republican Californio, something that was rare in Southern California at the time, and he used this

[56] Ibid. Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815-1848* (New York: Oxford University Press, 2007), 762.

anecdote about Coronel to warn his readers about the Democrats. The short article does not explain why Coronel was being attacked in this way. Perhaps the lifelong Democrat Coronel was temporarily breaking with his party or perhaps the Democratic toughs did not know Coronel was on their side. Regardless, Coronel probably did not forget the humiliation of being called a "greaser," a derogatory term for a Mexican or an Indian, while also being identified as racially black.[57]

Although they suffered under Anglo-American racism at times, Californio Democrats themselves sometimes endorsed it, as long as it was directed at African Americans in the South. This worked in part because Californios could relate their own prejudice against Indians to white-southern prejudice against African Americans. The Californio case for supporting the Chivs and the Breckinridge ticket was laid out in an 1860 Spanish political broadside. The publication took the form of an open letter from Los Angeles Chiv Enrique Avila to Antonio Pico, the brother of Andrés, who was a Republican in the Northern California county of Santa Clara. Avila asserted that although the "Los Angeles County Californio population is exceeded by the Americans," the two groups "live together peacefully" and "cooperate for our mutual benefit." As evidence that Californios had not taken a back seat in this cooperative relationship, Avila listed prominent Californios who had been elected locally, including "Don Andres Pico" as a state legislator and "Don Antonio Coronel" as a county supervisor. Los Angeles County, Avila declared, "is very Democratic, and we Californios here, we almost invariably support that ballot." Avila then challenged Antonio Pico to explain why those in Los Angeles should "follow new ideas from you," when Santa Clara County had produced

[57] *El Clamor Público*, October 4, 1856. David S. Torres-Rouff, "Making Los Angeles: Race, Space, and Municipal Power, 1822-1890," (Ph.D. diss., University of California Santa Barbara, 2006), 163-210.

such "sad results" for Californios. Their lands had been "covered with squatters" and their cattle "consumed" by thieves. Avila neglected to mention that Santa Clara County, being much closer to center of Gold Rush migration, probably would have had more of a problem with squatters and thieves than Los Angeles County regardless of which political party was in power. Nevertheless, Avila made the case that the alliance Californios had made with Democrats in Southern California helped them protect their land and influence.[58]

Avila also took Republicans to task for their critique of the South's racial hierarchy. "The Republican Party," he wrote, "talks too much with respect to the Negro, much more than the white man." First, Avila tried to marginalize the importance of slavery for Californios. "What do we have to do with the Negro?" he asked. He then defended slavery by making an analogy to local history. Avila argued that Republicans "want to do with the Negro what the Mexican government did with the Indians of the missions in California." As he claimed, "these Indians lived happy, sober and industrious, under the care of the venerable Fathers of Saint Francis, who instructed them in religion, and taught them about virtue and work." This was all ruined when a party similar to the Republicans, "talking about humanity and the evil that it was to have the Indians in servitude," shut down the mission system. As a result, Avila explained, the male Indian returned to the state of an "animal, working just enough to get liquor to get drunk" while Indian women "became prostitutes – the plague of society." He claimed that this was

[58] Enrique Avila, "Open Letter," Coronel Papers, GC 1001, 66, Seaver Center for Western History Research.

what the Republicans "want to do with the Negro," remove him from the "state where he is happy, and useful to man, and degrade him as the Indians of California!"[59]

Avila was referring to the Mexican Liberal Party's program of mission secularization, and his remarks were tailored for southern Californios who had initially resisted this program. During a period of pronounced political turmoil in the mid-1830s, a group of liberal Californios, based primary in the north, championed Alta California independence as well as freedom for Mission Indians through secularization. One of the leading liberals in that period, Mariano Vallejo, recalled in a 1875 interview that "the Indians of the missions" were "tired of being treated as slaves" and wanted a plan for secularization that would help them "regain not lose liberty." But conservative Californios based chiefly in the south, such as the leading military and trade figure in Santa Barbara, José de la Guerra, and the young militia commander in Los Angeles, Andrés Pico, rallied the region against the northern liberals. A compromise was ultimately reached between the local factions and leaders in Mexico City that involved greater independence for Alta California, which became a department, and a plan of secularization that kept most Indians in a state of dependency. Originally intended to reduce Church power and turn Indians into independent farmers, the program left most Indians landless and destitute while transferring the bulk of mission lands to the elite Californios who were in charge of implementing secularization. Andrés Pico, for example, supervised the division of the lands of Mission San Gabriel. Although Californios north and south benefited from the program, the division between more liberal northern Californios and more conservative southern Californios remained,

[59] Ibid.

expressing itself a quarter century later in the hotly contested US presidential election of 1860.[60]

Avila's embrace of the Southern Democratic position in regard to slavery is not surprising considering that he had a track-record of treating mission Indians like slaves. In 1845, on the eve of the American takeover, he coordinated with the Tennessee-born Benjamin D. Wilson in paramilitary operations that resembled the activities of Southern slave patrols. In a memoir published by the Southern California Historical Society, Wilson recalled a series of Indian fighting expeditions that he conducted along with his "old friend and companion" Enrique Avila. In 1845, the Mexican governor Pío Pico authorized Wilson to lead a force of armed men against "the Mojave and other Indians" who had been "constantly raiding the ranches of this part of the country." Avila, Wilson's "second," assumed "command" at one point when Wilson was wounded by a poisoned arrow. Although the force initially had more luck hunting bears than Indians, their efforts culminated in an Indian massacre. All of the men in a village were killed and the unit took the "women and children as prisoners." Wilson remembered that the "women could speak Spanish very well, and had also been Neophytes" and that "men we had killed" were "likewise Mission Indians." He also recalled that "we turned the women and children over to the Mission San Gabriel, where they remained." The mission had already been secularized and technically did not exist in 1845. Apparently though, forced Indian labor continued at the mission under new management. One of the former neophytes Wilson encountered while on campaign had his "ear cropped off" and an "iron brand on

[60] Mariana Guadalupe Vallejo, "Recuerdos históricos," The Bancroft Library, BANC MSS C-D 17, p. 368. Pubols, 167. Douglas Monroy, *Thrown among Strangers the Making of Mexican Culture in Frontier California* (Berkeley: University of California Press, 1990), 99–232.

his lips." These were the markings of a "Majordomo" at one of the "ranches of the Mission" known as "El Chino." Though ranches such as Chino were independently operated after secularization, mission Indians were sometimes branded like the cattle and expected to live and work on these properties for life.[61]

Since Avila wholeheartedly endorsed slavery at it existed in the South, it is worth considering whether he meant to suggest to local Californios in his 1860 open letter that southern-style slavery might also be good for Southern California. Behind Avila's racist depiction of the California Indians as drunken animals was the truth that a cycle of forced labor and drunkenness was in part responsible for a sharp decline in the local Indian population. An article in 1869 titled "Labor the Great Necessity of Los Angeles," bemoaned a situation in Southern California where the Indian labor pool had steadily declined over the past "twenty years" in large part due to a municipal slave market resembling the one described by Horace Bell. The *News* claimed that "in this part of the State and particularly in this county the great bulk of the labor has been performed by Indians," but the Indian labor pool had declined due to a cyclical pattern of labor exploitation. "For years past," the *News* explained, "it has been the practice of those most extensively engaged in the cultivation of the soil, to hang around the Mayor's court on Monday morning and advance the degraded Indian a few dollars with which to pay his nominal fine for having been dragged through the streets to the station house in a state of beastly intoxication the day or night before, and on Saturday night." Then, "after deducting the sum advanced," the growers "pay him a couple of dollars, which insures

[61] Benjamin David Wilson, "Observations on Early Days in California and New Mexico," *Annual Publication of the Historical Society of Southern California* (1934): 74-150.

him a place in the station house on the following Sunday, should he not lose his miserable life in a drunken brawl by that time…"[62]

Periodic outbreaks of smallpox and other diseases were also devastating to Indian demographics as were labor patterns that often separated male ranch workers and female domestic servants. Many Indians lived with Californio or Anglo-American families and, as a result, did not start family households of their own. Although no longer a possibility by the time the article was written in 1869, Avila and other Californios may have seen African-American slavery as not only "useful to man" in the South but also potentially useful to men such as themselves in Southern California.[63]

Like Horace Bell, who saw a permanent form of indenture as a positive alterative to the weekly Indian market, Avila and other like-minded Californios would have supported a more permanent and paternalistic coerced labor system of some sort. Pico's justification for the Territory of Colorado was that Southern Californians needed to escape an unfair state tax system. But since there was a large slave-state-born population in the southern counties, many suspected a pro-slavery motive as well. These suspicions received some confirmation in 1860 when Los Angeles County voters supported the southern Democrat John Breckinridge for President over all other candidates. As with the overwhelming vote in favor of a Colorado Territory, Breckinridge's electoral success in Southern California can only be explained by heavy Californio, as well as southern, support.

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[62] "Labor the Great Necessity of Los Angeles," *Los Angeles Daily News*, February 13, 1869.

[63] Albert Hurtado, *Indian Survival on the California Frontier* (New Haven, CT: Yale University Press, 1988), 200. George Harwood Phillips, "Indians in Los Angeles, 1781-1875: Economic Integration, Social Disintegration," *Pacific Historical Review* 69 (August 1980): 427-51.

On Tuesday of October 8, 1860, four weeks before the decisive presidential election that would cause several southern states to immediately secede, a ball was held in the Bella Union Hotel. The two-story brick hotel on Main Street between Commercial and Arcadia had originated as a single story adobe building, erected in 1835. It had served as a general store and saloon, Pío Pico's capital as governor of Alta California, a US-era courthouse and the city's first hotel. When the adobe walls cracked in the 1857 Tejon Earthquake, the hotel was rebuilt as a wood frame building with a second story balcony. In 1860, wood was replaced with brick and the dining room and bar—where the ball would have been held—was enlarged.[64]

Several months after the ball, the dining room would be graced with a portrait of General P.G.T. Beauregard, the Confederate hero of Fort Sumter. Despite its name, the Bella Union became "the nerve center of secessionist outrage" in the words of one historian. The inflammatory song "We'll Hang Abe Lincoln From a Tree" was popular with the bar's patrons, and speeches against the Union were made from the hotel's balcony. Union servicemen who patrolled the city and its surroundings in order to prevent unrest were for forbidden from entering the hotel for fear of sparking it. It was in this hotel that a "committee," which included Andrés Pico, Joseph Lancaster Brent and Antonio Coronel, hosted a ball to celebrate "the occasion of the completion of the Telegraph to this City" in October of 1861. The rest of the committee was not exclusively Chiv. One member was Phineas T. Banning, a Delaware-born businessman who would

[64] John W. Robinson, "The Bella Union Secessionist Stronghold in Los Angeles," in Robert J. Chandler ed., *California and the Civil War, 1861-1865*. Berkeley: Okeanos Press, 1992.

become a leading Los Angeles Unionist and also fabulously wealthy as the chief military contractor in Southern California for the Union.[65]

On that fall night, perhaps most of those in attendance hoped that the *bella* Union would stay beautiful and united in the coming months. The organizing committee certainly believed in Southern California's future—now a bit brighter with the arrival of the telegraph. It was a physically beautiful region with a wonderful climate and tremendous economic potential. In 1860, it was also an attractive place for those who valued land-ownership, the preservation of social order through vigilante justice, and the exploitation of unfree labor. The region was multicultural, but southerners and Californios played a particularly important role by promoting shared seigniorial values and shaping a society that resembled both Alta California and the antebellum South. California on the eve of the Civil War is perhaps best characterized as a borderland border state, especially in its lower half. Southern California was at once southern and Californio, Mexican and American, free and unfree.

[65] "Invitation to a commemorative ball at the Bella Union Hotel," October 8, 1860, Row 28, Range 6, Box 004, Folder 325, Del Valle Family Papers, GC 1002, A.3580-617. Robinson, "The Bella Union Secessionist Stronghold in Los Angeles."

CHAPTER 4
The Civil War and the Interests of "Men of Property"

In May of 1861, the *Sacramento Daily Union* of Northern California reported the "rumor" of an "Insurrectionary Movement at the South." A group of armed men in El Monte had recently paraded with the bear flag, a symbol of California secession. The "rumor" was that they were part of a larger group in the region that wanted to "sever the lower counties from the state." The story asserted that the rumor was "no unreasonable one," for it was "well known that a large party has existed in the South, composed of natives and emigrants and adventurers from the slave States, anxious to effect a separation of the southern country for alleged Territorial purposes." The story explained that Californio support for this endeavor would be crucial and forthcoming "unless the native Californians have by this time learned the character of their pretended allies." As the piece claimed, "it might not be difficult to arouse in them the old-time spirit of revolution, and marshal a small army… to overthrow the established government." In short, Southern California was the first place to watch for secessionist activity. As the piece concluded, "If the Secessionists ever strike a blow on shore in California, it will probably be in the southern counties."[1] The Maryland-born Judge Benjamin Hayes pasted this article into one of his many scrapbooks. A few months earlier, in February of 1861, he wrote in his diary of a similar "rumor" in California's Republican press—that "in several counties military companies are being formed, looking to a separation of this state." Hayes was "inclined to credit them, as to the fact of the formation of the companies." "As to the rest," however, "he could "find out nothing definite or reliable."[2]

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[1] "Insurrectionary Movement at the South," in Benjamin Hayes, "Hayes Scraps," n.d., vol. 19. Bancroft Library, Berkeley, California.

[2] Marjorie Tisdale Wolcott, ed., *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875* (Los Angeles: Priv. print, 1929), 255.

Arizona became the first and only Confederate Territory in 1861 and, if Southern California had followed her lead, a coast-to-coast Confederacy could have become a reality, if only briefly. Yet, there was no uprising in Southern California. To understand why this was the case, we must examine the actions of Joseph Lancaster Brent and Andrés Pico. They had helped fashion a hybrid social order that, while based on unfree labor, did not depend on the labor of mass numbers of African-American slaves. Territorial separation before the Civil War may have secured this hybrid social order, but both Brent and Pico decided that any attempt to secede from the nation would threaten it.

1861: Year of Decision

In its reprint of "Insurrectionary Movement in the South," the copperhead *Los Angeles Star* scoffed at the article, but military officials took the threat more seriously. Winfield S. Hancock, who was stationed in Los Angeles in 1861, considered rebellion a distinct possibility. As he related to his commanding officer in San Francisco, "if there should be difficulty in California it is likely that it will first show its head here." In a later report, he qualified his assessment of the situation:

> The leaders in politics among those who have sympathies antagonistic to the Government, and the principal citizens, do not wish to see force used (they are men of property), and oppose carrying matters to extremes; yet the open expression of their opinions has helped to inaugurate disaffection.

Hancock had befriended Brent, who likely served as a major source of information on the wishes of local elites. Although a Unionist who later gained fame for holding the line at Gettysburg, Hancock was a Democrat and sympathized with the South on the slavery issue. This not only helped him become friends with Brent but also maintain a good rapport with officers who had either resigned or planned to resign with the intention of fighting for the Confederacy. According to the memoir of Hancock's wife, Almira, the Hancocks actually hosted an emotional

farewell dinner for General Albert Sidney Johnson and five other soon-to-be Confederate officers on the night of their departure for the South. Perhaps Winfield's main priority was to prevent trouble in the region under his purview. Despite assurances that he may have received from Brent and other "men of property," Hancock feared that secessionists might launch an uprising that local Latinos were likely to join. "When once a revolution commences," he wrote to his superior, "the masses of the native population will act." Perhaps thinking of the 1846 uprising against occupying US forces, he concluded, "if they act it will be most likely against the government."[3]

Hancock noted that men from the Monte paraded the bear flag. Later in the war, Union officers stationed at Drum Barracks near the port of San Pedro intercepted weapons from the state intended for the Monte Mounted Rifles, a company that was suspected of southern sympathies. But these coppery Monte militiamen were likely the owners of small farms and businesses, not vast estates. Hancock reported that other individuals were painting the bear flag on the sides of buildings. They were also probably of middling or lower social status. Pico, Brent and other men of property were interested in maintaining their status as local aristocrats. Secession from the state would have served their interests, but any benefits that might come from secession from the Union were probably not deemed worth the risk.[4]

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[3] *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies: Series I, Volume L, Part 1* (Washington, D.C.: 1880), 477, 479-480. David M. Jordan, *Winfield Scott Hancock: A Soldiers Life* (Bloomington, IN: Indiana University Press, 1988), 28-34. According to the Almira Hancock, "a never-to-be-forgotten evening was the one spend at our home by the officers who were to start upon their overland trip to the South." That group included General Albert Sidney Johnston and his wife as well as Major Lewis Armistead. Almira claimed that Armistead and two others "whom we parted on that evening in Los Angeles were killed in front of General Hancock's troops," presumably all at Gettysburg. Hancock, *Reminiscences of Winfield Scott Hancock* (New York: Charles L. Webster & Co., 1887), 69-70.

[4] Dello G. Dayton, "The California Militia, 1850-1866" (PhD diss., University of California, Berkeley, 1951), 359.

Also, the Californios proved more loyal to each other than to Anglo Americans with similar values. This was demonstrated on the eve of the Civil War when Andrés Pico broke with the Chivs and joined his cousin Antonio and his brother Pío in supporting the Union Party. Andrés sent a personal letter to Enrique Avila that betrays no bitterness for the recent open letter Enrique had written to Antonio. On the contrary, Pico's main concern seemed to be that Californios remain united in the coming crisis. As a legislator in Sacramento, Pico was in a better position to be informed of what was happening back east than those in Southern California. In February of 1861, Pico wrote to Avila in Los Angeles regarding "news of the Atlantic." Writing at a time when several southern states had already seceded and a convention was being held in Montgomery to establish the Confederacy, Pico feared that "the union is at risk of breaking up" and wrote that "it is necessary that we be very united." Who he meant by "we" and what he thought this group should be united for is clarified in the postscript:

> Send my greetings also to Don Cristobal [Cristobal Aguilar] J. Chavez [Julian Chavez], Leonardo [Leonardo Cota] and Don Tomas Sánchez. Tell them that it's necessary to do something for our country, it would be a great consolation for me.[5]

Avila and those listed in the postscript were all prominent Los Angeles Californio Chivs. Since there is no mention in the letter of Mexico or to the new Confederacy, "our country" was clearly a reference to the United States. Pico was trying to persuade Los Angeles Californios not only to stick together but also to distance themselves from their potentially secessionist Anglo Chiv allies. Conspicuously, the names of those Anglos were absent from the postscript.

Most notably omitted was Joseph Lancaster Brent. Though an Anglo, Brent enjoyed great popularity among Californios. As an attorney who repeatedly appeared before the US Land Commission, "*abogado Jose*" helped many Californio families hold onto their land. He spoke

[5] Seaver Center, "Letter from Andrés Pico…," Del Valle Family Papers, GC 1002, 16 Feb. 1961, Doc. No. 811.

and wrote fluently in Spanish and was also a Catholic who served as the godfather to scores of Californio children. At home in the Los Angeles Californio community, literally as well as figuratively, Brent rented a room for his office and living quarters in the Los Angeles adobe of one of his clients, Ignacio Del Valle. Although he had previously served as a state assemblyman and had occupied several local offices, he held no political position in 1861. His preference was to operate behind the scenes. Along with Andrés Pico and Tomas Sánchez, Brent ran the Los Angeles County branch of William Gwin's Chiv political machine. Considering that Pico, Sánchez and Brent ran the local Chiv organization together, it is striking that Pico mentioned Sánchez in his letter but not Brent.[6]

But Brent was more of a Chiv than his Californio allies. Like many southerners living in Southern California when the Civil War broke out, Brent eventually made his way back to the South where he reached the rank of Brigadier General in the Confederate Army and commanded his own Cavalry Brigade.[7] In his memoir, Brent offered an insider's perspective on why there was no attempt to declare Southern California for the Confederacy. He credited himself with singlehandedly stopping a local uprising from happening in 1861. While Brent "saw that a *coup d'etat* might easily be made, and at least the southern part of the state carried over to the Confederate cause," he nevertheless used his influence as a leader of the Los Angeles Chivs to prevent it. Shortly after the attack on Fort Sumter, the southern-born Albert Sidney Johnson resigned his commission as Commander of the Department of the Pacific and left the Presidio in San Francisco for Los Angeles. Johnson was to be one the Confederacy's most important

[6] Joseph Lancaster Brent, *Memoirs of the War Between the States* (New Orleans: Fontana Printing Co. Inc., 1940), 22-34. Ronald C. Woolsey, *Migrants West: Toward the Southern California Frontier* (Claremont, CA: Grizzly Bear Publishing Co., 1996), 57-71. Leonard Richards, *The California Gold Rush and the Coming of the Civil War*, 1st ed. (New York: Alfred A. Knopf, 2007), 215.

[7] Woolsey, *Migrants West*, 57-71. Brent, *Memoirs of the War*, 237-238.

generals before his death at Shiloh. During his stay in Los Angeles, he left his family in the care of the Griffin family—his wife was Dr. John Griffin's sister. He then met with other recently resigned officers to plot an overland escape to the South. With Johnson and his associates in town, Brent claimed that "the Southern sympathizers in Los Angeles were most anxious to organize a rising." According to Brent, this group planned to "enlist all of their friends among the Americans and the Californians [Californios]" as well as "the assistance of the army officers clustered around Genl. Johnson." When the rising "began to be seriously discussed," the "principal movers" came to Brent to ask for his support. He explained to them that they may well succeed "at first," but, with no hope of receiving reinforcements from the South, the "Confederates would be overcome" when Union reinforcements arrived. In particular, he stressed the ability of the Union and the inability of the Confederacy to send "gunboats." In the long run, the rebellion would bring tragic results since "the people of the state who helped [the Confederacy] would be ruined." Brent was again pressed by the agitators to support their cause, but he refused once more. In explaining his reasoning for opposing an uprising, he made clear which "people of the state" he was most concerned about: "I became very indignant, and I feared that these enthusiasts might stimulate the Californians [Californios] to do what would not help the Confederacy but only bring upon them ruin and the anger of the National Government." He instead recommended that the southern sympathizers do what he was about to and go "South and join the Confederate army, where they would be of real service." By putting his foot down this second time, Brent claimed he was able to "end the whole affair."[8]

Despite Brent's efforts, fears of an uprising remained throughout the war. After Brent's confrontations with the enthusiasts, Abel Stearns, a prominent local businessman originally from

[8] Nat B. Read, *Don Benito Wilson: From Mountain Man to Mayor, Los Angeles, 1841 to 1878* (Santa Monica, CA: Angel City Press, 2008), 181-185. Brent, *Memoirs of the War*, 53-54, 237-238.

Massachusetts and a Douglas or Union Democrat, wrote to the new commander of the Department of the Pacific in August of 1861 to ask him to send additional troops to ensure the loyalty of Southern California.[9] An issue from that month of the Los Angeles Republican newspaper, ironically named the *Southern News*, also claimed that a secessionist threat remained. In an article that reported General Johnson's meeting with Confederate forces moving west from Texas into the Arizona Territory, the *Southern News* claimed that "there are many secessionists in this part of the State, who but await a favorable opportunity to act treason—they utter treasonable sentiments now."[10]

While Brent probably exaggerated when he claimed to have singlehandedly ended the threat of a Confederate uprising, observers of Los Angeles politics confirmed his status as the main leader of the Chivs, and his stand against rebellion undoubtedly had a major impact. Prominent Los Angeles businessman Harris Newmark asserted that Brent "had such wonderful influence" that he could "nominate at will any candidate" for local office. The Republican schoolteacher and newspaperman William Wallace described Brent simply as the "dictator of the party." The only person in a better position than Brent to launch an uprising in Los Angeles was Albert Sidney Johnson. But, before coming to Los Angeles from San Francisco, Johnson had decided that the proper course of action was to resign from the US Army, depart California, and return to the South to fight for the Confederacy. After Johnson made clear his intentions to leave

[9] William B. Rice and John Walton Caughey, *The Los Angeles Star, 1851-1864; the Beginnings of Journalism in Southern California.* (Berkeley: University of California Press, 1947), 229.

[10] *Semi-Weekly Southern News*, August 14, 1961.

Southern California peacefully, it is not surprising that the "enthusiasts" would have then approached Brent.[11]

Why then did Brent—as the local leader of the pro-Breckinridge Chivs who had so recently pushed for separation from the state—discourage a movement for secession? Undoubtedly, pragmatism provided part of the explanation. Brent thought that a rebellion was a high-risk proposition. Ironically, though, Brent left Los Angeles to assist in what turned out to be a hopeless attempt to defend his former home of New Orleans from an overwhelming force of Union gunboats.[12] Also, Brent's concern about the potential ruination of Californios seems odd considering that all Confederate supporters risked a great deal by taking a stand against the Union. Brent himself lost most of the wealth he had accumulated in Los Angeles since he felt compelled to sell at a discount or give away his Southern California properties.[13] One explanation for his special concern for the Californios is that it masked his uncertainty of their support. Better connected to the Californio community than most Anglo Chivs, perhaps he doubted that they could be so easily "enlisted" by the enthusiasts.

Pico, for one, had already made his Unionist stance public. At the request of the Federal Indian Agent in Southern California, Pico published a statement in California newspapers. He "cheerfully" offered his full support for the Union—"as a soldier my sword, and a citizen, my fortune." Leland Stanford, the first Republican governor, removed Pico from his state militia command after taking office in 1862, perhaps over continued doubts regarding his loyalty. But

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[11] Harris Newmark, *Sixty Years in Southern California* (Los Angeles: Zeitlin & Ver Brugge, 1970), 47. Wallace, 108. Read, 181-185.

[12] Brent, *Memoirs of the War*, 237-238. James McPherson, *Battle Cry of Freedom : The Civil War Era* (New York: Oxford University Press, 1988), 418–420.

[13] Woolsey, *Migrants West*, 69-71. Seaver Center, "Last Will and Testament of Joseph Lancaster Brent…," Del Valle Family Papers, 1818-1920, GC 1002, 14 Feb. 1860, Doc. No. 655a.

Pico offered his sword again, volunteering to lead militiamen against Indians in the Owens Valley. The Governor refused, but, even if unused in a military capacity, Pico's prestige was an undeniable asset to Southern California Unionism as it had been during and immediately following the Mexican-American War.[14]

Although Brent and hundreds of other Anglo-American Southern Californians eventually made their way east to fight for the Confederacy, none of their Californio political allies followed suit. The only Californio who collaborated with the southern enthusiasts was Los Angeles County Sheriff and Chiv leader Tomas Sánchez, who let his undersheriff Alonzo Ridley take militia arms in the county jail with him as he travelled with Albert Sidney Johnston and other pro-Confederates to Texas. A group of Californios and other Spanish-surnamed volunteers did form a Union battalion of "Native Cavalry" and this unit helped keep a lid on local secessionist unrest by patrolling the region and guarding polling stations throughout Southern California. This martial Californio support for the Union in the region is striking for two reasons. Firstly, Californios in the region had actively resisted the US invasion scarcely a dozen years before. And, secondly, many had formed a political alliance with pro-slavery southerners during the 1850s. That political alliance actually continued through the 1860s, though its strength declined over the course of the war.[15]

Tax Fears and the Continuing Chiv Alliance

But Californios did not abandon the Chivs at the ballot box, at least at first. With solid Californio support, the Chivs dominated the first local election after the start of the war held in

[14] "Andres and Pio Pico for the Union," *Sacramento Daily Union*, June 10, 1861, 2. Paul Bryan Gray, *Forster vs. Pico: The Struggle for the Rancho Santa Margarita* (Spokane, Wash.: Arthur H. Clark Co., 1998), 94–96.

[15] J. M. Scammel, "Military Units in Southern California: 1853-1862," *California Historical Society Quarterly*, vol. 29, no. 3 (1950): 229-49. Tom Prezelski, *Californio Lancers: The 1st Battalion of Native Cavalry in the Far West* (Norman, OK: Arthur C. Clark Company, 2015), 86, 230-231. For more on the native cavalry, see chapter 6.

September of 1861. The statewide results, however, represented a major shift. A Republican won the governorship for the first time, and the Chivs suffered major loses in the state legislature. As with the presidential election a year earlier, Los Angeles County stood out for its strong support for Chiv candidates, still referred to as the "Breckinridge slate."[16] This was true for the candidates of state as well as local races. The Breckinridge gubernatorial candidate John McConnell and the incumbent County Sheriff Tomas Sánchez both won by a two-to-one margin in the county.[17]

The *Southern News*, which had campaigned aggressively for the Union ticket, was crushed by these results. As the paper's Republican editor James Waite ominously wrote, "secession and disunion have carried the day, and years of repentance cannot wash out the stain." But the *Southern News* presented a much less pessimistic view of the results in its next issue, which reprinted a short article from another California paper:

> MODERATE!—It has leaked out that the secessionists in the several counties have little further ambition than to elect Sheriffs and District Attorneys—in order that they can oppose the collection of the income tax levied by the government to support the war. That is really modest, for them.—*Sierra Democrat*.

The article is followed by a confirmation that Chiv victory had not actually brought secession and disunion to Los Angeles. As the *Southern News* reported, "they didn't do that much in this county though the entire county secession ticket was elected by a large majority." The reprinted article and the comment that followed might help explain why the Chivs continued to win big

[16] Rice and Caughey, *The Los Angeles Star*, 230.

[17] *Semi-Weekly Southern News,* September 13, 1861, 3. *Los Angeles Star*, September 7, 1861.

victories locally but the threatened Confederate uprising never materialized. The Chivs were able to hold their coalition together primarily by promising the Californios and others lower taxes.[18]

The *Southern News* had actually reported on this anti-tax strategy by the Chivs during the campaign. In August, an editorial in the paper denounced the "disunionists" for "sowing disaffection among our citizens," particularly the "naturalized" or "foreign born citizens" over the issue of taxation. The tax in question was a new federal duty on imported liquor. Waite defended the necessity of raising extra revenue to fight a "war of self-preservation" that had been "forced upon the country by domestic traitors and enemies to the Government." He assured his readers that "Congress had been devising the best method of procuring such means" that will "inflict the least possible injury on the people." Then Waite argued that the new tax on imported liquor would not only inflict minimal injury but would actually "be a direct benefit to the domestic wine trade, upon which the prosperity of this city so much depends." Wine, and brandy produced from wine, had long been central to the Los Angeles economy, second only in importance to ranching.[19] Waite claimed that the Chivs had misrepresented the tax as "an excise duty… on our own domestic wine" in order to "alienate the loyalty of citizens" and to "prepare them to aid in its subversion and overthrow."[20]

While the Chivs may have deceived voters on the details of this particular tax, it appears unlikely in retrospect that their secret objective was the overthrow of the government. By opposing high taxes, Chivs could hold their coalition together and could also potentially reduce

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[18] *Semi-Weekly Southern News,* September 6, 20 1861. Peter Wang, "The Mythical Confederate Plot in Southern California," *San Bernardino County Museum Society Quarterly* 16 (1969), 1-24.

[19] Douglas Monroy, *Thrown among Strangers the Making of Mexican Culture in Frontier California* (Berkeley: University of California Press, 1990), 77–78.

[20] *Semi-Weekly Southern News,* August 21, 1861, 2.

local funding for a Union war effort that many of them opposed. Regardless of whether or not Chivs lied about the liquor tax, they found a receptive audience for opposing any new tax in Southern California in 1861. By then, the ranching economy was in decline. The Gold Rush era boom in cattle prices had crashed with the introduction of other sources of beef to the Northern California market. Californios, who were probably included in the group Waite referred to as "naturalized" or "foreign born," were in particularly dire straits financially. The downturn in the cattle market only hastened the loss of property they had been experiencing as a group since statehood.[21]

At the beginning of the war, local taxes were actually quite low. A tax receipt for Ignacio Del Valle shows that he paid $32.25 in city land taxes in 1860. Considering that common laborers in Los Angeles made about one dollar for a day's work, this was a modest amount for an elite Californio. This amount, while small, did not include the state land taxes that southern Californians sought to avoid with the 1859 Pico Bill. Added to that would be the new federal income tax, that would start in January of 1862, as well as the new tax on liquor imports.[22] Although locally made wine and brandy were available, Californios were known for spending lavishing on imported alcoholic beverages since the beginning of the hide and tallow trade.[23] While accustomed to good drink, the Californios were not used to high taxes. Taxes were already much higher after statehood than they had been in the Spanish or Mexican eras, and new taxes were one of the major factors accounting for the decline of the Californios. With the outbreak of

[21] Pitt, *Decline of the Californios*, 244. J.M. Guinn, *A History of California and an Extended History of Its Southern Counties* vol. 1 (Los Angeles: Historic Record Company, 1907), 316.

[22] *Semi-Weekly Southern News,* August 28, 1861, 2.

[23] Pitt, *Decline of the Californios*, 11-12.

the Civil War, those taxes rose higher still. Not surprisingly, Californios wanted their elected officials to keep local taxes low while fighting high state and federal taxes if possible.

Hamilton revealed both his Confederate sympathies as well as the local Chiv organization's more subtle position on the war. The *Star* reprinted an article from an Arizona newspaper, the *Mesilla Times*, about a battle between Union forces and the pro-Confederate Arizona Rangers. Although the *Mesilla Times* piece refers to Union soldiers as the "enemy" and provides a one-sided account of Confederate heroism and Union cowardice, Hamilton offered no editorial comment to suggest that he in any way disagreed with the tone or content of the article.[24] A year later, in 1862, he was arrested for his use of the *Star* to spread Confederate propaganda and to criticize the Union.[25] But, in the 1861 editorial celebrating local Chiv victory, he did not mention the Confederacy at all. Instead, he claimed the mantle of Unionism for the Chivs, albeit a different form of Unionism than that advocated by supporters of Union forces. As Hamilton explained:

> We placed ourselves fully and broadly before the people of the county, boldly proclaiming our Union policy—our desire for peace. The people accepted our confession of political faith, and agreeing with us, co-operated with us, giving the Democratic party such a triumph as never before graced our cause.[26]

Peace would mean an end to bloodshed, and it would also mean an end to high wartime taxes. A *Star* editorial before the election highlighted the campaign issue of oppressive wartime taxes. "Everything we eat, everything we drink, everything we wear,—almost the very air we breathe, is taxed for the support of the war," Hamilton complained. He then took a sarcastic shot at his

[24] *Los Angeles Star*, September 7, 1861, 2.

[25] Rice and Caughey, *The Los Angeles Star, 1851-1864; the Beginnings of Journalism in Southern California,* 238–239.

[26] *Los Angeles Star*, September 7, 1861, 2.

political opponents: "of course, if we are all so mightily pleased with taxation and the war, we will vote for the abolition candidates."[27]

In stark contrast to Hamilton, James Waite welcomed the prospect of new taxes. He not only defended the wisdom and necessity of the liquor tax, but also expressed relief that the new federal income tax was going into effect. He began an article on "The Income Tax," with the line: "Finally, an Income Tax is levied on all incomes over and above $800 per annum…."[28] Unlike successful Southern California merchants and ranchers, Waite probably had little to fear with the new tax on annual incomes above $800. Newspapers were not particularly profitable in early American Southern California. Waite had struggled to make the *Los Angeles Star* profitable when he was the owner of that paper in the late 1850s. At one point, he even offered to take commodities such as wood, butter, or eggs in lieu of cash subscriptions, though this kind of barter was common in rural settings across the country and was not surprising in cash-poor Los Angeles.[29] Given the financial problems that plagued the *Star*, the *Clamor Público,* and the other Southern California newspapers during this era, it is unlikely that Waite was making a great profit from the *Southern News* in 1861. But regardless of his financial status, Waite's embrace of new taxes was a sign of his support for the Union cause.

Some Republicans and other strong Unionists in California may have been happy to pay taxes to support a war they believed in. Although this may seem unlikely, it should be considered that paying more taxes was a small sacrifice compared to marching off to war. At the start of the Civil War, Californios were probably inclined to do neither. The Chivs continued to beat the

[27] Ibid., August 31, 1861, 2.

[28] Ibid., August 28, 1861, 2.

[29] Rice and Caughey, *The Los Angeles Star*, 61.

anti-tax drum. A broadside published in Spanish before an 1863 Los Angeles County election urged "the Californio People" to vote for lower taxes by voting the Chiv ballot. In a direct appeal to Hispanic group identity, the broadside claims that "it is the duty of every Castilian… it is the obligation we all have to reduce expenditures of the County and thus alleviate many of the ills that are ruining us." The piece then points out the fact that taxes have gone up: "We see that the contributions previously very low, have been revised upwards so that to pay is a great sacrifice." Blame for this is put squarely on the "Republican Party" and "the government" for not respecting "our interests." The broadside also claims that the Republicans are anti-Catholic, "the same party that attacked our religion in its writings," before returning to the main line of attack, "they do not mind spending or sacrifice, so long as it's in the enterprise of conquest."[30]

While there were cultural reasons that the Californios may have felt more at home with the Chivs, the anti-tax arguments made by the party were probably more significant for holding the coalition together following the outbreak of war. Loyalty to the Confederacy was certainly not the main unifier. This was revealed clearly in the way the coalition unraveled as the war progressed. Although Los Angeles Chivs were again victorious in the 1863 county elections, this victory was not as impressive as that of 1861. Whereas the Chiv candidates for Governor and Sheriff won by two-to-one margins in 1861, they only won by four-to-three in 1863. Tomas Sánchez, who was elected Sheriff in both elections, saw his vote margin drop from 558-to-289 in 1861 to 420-to-311 in 1863. As a clear sign that the Chiv coalition was crumbling, Sánchez's opponent in 1863 was none other than Andrés Pico.[31]

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[30] Seaver Center, "Broadside issued by the Democratic Party…," Del Valle Family Papers, GC 1002, 1 Aug. 1863, Doc. No. 469.

[31] *Los Angeles Star*, September 7, 1861, 2. Rice, *The Los Angeles Star*, 247.

While the local Chiv faction was not promoting secessionism by 1863, it is worth considering at this juncture how things may have changed if the South had won the Civil War. There is a tantalizing clue in the form of an 1863 letter from Gwin, then living on his Mississippi plantation, to Joseph Lancaster Brent, then serving as an officer in the Confederate Army. Gwin claimed that "When the war is over and the South gains her independence [my family] will return to California." He invited Brent to return to California with him and continued, "If we conquer we can pat down the Yankees there & what a country it is & what a climate." [32]

Certainly some of the southern-sympathizing residents of El Monte would have jumped at an opportunity to "pat down the Yankees" in the event of a Confederate victory. Before that could be achieved, however, they had to make-do in a Union-controlled area. During the Civil War, this community tried to isolate itself not only from Unionists but also from Mexicans and Indians, two feared and despised groups that became associated with smallpox, which swept through the region in 1862 and 1863.

Fortress El Monte

The pro-southern sympathies and anti-Republicanism of the majority of El Monte residents were well known before and during the war. Of course, many of the men who supported the Confederacy left Southern California to fight for it on eastern battlefields. In addition to performing some militia and graffiti protests with the secessionist Bear Flag, those who stayed behind demonstrated a racial paranoia that went beyond a fear of abolitionists and Black Republicans. The community's siege mentality was in full swing during a wartime smallpox epidemic that struck the Spanish-surnamed and Native-American populations especially hard. The virtually untreatable disease had been brought to the Americans by Spanish

[32] William Gwin to Joseph Brent, March 27, 1863, Joseph Lancaster Brent papers, box 1, Huntington Library, San Marino, CA.

conquistadors and other Europeans. Coming to Southern California on the heels a devastating flood in 1861-1862, the 1862-1863 smallpox outbreak coincided with a drought that killed off most of region's foraging animals. The flood and drought exacerbated the vulnerability of already vulnerable populations. By 1863, 200 people had died from smallpox and at least another 200 were infected.[33]

In Los Angeles, official conducted house-to-house surveys to keep track of the epidemic's spread, marking quarantined homes with yellow flags, and designating a house outside the city where the Sisters of Charity nursed the afflicted. The Hebrew Benevolent Society, founded by Jewish Angelenos in 1854, also donated $150 to feed the poor and sick and ask its members to raise more. Compared to this cross-cultural cooperation in Los Angeles, the men of the Monte struck a posture of isolation and wariness that took on an obvious anti-Catholic (anti-Hispanic) and anti-Indian edge. Men in the Monte organized a "Committee of Health" that authorized its members to prevent presumably Catholic "victims" from passing through town on the way to the San Gabriel Mission. The committee also committed to "use any measure in regard to straggling Indians that may become necessary."[34]

If the South had won the Civil War, a myriad of possibilities would have opened up in the West, and there is no telling what would have happened in this far corner of the Union. The Chiv alliance had proven quite flexible and may have evolved in a more secessionist direction had the Union officially split in two. But the US Civil War was not the only war that had a profound impact on Southern California politics. On the other side of the US-Mexico border another Civil

[33] Karen Wilson and Daniel Lynch, "Here Come the Monte Boys: Vigilante Justice and Lynch Mobs in 19th Century El Monte," East of East, June 25, 2015, kcet.org. Michael E. Engh, *Frontier Faiths: Church, Temple, and Synagogue in Los Angeles, 1846-1888* (Albuquerque, N.M.: University of New Mexico Press, 1992), 81.

[34] Wilson and Lynch. "Public Meeting at El Monte—Establishment of Board of Health," *Los Angeles Star*, February 14, 1863, 2.

War raged that would resonate deeply with the Spanish-surnamed population and restructure Mexican-American politics and identity.[35]

The Cinco de Mayo Moment

In 1864, Unionists swept to power in Los Angeles for the first time.[36] Behind this victory was a sea change in Hispanic voting behavior, from solid Chiv support to strong support for the Union Party. The best explanation for this change is that, following the French Intervention in Mexico in 1862, Mexican-Americans and US Latinos in general conflated the struggle of the Mexican Republic with that of the Union. Napoleon III of France took advantage of US preoccupation with the Civil War to try to conquer Mexico. And, although it never came to pass, there was a legitimate fear that France might support the Confederacy as a means of weakening the US and its Monroe Doctrine policy. From the perspective of many Latinos in the United States, the Union and Mexico increasingly appeared to be allies, whereas the Confederacy and Mexico appeared to be enemies. Those Latinos who were conflicted or ambivalent about the Civil War at first increasingly felt compelled to side with the Union and pro-Union politicians. David Hayes-Bautista has analyzed the impact of the French Intervention on California Latinos, arguing that the Mexican victory at the Battle of Puebla served as the catalyst for the formation of a new public memory and identity among a broad swath of Spanish-speaking people, but primarily those born in Mexico. Political organizations called "*juntas patrióticas mexicanas*" grew in size, number and importance throughout California in the wake of this victory. These organizations—the largest of which was in Los Angeles—stressed Mexican patriotism first and

[35] *Los Angeles Star*, January 5, 1961, 2.

[36] Pitt, *Decline of the Californios*, 241.

foremost, but they encouraged American patriotism as well. More than at any time since the Mexican-American War, these two patriotisms were not seen as contradictory.[37]

In contrast to Latino support for the Chivs, which was orchestrated by and for the Californio elite, this sea-change occurred from the bottom up. According to Hayes-Bautista, the *juntas patrióticas* were "largely working-class" and most of the members were immigrants from Mexico. The patriotic social movement associated with these groups grew out of spontaneous celebrations following the Battle of Puebla. Still, there was a place in this movement for a Californio intellectual like Francisco Ramirez, the Republican editor of *El Clamor Público*. Although never wealthy, Ramirez was a respected *hijo del pais*, or "native son of the country."[38] His newspaper had been defunct for several years, but Ramirez nevertheless seized the opportunity of the first anniversary of Cinco de Mayo in 1863 to forward both the Mexican and the Union cause by speaking at a celebration organized by the *Junta Patriótica Mejicana de Los Angeles*. Ramirez attacked the French civilizing mission in a way that probably reminded his audience of the American brand of racism associated with Manifest Destiny and the California "Greaser Law," an anti-vagrancy measure that targeted Mexicans and Indians.[39] "Fellow citizens!" Ramirez declared, "Do not doubt it: the Mexican nation, which some believe is an immense tribe of savages, will emerge from this war with honor." But by referring to his audience as "fellow citizens," he appealed to his audience's sense of American as well as Mexican identity. He interwove these appeals again when he urged his audience of "Mexicans"

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[37] David E. Hayes-Bautista, *El Cinco de Mayo: An American Tradition* (Berkeley: University of California, 2012), 101-103.

[38] Gray, *Forster vs. Pico*, 20. Hayes-Bautista, 41, 116.

[39] David Samuel Torres-Rouff, *Before L.A.: Race, Space, and Municipal Power in Los Angeles, 1781-1894* (New Haven, CT: Yale University Press, 2013), 163–210.

to not be disloyal to the United States. "Mexicans of California!" he continued, "be always faithful and loyal citizens do not stain yourselves with treason against the homeland of Franklin, of Adams, and of Jefferson."[40]

Following the speech, a band and a color guard carrying both the Mexican and the American flags led an enthusiastic crowd through the streets of Los Angeles in an impromptu parade that lasted almost two hours. A reporter described the emotional scene this way: "All our countrymen were united in an instant by a unanimous emotion; enthusiasm leaped from breast to breast like magnetism; hands were stretched out; eyes became wet with happiness." If William Wallace had observed this spectacle, he probably would have described it unfavorably as a procession of the "piebald classes." As a Republican and a supporter of the Union, however, he could not have been entirely displeased with the political development this parade represented. These were not the corralled voters he had observed in 1856. Although many of the parade participants may have been corralled before, they were now asserting themselves in the political process in a new way.[41]

Californios Struggle to Adapt

A year later in 1864, a small group of elite Californios tried to get out in front of this Mexican-American parade, albeit belatedly. A "secret junta," as Leonard Pitt described it, met in the home of Augustin Olvera near the street that now bears his name. This junta, which was very different than the *juntas patrióticas* that helped initiate the sea change in Latino political behavior, produced a list of Union candidates for the upcoming county elections. Most were elected by a substantial majority. Olvera became county judge, Manuel Garfias county treasurer,

[40] Hayes-Bautista, 98.

[41] Ibid. William A. Wallace, *Diary* vol. 2 (Huntington Library, San Marino, California), September 7, 1857.

and Ygnacio del Valle—whose home was once the scene of many a secret Chiv junta—county recorder. Not all Californios were supportive of this political shift. Tomas Sánchez retired from politics altogether in 1864, and Antonio Coronel actively campaigned for the Democratic candidate George McClellan in the presidential election that year and remained an active Democrat for the rest of his life.[42]

Andrés Pico, who only two years before had served as the standard bearer of the Chiv plan to separate Southern California from the rest of the state, had become instead an outspoken supporter of the Union as well as the Republic of Mexico. As reported in the *Sacramento Daily Union* in August of 1863, Pico received a commission in the Mexican Army as a Brigadier General by President Juarez. Although the article stated that he was about to leave for Mexico accompanied by "a number of native Californians," there is no indication that he made the journey. Perhaps he chose to remain in Southern California in order to reverse his declining fortunes.[43]

Unfortunately for Pico, his fortunes did not change. Although Californios escaped the cataclysm of Civil War, they did suffer from significant environmental events. First a flood in the winter of 1861-1862 that swept across the Pacific coast of North American and caused massive devastation in Southern California. In Los Angeles River flooded, sweeping away the town's embankment. The San Gabriel River also over-spilled its banks and a channel filled the streets of the American town of Lexington in El Monte before residents managed to redirect the water back into the riverbed. Other communities did not fair so well. Agua Mansa—where Horace Bell had watched southerners argue over a Spanish-speaking black man's right to vote—

[42] Pitt, 241. Some of Coronel's Spanish-language speech notes promoting the Democratic Party during the Civil War and Reconstruction years survive in his personal papers. Seaver Center, GC 1001: 85, 250.

[43] "By Telegraph to the Union," *Sacramento Daily Union*, August 17, 1863, 4.

was almost completely destroyed. Judge Benjamin Hayes who passed through in the aftermath wrote that "a dreary desolation presented itself to my eye, familiar dwellings overturned, or wash away… where a few months before all was green and beautiful with orchard and vineyard and garden." At first a welcome sight for ranchers throughout Southern Calfiornia, the heavy rains and flooding ultimately swept away much of the feed and grass—and the worst was yet to come.[44]

The effects of the flood were overshadowed by an even more devastating drought, which came on the flood's heels in 1862-1863. Its effects were relayed in July 1865 to Brent, then living in the recently-defeated South, by John W. Shore, a Chivalry Democrat and the current Los Angeles County Clerk. Apparently already forgetting the flood in the early part of 1862, Shore claimed "we had no rain in 62 & 63 sufficient to produce grass, consequently three fourths of the cattle and horses in the county have died." Especially hard hit were "the native [Californio] and Mexican populations—Many not eating meat for a week or so at a time." Shore attested that both "Andrés and Pio Pico are also poor and will never be able to relieve their property from the encumbrances." In addition to not mentioning the flood, Shore neglected to inform Brent of the smallpox epidemic that ripped through the region 1862 and 1863, disproportionately killing California Indians who made up the bulk of the agricultural, ranching and domestic workforce of the landholding class.[45]

[44] Wolcott, 267-270. William Cowen, "Drowned in Still Waters: Agua Mansa and the Great Deluge of 1862," Deep LA: UCLA-USC Graduate History Conference, San Marino, California, October 3, 2015. Andrew C. Isenberg, *Mining California: An Ecological History* (New York: Hill and Wang, 2005), 124.

[45] John W. Shore to Joseph L. Brent, July 9, 1865, Joseph Lancaster Brent papers, box 2. Tejani, 164. Engh, 81.

Despite these devastating blows, Pico kept up appearances on his estate well into the 1870s in ways that show his continued commitment to maintaining the social hierarchy he had helped fashion in Southern California. But the Picos and other local Californio families would continue to lose wealth and status over time. There are numerous explanations for this decline ranging from an unfair legal system, squatters, racism, violence, environmental devastation and their own poor financial decisions. One underappreciated factor explaining their decline is the break-up of the Chivalry alliance. The division of Californio loyalties between Democrats and Republicans meant that they lost the major clout they had enjoyed as partners in a dominant faction. With Brent and the strong Chivalry coalition he had built with Pico gone, the Californios never regained the level of influence they had in the first decade of statehood.

Southerners also suffered and none so more than Peter Biggs, an African American former slave who openly sided with the Confederacy during the Civil War. The curious story of the rise and fall of "The Black Democrat of Los Angeles" will be addressed in part three, along with the story of the simultaneous rise of Juan de la Guerra, a Californio who effectively navigated the tumultuous Civil War Era by joining the Native Cavalry. This Union unit successfully tapped into the same chivalrous impulses that led Californios to join with Southern Democrats in antebellum Southern California.

PART III
Unionization and the Divergence of Southerners and Californios: Peter Biggs and Juan de la Guerra

The native-born Californio Juan de la Guerra and the southern-born Peter Biggs responded to the Civil War in ways that were starkly different and equally ironic. Biggs, a former slave, called himself "the Black Democrat" and was arrested in Los Angeles for celebrating Lincoln's assassination, while de la Guerra carried on his family's tradition of military service by enlisting in the army that had conquered his homeland. Their trajectories were surprising but also strategic, and they intersected at Drum Barracks, the coastal military stronghold in Wilmington that hastened Southern California's incorporation into the Union.

After being incarcerated for three months, Peter Biggs left Drum Barracks a free man on July 17, 1865, after taking an oath to "faithfully support all laws and proclamations which have been made during the existing rebellion in reference to the emancipation of slaves." The Unionist *Wilmington Journal* mocked Biggs and other political prisoners as "government guests" at Drum Barracks, but de la Guerra and the other volunteers of the mostly-Spanish-surnamed California Native Cavalry Battalion were also government guests, compelled to stay at this or other military bases until their discharge in 1866. Both de la Guerra and Biggs were therefore caught up the machinery of the expanding nation-state as it consolidated power in its far southwestern corner.[1]

Drum Barracks, which started in 1861 as a makeshift military campground, had by 1865 grow into a complex that included over a dozen newly-built and freshly-painted white wood-frame structures. Viewed from a distance, this cluster of buildings would have appeared strikingly urban and American in an adobe-dotted landscape that remained overwhelming rural. The base was much less impressive up-close. It was smelly, vermin-infested, and mud-splattered

[1] "Government Guests," *Wilmington Journal*, May 27, 1865, 2. "Government Guests," *ibid*, June 24, 1865, 2.

from the many wagons that carried supplies to military installations across the Southwest. Drum Barracks was built near the San Pedro Bay estuary, the closest thing that Los Angeles had to a natural harbor. But the Los Angeles area was selected for a heavy military build-up in part because of the risk of local unrest. Supporters of slavery had long dreamed of expanding to the west coast, and Union authorities in California didn't want southern-born residents or their Californio allies to get any ideas, especially following a rebellion in southern New Mexico Territory, which, in 1861, became the Confederate Territory of Arizona.

The Drum Barracks complex was also partly the brainchild of the Delaware-born Unionist Phineas T. Banning and his circle of investors, a group that had mixed sectional loyalties but also a shared interest in profiting from the war. The estimated value of government contracts, according to the Tennessee-born and southern-sympathizing investor Benjamin Wilson, was one million dollars. Even if this figure is inflated, Union war spending brought a staggering influx of money into a cash-poor region. Profits were then reinvested in transportation and real estate, paving the way for the expansion of American-style capitalism and the mass-migration of new, primarily Union-state settlers via railroad.

The young De la Guerra was able to ride this wave of change to his own advantage but Biggs was not. His arrest, public examination and ironic oath-taking as a pro-Confederate former slave was the swan song of a decades-long performance as the "southern-style" barber, pimp and "master of ceremonies" of Los Angeles. This act would lose its power in the bitter years of Reconstruction, and Biggs would lose his life in a bar fight with a California-born cook in 1869. A window of opportunity that the Mexican-American War had opened for Biggs in Southern California was closed by the Civil War and Reconstruction as a highly-fluid region marked by

strong southern and Californio influences was more fully absorbed into the United States.[2] Chapter five will chart the trajectory of Biggs, from his forced migrations across the country as a slave to his various social and entrepreneurial ventures in Los Angeles. He married a Spanish-surnamed woman and carved out an economic niche for himself by meeting the personal needs of white men, particularly those from the South. In the process he became, in the words of one memoirist, an "illustrious and necessary appendage to Los Angeles society."[3]

Chapter six will follow the wartime service and post-war life of Juan de la Guerra. As the sister republics of Mexico and the United States struggled side-by-side for survival during the 1860s, many Spanish-surnamed Southern Californians rallied behind the Union. Born during the Mexican-American War, de la Guerra came of age at a crucial moment for Mexican-American political identity. Along with the other riders in the Native Cavalry, he helped hitch the Californio cavalry tradition to the Union war effort and the US nation-building project. He also hitched himself to the Union and its newly ascendant free labor ideology, which opened up opportunities for de la Guerra at the same time the window of opportunity for Biggs was closing. Until his death in 1940, De la Guerra was able to take advantage of his bilingual language skills, his Union veteran status, and his reputation as a living relic of California's seigneurial past.

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[2] "Los Angeles Shaving Saloon," *Los Angeles Star*, December 1, 1855, 2. Horace Bell, *Reminiscences of a Ranger, Or Early Times in Southern California* (Los Angeles: Yarnell, Caystile & Mathes, 1927), 38-40.

[3] Horace Bell, *Reminiscences of a Ranger, Or Early Times in Southern California* (Los Angeles: Yarnell, Caystile & Mathes, 1927), 40.

CHAPTER 5
The Black Democrat[1]

Harris Newmark recalled that the "staunch Southerner" Dr. John S. Griffin was visiting his home on April 15, 1865, when word of Lincoln's assassination arrived in Los Angeles via telegraph. Through an open window, they heard a man shouting the news in the street. Griffin "was on his feet instantly, cheering for Jeff Davis." He then "seized his hat and rushed for the door" while "hurrahing for the Confederacy." Newmark, "realizing that [Griffin] would be in awful jeopardy if he reached the street," restrained his friend until he was able to convince him of "his folly."[2]

Over 2,000 miles from Ford's Theater, Los Angeles was far removed from the central events of the Civil War. Nevertheless, the conflict resonated deeply with Southern Californians, especially those from the antebellum South. More surprising than Griffin's celebration was that of the southern-born, African-American barber, Peter Biggs. Newmark recalled that "Nigger Pete" was "among the most rabid Democrats, particularly during the Civil War period." After the assassination, Biggs "vociferously proclaimed his ardent attachment to the cause of Secession whereupon he was promptly arrested." With "an iron chain and ball attached to his ankle," Biggs was made to "foot it" some twenty miles to Drum Barracks, the main Union military base and supply depot on the Southern California coast. As he "passed some acquaintances" on the way, Biggs defiantly "threw his hat up in the air" and "gave three hearty cheers for Jeff Davis."[3]

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[1] This chapter draws upon a paper that was co-written by Kendra Field and myself titled, "'Master of Ceremonies': Slavery and Freedom in Civil War-Era Los Angeles." I wish to thank Dr. Field for generously sharing her research and insights regarding Peter Biggs and African Americans in the West more broadly.

[2] Harris Newmark, *Sixty Years in Southern California, 1853-1913* (Los Angeles: Dawson's Book Shop, 1984), 337.

[3] Ibid., 330-331.

The similarity and theatricality of these stories—particularly the cheers for "Jeff Davis" and the use of hats as props—suggest that Newmark embellished the truth in his memoir. But, while the Griffin story is not corroborated by any other sources, we know from newspaper reports that the more surprising story about Biggs' arrest is true. The *Wilmington Journal* reported that on Saturday April 22, 1965, three men were arrested including "Peter Biggs, a negro." The Los Angeles correspondent for the San Francisco-based *Alta California* tried to explain the anomaly of this "descendant of Ham." "So impressible was the nature of this Ethiopian," he wrote, "that he has continually been the vanguard of the secessionists and traitors of this place." Perhaps only a southern-born, African-American in the Far Southwest could have embodied such contradictions.[4]

Biggs lived in Los Angeles between the late 1840s and his murder in 1869. As one of only nine people marked "Black" in Los Angeles according to the US Census in 1850, he was the only one listed with a surname and the only one likely to be living in a home of his own. Over the course of these two decades, Biggs held numerous positions and identities, from enslaved soldier of the Mexican War to free African-American barber, from "Don Pedro" the "Master of Ceremonies" of antebellum Los Angeles to "the Black Democrat" of the Civil War era.[5] Like most other ex-slaves throughout the antebellum US, Biggs' precarious experience of freedom was contingent upon social networks and strategic identifications, but his experience

[4] "Our Letter From Los Angeles," *Daily Alta California*, May 4, 1965, 1. "Strange Proceedings," *Wilmington Journal*, April 29, 1865, 2. Justice of the Peace records show Biggs was also charged with grand larceny (5/10/1864), disturbing the peace (10/24 or 10/25/1864), and "cheating" (6/11/1868). Los Angeles County Justice Court Minutes, 5/18/1863-10/29/1869, 207, 282, 565, LAACR.

[5] Horace Bell, *Reminiscences of a Ranger, Or Early Times in Southern California* (Los Angeles: Yarnell, Caystile & Mathes, 1927), 36-39.

was also shaped by geography—the collision of the South and West in the Far Southwest.

"Invisible" Soldier[6] (1815-1849)

Memoirist Horace Bell recalled that when Biggs arrived at Drum Barracks he was put to work alongside white secessionists in a chain gang.[7] Unlike the other prisoners, Biggs was no stranger to bound labor, having been enslaved the first thirty-three years of his life. Observing his shared condition with his, mostly, southern-born fellow prisoners, perhaps Biggs thought back to his experiences a southern slave, working for men like the ones he was now working beside. Biggs was born enslaved in Virginia in 1815, and he developed an attachment to the state that persisted for the rest of his life. Around the age of twenty, he was caught up in the gears of the domestic slave trade and began a long, forced migration across the continent.

At some point, Biggs became the property of frontiersman Reuben Washburn Middleton. Born in South Carolina, Middleton settled in the Illinois Territory and then in Liberty, Missouri. In Liberty, Biggs would meet and befriend Benjamin Hayes, the Maryland-born attorney who would later serve as a Superior Court Judge in Los Angeles. Between 1842 and 1845, the Middleton family sold Biggs to US Army officer Andrew Jackson Smith, then stationed in Fort Leavenworth, Kansas.[8] During the Mexican-American War, Smith assumed command of the Mormon Battalion and led a portion of the unit's march to California. The battalion's soldiers complained of poor treatment at the hands of Smith and other non-Mormon officers. Sergeant Daniel Tyler complained that the medicine he received from the unit's doctor did not include any

[6] Robert E. May, "Invisible Men: Blacks and the U.S. Army in the Mexican War," *The Historian*, vol. 49 no. 4 (August 1987): 463-477.

[7] Bell, *Reminiscences of a Ranger*, 75.

[8] "Charles F. Middleton," in *Portrait, Genealogical and Biographical Record of the State of Utah* (Chicago: National Historical Record Co., 1902), 178-79.

of "the brandy the Government furnished for mixing medicines." Tyler and the other men "understood" that this liquor was consumed by "the Doctor and Smith and their immediate associates, including their negro servants, who sometimes got rather tipsy." To explain the missing brandy, the doctor and Smith would plead that their servants "had stolen it; and to pass it off, [the black men] got a little 'cussing.'"[9]

A year later, in November of 1847, the presence of enslaved labor amidst US military forces continued to shape relations between officers and enlisted men, when Biggs was implicated in a military trial against white soldiers stationed in Los Angeles. A Private John Smith was charged with the theft of $650 in gold and silver from a trunk in the quarters of an officer, but Smith swore that Biggs had "induced him… to do this wrongful act." Biggs, in turn, testified that it was instead Smith's idea. According to Biggs, Smith said "he was flat broke" and "would rob his brother." Smith "he knew [that Biggs] was that very *laverett* that could give him a sight [on the trunk's location]."[10] As Biggs explained, Smith "said that I was always among the officers, and could tell whether they had any money or not, and where they kept it." While he admitted to providing the trunk's location and leaving an entrance unlocked, Biggs provided an alibi for the time of the theft: he "went to the grocery, and did not leave till 2 o'clock or later in the night—before and after the robbery was committed." Biggs admitted to receiving about $30 for his part in the scheme, but claimed that another soldier involved, John Stokely threatened to kill him if he reported the crime. Stokely was allowed to question Biggs about this claim, but Biggs held firm. A third solider testified that Stokely had turned himself in because Biggs,

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[9] Marjorie Tisdale Wolcott, ed., *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875* (Los Angeles: Priv. print, 1929), 70-72, 88. Daniel Tyler, *A Concise History of the Mormon Battalion in the Mexican War 1846 – 1847* (Chicago: The Rio Grande Press, 1964), 150.

[10] This could be a misspelling of "leveret," which means "a young hare"; "a pet, a mistress"; or "a spiritless person." *Oxford English Dictionary*, 3d ed., n. "leveret" (Oxford: Oxford University Press, 2014).

having not yet received his share, was threatening to inform an officer. The testimony of these white soldiers suggests that they resented the privileged proximity Biggs had with the officers, a proximity founded upon his enslavement.[11]

The Judge Advocate of the Commission, Dr. John S. Griffin, would have known the soldiers well. Dr. Griffin had been the surgeon of the US Army of the West and the white men charged were dragoons, or cavalrymen, in that unit. But Griffin also knew Biggs since he had rented an adobe home in Los Angeles for one month with his master, Andrew Jackson Smith. It is unclear if Biggs lived in the home with Griffin and Smith, but he would have been no stranger there. After all, it was Biggs' familiarity with white officers' quarters that led to his involvement in the theft. At the conclusion of the trail, Smith and Stokely received prison sentences, but Biggs did not. Because Biggs was a slave, officials suggested that his punishment could be handled instead by his owner, Captain Smith, who had served on the Commission of the court and was therefore informed of the details of the case. Smith probably would have preferred this discretion, especially since it allowed him to continue benefiting from Biggs' labor. None other than then-lieutenant William Tecumseh Sherman weighed in on the issue. From Monterey, California, he suggested that Biggs should receive equal treatment, i.e. punishment:

> *The Negro Boy Pete Biggs is certainly amenable to martial law, and should be tried, unless some pledge has been made him… or unless Captain Smith prefers to punish the boy himself—to the satisfaction of the gentleman robbed. Otherwise you will please prefer the proper charges against him...*[12]

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[11] Viola Lockhardt Warren, *Dragoons on Trial, Los Angeles, 1847* (Los Angeles: Dawson's Book Shop, 1965), 19, 30, 39, 55, 58-59. Griffin and Smith rented the house from Delores Sepulveda from June 17 to July 17, 1847. Warren, Viola L. "Dr. John S. Griffin's Mail, 1846-53," *California Historical Society Quarterly* 33, no. 3 (September 1954): 249.

[12] Warren, 49.

Now remembered for his firmness in dealing with the slave South during the Civil War, Sherman balked from insisting that Biggs be treated like a person and not merely as property. But Sherman's equivocation may well have benefited Biggs, who would soon be a free man in California poised to capitalize on his experience with southern servitude.

According to an 1876 history of Los Angeles, "at the close of the war, left on California territory, [Biggs'] freedom was necessarily recognized." Although many Anglo-Americans, including military officers, took slaves to the California gold fields in 1848 and 1849, it appears that Captain Smith did not. By 1850, Smith was back in St. Louis, and Biggs was living on his own in Los Angeles. Perhaps the expense of transporting Biggs to a slave state factored into Smith's decision to leave him behind in California. Interestingly, Smith would later fight for the Union while his former slave would publicly side with the Confederacy. In 1850, Biggs was one of twelve African-Americans recorded to be living in Los Angeles County and the only one living in his own domicile. As Rudolph Lapp noted, "they hardly constituted a community" in the early 1850s, and "the best known of them was Peter Biggs…"[13] Had he lived there six decades prior, Biggs' African ancestry would have been less conspicuous. Of the eleven founding families of Los Angeles in 1789, six were of partial African descent. Although African heritage had social meaning in the Spanish empire, it did not represent the barrier to social advancement that it did in the eighteenth- and nineteenth-century United States. One of Los Angeles' first mayors was categorized as "mulatto" in local records, as was the grandmother of Pío Pico, an Angeleno who served as the final governor of Alta California.[14] But American

[13] Rudolph M. Lapp, Blacks in Gold Rush California (New Haven, CT: Yale University Press, 1977), 118.

[14] The first LA County census was taken in 1850, reporting twelve African Americans (and 3,518 white Americans); most of these were listed as members of white households. "Peter Biggs," *1850 United States Federal Census*. Marne L. Campbell, "Heaven's Ghetto?: African Americans and Race in Los Angeles, 1850-1917," Ph.D. diss.

expansion carried cultural norms and "racial" knowledge into the region. Those twelve African-American residents knew well the "one-drop rule" that by then pervaded the United States.[15]

As a newly free man, Biggs must have noted the uncertaintly of his position in this extremely violent and violently racist corner of the nation. According to one memoir, "cutthroats (all from the Southern states)… held high carnival in Los Angeles, painting the town in all the varied shades of red," with the worst violence reserved for African Americans. The southern-born "desperados" put three black "waiters... into a corral, with tight adobe walls six to eight feet high." While dancing on the wall and shouting "with glee," the southern men "began emptying their revolvers at the negroes, who crazed with fear, finally escaped by climbing over the walls." "No one dared to interfere or enter protest," since these southerners "held the town and ran it to suit themselves."[16] Such episodes may have reminded Biggs that emancipation meant little absent economic autonomy or the protection of kinship networks.

But Biggs' experiences of California during and after the war revealed to him the opportunities available to American men who chose to take a risk in this volatile frontier environment. His first venture as a free man may have come in the form of cats. According to Horace Bell, Biggs noticed that Gold Rush-era San Francisco was "over-supplied" with rats but lacked "a corresponding supply of cats." Bell claimed that it was "left to the fertile brain of this distinguished Virginian…to equalize this great seeming inequality in the nature of things." Biggs gathered "all of the cats he could get, either by hook or crook," and shipped them north.

(University of California Los Angeles, 2006), 24-40. J. J. Warner, et al., *An Historical Sketch of Los Angeles County*, California (Los Angeles, CA: Centennial Celebration Literary Committee, 1876), 44.

[15]Delilah Beasley, *The Negro Trail Blazers of California* (New York: New York University Press, 1969), 102.

[16] Jessie Goodman, ed., *Overland in 1849 from Missouri to California by the Platte River and the Salt Lake Trail: An Account from the letters of G.C. Pearson* (Los Angeles: Battledore Press, 1961), 53-54; John Wells Brier provides a similar account of this incident. "The Death Valley Party of 1849," *Out West* (1903): 463-464.

Remarkably, Biggs had "the only cats in market" for a time and emerged "supreme dictator as to prices." His "handsome fortune," however, soon filled the "coffers of the gambler princes of the Bay City" since "poor Pete" was "addicted to gambling." This was the first in a series of entrepreneurial ventures that came to define Biggs' life. Bell recalled that Biggs "made a great deal of money in various speculations," and his most significant venture was a barbershop that quickly became a central artery of Los Angeles. Soon after arriving in California, Biggs also married a "Spanish lady," in Bells words. Sixteen years old at the time of the marriage, Refugio Redondo de Biggs soon delivered Juana Biggs, perhaps in 1848, the year the Mexican-American War ended. Through the "gentlemen" he served and through local connections presumably offered by his wife, Biggs cultivated kinship networks that provided much-needed protection to free people of color in the antebellum era.[17]

Biggs could not, however, fully escape the racial violence of early American Los Angeles. In a "ball" described by Horace Bell, a white southern-born man named Aleck Bell (unrelated) asked the belle of the ball, "Dona Ramona," for "the honor of her hand" in the opening waltz. "The Señorita," however, intended to dance with Biggs first:

> *...the music commenced, and what was Aleck's disgust at beholding the rascally Pete, in all the glory of a swallow-tailed coat, brass buttons, white vest and gloves, redolent with all the perfume of Araby the blest, shuffle up to the much coveted belle of the ball-room, and with one arm encircling her spider-like waist, sail off in the whirling, giddy waltz. This was more than Southern blood could stand, and out came Aleck's Colt. The music was stopped and Aleck stepped up to Doña Ramona, and inquired of her if she "preferred dancing with a nigger to a white man." She replied that "in this particular instance she did; that Don Pedro was El Bastonero,[18] master of ceremonies...*

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[17] Bell, *Reminiscences of a Ranger*, 36-38. See also "CATS-CATS-CATS," *Daily Alta California*, March 22, 1851, 3; "Refugio Redondo de Biggs," *Los Angeles Star*, June 14, 1856, 2.

[18] *Bastoneros*—men who directed dancers—persisted in the US Southwest into the twentieth century. Rafaela Castro, *Chicano Folklore: A Guide to the Folktales, Traditions, Rituals and Religious Practices of Mexican Americans* (New York: Oxford University Press, 2001), 100.

As "Aleck's chivalry would not permit him to lay violent hands on the lady," he instead "blazed away at Pete, who bolted for the door...." Everyone assumed Biggs had died until "Peter sent a courier to the city, to the great relief of everybody, and to Captain Bell in particular." Biggs "promised that, if permitted to return, to ever after keep his place—a promise religiously kept by him so far as the Americans were concerned."[19]

According to city justice records, a saloon keeper reported in 1849 that Americans shot up his place, and that among them was a "Captain Bell" who proclaimed, "he didn't want dancing between whites and the black man, who was there dancing." Bell's account is questionable, not only because of his characteristic literary flair[20] but also because he did not arrive in Los Angeles until 1852. Still, there is a good chance that the unnamed black man at the saloon in 1849 was Biggs, one of only three black men listed in the city in the 1850 census. Biggs occupied a social space that was both limited and enhanced by the town's southern character, a space that he negotiated on the dance floor, in the barbershop and in the courtroom.[21]

Don Pedro: The Master of Ceremonies (1849-1857)

Like many migrants who came to Southern California in the antebellum period, Benjamin Hayes arrived overland from Missouri. As the Maryland-born Hayes recorded in his journal, the

[19] Bell, *Reminiscences of a Ranger*, 38-40.

[20] Horace Bell's stories about Biggs are no doubt sensationalized for the sake of storytelling and satire. Nevertheless, historian John Mack Faragher has urged scholars to undertake a "serious reading" of Bell, whom he considers an important early "debunker" of boosterish narratives of LA history. Faragher, comments, "Is There a Los Angeles School of Western History?" Western History Association, annual meeting, Newport Beach, California, October 17, 2014. Historian Kevin Starr has also praised the value of the memoirs, asserting that they stand along with the writings of Benjamin Hayes "like cactus plants in the desert of early expression in the Southland." Starr, *Inventing the Dream: California through the Progressive Era* (Oxford University Press, 1985), 31-33.

[21] Alcalde Criminal Records, Volume 7:528-35, Case 18, Seaver Center for Western History Research, Los Angeles. Pearson relates a similar incident when a southern "cutthroat… shot another for dancing with his girl." Goodman, ed., *Overland in 1849,* 53.

migrants in his party knew the words of a song called "Old Virginny," a title that suggests that many of them had southern roots. "Descending through lofty hills" into the Los Angeles basin, Hayes entered town and tied his mule out front of a hotel and, then, "an old acquaintance introduced himself to me, in the shape of Peter Biggs, formerly the slave of my friend, Mr. Reuben Middleton, of Liberty." Biggs, "delighted" to see Hayes, "communicated many useful items" and rendered services that Hayes "esteemed valuable." When Hayes' wife arrived in 1852, she wrote to her sister in Missouri, "you cannot guess who was our driver—Pete Middleton, of Liberty." He had "a Spanish wife," she explained, and was "a bootblacker and barber for the town."[22]

Perhaps Biggs began barbering in his native Virginia or Missouri. In both places, enslaved and free African Americans often vied for this respected – and profitable – position.[23] At the very least, Biggs had several years of experience grooming Smith and other military officers. So, after his cat venture, and in the wake of his gambling losses, Biggs rebounded with the opening of his shaving saloon in Los Angeles, in 1850 or 1851. Soon, amidst the hundreds of white men of Los Angeles County – mostly newly-arrived and southern-born – Biggs had cornered a market once again. Bell recalled that, for a time, Biggs was "the only barber in town who catered to Americans." The German-born Jewish businessman Harris Newmark recalled that Biggs's niche was "men and boys" since "ladies dressed their own hair." The most memorable item in Biggs' shop, wrote Newmark, was "an old-fashioned, high-backed chair." With costumers waiting, "Biggs called 'Next!' he sprinkled the last victim with Florida water,

[22] Wolcott, 88.

[23] "Peter Biggs,"*1850 Census*. On the history of black barbers, see Douglas Bristol, *Knights of the Razor: Black Barbers in Slavery and Freedom* (Baltimore, 2009) 32, 33, 79; Quincy Mills, *Cutting Along the Color Line: Black Barber Shops in America* (Philadelphia: University of Pennsylvania, 2013); and Sean Trainor, "The Racially Fraught History of the American Beard," *The Atlantic*, Jan. 20, 2014.

applying to the hair at the same time his Bear Oil (sure to leave its mark on walls and pillows), after which, with a soiled towel he put on the finishing touch for one towel in those days served many customers."[24] Although the barbershop was a rude frontier operation, the "high-backed chair" would have been a critical investment for Biggs, as was his addition of baths in 1852, which he repeatedly advertised.[25]

Biggs' baths and the high-backed chair served as symbols of American culture in this borderland town. In 1850s America, a barbershop's sophistication increasingly determined its success or failure, especially if the owner was African-American. Those fortunate to work in 'first-class' shops prospered, while most black barbers scraped by and faced a rising tide of white racism as well as increasing competition from immigrants. According to Newmark, the arrival in 1853 of Felix Signoret, a French barber with greater "tonsorial capacity," caused Biggs to cut his prices in half.[26]

Biggs also began in 1853 to target his clientele by advertising his shaving saloon as "southern" or "Louisiana-style." Biggs understood the needs of transplanted white southern men who were willing to pay for the familiar comforts of home, which extended well beyond a haircut and a shave. In addition to providing bath service, Biggs met more intimate needs. Horace Bell recalled that the first time he submitted to Biggs' "barbarous manipulations," he was asked if he would like to be introduced to local "ladies." Bell replied that he had friends who would introduce him to "such female society as would be proper." But Biggs explained that he did not mean ladies of "high-up class" but ladies "always anxious" to make the "'quaintance" of

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[24] Bell, *Reminiscences of a Ranger*, 137. Newmark, 137-138.

[25] "Peter Biggs," *Los Angeles Star*, November 27, 1852, 2.

[26] Bristol, 109-110. Newmark, 137. "Fifty per cent. Lower," *Los Angeles Star*, June 18, 1853.

"strangers" with plenty of "spondulix" (cash). US officers in California mentioned the allure of Spanish-speaking "yellow girls of the country"; perhaps their appeal to incoming white southerners resonated within the history of sexual slavery and, especially in the 1850s, the "fancy trade" of the southern states.[27]

Navigating this transplanted southern society as a black barber required skill in what Sean Trainor has called "the gentlemanly arts." "They were also expert conversationalists," Trainor writes, "engaging and entertaining their customers while they worked." In his 1858 *Colored Aristocracy*, Cyprian Clamorgan suggested that many black barbers exploited the conversational power their position provided, as "gossiping knights of the razor." But like most black barbers in the 1850s, Biggs walked a fine line, and overstepping that line could be disastrous. Biggs' strategy amidst a heavily southern-born clientele was to identify as a loyal southerner. As Bell recalled, "During the great civil war, like many other great men, Pete declared his allegiance to be due to his native Virginia, and accordingly gave the weight of his influence to the 'Lost Cause;' hence the cognomen of 'Black Democrat.'" With his "southern"-styled saloon, Biggs reassured white customers of the presumed disposition and loyalty of African Americans, actively countering growing anxieties over the future of slavery and racial hierarchy. "By affirming the racial and class privileges of their white customers," Bristol writes, "black barbers gained an economic independence that would allow them to withstand growing competition from immigrant barbers." Indeed, "affirming the racial and class privileges" of

[27] "Los Angeles Shaving Saloon," *Los Angeles Star*, December 1, 1855, 2. Bristol, 110; Bell, *Reminiscences of a Ranger*, 36-37; Charles Murray to John Griffin, January 6, 1847, No. 14, John S. Griffin, Documentos para la historia de California, 1846-1847, Microfilm MSS C-B 79, Bancroft Library, Berkeley, California; Joseph L. Brent, *Memoirs of the War Between the States* (New Orleans: Fontana Print Co., 1940), 9.

customers was precisely Biggs' business – and a particularly adept strategy in the face of foreign competition.[28]

Notwithstanding his freedom and autonomy as a black barber, Biggs could not vote.[29] Yet Biggs may have still played an important role in the electoral process in the new state. Voting at the time was "a lucrative business," according to Bell, in which voters were "considered valuable according to the facility offered for disguising one's self." Biggs may have influenced the outcome of one election in 1853. Bell claimed that "Peter Biggs was in his glory on that election day." After getting "their hair cropped," voters would be given "another name… another drink and another dollar, and another vote would be polled for some enterprising candidate."[30]

By the mid-1850s, other African Americans had begun to trickle into Los Angeles. In 1853, Robert Owens, his wife Winnie**,** and two daughters purchased their freedom and migrated to Los Angeles. Later known commonly as "Uncle Bob" and "Aunt Minnie," they took on washing and odd jobs, and after several years won a military contract to cut wood. By 1860, they were also in the cattle and livery stable businesses with $6,500 in assets. Historians of the black West have frequently characterized the Owens family as the vanguard of black community building in Los Angeles. In the words of historian Rudolph Lapp, "The embryo of black community life began in 1854 in the Owens home, when they invited other blacks in Los Angeles to come to their residence for religious services." Years later, their descendants

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[28] Trainor. Cyprian Clamorgan, *Colored Aristocracy of St. Louis* (Columbia: University of Missouri Press, 1999). Bristol, 79-80. Bell, *Reminiscences of a Ranger*, 40; "Barber Shop and Bath House," *Los Angeles Weekly Republican*, December 14, 1867, 2. Bristol, 69.

[29] After general emancipation, fourteenth and fifteenth amendments were ratified without California's support. D. Michael Bottoms, *An Aristocracy of Color: Race and Reconstruction in California and the West, 1850-1890* (Norman, OK: University of Oklahoma Press, 2013), 92-93.

[30] Bell, *Reminiscences of a Ranger*, 101-102.

benefited from strategic property investments, and by the end of the century, two of the grandsons owned a block on Broadway and Third Street known as the Owens Block.

By 1856, nurse and midwife Biddy Mason and her extended family had settled in Los Angeles after winning their freedom in the court of Judge Benjamin Hayes, Biggs' "old acquaintance" from Missouri. The *New York Daily Times* cited the Mason case as one that "should attract much attention." According to the *Times*, the "effect" of Hayes' "decision is that Slavery can have no legal existence in a State where it is prohibited by law—a proposition apparently so self-evident that its enunciation seems merely puerile and superfluous. Strangely enough, however, the doctrine needs ever judicial sanction to strengthen it against the later dogmas of the South." A year later, in 1857, these southern dogmas would triumph with the Supreme Court's Dred Scott ruling. Had the ruling occurred one year earlier, the small free African-American community of Los Angeles would have been deprived Mason's long legacy. As it happened, "By the end of the 1850s," Lapp noted, "Robert Owens has replaced Peter Biggs as a model for Los Angeles Negroes, and in the next decade Biddy Mason joined him in that role."[31]

By the time of the Civil War, the constellation of African Americans in Los Angeles would increasingly center around Robert Owens and Biddy Mason, both of whom lived west of the plaza in the area where Spring Street intersects with First and Second. Like Owens and Mason, Biggs registered a personal and real estate value in 1860 and at one time owned property at Spring and Third. When he was prevented from establishing his barbershop in the Bella Union Hotel, he also sold off his equipment to Owens and kept the receipt, perhaps hoping to repurchase the items later. But while Biggs may have benefited from Owens' patronage, the

[31] "Anti-Slavery in California," *New York Daily Times*, March 27, 1856, 4; Lapp, 119, 121.

early growth of a black community in Los Angeles likely hurt him in other ways. Barbering was the most popular profession for African Americans of either gender, and by 1870, there were five black barbers operating in Los Angeles County. Biggs had no competition in the early 1850s, a fact that was much-changed by the time of his death in 1869.[32]

Reflecting growing anxieties about Biggs' position, he and Refugio Redondo Biggs opened a store in her name in 1856. He made a point of getting the business license filed with the county, marking his name with an "X." The license, published in the *Star*, said the store would sell "fruits," "vegetables" and "poultry" while also operating as a "coffee" or "eating" house. Refugio's store was likely located near her husband's Los Angeles Shaving Saloon in the Salazar block, which was badly damage in a fire later that year—According to newspaper coverage Peter Biggs was "also a sufferer."[33]

The Closing of a Window (1857-1869)

Perhaps in an attempt to recoup losses after this fire, Biggs signed a contract to lease the Bella Union Hotel's shaving saloon. In November of 1858, Biggs retained an attorney, Columbus Simms of South Carolina, and brought a $1200 lawsuit against Alejo Rendon, a Mexican-born barber whom Biggs claimed prevented him from taking occupancy. Perhaps Biggs felt he had a sympathetic audience in the judge, old acquaintance Benjamin Hayes, who had freed Biddy Mason and seven other slaves two years earlier.[34]

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[32] "Guadalupe and Dognacia Perez vs. Peter Biggs," Los Angeles District, Case Number: 09116. Los Angeles Area Court Records (hereafter LAACR), Huntington Library, San Marino, California; Campbell, *Heaven's Ghetto?*, 85-88.

[33] Refugio Redondo Biggs, "Statement of intent to become a 'sole trader,'" original MSS C-Y 296, Bancroft Library. "Refugio Redondo de Biggs," *Los Angeles Star*, June 14, 1856, 2; "Fire," *Ibid*., November 22, 1856, 2.

[34] "Peter Biggs vs. John Doe," Los Angeles District, Case Number: 00576, LAACR. "Alejo Rendon" and "William Leonard," *1860 United States Federal Census*; "Peter Biggs vs. John Doe," Los Angeles District, Case no: 00576, LAACR; "Anti-Slavery in California," *New York Daily Times*, March 27, 1856, 4. Wolcott, 70-72, 75.

Biggs could not testify as a black man in 1850s California, but that did not mean that Hayes ignored his point of view. In addition to subpoenaing Biggs' French competitor Felix Signoret and eight others, Hayes may have used a strategy he employed during the Mason case of informally interviewing black witnesses in his chambers. Nevertheless, Biggs seems to have lost—The case file includes an order requiring Biggs to pay $15 in legal fees. Had Biggs' conflict with Rendon occurred the year following, perhaps the Supreme Court's decision to not recognize African Americans as citizens in Dred Scott would have prevented Biggs' from even bringing the suit.[35]

In spite of the setbacks of fire damage, lost earnings and equipment, and a failed lawsuit, Biggs continued to try to make it in the barbering business. In 1862, he placed an ad titled "PETER BIGGS," in which he announced a new barbershop (without baths). The emphasis on – and size of – his name in this ad may help illuminate Biggs' subsequent stance, at the end of the war, in sympathy with the defeated Confederacy. Biggs was increasingly marketing not his barbering skills, but himself: a former slave familiar with the ways of the South. In a time of heightened sectional crisis and, then, Civil War, the likely move for Biggs was to maintain close connections with white southerners.[36]

Following the Confederacy's collapse and Lincoln's assassination, local Unionists feared southern-sympathizers might take drastic action. Two days after Lincoln's assassination, on April 17, Colonel James Curtis requested more troops be sent to Drum Barracks, claiming that "an organization of rebels exists in [Los Angeles] and San Bernardino counties" and that "the Union people of the latter have demanded protection." The next day, a civilian in San Bernardino

[35] "Peter Biggs vs. John Doe."

[36] "PETER BIGGS," *Los Angeles Star*, December 6, 1862, 2.

named Anson Von Leuren sent a message to state military authorities warning of "troubles" in Southern California. Von Leuren claimed that two individuals had told him in confidence ("under the Mason seal") of a local uprising in which secessionists would rob and murder Union men before fleeing to Mexico. Although these would-be rebels had been "organizing for a long time," Von Leuren felt that they might act soon. As he explained, "we are surrounded here by secessionists and villains who would delight to see every Union man assassinated and we have to have the Protection of two companies of troops here at all times."[37]

Distance to the main theaters of war may have encouraged a false sense of hope amongst southern-sympathizers in California late into the war. Benjamin Wilson's southern-born second wife received encouraging words about the Confederate cause from a friend in Oakland, California in a letter dated March 30, 1865: "Tell Mr. Wilson please not to be so sad and fearful about the South but have an abiding faith that all will be well." As the Wilsons' friend explained, scarcely a month before Lee's surrender, "they were never stronger & in better conditions than now to achieve their independence."[38]

The unexpected news of Confederate defeat must have been crushing for those who had nurtured such hopes, and news of Lincoln's death a week later offered an unexpected opportunity to celebrate, but local Union authorities were quick to put such enthusiasts on notice. Under General Order No. 27 of the Department of the Pacific, General Richard Drum stated that such celebrants would be considered "virtually accessory after the fact," and that any expression

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[37] James F. Curtis to R. C. Drum, April 17, 1865, *The War of the Rebellion*, Series I, Volume L, Part 2 (1901), 1200. Anson Van Leuren to George S. Evens "In Matter of Troubles in San Bernardino," April 18, 1865, Military Department Adjutant General Collection, Vol 11, VB 358, California State Archives, Sacramento, California. On April 17, 1865, the Colonel of Volunteers claimed that "an organization of rebels exists in [Los Angeles] and San Bernardino Counties."

[38] E. Coffee to Margaret S. Wilson, 30 March 1865, Box 15, WN 1248, Benjamin Davis Wilson Collection 1836-1941, Huntington Library, San Marino, California.

of "sympathy" with "the Act" was to be "suppressed" by the military and police.[39] Three men were arrested in Los Angeles on April 18 and, on Saturday April 22, three more were arrested including "Peter Biggs, a negro."[40]

Tensions remained high after Biggs' arrest. On April 17, J.S. Millard, President of the Union League of Los Angeles sent a telegram north with a request for state military authorities to detain a company of "cavalry here temporary under command of Colonel Curtis. Services are required."[41] By May 13, following additional arrests, eight prisoners including Biggs were being held as "government" at Drum Barracks.[42] Writing decades later, Bell recalled that, following the assassination, "Southern 'patriots'… hurrahed until they fell in the streets, dead drunk…." Union soldiers then "loaded the "patriots" into an army ambulance," and, after "escaping successfully from the town," they put the prisoners, including "Niger Peter the barber," into "camp chain gangs."[43]

To the chagrin of the Unionist *Wilmington Journal*, three of the prisoners were released without explanation. Following a "public examination" of the remaining prisoners in Los Angeles on May 22, Biggs and two others remained in custody but another man was released. Chat Helms, a white man, was let go on the explanation that he was "an ignorant person,

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[39] James F. Curtis to R. C. Drum, April 17, 1865, *The War of the Rebellion*, Series I, Volume L, Part 2, 1200. R.C. Drum, "General Orders, No. 27," *The War of the Rebellion: Series I, Vol. L, Part 1*, 1198. "Degraded Beings," *Wilmington Journal*, April 22, 1965, p. 2. "Government Guests," *Wilmington Journal*, April 22, 1865, 2.

[40] "Our Letter From Los Angeles," *Daily Alta California*, May 4, 1965, 1. "Strange Proceedings," *Wilmington Journal*, April 29, 1865, 2. Justice of the Peace records show Biggs was also charged with grand larceny (5/10/1864), disturbing the peace (10/24 or 10/25/1864), and "cheating" (6/11/1868). Los Angeles County Justice Court Minutes, 5/18/1863-10/29/1869, 207, 282, 565, LAACR.

[41] J.S. Mallard to L. Manse, telegram, April 27, 1865, Military Department Adjutant General Collection, Vol 11, VB 358, California State Archives.

[42] "Government Guests," *Wilmington Journal*, May 13, 1865, 2.

[43] Bell, *On the Old West Coast*, 75-76.

occupying no social position." Once again, Biggs stood out - first to a Mormon soldier (who conflated Biggs with his white superiors), later to William Tecumseh Sherman (who wanted to punish Biggs as a citizen instead of slave), and finally to Union officers - as being as worthy of punishment as those white citizens of "social position" whose beards he trimmed.[44]

On June 24, the *Journal* reported the release of the last political prisoners at Fort Alcatraz as well as the continued incarceration of three "guests" at Drum Barracks. Biggs and the other men were finally released on July 17, but only after taking an oath to "abide by and faithfully support all laws and proclamations which have been made during the existing rebellion in reference to the emancipation of slaves." Biggs was therefore only granted his freedom after agreeing to accept the freedom of all other former slaves.[45]

Perhaps he relished this political theater of a public examination and oath-taking. It may have been part of his strategy as a "southern-style" barber and personal attendant. He also may have been attempting to follow in the footsteps of other prominent Angelenos arrested earlier in the war for expressing southern sympathies. On November 15, 1862, the Los Angeles correspondent for the San Francisco-based *Morning Call* reported that Col Edward J.C. Kewen was greeted in Los Angeles County as a hero after being released from Alcatraz. Upon arriving in Los Angeles, the Mississippi-born man was "immediately surrounded by large numbers of sympathizing friends, to whom he was engaged nearly all day in rehearsing the events attending his arrest for treasons, his imprisonment on Alcatraz Island, and his release…." Kewen boasted that he had succeeded in modifying the loyalty oath required for his release before taking it. The lawyer and Chivalry politician also promised to give a speech in El Monte, a place the Unionist

[44] Martha Hodes, *Mourning Lincoln* (New Haven: Yale University Press, 2015), 87.

[45] "Government Guests," *Wilmington Journal*, May 27, 1865, 2. "Government Guests," *ibid*, June 24, 1865, 2. "Government Guests," *ibid*, July 22, 1865, 2.

Call identified as the "most ignorant and benighted locality in the county." Kewen's triumphant return to Southern California gave secessionists a "stout heart again, and correspondingly depress[ed] the spirit and zeal of the few Union supporters." Though not a politician, perhaps Biggs was hoping for a repeat of this hero's welcome upon his release and a corresponding boost to his business.[46]

In May of 1864, another white man named J. F. Bilderback was arrested in Los Angeles for celebrating the Confederate victory in the Battle of Fort Pillow. After taking this Union-held fort in Tennessee, Confederate forces had massacred nearly four hundred African-American federal troops who had already surrendered. Bilderback expressed his hatred of black soldiering and his wish that "the Confederates would annihilate every negro taken with arms, and every white man, as well, who might be found in command of colored troops." While he was arrested by local Union authorities, Bilderback's Los Angeles audience was likely sympathetic to his views. Biggs' was probably appealing to a similar audience when he publically celebrated Lincoln's assassination. Although they had no room in their hearts for black Union troops or for a Black Republican like Lincoln, perhaps Los Angeles' southern enthusiasts could get behind a Black Democrat.[47]

Bell recalled that "Pete won the cognomen during Secession of the Black Democrat on account of his political adherence to the local majority," but the only evidence of Biggs describing himself in this way comes from 1867 advertisements in the weekly *Republican*, which as its name would suggest, expressed opinions favorable to the Republican Party. How then do we explain a black man who was arrested for publicly celebrating Lincoln's death advertising as

[46] The Morning Call edition from November 15, 1862 is quoted in the *Semi-weekly Southern News*: "The Morning Call…," *Semi-weekly Southern News*, November 21, 1862, 2. "Release of Col. Kewen," October 31, 1862.

[47] "Another Military Arrest," *Los Angeles Star*, May 14, 1864, 2.

"the Black Democrat" in a publication supporting the Party of Lincoln? His choice of ad – and the seemingly conflicting choice of outlet – may have been part of a strategy to appeal to Anglo-American men across the political spectrum. Republicans might laugh at the irony of the "Black Democrat" while supporting an enterprising freedman, while southerners would have valued a former slave who embraced the "Lost Cause."[48]

On May 5, 1869, Peter Biggs was murdered. According to the *Los Angeles Daily News*, Biggs, "more familiarly known as 'nigger Pete,' was stabbed and killed by one Victor, alias Sport." The incident took place at Baker's Restaurant, where Victor worked. According to the coroner's inquest published a few days after the murder, the cause of death was a butcher's knife stabbed through the heart at approximately 1:30 AM on a Wednesday morning. Bell explained that Biggs "died with his boots on" in a brawl with a "Mexican waiter." The dispute began when Biggs deemed the waiter "guilty of some breach of conventional good manners, and as none knew better how to wait on a gentleman, none were more exacting in demanding the utmost punctilio on the part of those who waited on him." Biggs hurled "epithets" followed by "cups, saucers and plates" as the argument escalated into a fight.[49]

The case file identifies the accused as Victor Lamorie, a man who appears in voting records as a California-born cook who would have been approximately nineteen at the time of the incident. Lamorie was found "not guilty" by the jury, which was drawn from a pool that included many Spanish-surnamed men who may have resented Biggs' position in Los Angeles. Perhaps Biggs had for the final time bumped up against the limits of his ability to stake-out a

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[48] Bell, *On the Old West Coast*, 40, 75-76. "Barber Shop and Bath House," *Los Angeles Weekly Republican*, December 14, 1867, 2.

[49] "A negro named Peter Biggs," *Los Angeles Daily News*, May 6, 1869, 2. "A homicide," *Los Angeles Star*, May 8, 1869, 3. "Coroners Inquests," *Los Angeles Republican*, May 6, 1869, clipping in Benjamin Hayes, "Hayes Scraps," vol. 53. Bell, *Reminiscences of a Ranger*, 40.

semi-privileged status. He was murdered while attempting to assert primacy over another man of color. As Bell recollected in 1877, "his slayer walks our streets today, of course proudly conscious of having killed a distinguished character."[50]

The 1930 Hollywood western *The Lash* appears to have featured a character based upon Peter Biggs. The screenwriter, Lanier Bartlett, also edited and published Horace Bell's second memoir that year. Although the film is no longer extant, the book upon which it was based survives. Chapter fourteen of Lanier and Virginia Stivers Bartlett's *Adios* opens on the barbershop of "Peter Moses" who "advertised in the Los Angeles Star that he 'shampooed an erranded for the gentleman of the city." Peter was a "newsy barber" who informed his client, Judge Travers, of the whereabouts of a group of Anglo women who had been robbed. A ranchero had led the women to refuge in a Catholic Church but the women objected, saying they were Presbyterian. Peter then explained that they had been "put up at da Bella Union Hotel." The judge was not pleased: "The Bell Union! That rat-infested, dirt-floored old mud-pie! Outrageous. What the blazes are you grinning at, you black devil? Attend to your business!" Peter apologized, 'Yassah, yassah, beg pa'don, Jedge, you all'll be shaved up slick and pretty in jes one secon' now, Jedge." Peter then hastened to "concentrate on his work."[51] But, as the dialogue reveals, the barber's work involved more than shaving.

Although accepting a subordinate status in relation to Anglo-American men, particularly those from the South, Peter Biggs carved a niche for himself by meeting a wide a range of their

[50] "People of the State of California v. Victor Lamorie," Los Angeles Criminal, Case no: 00888, LAACR. "Victor Lamorie" *California, Voter Registers, 1866-1898*. Bell, *Reminiscences of a Ranger*, 40-41.

[51] Lanier Bartlett and Virginia Stivers Bartlett, *The Lash: Photoplay Title of Adios!* (New York: Grosset & Dunlap, New York: 1929), 119-120.

needs. He also served as an intermediary between the Spanish- and English-speaking populations. He knew what was going on with Catholics, Presbyterians and with those of little or no faith. In the far corner the American empire, at the intersection of the South and West, Biggs had reshaped himself into, in Bell's words, an "illustrious and necessary appendage to Los Angeles society."[52]

Local newspapers do not corroborate Bell's claim that "many mourners followed the great man to his last resting-pace." His twenty-one year old daughter, Juana - recently married to freedman Nelson Smiley – likely said good-bye to her father that day. While Biggs would later loom large as a "distinguished character" in nostalgic memoirs, perhaps by 1869 his moment of local prominence had passed. His opportunities as a free black man in a frontier town with many southern migrants shrank as a result of general emancipation and the politics of Reconstruction.[53]

Los Angeles' gradual transition from a Mexican pueblo to an American town also diminished opportunities for a character such as Biggs. A photographic panorama created a week after Biggs' murder shows the extent of this transition. The photographs were taken above Fort Street (now Broadway) on Fort Hill, on which still stood a Mexican-American War fort built in part by Biggs' Mormon Battalion. By positioning themselves on this strategic high ground, the photographers caused a "slight commotion" according to the *News*, which reported that "some people became much excited, declaring that an enemy had captured the fort and was bringing its guns to bear on the city." But instead of challenging the American conquest of Los Angeles, the photographers were documenting it. From left to right in the panorama, one can see a lumberyard, the pitched roof of the city's first Protestant church, the clock tower of a market

[52] Bell, *Reminiscences of a Ranger*, 36.

[53] Ibid., 40.

building, a two-story Masonic Temple and other tall structures standing out amidst low-slung adobes. These vertical signs of a distinctly Anglo-American town show how much had changed since the Mexican American War. In this increasingly Anglo-dominated social world, there was less use for a figure such as Biggs—a multicultural master of ceremonies who helped bring South and West together in this far corner of the expanded nation.[54]

[54] "Panoramic view showing 200 degrees of Los Angeles looking east from hillside above Broadway (formerly Fort Steet)," California Historical Society Collection, USC Digital Library, May 13, 1869, Accessed October 16, 2015. "Don't you remember," *Los Angeles Daily News*. May 10, 1869, 2. "Photographic," *ibid*, May 11, 1869, 3. J. M. Guinn, "Old Fort Moore," *Annual Publication of the Historical Society of Southern California*, vol. 4 no. 2 (1898), 141-147.

CHAPTER 6[1]
The California Lancers

As Peter Biggs walked back to Los Angeles a free man in July of 1865, Juan de la Guerra remained at Drum Barracks, not as a prisoner but as an enlisted citizen-soldier in the California Native Cavalry Battalion, or the California Lancers, a Spanish-surnamed Union force. There, he endured a hot Southern California summer while training and laboring as he waited for the order for his unit to endure even harsher garrison duty in Arizona. Unlike Biggs, de la Guerra had volunteered to be a "government guest" at Drum Barracks. Still, his agency must be considered in the context of family obligations. The de la Guerra men joined as a group and, in doing do, continued a long family tradition of using military service to build and maintain social status.

Their surname originated with an ancestor in medieval Cantabria, a region on the northern coast of the Iberian Peninsula. That ancestor was known as El Conde don Pedro el de la Guerra—Count Pedro, "the One of the War," who had earned this appellation for valorous deeds in battle. Juan's grandfather, José de la Guerra y Noriega, was born in Cantabria in 1779 to noble parents. Although he did not receive an inheritance in terms of property, he was able to cash in on his lineage and gain wealth and power on the Spanish-American frontier, where noble blood was particularly scarce. José arrived in Alta California as a young military officer, and in 1804 he married into an upwardly mobile mestizo family of mixed European and Native American ancestry. His father-in-law was the commander of the Santa Barbara presidio, an important military installation on the coast of Southern California. José eventually took over command of the presidio and also established himself as the patriarch of a large family and a pillar of Californio society. The de la Guerras became one of the most powerful families in California,

[1] This chapter draws upon another work that I wrote: "On the Border of Empires, Republics and Identities: De la Guerra's Sword of the War and the California Native Cavalry," in Virginia Scharff, ed., *Empire and Liberty: The Civil War and the West* (Berkeley: University of California Press, 2015), 105-121.

and their influence survived Mexican independence from Spain, achieved in 1821, as well as the 1848 US takeover.[2]

This influence was rooted in military service, and de la Guerra's participation in the Native Cavalry can be seen as an attempt to bolster the family's social standing, which by the 1860s was in decline. Juan's uncle Antonio Maria de la Guerra served as the captain of Company C and most of the other high-ranking positions in the unit were filled by relatives or Anglo-Americans. Juan was promoted by his uncle to the highest enlisted rank in the company—first sergeant. Considering that he was only seventeen at the time, this high rank probably had more to do with family connections than leadership qualifications. Under the more racially conscious American regime, Juan may have also benefited from his relative whiteness compared to the other enlisted men. As recorded in a Company C muster roll, Juan's "grey" eyes, "auburn" hair, and "light" complexion stood out, since the most common characteristics recorded were "black" eyes, "black" hair, and "dark" complexion.[3]

Although participation by the de la Guerras in the Native Cavalry represented the continuation of a long tradition of military service, it also represented a break from local precedents of resisting US imperialism and allying politically with Anglo-Americans from the US South. Fearing that nothing threatened their property or status more than risky schemes for secession, several leading Californio elites, including the staunchly Democratic de la Guerras of

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[2] Alberto García Carraffa, *Diccionario Heráldico y Genealógico de Apellidos Españoles y Americanos* (Madrid: Impr. de Antonio Marzo, 1920), 193–218; Louise Pubols, *The Father of All: The de la Guerra Family, Power, and Patriarchy in Mexican California* (Berkeley: University of California Press; San Marino, CA: Huntington Library, 2009), 14–27.

[3] Tom Prezelski, "Lives of the California Lancers: The First Battalion of Native Cavalry, 1863–1866," *Journal of Arizona History* 40, no. 1 (Spring 1999): 33–34; Richard H. Orton, *Records of California Men in the War of the Rebellion 1861* to *1867* (Sacramento, CA: State Office, 1890), 315–17; "Muster and Descriptive Roll of a Detachment of United States, Capt Antonio Ma. de la Guerra, forwarded by Company 'C' for the First Battalion Regiment of Native Cavalry, California Volunteers Stationed at Santa Barbara, Cal . . . ," manuscript, 1864, Drum Barracks Museum, Los Angeles.

Santa Barbara, joined the minority of Californio Republicans in supporting the Union. One early Democratic convert to Unionism was state senator Romualdo Pacheco, a former Mexican Army officer who would later serve as California's first Spanish-surnamed Congressman and last (as of 2015) Spanish-surnamed governor. In 1862, Pacheco proposed a unit of "native cavalry" made up of Spanish-speaking horsemen from the ranchos of the southern and central coast.[4]

Pacheco's idea caught on with California Latinos in part because it tapped into a widespread hatred of Texans—the enemy the Native Cavalry was initially expected to fight. Following two vicious wars and decades of racial violence, there was a good deal of bad blood between Texans and US Latinos. When Texas joined the Confederacy in 1861, this encouraged Latino support for the Union, especially in New Mexico. Texan expansionists had a history of threatening New Mexico; and in 1861, Texan Confederates moved into the New Mexico Territory to support a secessionist uprising already under way in the recently proclaimed Confederate Territory of Arizona. This was the first political entity that went by the name *Arizona,* but it did not have the same shape as the modern state. The territory roughly coincided with the narrow strip of land between Texas and California that had recently been acquired from Mexico through the Gadsden Purchase. As US secretary of war in the 1850s, Jefferson Davis was instrumental in the acquisition of this land, and he promoted the idea that a transcontinental railroad line should pass through it—a dream he may have held onto while serving as President of the Confederacy. During the Civil War, Davis assigned Texans the task of pushing the Confederacy west. He hoped they might seize, or at least interrupt the flow of, precious metals from western mines. Leaving the campaign to the Texans spared Confederate resources sorely

[4] Paul B. Gray, *Forster vs. Pico: The Struggle for the Rancho Santa Margarita* (Spokane,WA: Arthur H. Clark, 1998), 91–93; Tom Prezelski, *Californio Lancers: The 1st Battalion of Native Cavalry in the Far West* (Norman, OK: Arthur C. Clark Company, 2015), 26.

needed elsewhere, but it also ensured that Latino support for the South would be very limited. With the conquest of the Southwest still fresh in the minds of Latinos, their loyalty to the United States was not strong at the start of the Civil War. But the war would prove to be a galvanizing moment for Mexican-American identity.[5]

On December 19, 1862, Brigadier-General George Wright sent a telegram from San Francisco to the War Department in Washington requesting "authority to raise four companies of native cavalry in the Los Angeles district, to be commanded by a patriotic gentleman, Don Andreas Pico." The reply arrived a month later, January 20, that the "Secretary of War gives authority to raise four companies native cavalry in Los Angeles." As Brigadier-General of the First Division of the California Militia, Pico was commissioned Major of the new battalion. Although he had publicly distanced himself from the Chivalry Democrats and offered his "sword" for the Union in letter printed in California newspapers, he declined to lead the Native Cavalry Battalion, citing poor health and the inability to ride a horse. Salvador Vallejo of northern California then accepted the position, though he had good reason to resent the United States, from the rough handling he received at the hands of Bear Flaggers to his family's massive property losses due to an unfair legal system and the relentless threat of squatters. In explaining his Union support years later, he cited his particularly strong resentment of southern-born squatters as well as his belief that the US was a "bulwark of safety against European despotism."[6]

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[5] Rafael Chacón, *Legacy of Honor: The Life of Rafael Chacón, a Nineteenth-Century New Mexican,* 1st ed. (Albuquerque: University of New Mexico Press, 1986); Alvin Josephy, *The Civil War in the American West,* 1st ed. (New York: A. A. Knopf, 1991), 3–94.

[6] Orton, 304. "Andres and Pio Pico for the Union," *Sacramento Daily Union*, June 10, 1861, 2. Henry Cerruti et al., *Ramblings in California: The Adventures of Henry Cerruti* (Berkeley, Calif.: Friends of the Bancroft Library, 1954),

Although authorized early in the war, the Battalion took a long time to form. Vallejo himself was not mustered in until August 13, 1864. Before the Native Cavalry could begin to take shape, elite Californios first had to get behind the idea and this was difficult for many Californios in Southern California who had allied themselves with southerners. That is not to say Californios rallied in support of the Confederacy. Fears of the "native population" joining in a secessionist uprising failed to materialize. The only notable episode in this regard was when Los Angeles Sheriff Tomas Sánchez allowed militia arms under his watch to be taken by secessionists headed for the Confederacy. Andrés Pico, still serving as the overall commander of the region's militias, was charged to investigate the matter by William Kibbe, the Adjutant General of California. On February 18, 1862, Pico reported that 25 of the 60 rifles issued to the Southern Rifles (disbanded in 1861) had been kept in the county jail and were "carried off to Texas" by Sánchez's Under-sheriff, Alonzo Ridley. The recently-resigned US General Albert Sidney Johnston was joined by Ridley and other local secessionists as they travelled east in 1861 to fight for the Confederacy. Regardless of Sánchez's sympathies, he ultimately found a way to profit from the Union presence in the region when he won a contract to supply beef for US soldiers.[7]

As a brigadier general in the militia, Pico worked to track down militia arms from various Southern California companies on the orders of the Adjutant General. But, already well into his 50s, Pico turned down an appointment to lead the Native Cavalry Battalion due to health concerns. Command was then given to another Californio ranchero, Salvador Vallejo of

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83–84. Jose Manuel Salvador Vallejo, "Notas Historicas sobre California," (Sonoma, CA: 1874), 155. Available via Calisphere: <http://content.cdlib.org/ark:/13030/hb8s201099/>

[7] Orton, 304. Prezelski, *Californio Lancers*, 28, 86. Scammel, 239. Dello G. Dayton, "The California Militia, 1850-1866" (PhD diss., University of California, Berkeley, 1951), 360.

Northern California. This was a remarkable step for Vallejo who had been placed under house arrest during the Bear Flag Revolt, but Vallejo had developed a strong hatred of Anglo-American squatters, particularly those from the South. Not harmed nearly as much by gold-rush-era squatters as the northern Californio families, such as the Vallejos, the de la Guerras and other southern Californio ranching families had actually benefited from a gold-rush spike in beef prices that followed the US takeover. But an increasingly competitive western cattle market, as well as a brutal combination of flooding, smallpox and drought had devastated the ranchos of Southern California in the early 1860s. In the midst of this downturn, the Native Cavalry offered the de la Guerras and other ranchero families the opportunity to bolster their declining status while providing their relatives and ranch hands with employment as US servicemen. Antonio de la Guerra took it upon himself to raise a cavalry company in Santa Barbara, and he supported the group with his own resources until it was retroactively authorized by the California governor. De la Guerra's political enemies delayed this authorization, citing, among other things, the family's association with the pro-southern Chivalry wing of the California Democratic Party.[8]

Aside from the concerns of elite Californio rancheros and a long-standing resentment of Texans, there was another critical factor that helped rally Latino support for the Union. In 1862, the French emperor Napoleon III had taken advantage of America's distraction with the Civil War to invade Mexico, without regard for the Monroe Doctrine—the US policy of resisting further European expansion in the Western Hemisphere. Napoleon III sent the Austrian archduke Maximilian to Mexico to rule as emperor with the support of French troops. Of course, Mexico already had a president, Benito Juarez, and had been independent of Spain since 1821. As a

[8] Ibid., 360. Prezelski, *California Lancers*, 29-30. "Notas historicas sobre Californios," 1874, MS, Bancroft Library, pp. 151-155. Henry Cerruti et. al., *Ramblings in California: The Adventures of Henry Cerruti* (Berkeley: Friends of the Bancroft Library, 1954), 83-84.

consequence of the French intervention, Mexico became embroiled in a civil war between those supporting Maximilian's empire and those loyal to the republic. It was no secret that Washington wanted a Juarez victory, or that supporters of the Confederacy and supporters of Emperor Maximilian had shared a desire to see the Union crumble.[9]

For their part, Spanish-surnamed Californians generally wanted to see the sister republics of Mexico and the United States triumph. Ygnácio Sepúlveda, a Chiv *Californio* lawyer who had been trained in the law Joseph Lancaster Brent, went to Mexico to volunteer for Maximilian regime, but he appears to have been exceptional. A network of *juntas patrioticas* ("patriotic assemblies") formed throughout California and Oregon during the 1850s and promoted a bi-national Mexican-American patriotism. These groups included a diverse array of Latinos but were dominated by non-elite Mexican immigrants. Sprouting up across the state in the wake of the French intervention, their primary purpose was to raise funds and other forms of support for the Mexican Republic, but they also encouraged Spanish-surnamed people to back the Union. On May 5, 1862, Mexican forces won a stunning victory by repelling a French attack on the city of Puebla. In the spring of 1863, the French launched another, much larger assault in the hope of taking the city before the anniversary of their May 5th defeat. California Latinos were riveted as news trickled in from the siege of Puebla, and tensions heightened further when news arrived of a crushing Union defeat at the Battle of Chancellorsville in Virginia. In their linked struggles for survival, both republics appeared to be on the ropes. But when word arrived that Mexican forces had held Puebla through the May 5th anniversary, this was cause for celebration. In Los Angeles, the largest *junta patriótica* organized the first public celebration of Cinco de Mayo. The celebration was a decidedly Mexican-American affair. A US flag was raised alongside a

[9] David E. Hayes-Bautista, *El Cinco de Mayo: An American Tradition* (Los Angeles: University of California Press, 2012), 51–74.

Mexican one, and banners for the respective founding fathers, Washington and Hidalgo, were paraded through the streets. Addressing the crowd in Spanish, the Calfornio Republican Francisco Ramirez blended American and Mexican patriotisms and urged those present to support both embattled republics.

Ramirez also made a plea to non-Mexican Latinos in the audience, calling on the citizens of other Latin American republics to defend Mexico in her hour of need. Additionally, he expressed a hope that all these nations would one day "come together to form a great Hispanic American Union!"[10] Although predominantly Mexican-American, the Native Cavalry recruited members born elsewhere in Latin America. Companies A and B of the battalion, raised in Northern California, were especially diverse owing to the gold-rush inflow of migrants from all over the world. A good number of the men in these two companies came from South America and others came from countries in Latin Europe, such as Spain, France, and Sardinia. In this respect, the vaguely Latino identity of the Native Cavalry mirrored an idea promoted by supporters of Maximilian, that Mexicans should embrace the French as allies because of underlying cultural commonalities, namely the use of romance languages and adherence to the Roman Catholic faith. The Native Cavalry, however, was far from solidly Latino, even according to this broad conception. There were a significant number of German immigrants and Yaqui Indians in companies A and B, and all of the companies also had a few Anglo Americans, usually in positions of leadership. Companies C and D came closest to Pacheco's Californio-centered vision. Drawing on the Southern California cow counties of Santa Barbara and Los Angeles, they were dominated by the Californio ranchers as well as by their ranch hands and others in the local laboring class, many of whom had migrated from the bordering Mexican state

[10] Ibid., 96–100, 150-151.

of Sonora. Between the two Southern California companies, Company C came closer to Pacheco's vision than Company D. Thirty-six percent of Company D worked as "vaqueros" prior to the war and there were additionally two "ranchers," but "laborers" surpassed in number those with ranching backgrounds, making up forty-two percent of the unit. There were also a few skilled workers, including a shoemaker, a weaver, a carpenter and one "gambler."[11]

Many of those with ranching skills were also familiar with using weapons from horseback. The traditional weapon of choice for the Californios was the horseman's spear—the lance. Tracing its origins to medieval Spain, this locally-made weapon could reach up to 10 feet in length and typically consisted of a long wood shaft and a double-edged metal blade. Combined with leather armor stitched together by craftsmen at the missions, the Californio light cavalry was highly effective against Native-American foes who were typically dismounted and armed chiefly with bows and arrows. Californios also had a great deal of experience fighting each other as well as forces sent by the Mexican government to the fiercely independent province. Although less effective against a line of infantry equipped with firearms, Californios equipped in this matter could effectively maneuver around less-skilled and more poorly armed cavalry and infantry forces.[12]

The California state militia manufactured new lances for the California Lancers. These lances were based on an Austrian model identified by George McClellan when he was assigned to study European arms and tactics used during the Crimean War—the same conflict saw that

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[11] Prezelski, *Californio Lancers*, 31-42, 61-92 ; Hayes-Bautista, 136.

"Muster and Descriptive Roll of a Detachment of United States, forwarded by Company 'D' for the First Battalion Regiment of Native Cavalry, California Volunteers stationed at Los Angeles, Cal…." 1864, Drum Barracks Museum, Los Angeles, California.

[12] Robert Phelps, "On Comic Opera Revolutions: Maneuver Theory and the Art of War in Mexican California, 1821-45," *California History*, vol. 84, no. 1 (Fall 2006): 44-63.

saw the futile but much-romanticized charge of the lance and saber-wielding Light Brigade. The head of the eight-foot California-made lance consisted of an eleven-inch triangular blade of steel festooned with a red linen pennon. The pennon could serve the grisly function of wiping blood from the shaft before it trickled down and caused the users hand to slip, but this triangle-shaped flag also gave the weapon and its handlers a flamboyant appearance. Native Cavalrymen would parade with their festooned lances through the streets of California towns, presenting an image that was both ironic and romantic. The legendary *lanceros* of Alta California had returned in full medieval splendor, now proudly wearing the uniform of the nation that had conquered them. Juan participated in at least one such parade through the German settlement of Anaheim, a moment that was remembered seven decades later when he was made an honorary member of the city's German cultural club at the advanced age of eighty-five.[13]

Although Spanish-surnamed individuals dominated the Native California Cavalry and led some companies, white men also held commanding officer positions and continued to extend their influence upon the mostly Latino soldiers. This, of course, did not adhere to Pachecho's vision of a Californio cavalry. The muster rolls for the Native California Cavalry Company D of Los Angeles featured all Anglo captains with the exception of Captain José Antonio Sánchez who organized the company as a way to counter the pro-Confederate reputation of his cousin, Sheriff Tomás Sánchez. José Ramón Pico, Porfirio Jimeno, and Antonio María de la Guerra, led Companies A, B, and C, respectively. Questions regarding the loyalty of the Spanish-surnamed officers delayed the mustering in of their men, and, during their service, some of the officers and men developed their own doubts about the Union's commitment to the Native Cavalry. Captain Sánchez and First Lieutenant José Redona resigned from Company D in June 1864 because they

[13] Prezelski, *Californio Lancers*, 27. John S. McGroarty, "News of Southern Counties: Anaheim Fete Goes German," *Los Angeles Times,* September 17, 1932.

disapproved of the poor treatment of their soldiers at Drum Barracks. Following their resignations, eight men deserted in July 1864 and another eight deserted in October. Throughout its existence, from 1864-1865, Company D had a desertion rate of 26%. While lower than astronomically high battalion rate of 38%, this was considerably higher than the 8% rate of the de la Guerra-run Company C or the overall Union rate of 14%. This high desertion rate for the LA-based company was due in part to the proximity of the distractions and responsibilities of home but it was also due to the Native Cavalry's poor treatment at Drum Barracks.[14]

Drum Barracks Drudgery

Drum Barracks was built in 1861 on San Pedro Bay, the seaport nearest Los Angeles, for three main reasons: (1) to establish a strong military presence in Southern California, a region of questionable loyalty; (2) to provide a coastal supply station for inland posts in the Department of Southern California and Arizona, and (3) to serve as a training ground and staging area for the 1862 invasion of Confederate-occupied Arizona by a Union force known as the California Column. For the better part of a year, from the fall of 1864 through the spring of 1865, most of the Native Cavalry waited at Drum Barracks for orders to go to Arizona as a relief force for the Column. Before being sent to Arizona, some in the Native Cavalry were deployed throughout California to campaign against resistant Native Americans, pursue pro-Confederate bandits, and clamp down on copperhead agitation. Most of the Native Cavalry's service in California, however, consisted of dull labor in and around Drum Barracks.[15]

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[14] Leonard Pitt, *The Decline of the Californios; A Social History of the Spanish-Speaking Californians, 1846-1890* (Berkeley, CA: University of California Press, 1966), 232. "Muster and Descriptive Roll of a Detachment of United States, forwarded by Company 'D' for the First Battalion Regiment of Native Cavalry, California Volunteers stationed at Los Angeles, Cal…." 1864, Drum Barracks Museum, Los Angeles, California. Richard H. Orton, comp., *Records of California Men in the War of the Rebellion, 1861-1867* (Sacramento, CA: Sacramento State Office, 1890), 304-315. Prezelski, *Californio Lancers*, 31-92, 197-199.

[15] McDowell, *Beat of the Drum,* 29–37; Tom Sitton, *Grand Ventures: The Banning Family and the Shaping of Southern California* (San Marino, CA: Huntington Library, 2010), 77–98; Prezelski, "Lives of the California

California resisted the transition from a "federal procurement system to a national one that took money and power away from local officials and businessmen in many places in the North." Located in a far corner of the recently expanded nation, Southern California remained particularly aloof from efforts by Army Quartermasters to control US wartime spending. As a result, a small group of investors centered around the Delaware-born Unionist Phineas Banning, the founder of the town of Wilmington near San Pedro Bay, dominated the local military buildup and profited immensely as a result. These investors, which one scholar has called the "Wilmington circle," also facilitated broad-based capitalist development in the region as they leveraged government largess into the development of the commercial, real estate, and transportation sectors of the Los Angeles area economy.[16]

Once mustered into service, the volunteers of the Native Cavalry found themselves aiding this economic development. Among other projects, the Los Angeles-based Company D built an enormous wood flume aqueduct that brought fresh water from the San Gabriel River to Drum Barracks. Though justified as military necessity, the aqueduct would also substantially increase the value of land, which was owned by investors in the Wilmington circle. The correspondent for the *Alta California* predicted in November 1864 that when the aqueduct was completed, "the life-giving fluid will be streaming through the parade ground, converting what, from the unprecedented drought, is now a field of moving sand, into an emerald field, decked by Flora with hues surpassing in brightness and variety those of the rainbow."[17]

Lancers," 33–36. James Tejani, "San Pedro Bay and the Making of an American Pacific: Private Enterprise, State Imperatives, and the Industrialization of Natural Resources, 1846-1917," Ph.D. diss. (Columbia University, 2009), 152-165.

[16] Mark R. Wilson, *The Business of Civil War: Military Mobilization and the State, 1861-1865* (Baltimore: Johns Hopkins University Press, 2006), 6. Tejani, 153.

[17] "Our Letter From Los Angeles," *Alta California*, Nov. 28, 1864, 1.

The Wilmington circle reinvested their profits into the region's capitalist development during and after the war. They brought the first steam-powered sawmill into the region, established the first oil drilling company, and, in 1869, completed the first railroad, connecting San Pedro to Los Angeles. Members of the circle also cleverly subdivided and exchanged land plots amongst themselves in order to "create temporary capital" for further investment by using the "land swaps as collateral" for loans or mortgage bonds. Drawing upon the influx of federal stimulus money, therefore, Banning and his colleagues helped transform the cash poor, agricultural economy of Southern California into a more capitalist economy based on transportation, trade and real estate speculation.[18]

While these projects were all justified in terms of military necessity, they also enriched a small group of Anglo-American investors—southern as well as northern-born—that dominated real estate in the area around Drum Barracks. Joseph Lancaster Brent was initially a key investor before leaving Southern California to fight for the Confederacy. He handed over his Wilmington investments to Banning and transferred his private Rancho Marengo to another southern-born investor, Benjamin Wilson, to sell. Wilson, originally from Tennessee, remained in California and made a small fortune from Union wartime spending despite his reputation as a southern-sympathizer. Dr. John S. Griffin wrote Wilson on the eve of the 1864 presidential election, expressing chagrin that "Banning" was planning to use wine grown on Wilson's vineyard at an election-eve barbecue for the Union Party. Griffin hoped that "it will make them so drunk that they cannot get to the polls on election–or that it being Copperhead wine may convert them to the true faith." That year, Wilson had used his new wealth from Union contracts to expand his vineyard operation to produce more of this "Copperhead wine." In this effort, he brought in

[18] James Tejani, "San Pedro Bay and the Making of an American Pacific: Private Enterprise, State Imperatives, and the Industrialization of Natural Resources" (PhD diss., Columbia University, 2009), abstract, 155.

Chinese workers from San Francisco to supplement his Mexican and Indian labor force. This may have caused resentment among his existing laborers. His business contact in San Francisco warned him to "look out" to make sure the Chinese workers were "not abused by the Mexican and Indians down there." Immediately after the war, Wilson wrote to Brent claiming that the US government had spent as astounding one million dollars on government contracts tied to Drum Barracks.[19]

The Civil War years also saw the collapse of local ranching due to a combination of flood and drought. To add insult to injury, the Native Cavalry, which tapped into the chivalrous, seigniorial impulse of the Californios, was forced to perform hard labor for the benefit of Banning and his associates. While the cavalrymen toiled away for little pay and declining prospects of military glory, the men in the Wilmington circle became increasingly wealthy. Drum Barracks commander, Colonel James Curtis, complimented the Native Cavalry for their good service with pick and shovel," but for many in the Native Cavalry, being put on ditch-digging detail under these circumstances was humiliating. After months of delay at Drum Barracks, Major Salvador Vallejo resigned. Speaking of his service in an interview in 1874, Vallejo would say that since his "adventures as a Major [were} devoid of interest I shall pass them in silence."[20]

Such work would have been an abrupt and unwelcome change for Juan, who grew up in an elite Californio society that valued leisure time and saw hard labor as suited for Indians or perhaps lower-status Latinos. Luckily for him, he and the rest of the Santa Barbara-based

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[19] Tejani, 152-165. "Letter of B. D. Wilson to J. L. Brent, September 21,1865," Box 2, Joseph Lancaster Brent Papers, Huntington Library, San Marino. Lewis, 278. John Strother Griffin to Benjamin Davis Wilson, 27 October, 1864, Box 15, WN 1310, Benjamin D. Wilson Collection 1836-1941, Huntington Library.

[20] Prezelski, *Californio Lancers*, 36, 87, 90. Vallejo, 155.

Company C arrived at Drum Barracks in September, 1864, too late to assist with the construction on the aqueduct, but other work involving "pick and shovel" remained. There were, of course, perks to being a well-connected de la Guerra, even if the duty was miserable. This is revealed in the following excerpt from a letter that Juan wrote from Drum Barracks to his aunt: "Tell my mother that I wrote her and I have [had] no response[;] also that the sweet that I received was very good, they ate of it, my uncle [Antonio de la Guerra], Capitan Bale, Lieutenant Cox, and Lieutenant Streeter." In addition to the comfort he received from his mother's treat, sharing it probably didn't hurt his standing with the officers. Elite Californios and high-ranking Anglos likely enjoyed many such perks that were not available to Native Cavalrymen of more humble backgrounds.[21]

Countering Copperheads in Southern California

In addition to providing hard labor in Southern California, the Native Cavalry also played an important if largely symbolic role in maintaining order in a region that had a well-deserved reputation for secessionist sympathies and general lawlessness. The locally raised companies C and D were especially important, considering the lack of militia organization in the region during the war. This was due in part to the presence of volunteers from other parts of the state at Drum Barracks but also to the prevalence of southern sympathies and fears that locally raised militias could turn secessionist.[22]

Their familiarity with the Spanish language also made the Native Cavalry well-suited for intelligence gathering on both sides of the border. In May 1864, while most of Company D was engaged in digging the San Gabriel Aqueduct, Colonel Curtis sent the commander of the

[21] Prezelski, *Californio Lanecers*, 91. Juan José de la Guerra, "Letter to Joséfa (Moreno) de la Guerra," Wilmington, CA, October 4 1864, De la Guerra Family Collection Facsimile, 667 (391), Huntington Library.

[22] Dayton, 361-362.

company, Captain Sánchez, to investigate rumors that secessionists had started a colony in Baja California. Sánchez did in fact find "some 50 men" clustered together with their families apparently with the intention of avoiding a draft threat that never materialized. In August, Curtis wrote of the risk of Baja becoming a "rendezvous" for sympathizers of secession. These fears were undoubtedly linked to US fears of the Maximilianist regime in Mexico which shared with secessionists a desire to see the Union crumble. In the same memo, Curtis also expressed uneasiness about events on the American side of the border, saying that a group of southern-sympathizers in Los Angeles were "unusually busy in overhauling and repairing its fire-arms" and also that "two strangers… who evidently were emissaries of the Confederacy" had been travelling through the region. Although he saw "no indications of intended hostilities" in Southern California, he nevertheless thought there were "many points" where secessionists could "be provoked."[23]

In the lead up to the divisive 1864 presidential election, the Native Cavalry made a show of Union force. "Armed with lances and sabers," a mounted detachment of Company D rode through Anaheim, Los Angeles, San Gabriel, Santa Ana on October 31. Two days later, men from company D and from the California Infantry patrolled the county together in order to "preserve order, to insure the loyal element in all its privileges, and as auxiliary to civil authority." Forty lancers from Company D were ordered to camp at the notorious Democratic stronghold of El Monte. The rest of Company D marched to Los Angeles, without their horses, where they were supposed to serve a peacekeeping role but also "stir-up" enthusiasm for Lincoln. Eighteen years after Gillespie's occupying US forces stirred-up a Californio insurgency

[23] Curtis to Drum, Aug. 4, 1864, Drum Barracks, OR, 50(2): 927; Prezelski, 94-95; Robinson, *Los Angeles in Civil War Days*, 153.

in Los Angeles, Spanish-surnamed soldiers were being called in to rally support for the Union.[24]

Enduring this relatively uneventful garrison duty, the men of the Native Cavalry could get swept-up into trouble as well. During one raucous night in a "dance house near Drum Barracks," a member of "Major Vallejo's battalion of native cavalry" named "Gomez" was shot to death accidentally by a woman who was trying to shoot another woman at the ball. The "moral" according to the *Alta California's* correspondent was to "keep out of bad company." They also had several run-ins with the predominantly Anglo-American soldiers of an infantry unit that was also stationed at Drum Barracks. According to one of these infantrymen, there were "no good feelings" between them and the "Mexican" cavalrymen. After a night of revelry in February, 1865, a group of musicians from Company C got in a row with a musician in the California Infantry that left bugler Ysmael Soto shot in the face and several Anglo-American infantrymen sentenced to hard labor at Fort Alcatraz.[25]

Echoing this raucous atmosphere, De la Guerra recalled in an interview with the *Los Angeles Times* in 1935 that one night in April he "set his military cap at a jaunty angle, stepped smartly along with a brace of pistols at his hips and went off to the Plaza for a dance." Shortly after the dance, which was held sometime in April of 1865, news arrived via telegraph of Lee's surrender. Although the Civil War was coming to end, the unit's service would last for almost another year. The Native Cavalrymen would ride to Arizona, not to fight Confederates but to face off with Apache Indians as well as forces loyal to Maximilian.[26]

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[24] Prezelski, *Californio Lancers*, 95.

[25] Ibid., 99-101. "Our Letter From Los Angeles," *Alta California*, Nov. 28, 1864, 1.

[26] "Glass Reflects Time's Toll," *Los Angeles Times*, June 17, 1935. Prezelski, *Californio Lancers*, 101.

Patrolling the Borderlands

Around the time the war ended, Major John C. Cremony was appointed to replace Vallejo as the battalion commander. He embraced the opportunity with relish, even going so far as to adopt certain flamboyant elements of Californio dress. Though an Anglo, Cremony was in some ways perfect for the job. He spoke Spanish fluently, had previously fought Apache Indians, and had even participated in the bi-national effort to demarcate the new US-Mexico border. Immediately upon taking control, Cremony moved the unit toward fighting readiness by drilling the battalion hard. Years later, he would claim that he taught the men "a lesson or two, which they have not forgotten to this day." When orders finally came to ride to Fort Mason, the companies left one at a time so as not to overtax scarce water resources along the arid route. Luckily for Juan, Company C brought up the rear, which meant they left in the early fall of 1865 and not in the heat of summer.[27]

When the Native Cavalry arrived at Fort Mason in Arizona in the fall of 1865, the Texans were long gone and the Confederacy was no more. Still unresolved, however, was the civil war south of the border, which would continue until 1867, when Maximilian was captured and executed. Also far from settled was the relationship between the United States and the Native Americans of the borderlands. Showing little regard for the poorly defended border or claims of sovereignty by governments on either side, several Indian groups continued raiding for livestock and human captives. Cross-border Indian raids did not stop in the region until Geronimo and his band of Apaches surrendered to the United States in the mid-1880s.[28]

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[27] Prezelski, *Californio Lancers*, 76-77. John C. Cremony, "How and Why We Took Santa Cruz," *Overland Monthly* 6 (April 1871): 336.

[28] James Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002), 349–55; Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven, CT: Yale University Press, 2008), 306–9.

Juan's Company C and Company D of Los Angeles arrived at Fort Mason in November, in time for another cross-border mission—the pursuit of Refugio Tánori, an Opata Indian chief and colonel in Maximilian's imperial army. Having already been defeated by Tánori in battle, Republican general Garcia Morales avoided another confrontation by crossing over into the United States and taking shelter in the small town of San Gabriel, Arizona. Tánori followed and fired on San Gabriel, wounding one civilian. Major Cremony, the commander of the Native Cavalry, responded to this raid on American soil by hastily organizing a response force of 150 of his "best troopers," perhaps including Juan.

The Native Cavalry detachment never caught Tánori, but Cremony later claimed that this incursion had important consequences nevertheless. Imperial forces had vacated nearby Santa Cruz, Sonora, ahead of the Native Cavalry, and Cremony decided to seize the town. As he later explained, he took Santa Cruz in order to give his troopers a place to lay low for a few days with the hope that Tánori, "thinking the coast was clear," might return. After a few days, Cremony led the detachment back to Fort Mason. Although he failed in his mission to catch Tánori, Cremony claimed that he had helped pave the way for a Republican comeback in the region. Tánori did not lead his men into battle again, and his absence allowed Republican forces to reassert their authority in Sonora.[29]

The Apaches had a long history of raiding settlements throughout the region for livestock and human captives. These practices only intensified amid the turmoil and escalating violence of the Civil War era. The Apaches began steering clear of Fort Mason around the time of the Native Cavalry's arrival, however, probably owing to their awareness of a military buildup. Patrols would sometimes see large groups of Apaches in the distance. Captain Jimeno reported killing an

[29] Cremony, 335–40; Prezelski, *Californio Lancers*, 119-128.

Apache he came across once while on patrol. In a later incident, a detachment of Native Cavalrymen commanded by Jimeno ambushed a group of Apaches. They killed one Apache and wounded two others before the rest got away. Generally though, Apache raiders focused their attention south of the border during this time and stayed out of the Native Cavalry's way. Although not responsible for vanquishing any band of hostile Indians, the battalion did appear to have influenced the actions of the Apaches as well as the Opatas.[30]

The Native Cavalrymen were probably frightened at times by their Native American adversaries, but the most fearsome foe they faced was disease. Unusually heavy rains produced pools of stagnant water around Fort Mason, and a mosquito-born illness ravaged the battalion. At the height of the epidemic nearly half the men were sick, and seven eventually died of the disease. Not all illnesses could be linked to environmental causes, however. Juan's uncle, Captain Antonio de la Guerra, apparently contracted a sexually transmitted disease during his time in the Native Cavalry. When orders came in January of 1866 for the battalion to return to Drum Barracks to be mustered out, Captain de la Guerra's worsening condition caused Company C to take a less onerous route. They rode only as far as the Gulf of California before traveling by steamship to San Francisco for discharge. Upon the arrival of the other three companies at Drum Barracks, the *Wilmington Journal* noted on March 17: "this body of native troops had concluded their public service." A few days later, on March 20, the *Journal* reported their official discharge and praised these men for entering "the service of their adopted country" and for providing an "example" that "influenced many of their countrymen to favor the party that preserved the Union of the States." On April 2, Company C was discharged in San Francisco from the Presidio, a Spanish-Mexican military base that had served as Union headquarters for the far western US.

[30] Ibid., 129-138.

The event, which also involved the discharge of Native American veterans, was well-attended. After receiving their pay, the men of the company were "seen on every street corner" and in clothing stores "spending their greenbacks with great liberality."[31]

Company C was later welcomed home to Santa Barbara with a two-day celebration that included dances, bullfights and a parade. Juan De la Guerra did not remain in Santa Barbara for long however. In the words of one scholar, "the Civil War imparted a new social mobility to American society that diminished regional and local loyalties and encouraged the transference of public allegiance to the central state." De la Guerra took advantage of this new social mobility to travel back to San Francisco, a stronghold of Unionism and the free-labor ideology of the Republican Party. Juan may have come to embrace this ideology, which held that if he worked hard, saved, and charted his own destiny, he could build a prosperous new life for himself away from his family and their declining fortunes. His veteran status probably opened doors for him that would have otherwise been closed to a Spanish-surnamed person. Also, his military experience may have given him the confidence that he could operate effectively in an Anglo-dominated society. Making use of his fluency in English and Spanish, he worked as a court translator in San Francisco before obtaining a more prestigious position in Sacramento as a clerk in the state legislature who specialized in translating documents. Apparently finding time to study on the side, he soon passed the bar and began practicing law throughout Northern California. [32]

Of course, not all members of the Native Cavalry fared so well. The post-war experience of José Antonio Sánchez offers a stark contrast to De la Guerra's success. Sánchez, the cousin of

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[31] "Native Battalion," *Wilmington Journal*, March 17, 1866, 2. "Native Cavalry," Ibid., March 24, 1866, 2. Prezelski, *Californio Lancers*, 140-141.

[32] Bruce Porter, *War and the Rise of the State: The Military Foundations of Modern Politics* (New York: Free Press, 1994), 264. "Death Calls Juan de la Guerra of Early California Family," *Los Angeles Times,* December 20, 1940.

Los Angeles County Chivalry Sheriff Tomas Sánchez, had taken the initiative to organize Company D. Motivated perhaps in part by a desire to counter his cousin's pro-Confederate reputation, José Antonio went into personal debt to support the company in its early days. After the war, he tried and failed to recoup these losses. Bills to provide financial relief for himself and his lieutenant in Company D, José Redona, failed in two successive sessions before his untimely death at 41 in 1869. José Antonio Sánchez had maintained his strong support of the Union even after resigning from the Native Cavalry. In 1864 he helped rally the Spanish-speaking vote for Lincoln as President of the "Junta de Unionista de Nativos Californios."[33]

Unlike Sánchez, De la Guerra was able to effectively leverage his Union service as well as his aristocratic Californio background for the rest of his very long life. Returning to Southern California in the 1880s, de la Guerra married into the land-owning Yorba family, based in the southern portion of Los Angeles County that is now Orange County. Moving to Hollywood to live with his daughter and Anglo-American son-in-law as a widower, he enjoyed his gold years as the last living member of the Native Cavalry and a living relic of the region's romanticized Spanish-Mexican past.[34]

On June 17, 1935, the *Los Angeles Times* published a photographic image of an eighty-eight-year-old Juan de la Guerra examining himself in the same mirror he had looked into seventy years earlier on the night of the Native Cavalry's dance in Los Angeles. "We were cavalrymen and we were terribly excited," de la Guerra recalled. "We thought we had the finest cavalry outfit in the whole country. Probably it was. Such horses we all had! That night we went

[33] Prezelski, *Californio Lancers*, 147. Hayes-Bautista, 233.

[34] "Death Calls Juan de la Guerra of Early California Family."

to a dance. A couple of days later the war was over. We never even started."[35]

But the Native Cavalry did start. Not unlike the Pico-Sánchez lancer company which provided a "Californian face" to vigilantism during the Barton excitement, the lancers of the Native Cavalry served as the face of Union authority in Civil War Southern California, a troubled region in the far corner of the nation that had been threatened by insurgency and unrest for decades. In addition to serving an important role locally, the battalion also rode to Arizona, where it was too late to engage Confederates but not too late to confront resistant Native Americans or influence a civil war still raging south of the border. Following family tradition, Juan de la Guerra bettered his own prospects through military service. In so doing, he assisted in the consolidation of US power in the Civil War–era West. He and the other members of the California Native Cavalry also used military service for their own purposes: to advance a distinctly Mexican-American dual nationalism and to stake a claim to full citizenship in a more perfect Union. Looking back from the dark days of Mexican-American deportation in the 1930s, it may have seemed all for naught to de la Guerra. But he and many other Mexican-American men in this unit answered the call of a nation that had defeated and mistreated them and, in doing so, they helped fight for a strong Union, an independent Republic of Mexico and their own place in a more equal society. They also struck a devastating blow to the Chivalry alliance in Southern California. As a result of the Civil War, the War of the French Intervention, and the self-interested calculations of Spanish-surnamed families and individuals, the chivalric impulse of the Californios had shifted in a decidedly, and surprisingly, Unionist direction.

[35] "Glass Reflects Time's Toll," *Los Angeles Times,* June 17, 1935.

CONCLUSION

The Native Cavalry arrived at Fort Mason, Arizona Territory, in the fall of 1865. There, cavalrymen confronted pro-Maximilianist forces in Mexico and Native Americans who typically showed little regard for the claims of sovereignty made by three different governments. Though assigned to watch and, to the extent that was possible, secure the border, the Native Cavalry also crossed it. Shortly after the arrival of Companies A and B, twenty-six Native Cavalrymen—approximately 13 percent of the men in those companies—fled to Mexico. Captain José Ramón Pico, the nephew of Andrés Pico, and Captain Porfirio Jimeno, the cousin of Juan de la Guerra, led a detachment of thirty men in pursuit of the deserters. When they arrived in Magdalena, Sonora, Captain Pico had a tense standoff with the pro-Maximilian prefect in charge of the city's garrison. Pico marched into the prefect's office and stated that he was looking for the deserters. The prefect objected to him making demands on Mexican soil, but Pico responded by proclaiming that he did not recognize the government of Maximilian, only that of the Mexican Republic, with which the US had an extradition treaty. He left the office, and both sides readied for a fight. Pico then called out to the prefect, saying that he would have to kill them all since they would not be taken prisoner. At that point, an old man in the crowd that had gathered called out, *"¡Vivan los Americanos!"* This salute to the Spanish-speaking US cavalrymen may have shaken the prefect's confidence, since he offered to negotiate. This episode reveals the Native Cavalry's problem with desertion—the missing men were never captured or extradited—but it also shows the zeal with which some in the unit embraced their status as US servicemen.[1]

[1] David E. Hayes-Bautista, *El Cinco de Mayo: An American Tradition* (Berkeley: University of California Press, 2012), 138–40.

The following year, Juan de la Guerra's Company C sailed to San Francisco for discharge while the other companies gathered once again at Drum Barracks. On March 20, 1866, the *Wilmington Journal* praised the Native Cavalrymen for entering "the service of their adopted country" and for providing an "example" that "influenced many of their countrymen to favor the party that preserved the Union…." The Republican paper was also hopeful about their continued political support, explaining that "the same love of liberty that caused them to shoulder the musket when the nation was in peril will make them faithful to the same cause when they return to civil life and are permitted to enjoy the privileges of citizenship at the ballot box." Earlier that month, the post surgeon at Drum Barracks, Dr. V. Gelvich, had given "one of the finest parties ever held in Wilmington" in honor of his brother-in-law Captain José Ramón Pico and the other officers completing their service. Although based in San José, this was Pico's second stint with a cavalry unit in Southern California. The local Wilmington Journal noted that he had "accompanied his uncle, Don Andres Pico, at the time the latter had an engagement with the United States troops at San Pascual." The Captain was only "about seventeen years of age" at that battle—the same age Juan de la Guerra was when he enlisted in the Native Cavalry, after having been born during the Mexican-American War. The *Journal* reported that José Ramón was "severely wounded in the leg" at San Pasqual in 1846. Twenty years later, the 33-year-old Captain probably still had the scars to prove it.[2]

From 1846 to 1866, the chivalric impulse of the Californios had shifted in a decidedly, and surprisingly, Unionist direction. But with the Union secured, California

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[2] "Capt. Pico," *The Wilmington Journal*, March 10, 1866, 2 ."Grand Party," Ibid., March 10, 1866, 2. "Native Cavalry, Ibid., March 24, 1866, 2.

would again be transformed politically. The state and its neighbors Nevada and Oregon were, in the words of one scholar, "notably reluctant to elect Union veterans."[3] There were considerably more victories by Union veteran in the South, as a direct result of the enfranchisement of black freedmen. But assessing the vicissitudes of political opinion is more complicated in California than in the South. While California was initially ambivalent about the Civil War, the northern part of the state was culturally and politically northernized by the likes of Thomas Starr King, a charismatic abolitionist Unitarian minister from Massachusetts. The southern part of the state was also Unionized with significant support from Californios. After the war, however, the Democratic Party came roaring back to power, and, for a period of time, California stood out as the most unreconstructed state. Elected officials championed white supremacy and refused to ratify the fourteenth and fifteenth amendments. The political pendulum swung back especially hard in Southern California, and this did not bode well for the Spanish-surnamed population.[4]

California's Hispanic population grew after the Mexican-American War due to immigration as well as a "baby boom" in the 1850s and 1860s. Yet, their percentage of the state's total population declined over time. Cristobal Aguilar, a lifelong Democrat, was elected mayor in 1872 in a divisive contest that saw his language skills become an issue. At one polling place, according to the *Los Angeles Star*, "a decided opposition was

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[3] Richard Franklin Bensel, *Yankee Leviathan: The Origins of Central State Authority in American* (New York: Oxford University Press, 1990), 408.

[4] Glenna Mathews, *The Golden State and the Civil War: Thomas Starr King, the Republican Party, and the Birth of Modern California* (New York: Cambridge University Press, 2012). Michael Bottoms, *An Aristocracy of Color: Race and Reconstruction in California and the West* (Norman: University of Oklahoma Press, 2013), 93. Joshua Paddison, *American Heathens: Religion, Race, and Reconstruction in California* (Berkeley: University of California Press, 2012), 12-17.

manifested in favor of an English speaking candidate for our municipal executive." Aguilar tuned out to be the last Spanish-surnamed individual to hold that position for 130 years.[5]

In 1866, shortly after the California Native Cavalry's discharge, the state militia was reorganized. This "eliminated the influence of the militia in some communities" and brought "more centralized control to California's military establishment."[6] The Southern Rifles and Lanceros de Los Angeles would never again ride together in a Los Angeles Fourth of July parade, and Californio and Anglo-American cavalry companies would never again coordinate in vigilante activity.

Spanish-surnamed and Anglo-American Angelenos did participate, on foot, in the 1871 mob action in Los Angeles that resulted in the death of 17 Chinese men and boys on Negro Alley. The bumbling of local law enforcement had helped provoke to riot and, once begun, officers were unable to stop the rioters. The mayor, Cristobal Aguilar, rode up and surveyed the scene from the back of his horse but did nothing. Although we don't know the names of most of those who participated, the ten who did face trial included four Spanish-surnamed men as well as one Missouri-born Anglo American. Given the large southern-born population of the county as well as the heavy involvement of southerners in past vigilantism, there were likely many southerners in the crowd and perhaps also in the sealed list of indictments. According to historian Doyce Nunnis, a feeling of comity between the southern-born rioters and their accusers helps explain how

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[5] Hayes-Bautista, 177-183. The *Los Angeles Star* is quoted in David S. Torres-Rouff, *Before L.A.: Race, Space, and Municipal Power in Los Angeles* (New Haven, CT: Yale University Press, 2013), 201-202.

[6] Dello G. Dayton, "Polished Boot and Brand New Suit": The California Militia in Community Affairs," *California Historical Society Quarterly*, Vol. 38, No. 1 (Mar., 1959): 22.

no one ultimately received jail time for the murders. The accused were represented by Edward J. Kewen, the former filibuster and outspoken copperhead attorney from Mississippi who was arrested for voicing southern-sympathies during the Civil War, and the prosecution was led by Los Angeles District Attorney Cameron Thom, a native of Virginia who had returned to Los Angeles after fighting for the Confederacy. Although seven men were convicted in the trail, a technical error by Thom resulted in the overturning all of their sentences.[7]

Victor Jew has compared the massacre on Negro Alley to racially motivated vigilante violence in the South during Reconstruction. Drawing upon testimony of the accused, Victor Jew has suggested that the US military presence at nearby Drum Barracks may have encouraged the mob to escalate its attack on the Chinese quickly before federal troops could arrive. Although Drum Barracks functioned chiefly as a military hospital in 1871, the testimony reveals the long shadow of the Union War machine in Southern California. Men from the base, including Native Cavalrymen, had responded to episodes of urban unrest in Los Angeles, El Monte and San Bernardino during the war. Even after wartime forces has been discharged or relocated, the base left a lasting impression on Southern Californians that, as in the Reconstruction-era South, the US Army was ready to send in the cavalry to stop a race riot.[8]

While none of the convictions were upheld, there was widespread condemnation of the mob action in the national and state press. Locally, "the fixing of blame took on a

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[7] Torres-Rouff, 181-197, 324. Interview with Doyce Nunnis is referenced in John Johnson, "How Los Angeles covered up the Massacre of 17 Chinese," *LA Weekly*, March 10, 2011, laweekly.com.

[8] Victor Jew, "The Anti-Chinese Massacre of 1871 and Its Strange Career," in William Deverell and Greg Hise, eds. *A Companion to Los Angeles* (Oxford, UK: Wiley-Blackwell, 2010), 115-117. Paul M. De Falla, "Lantern in the Western Sky," *The Historical Society of Southern California*, 42, no. 1 (1960), 86.

distinctly Mexican vector," in the words of historian David Torres-Rouff. One elite Californio who owned property on Negro Alley, Antonio Coronel, was also held accountable in a sense. City officials refused his request for reimbursement for property damage since he had made the poor decision of renting out his Coronel block to Chinese tenants. While southerners and other Anglos were involved in the massacre as well as in the city's botched attempt to reach justice, Anglo Americans as a group sought to dissociate themselves with the incident and with Los Angeles' long-standing tradition of bicultural vigilantism. Calls came for the professionalization of policing and efforts were made to make the city appear more modern, more respectable and more Anglo in the lead-up to the arrival of the railroad in 1876.[9]

That year also saw Los Angeles County vote for Samuel Tilden, the Democratic presidential candidate whose decision not to contest the controversial election of Rutherford B. Hayes led to the formal end of Reconstruction in the South. But the state went for Hayes, a sign of the coming marginalization of white southerners in Southern California. Benjamin Wilson and John Griffin sold a portion of Rancho San Pasqual in the early 1870s to the "Hoosier Colony," a group of emigrants from Indiana who would be followed by a deluge of Midwesterners in the years to come. Dr. Griffin reportedly said: "This is once where I got the best of those damned Yankees." The price was only $7.50 an acre. Before dying in 1899, Griffin would see that land grow exponentially in value as many Union-state "Yankees" and others settled in the region.[10]

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[9] Torres-Rouff, 197-203.

[10] Albert L. Lewis, "Los Angeles in the Civil War Decades, 1850 to 1868" (Ph. D. diss., University of Southern California, 1970), 293-299. Boyle Workman, *The City that Grew* (Los Angeles: Southland Pub Co., 1935), 166.

In addition to the arrival of the railroad, 1876 also saw the death of Andrés Pico at the age of 67. Some newspapers attributed his death to natural causes while others cited traumatic brain injury. Pico family tradition holds that Andrés was badly beaten by unknown assailants and left at his doorstep.[11] He had long since retreated from politics as well as vigilantism. In 1874, Pico may have even harbored Tuburcio Vasquez, a charming but ruthless bandit who was feared by Anglo Americans and cheered by many in the Spanish-speaking community. Regardless of whether he did shelter the divisive Vasquez, Pico was still widely respected. According to his obituary, "no one could be more universally regretted by all classes of this community."[12]

The term "class" could almost stand in for race or language-background in 1876 since the lower rungs of society were occupied, for the most part, by Spanish-surnamed people. After Pico's death, however, the Los Angeles' community would include an increasing number of African Americans as former slaves and their children and grandchildren arrived by rail seeking opportunities associated with what Douglas Flaming has called the "Western ideal." They would memorialize Biddy Mason, Robert and Minnie Owens as early black pioneers but largely forget about Peter Biggs. The deceased Biggs was named in an 1888 lawsuit filed by two Spanish-surnamed women who laid claim to his residence at the corner of Spring and Third Streets. This address was within blocks of properties passed down to Owens and Mason descendants, helping many of their descendants to serve as pillars of Los Angeles' small but vibrant black

[11] Paul Bryan Gray, *Forster vs. Pico: The Struggle for the Rancho Santa Margarita* (Spokane, WA: Arthur H. Clark Co., 1998), 227.

[12] Will H. Thrall, "The Haunts and Hideouts of Tiburcio Vasquez" *Southern California Historical Society Quarterly* 30, no. 2 (June 1948): 80-96. *Los Angeles Herald*, February 15, 1876, p. 2.

community. Biggs was murdered in 1869 and his only daughter, Juana, and son-in-law, Nelson Smiley, died soon after. Without heirs and grossly out-of-step with the heavily Republican black community, the Black Democrat had nowhere to land but in white men's memoirs, where he served as a quaint reminder of the strong southern influence that once existed in Southern California.[13]

Joseph Lancaster Brent never returned to Los Angeles. He had plenty to keep him in the South after the war, and he remained there until his death in the 1890s. Like Pico, Brent gained the status of a war hero by taking advantage of a momentary weakness on the part of a technologically superior enemy. With a small force of men, he seized a Union ironclad gunboat on the Mississippi River when it was stopped for repairs. Brent received special commendation for this action and ultimately rose to the rank of Brigadier General. His distinguished military career helped pave the way for a successful life in the post-war South. He married the daughter of a Louisiana planter and was later elected to the state legislature.[14]

Brent remained respected in Southern California in absentia. He continued to receive letters from a wide variety of old LA friends—Californios and Anglos, Unionists as well as southern-sympathizers. Shortly after his death, he received a glowing obituary in the journal of the Southern California Historical Society. Despite pleas from his friends, Brent refused to visit Los Angeles citing commitments to his family. Apparently

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[13] "Guadalupe and Dognacia Perez vs. Peter Biggs," Los Angeles District, Case Number: 09116. Los Angeles Area Court Records (hereafter LAACR), Huntington Library, San Marino, California; Campbell, *Heaven's Ghetto?*, 85-88. Douglas Flaming, *Bound for Freedom: Black Los Angeles in Jim Crow America* (Los Angeles: University of California Press, 2005), 21-24.

[14] Brent, *Memoirs of the War Between the States,* 21-86. Joseph Lancaster Brent papers, 1826-1905, Boxes 1-2, Huntington Library, San Marino, California.

he was not compelled by any sense of obligation to visit his daughter Catalina. On the contrary, her presence might have discouraged him from ever returning to the region.[15]

In 1874, Joseph Maclay, a Republican then holding Andrés Pico's old seat in the state senate, hosted a high-profile wedding in San Fernando. The bride and groom were the 14-year-old Catalina and the 28-year-old Romulo Pico, the illegitimate son of Andrés. Over 200 guests of the "first families" of Los Angeles attended, and, after a "sumptuous and abundant repast," dancing was "inaugurated led by Andrés Pico and the bride and groom." The "festivities" lasted until the "small hours of the morning." After Romulo passed away in 1916, Catalina married Frank Lopez, who worked in the Los Angeles City Clerk's office. Her 1925 obituary in the *Los Angeles Times* names her as a "pioneer family member" and as the daughter of "Gen. Brent." There is no mention, however, of Brent being a Confederate general. Omitted also is any reference of the relationship that her father had with the man who raised her, a relationship that can tell us a great deal about how US expansion unfolded in this far corner of the Southwest.[16]

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[15] H. D. Barrows, "J. Lancaster Brent," *Annual Publication of the Historical Society of Southern California* 4 no. 3 (1906): 238-241. Gray, 97. Lewis, 286.

[16] "Reception," *Los Angeles Herald*, September 29, 1874. Gray, 226. "Pioneer Family Member is Dead," Los Angeles Times, February 1, 1925, 6.

Appendix A: Los Angeles County population by place of birth, 1860. Data is derived from 1860 US Census manuscripts. Ancestry.com. *1860 United States Federal Census* [database]. Los Angeles County. Provo: Ancestry.com Operations, Inc., 2009.

Region/nation of birth	**Count**	**Percentage**
California (includes births before and after 1848)	4544	40.1%
Mexico (excludes births in Mexican Alta California)	1715	15.1%
US southern states*	922	8.1%
US northern states*	856	7.6%
Elsewhere	3296	29.1%
Total for Los Angeles County, 1860	11,333	100%

*See Appendix B.

Appendix B: Los Angeles County population compared to eastern states, 1860. Southern states are defined as all of those that had a slave code in 1860, with the exception of New Jersey. Northern states are those without a slave code, plus New Jersey. Data is derived from 1860 US Census manuscripts. Ancestry.com. *1860 United States Federal Census* [database]. Los Angeles County. Provo: Ancestry.com Operations, Inc., 2009.

Northern States		**Southern States**	
Connecticut	22	Alabama	40
Illinois	91	Arkansas	80
Indiana	61	Delaware	4
Iowa	58	Florida	6
Maine	41	Georgia	27
Massachusetts	93	Kentucky	106
Michigan	11	Louisiana	14
Minnesota	1	Maryland	37
New Hampshire	15	Mississippi	35
New Jersey	15	Missouri	187
New York	190	North Carolina	19
Ohio	122	South Carolina	18
Pennsylvania	99	Tennessee	126
Rhode Island	6	Texas	131
Vermont	22	Virginia	92
Wisconsin	9		
County residents born in northern states	856	County residents born in southern states	922
Northern-born population as percentage of county population (11,333)	7.6%	Southern-born population as percentage of county population (11,333)	8.1%
Northern-born population as percentage of county residents born in the eastern states	48.1%	Southern-born population as percentage of county residents born in the eastern states	51.9%
US North (states listed above) as percent of total population of eastern states (all states listed)	60.8%	US South (states listed above) as percent of total population of eastern states (all states listed)	39.2%

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