Hanging bodies, slashed ears and bottled heads: Lynching, punishment and race in the California Gold Rush, 1848-1853

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ABSTRACT

This article examines the implementation and meanings of Anglo-American punishments of non-white immigrants during the California Gold Rush. Anglo-Americans tended to emphasize the idea of punishment as spectacle, where the victims' bodies were abused and thereafter became collective symbols to Anglo-Americans of their racial superiority. This work analyzes these practices in three cases involving Mexicans and Chileans, men and women who suffered the terrible consequences of lynching and whose bodies, or body parts, were exposed to huge crowds. These events occurred in California's particular multi-racial society during a period when punishment in most of the United States was no longer public. The California cases reinforce the idea of how important contexts are for the development of racial discriminatory attitudes which, in these cases, derived from the actions of both common people and institutional powers.

Encounters, gold and race

The aim of this article is to explore how punishment against foreigners during the California Gold Rush became, in many instances, a public spectacle. Lynching practices acquired an important symbolic meaning in which huge crowds of Anglo-Americans witnessed the mutilation, maltreatment and hanging of many Mexicans and Chileans and read in those abused bodies a symbolic representation of their racial superiority. At a time when punishment as public spectacle was becoming rare in Europe and the United States, it emerged during the Gold Rush in California, which had been recently conquered by the United States from Mexico after the Mexican-American War of 1846-1847. California became a peculiar environment in which the main challenge for Anglo-Americans was to impose their sociocultural hegemony in a land that attracted thousands

of people from many countries, and where Anglo-Americans were, at least during the initial years of the Gold Rush, as foreign as any other international immigrant who traveled to California in search of gold.

Thousands of people from many corners of the world traveled to *El Dorado*, but women comprised less than five percent of the total population in the initial months of the Gold Rush, reaching eight percent in 1850, according to the Federal Census (Levy, 1992:176). Because of this gender imbalance, it is safe to argue that women became scarcer than gold, which motivated various kinds of social conflicts. At the same time, this peculiar scenario obliged men to assume gender roles that usually belonged to women. This was clear at mining places, where men assumed the responsibility of cooking and washing clothes among other domestic chores (S. Johnson, 2000:100). While gender imbalance was a common characteristic for all communities in California, there was a greater proportion of women among Mexicans and Chileans than among some other non-white foreign communities. Nonetheless, considering the low number of women, and the consideration of Mexicans and Chileans as racially inferior, it is possible to understand why women from these communities became involved in conflicts with Anglo-Americans more frequently, since they were seen as more vulnerable.

California was not only a society with few women, but also a place where thousands of foreigners interacted. Many of these immigrants had never lived in a multi-ethnic society before coming to California. Thus, their encounters with foreign people were unique and often conflictive, particularly because of the high level of anxieties and expectations these travelers carried with them. Most of the gold-seekers sacrificed money, time, families and friends for the possibility of a quick fortune, which ended up being an elusive dream for most of them.

Despite the various encounters among gold rushers on their way to *El Dorado*, the scope of the multi-cultural and multi-racial encounter in California was impressive. Many people who arrived in California had their first experiences with a number of different races when they stepped onto the San Francisco docks. Eric Francis recorded his first meeting with an Asian in his memoirs, "after landing on the dock of the ship [in San Francisco] I remember seeing a Chinaman for the first time. This good old Chink gave me some nice hot ginger bread, the first I have ever tasted" (1932:2).

People who gathered in San Francisco were not only surprised to see individuals they had never dreamed of encountering; they were also surprised by the cosmopolitan nature of the city. Interestingly, witnesses from different backgrounds described San Franciscan society in similar terms, emphasizing the idea of California as a gathering place for the world's travelers. Anglo-American Charles Williams, who traveled from the U.S. East Coast, wrote in his journal as soon as he arrived in San Francisco in August 1849, "We all went ashore in a short time and a most ludicrous scene was presented to me. Everything shows that the place is just built up, and groups of all nations, Yankees, English, Chinese, Chilians [sic.], Spaniards, Mexicans, etc., were

wandering about" (1849:74). In a similar vein, Chilean Vicente Pérez Rosales, who traveled to California for the Gold Rush, referred to the diverse peoples in California by writing, "In short, you can find whatever you like in terms of oddities and extravagances in this land of promise. It is like a masquerade ball of gigantic proportions" (Beilharz and López, 1976:23). Frank Pearl, from Bradford Massachusetts, wrote in a letter to his sister in 1850:

> People are gathered from the continents and all the islands of the sea, there is no nation or tribe on the earth or in the sea but what has its representatives here. There are men from all the civilized nations and Heathen as well; the celestial from China, the Kanaka from the Sandwich Islands, New Zealanders etc. etc. and last but not least in numbers the convicts from Botany Bay & Newcastle, New South Wales. From this you can have some better idea of what a motley crowd the country is thronged with.[1]

However, Moses Pearson Gogswell, from New Hampshire, noted in August 1849, despite the "most Motley collection of Human Beings [...] the City however seems to be quite American and is becoming more and more so every day" (Hunt, 1949:52). This comment may have been wishful thinking in August 1849, but Mr. Gogswell's ideas were soon realized, to the extent that California quickly became dominated by a majority of Anglo-Americans who successfully imposed their sociocultural hegemony there. This process was not smooth and included ethnic and racial struggles with foreigners, which became crucial for the shaping of California society after 1848 (Moore, 2003:96).

Anglo-Americans felt disturbed, especially during the first years of the Gold Rush, by the remarkable number of "undesirable" foreigners who were "stealing" their gold and threatening their predominant position in their recently conquered California. This explains the profound criticism expressed against certain groups of foreigners by Anglo-Americans, who commonly used derogatory terms for Spanish-speaking miners and considered them "greasers" or simply blacks. The Chilean consul in San Francisco, referring to Anglo-Americans' opinions of South Americans, argued in 1850 that "they believe that South Americans are Indians, Sambos or Negroes undeserving of an equal social status."[2] These kinds of hostile comments about "Spaniards" were rooted in the racist culture of the United States at that time. In an 1850 letter to his parents while

1 Letter of F. Pearl, San Francisco, July 8, 1850, in Bancroft Library, Berkeley, California.

2 Report of Samuel Price, the Chilean Consul in San Francisco to the Chilean Minister of Foreign Affairs, San Francisco, September 8, 1850. Archives of the Chilean Ministry of Foreign Affairs, Vol. 63, Santiago, Chile.

staying at New Diggings, near Mockelumne Hill, Sanford Johnson stated, "we are on our land and they [Mexicans] dare not trouble us."[3]

Nonetheless, Anglo-Americans were secure in their position of dominance when confronted by diverse societies. Franklin A. Buck wrote in 1853, "It is strange that wherever the American people settle the natives, be they Indians, kanakas or Spaniards, gradually go away and I firmly believe in the doctrine of manifest destiny that we shall yet overrun the whole continent and spread out on the islands and into Asia."[4] In 1855, after the Gold Rush was over, Hinton Helper summarized the effects of this racial Manifest Destiny when referring to the racial order of the country in general, and to California in particular:

> No inferior race of men can exist in these United States without becoming subordinate to the will of the Anglo-Americans, or foregoing many of the necessaries and comforts of life. They must either be our equals or our dependants. It is so with the Negroes in the South; it is so with the Irish in the North; it was so with the Indians in New England; and it will be so with the Chinese in California (1855:96).

Hence, Manifest Destiny and its racial implications supported the development of a general ideology that transcended and influenced all kinds of intergroup relations in the California gold fields. At the same time, Manifest Destiny was simply an abstract ideology that could not effect significant change unless it was applied through concrete forms of social behavior in the mines. The use of the law and lynching practices were effective means to convert ideological racism into concrete realities. Of course, many Anglo-Americans were lynched too, although in strikingly lower numbers than "Hispanics." In fact, according to David A. Johnson, there were 380 lynchings in California between 1849 and 1902, approximately half of which occurred during the short period of the Gold Rush between 1849 and 1853. During those crucial years of racial formation in California, Johnson states that "non-whites, primarily Hispanics, composed a dramatically disproportionate percentage of those who experienced the wrath of the 'people'" (D. A. Johnson, 1981:575). This supports the assertion that Anglo-Americans imposed their racial supremacy through the use of law and justice; however, what is interesting is how law and justice were charged with symbolic meanings as well, particularly regarding race and the position of Anglo-Americans in California. A number of factors point to Anglo-Americans' use of law and justice as

3 Letter of S. Johnson, *New Diggings*, December 28, 1850, in Huntington Library, San Marino, California.

4 Letter of F. A. Buck, Weaverville, California, September 18, 1853, in Huntingdon Library, San Marino, California.

prime tools to express Manifest Destiny and underscore its inherent racial connotations. As will become evident in the cases below, foremost among them is the evident disparity in the frequency of these punishments targeting Anglo-Americans vs. non-whites, and a greater tendency to publicize punishments against non-white foreigners.

Hanging a Mexican woman

On the afternoon of July 5, 1851, the body of Josefa, a Mexican woman from Sonora, Mexico, hung from the gallows which an Anglo-American crowd had built at the town's bridge in the small mining town of Downieville in the foothills of California. After the execution had been completed, Josefa's body was "suspended between the heaven and the earth" from a rope that she decided to put around her neck "with her own hand." A cap covered her face while her "luxuriant" and long dark hair flowed freely, untouched by the cords that tied her body (McFarlan, 1850/1:173). Josefa was the only woman hanged during the California Gold Rush. She was executed because, earlier that morning, she had stabbed Frederick Cannon, an Anglo-American miner, apparently because he had intended to take sexual advantage of her.

Josefa's statement during the short and expedited trial implied that the stabbing was indeed in self-defense:

> I took the knife to defend myself; I had been told that some of the boys wanted to get into my room and sleep with me; a Mexican boy told me so and it frightened me so that I used to fastened the door and take a knife with me to bed. I told deceased that was no place to call me bad names, come in and call me so, and as he was coming in I stabbed him (*The Steamer Pacific Star*, San Francisco, July 15, 1851).

Based on the opinion of John Fowler, a witness to the episode, the *Sacramento Times & Transcript* included a report, published after Josefa had been executed, that corroborated her statement:

> The act for which the victim [Josefa] suffered was one entirely justifiable under the provocation. She had stabbed a man who persisted in making a disturbance in her house, and had greatly outraged her rights. The violent proceedings of an indignant and excited mob, led on by the enemies of the unfortunate woman, are a blot upon the history of the State. Had she committed a crime of really heinous character, a real American would have revolted at such a course as was pursued towards this friendless and unprotected foreigner (Republished in *Alta California*, San Francisco, July 14, 1851).

In the end, as David Barstow indicates in his recollections of the event, "the hanging of the woman was a murder" (1979:23). However the opinions of Barstow, Fowler and several others who witnessed the event were unable to affect the mood of the crowd that day. In fact, Josefa's fate was determined as soon as she committed the crime. Early that morning, the public embraced the general cry of "'hang them' [referring to Josefa and Jose, her Mexican lover]. Give them a fair trial and hang them!" (*The Steamer Pacific Star*, San Francisco, July 15, 1851). In other words, the public advocated for a legal trial to legitimize a decision made as soon as they knew a Mexican woman had killed Cannon. But more importantly, in order to generate excitement and to convert the trial and the execution into a great stage for the manifestation of Anglo-American racial supremacy, the crowd turned the tragic event into a dramatization in which Josefa was the "antagonist" and her dead body a symbol of inferiority. The excitement in town was indeed impressive; by one o'clock that same afternoon, the people in Downieville had organized a court with John Rose as Judge and another twelve people as jurors. The informal ad hoc jury found her guilty and condemned her to be executed. Her lover, José, was ordered to leave town. By law, no other foreigners besides Josefa and José were able to testify during the trial, which explains the quick and unanimous verdict that sent Josefa to the gallows just hours after she had committed the crime. The 1850 law that prohibited non-white witnesses from testifying in court sought to establish white racial supremacy by impeding non-whites from testifying against Anglo-Americans (Moore, 2003:118-120).

In part, Josefa was the victim of racism as she was considered a person who represented the worst of her race. According to John R. McFarlan, who witnessed the trial, Josefa "presented more the appearance of one who would confer kindness than one who thirsted for blood; but the propensity of her race was truthfully developed not only by the entire testimony, but by her own statement and that of her paramour" (*The Steamer Pacific Star*, San Francisco, July 15, 1851). In the end, Josefa encountered her death hundreds of miles away from her native Sonora, the place from which she had recently migrated in search of economic opportunities in California, and before what witness David Barstow described as the "hungriest, craziest, wildest mob standing around that I have ever seen anywhere" (1979:23).

Josefa's body hanging from the gallows symbolized the kind of Anglo-American punishment applied against non-white foreigners in California. Her execution–as well as most of the lynching cases against people from Hispanic America–had a clear racial connotation. Before she was executed, Josefa was asked for her last wish; according to McFarlan, "the only request she had to make was that after she had suffered, that her body should be given to her friends in order that she might be decently interred" (1850/1:173). What she wanted was to give her maltreated and deceased body to her friends to rest in peace. In reality, however, Josefa's body, which represented the "Mexican race" to Anglo-Americans, had already become a collective symbol of the doctrine of Anglo-American racial superiority and dominance over the California soil and its

inhabitants. This was especially so given that her execution was "staged" and prepared with the intention of causing the maximum impact possible among the thousands of Anglo-American and foreign miners who witnessed her body hanging from the gallows. In fact, most Anglo-Americans did not want to delay the trial and execution since they knew that the following day, after the end of the Fourth of July celebrations, all miners would leave the town and return to their isolated lives in their respective mining camps.

Executing Chileans

Chilean miners were also lynched in the California mines in circumstances in which they defied Anglo-American authority. This happened, for example, when a group of Chileans resisted efforts to expel them from the California mines by a group of Anglo-American miners in Calaveras. This angered and provoked some Anglo-American miners who were unwilling to accept the presence of "undesirable" foreigners in what they considered "their" mines. This intolerance increased when Chileans tried to make use of Anglo-American legal practices towards their advantage, as happened in the most notorious confrontation between Anglos and Chileans, which took place near Mockelumne Hill, Calaveras, in late December 1849 and early January 1850.

After a group of Chileans refused to leave the mines at Calaveras in December 1849, a group of Anglo-Americans organized "a meeting to make laws to have our rights as American Citizens" (Hovey, 1849-1851:74). Taking into consideration the lack of a well-established justice system in California up until that time (it did not become a U.S. state until 1850), these miners gathered to "make law" and elect district authorities in order to preserve their rights as American citizens. As a consequence, they chose L. A. Collier as their local judge (Hovey, 1849-1851:74). Collier established a series of laws, the first of which stipulated that "no foreigners shall be permitted to work at these mines after the tenth day of December 1849" (Hovey, 1849-1851:85). This decision was accompanied by derogatory comments about the foreigners by Abraham Nash, a miner, who declared that "the foreigners and especially these D'd copper hides every one of them should be driven from our diggings they've got no business here in the first place" (Hovey, 1849-1851:88). Chilean miners did not recognize the authority of Judge Collier and refused to depart from Calaveras, which led a group of Anglo-Americans to sack the Chilean tents and to fine them. The Chileans then departed to Stockton, the most important town in the area, where they complained to the authorities, including Sub-Prefect W. Dickenson, Justice of the Peace G. Belt, Sheriff Young and Judge Reynolds (Beilharz and López, 1976:120-124). As Argentine Ramón Gil Navarro wrote in his diary, the Chileans "ended up lodging a complaint against the judge of Mockelumne–Collier–saying that they had not been treated fairly by him" (Ferreyra and Reher, 2000:72). Even though they had obtained a warrant from the Stockton authorities against Judge Collier, the Chileans did not have the power to

enforce this legal order. Consequently, they decided to take justice into their hands; they attacked the Anglo-American camp, killing two people and taking sixteen prisoners, which infuriated other Anglo-Americans in Calaveras. Two days later, these Anglo-Americans liberated their friends and subsequently put the Chileans on "trial" in Calaveras.

On January 2, 1850, after several people recommended the immediate execution of the Chileans, a jury decided

> [to give] them a fair trial, and found that nine of them were [Peones] or Slaves, and had to do just as their Masters said, and had to participate in the murder against their will, or they would be murdered, they then sentenced the nine [Peones] to have their heads shaved and have one hundred lashes on their clear backs, and one of them to have their ears cut off, and the three leaders to be shot on the third day of January (Hovey, 1849-1851:81).

Following traditional Anglo-American legal procedures, the Chileans received legal counsel from a "young and smart Lawyer from the city of Boston, by the name of Mellville" (Hovey, 1849-1851:80), but it did not help them much. In any case, the appointment of a lawyer was not necessarily intended to provide protection for the Chileans; the same could be said about the trial, which was simply part of a play whose ending was known to everybody even before the trial had commenced. Meanwhile "the news had spread like wildfire through the different mines" (Hovey, 1849-1851:80), and thousands of miners made their way to Mockelumne Hill during the following days in order to witness the execution of the Chileans. As in Josefa's case, the execution was carefully prepared and it is possible to argue again that the punishment was also "staged." On January 1, 1850, many miners arrived to assist in the process, while the little village was in confusion because of the presence of a great multitude of people (Hovey, 1849-1851:80).

The execution of the Chileans was carried out on January 3, 1850; Argentine Ramón Gil Navarro narrated the event, depicting the Chileans' suffering during their final moments:

> After the whippings, carried out to the very letter, Ignacio Yañez was to undergo the third penalty, that of losing his ears; to be followed in turn by his two fellow sufferers–after they had been whipped and had their heads shaved. I still shudder, remembering the screams of those poor men as they were so barbarously mutilated [...] The cutting was followed by a cry of pain such as one might hear in the last agony of a martyr. The ear with a part of the cheek was in the hand of the executioner who, after a moment, threw it aside and went after the other ear with the coldest insensitivity. A sea of blood inundated the face and clothing of the poor fellow, giving him a look more horrible than you can imagine [...] Finally Terán, Damian

> Urzúa, and Francisco Cárdenas were tied to oak trees [...] then shot from a distance of fifty feet, not all at once but one after another (Beilharz and López, 1976:145-149).

Again, punishment in this case was public and attracted thousands of miners from the surrounding camps to witness the dramatic imposition of Anglo-American justice in the California mines against Chilean miners. These witnesses reaffirmed their sense of racial supremacy during the executions as they watched "inferior" Chileans die. More importantly, those who survived with their heads shaved and ears mutilated carried indelible marks on their bodies–derogatory corporal marks that signaled their representative role as unwelcome immigrants during the California Gold Rush and served as public symbols of their supposed racial inferiority to Anglo-Americans.

Murrieta's head exposed

If in most of the lynching cases people gathered to witness the direct punishment and execution of non-white immigrants, Joaquin Murrieta's case offered an alternative demonstration of punishment as spectacle. Joaquín Murrieta was a Mexican from Sonora who had traveled to California during the Gold Rush and become famous for his actions of banditry that lasted only a few years until his death in 1853. While numerous Anglo-American outlaws also lived on the outskirts of California society, during the 1850s, Mexicans increasingly became seen as criminals and bandits. Murrieta's actions, including those committed by other criminals, some of which were also attributed to him, contributed to stigmatizing the entire Mexican population as criminals. Mexicans were regularly blamed for any criminal activity carried out by unknown perpetrators. In the midst of the frenzy surrounding Murrieta, residents of Agua Fría complained to California Governor Bigler, in a letter which they had published in the *San Joaquin Republican* (Stockton, May 4, 1853), that "our county is now being ravaged by a band of robbers, under the command of the daring bandit, Joaquín, or some other equally desperate outlaw, to such a degree, that neither life nor property is safe." They further reported actual robberies in the nearby village of Carson's Creek for which they held Mexicans responsible: "it is supposed to be Mexicans, as several strange Mexican faces had been seen that day in the village, which were missing the next morning" (May 4, 1853).

In Calaveras, which had a considerable Mexican population in the 1850s, Anglo-Americans generally viewed Mexicans in a negative light after a series of robberies committed, presumably, by Joaquín Murrieta. The *San Joaquin Republican* reported that:

> The opinion is fast gaining strength that the only way in which the county can be cleared of the ruffians is to banish the entire Mexican population from these parts. The next news we shall receive will be that this idea is being carried into effect.

> None will be astonished, none would blame the act; any scheme calculated to have the desired effect would be hailed with universal approval. Violent diseases require violent remedies, both in the body corporeal and the body politic; and we should remember that in Calaveras County no man can retire to his pillow without the fear of the intrusion of some villain, no man's life is safe, there is no settlement that is not liable to an attack (March 2, 1853).

This put Mexican people in a very difficult position; comments about them reached an extremely harsh level, to the extent that this same newspaper suggested the "diabolic" nature of Mexican people when referring to Murrieta's presence in Southern California. The newspaper reported that "the gentleman [Joaquín Murrieta] is probably taking a flying visit to an 'amigo' of diabolical pursuits at Santo Tomas, finding the upper country a little too hot for him at present" (*San Joaquin Republican*, March 20, 1853).

The whole Murrieta affair sparked the elaboration of a culture of fear, suspicion, distrust and anger against Mexicans in California with lasting consequences. For instance, many Mexicans were blamed for crimes that they did not commit. Newspaper articles and reports heightened these emotions because, as in the following example, they portrayed an extremely alarming situation for the Anglo inhabitants of Agua Fría:

> Our agriculturists, who have stock loose on their farms, are missing some nearly every day and night; in fact, they dare not own a fine horse and mule, and let him free of the lock and key, or the immediate sight of its owner, for one night; for if they do, it is certain to be stolen. If a man known to have money walks or rides the road for any distance, he is knocked down and robbed of his treasure; if he leaves his ranch for a day or night, his horses, mules, or beef cattle are driven off, and never seen or heard of again by the owner (*San Joaquin Republican*, March 30, 1853).

As a result of the general concern about banditry in California, Governor Bigler approved an Act in 1853 to create a company of rangers to capture Murrieta, designating Harry Love as commander because of his experience in "border warfare" (S. Johnson, 2000:37). Eventually, Joaquín Murrieta's life ended at Arroyo Cantúa at the hands of some of Harry Love's people. In this incident, Love's party killed three people and the rangers decapitated two of them and preserved their heads in alcohol. Later, all agreed that one of the beheaded men was Murrieta and the other one of his collaborators (S. Johnson, 2000:39). Murrieta's head was then bottled to preserve an "objective" proof of his death. What is interesting is how this bottled head not only constituted proof of Murrieta's death, but also a symbol of Anglo-American success in dealing with undesirable Mexicans. In Murrieta's case, Anglo-Americans were pursuing both Murrieta and Mexicans in general, whom Anglos started to see as criminals, with Murrieta representing the epitome of Mexicans' evil character. Unlike the bodies of

Josefa or the Chileans who died at Calaveras, the pickled head presented possibilities because it could be displayed around California. In fact, Murrieta's bottled head toured California immediately after his death. The head, accompanied by the famous three-finger hand of one of Murrieta's accomplices, was first exhibited in Stockton and later in San Francisco, where the *Herald* ran an advertisement on August 18, 1853, informing people they could see "Joaquin's Head!!" for one dollar at John King's Saloon (*San Francisco Herald*, August 18, 1853). Later, a billboard was printed that announced in big letters the exhibition of "The Head of the Renowned Bandit! JOAQUIN! And the Hand of Three Fingered Jack! The Notorious Robber and Murderer" (Latta, 1980:601).

The head continued to tour the state during the following years and was the object of several commercial transactions until it ended up at Dr. Jordan's Pacific Museum of Anatomy and Science in San Francisco in 1865 (Thornton, 2003:148-150). The fact that Murrieta's head was on display, especially in the months that followed his death in 1853, demonstrates how his bottled head had a multiplying effect in terms of promoting the association of Mexicans with the concept of evil, a concept that was reinforced through other venues throughout the 1850s.

The figure of Murrieta has been surrounded by numerous myths. As a result, there has been debate about many aspects of his life, including his death. People still debate whether the bottled head was Murrieta's. William Byrnes, one of his captors, is rumored to have said that "one pickled head was as good as another if they [sic.] was a scar on the face and no one knew the difference" (cited in Thornton, 2003:105). This assertion confirms the idea that, beyond the reward and the actual or supposed death of Murrieta, what was at stake in California in 1853 was much more than Murrieta. The issue was what people referred to as the "Mexican race," an inferior and "criminal" race as it was conceived by Anglo-Americans during the 1850s, when they felt the need to impose their racial supremacy in an extremely diverse California society.

Conclusion

What is ironic about California during the Gold Rush was the implementation of numerous public executions at a time when, as Michel Foucault (1977:8) points out, there was a rapid worldwide process leading towards the disappearance of punishment as spectacle. As Louis Masur also argues, from the eighteenth century until the mid-nineteenth century, the "shift from public, external, physical forms of punishment toward private, internal, psychological modes of discipline embodied the triumph of new sensibilities and the reconstitution of cultural values throughout the Western world" (1989:3). Indeed, many places in the United States had banned public executions, especially in the first half of the nineteenth century. By 1845, public executions were eliminated in all of the New England and mid-Atlantic states, from which regions the great majority of Anglo-American forty-niners originated. Interestingly, though, public

executions continued in the slave-based southeastern states and in California, where the "danger" of "undesirable" people was present. However, the sole presence of "inferior" people who represented a danger to racial supremacy does not fully explain these acts of violence against them. In a context of Anglo-American conquest and settlement of California, the actions many of these foreigners took were as important as Anglo-American racial ideology. Thus, forms of resistance and challenges to Anglo-American authority and rule by certain foreigners caused Anglo-Americans to react with fury against many of them. This shows how powerful racism was in the United States, but more important, how connected public executions were with the imposition of racial supremacy. At the same time, this shows how public punishment, where bodies acquired a strong symbolic meaning, was able to persist or emerge in particular contexts in which the presence of immigrants or undesirable people justified such punishments as a means of maintaining a certain racial order. Hence, it is not surprising that public lynching in California remained legally accepted in the state until 1858, by which time Anglo-Americans had advanced considerably towards the consolidation of their racial supremacy. In that year, the California Legislature moved executions inside county jails and required at least twelve respectable citizens as witnesses, a move that aligned California with most of the eastern states (Ethington, 1994:100). Nevertheless, this termination of public executions occurred only after California authorities and resident Anglo-Americans felt that they had secured their racial supremacy in the state.

Lynching was effective in terrorizing many non-white foreigners and attracting large crowds of Anglo-Americans during the Gold Rush. As Philip J. Ethington points out, "by extinguishing a human life in public–leaving the body for view and sometimes abusing it–crowds and their leaders intend[ed] to transform the individual [victim] into a collective symbol" (1994:98). The non-white victims examined in this article became precisely that–collective symbols of racial inferiority. At the same time, the motives for these lynchings were eminently known and functioned to communicate a strong racial ideology to a broader public. Hence, the Anglo-American witnesses for the trials that led to these lynching cases had the opportunity to testify against non-whites, as well as to make the establishment of racial and ethnic hegemony more tangible. Through this expression of discrimination against non-whites, Anglo-Americans developed a sense of accomplishment regarding their position as rulers of California.

At a time when Anglos were not able to establish their racial hegemony extensively through labor control–since large-scale industrialization took many more years to appear, and Chileans and Mexicans worked for their *patrones* (employers) in independent companies outside Anglo-American control–lynching became a powerful way to impose Anglo-Saxon racial hegemony. Public executions helped produce a sense of social responsibility towards the implementation of that racial agenda. What is interesting is that, as California society and its fledgling justice system emerged through the 1850s, residents and state authorities (which appeared only after 1850) cooperated to shape a racist agenda through the terrible spectacle of public executions.

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