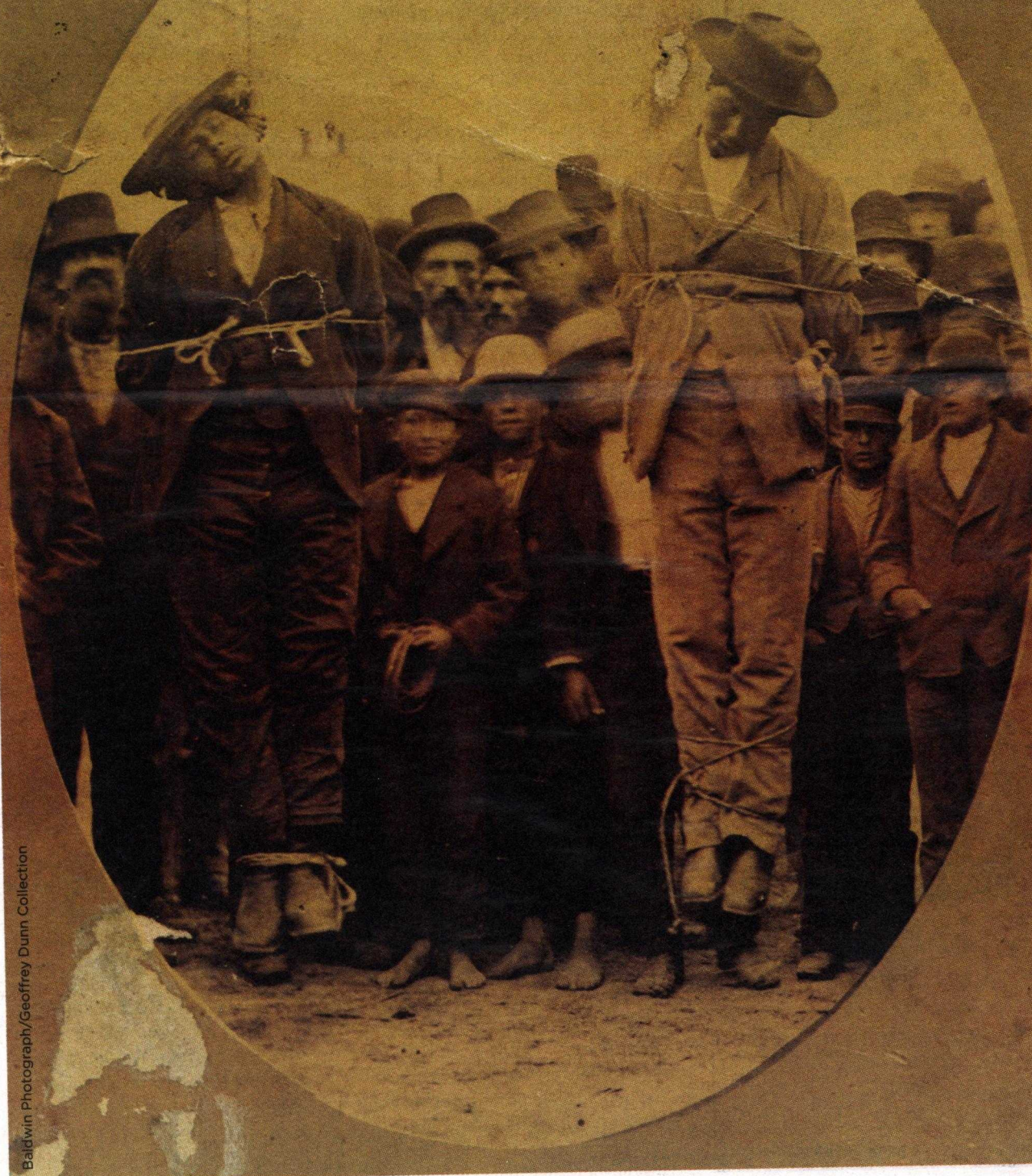


# View to a Kill

What the wildly varying perspectives on the Water Street Bridge lynching of 1877 say about Santa Cruz history then and now **BY GEOFFREY DUNN**



Baldwin Photograph/Geoffrey Dunn Collection

**B**y the time the sun rose on Thursday morning, May 3, 1877, the two bodies dangling from what was then known as the "Upper" or Water Street Bridge were already stiff with rigor mortis. A large crowd had gathered on the banks of the San Lorenzo River and down onto a sandbar to gape at the hanging corpses—victims of an angry lynch mob the night before. It was well into mid-morning before the bodies were finally removed. The remaining spectators, including children, called out bids for pieces of the death ropes, which had been sliced into foot-long sections as souvenirs. "Judge Lynch had evidently been holding court," the *Santa Cruz Sentinel* observed in the aftermath, "but who the Judge, jury or attorneys were was purely a matter of conjecture."

The bodies of the two men, Francisco Arias and José Chamales, were taken to a local undertaker, where five Santa Cruzans were impaneled as an impromptu coroner's jury. Their verdict was predictable: "The deceased met their end on the upper San Lorenzo bridge at the hands of *parties unknown*." Emphasis added. It was later speculated that at least one member of the jury had been a part of the lynch mob that hung the two men.

Arias and Chamales (their names were spelled in several different ways by various publications) were *Californios* (Spanish-speakers of Mexican and Native American descent)—though they were referred to in the journals of their day as "half-breeds" and "Indians"—and both were natives of the region. Arias, 35, had been born in Pescadero, while Chamales, 21, had been born in Branciforte, the secular *villa* of Spanish California, located roughly a half-mile east up Water Street from where the hanging had taken place.

This was not the first lynching in Santa Cruz of a *Californio*. As early as July of 1852, vigilantes had hung a notorious horse thief here named Mariano Hernández from a makeshift gallows. Witnesses reported that Hernández had "frequently boasted of killing and robbing Americans." He



had also stolen from his own people, and according to various accounts, the vigilantes included other *Californios* who were victims of Hernández and his gang of bandits.

There are no photographs of the Hernandez hanging, but on that spring morning in May of 1877, before the bodies of Arias and Chamales were removed from the bridge, Santa Cruz photographer John Elijah Davis Baldwin, proprietor of the Star Gallery on Pacific Avenue, arrived on the scene, his photographic equipment in tow. Baldwin had emigrated to Santa Cruz from Pennsylvania in 1869 and was listed as an “artist” on the local Voter Register.

A few years earlier, in September of 1874, Baldwin had taken a famous photograph of a local native who came to be known as Justiniano Roxas, or simply “Old Roxas,” and who was said to be more than 120 years old at the time (it turned out he was not). His photograph was sent to the Vatican, as a gift for Pope Pius IX.

Baldwin, at 35, the same age as Arias, settled his photographic equipment in the riverbed immediately upstream and gathered the crowd together around the dangling corpses. More than a dozen faces, some partially obscured, would eventually appear in Baldwin’s image of the hanging, recorded on a glass negative. Someone apparently replaced the hats on the victims, their heads symmetrically tilting away from each other atop their broken necks. It is believed that Arias, older and larger than his younger accomplice, is on the left, wearing a three-piece suit, and Chamales on the right, wearing a frayed coat jacket and a white shirt.

The assembled crowd looked directly at Baldwin as he prepared to take his photograph. Some were wearing top hats, others bowlers and conductor’s caps with short bills. The younger boys in the photo were barefoot, with one of them holding some rope of the very same gauge that was used to pinion the arms and legs of Arias and Chamales prior to the hanging. The image was captured for posterity.

So-called “cabinet photos” of the hanging—an albumen image composed of egg white and salt on thin cotton paper, then dipped into silver nitrate and pasted to a

cardboard backing—would later be sold in Baldwin’s gallery on Pacific Avenue as souvenirs of the lynching.

## Awful Truths

For several years, when I presented lectures and slideshows on Santa Cruz history, I used the lynching photograph as the first image of my presentation, as a way of startling the audience and debunking any idyllic stereotype people may have of Santa Cruz history. Moreover, the image profoundly symbolizes the conquest of native, Spanish and Mexican California in the later half of the 19th century under American rule. Lynchings became a powerful, extra-legal device in the consolidation of Yankee power in California, especially in San Francisco, where a “Committee of Vigilance” had first formed in 1851.

Baldwin’s photograph also underscored the historic tensions in Santa Cruz County, where “contested terrain” has shaped the landscape of human history for centuries. At roughly the same time as the Arias and Chamales lynching, Yankee Santa Cruz turned its focus on immigrants from China, where a virulent anti-Chinese movement commenced under civic leaders Elihu Anthony and Duncan McPherson, editor of the *Santa Cruz Sentinel*, lasting well into the next decade.

People of color—Indians, *Californios*, Chinese, African Americans and a new wave of immigrants from Southern Europe—were forced to the margins of Santa Cruz’s economy and political power structure. It was a dynamic that would remain in place for more than a century and, it could well be argued, to this day.

I first saw the Baldwin cabinet card of the lynching—indeed the very image that illustrates this article—when I was in grade school, at the home of my father’s friend, Roy Bookenoogan, who had it tacked to a wall in his home on Branciforte Avenue. The image impacted me then, too. Bookenoogan, a frail yet gregarious man at the time, told me that he knew people who had not only been at the lynching, but were actually in the photograph. As a young boy, I had only a single degree

of separation from those events nearly a century earlier.

Other elders from my childhood, including my great-uncle, Malio Stagnaro, had also known people at the lynching; so, too, did his schoolmate Harold Van Gorder. It was part of the community lore, woven deep into its fabric. Ernest Otto, a close friend of my family's and a significant chronicler of local history for decades, often recalled the incident in his "Old Santa Cruz" column that appeared weekly in the *Santa Cruz Sentinel*.

"Great was this writer's disappointment," Otto wrote, "when he failed to see two Indians hanging from the cross bars of the Water street or Upper bridge, after his sisters came home from school at the noon hour and told of seeing the lynched men suspended from the make-shift gallows. Small as he was, the writer went there but the two had been cut down."

Disappointment, indeed.

In another account, published in the 1950s, Otto wrote about the "rough justice that was visited upon" Arias and Chamales, who were "left hanging from a cross-bar on the Water Street Bridge." Otto understood the significance of the two men being "left" there. Someone was sending a message.

Much to my surprise, I soon realized that the lynching was not an article of shame with the Santa Cruz in which I had been raised, but rather a source of some civic pride. The image of the hanging appeared in several bars and even a restaurant in downtown Santa Cruz, and could be found for sale at Ed Weber's camera shop on Pacific Avenue.

When I was in the third grade at Bay View Elementary School, Margaret Koch, another early chronicler of Santa Cruz history, published a story under the headline: "Early-Day SC Vigilantes Believed in Death Penalty." Koch—whose images of the Water Street Bridge were donated to the Museum of Art & History and illustrate this present article—interviewed a longtime local resident about the hanging. "The rope marks," she noted, "still showed on the old bridge timbers around the turn of the century, according to one old-time Santa Cruzan who was a young feller then."

In her local history book, *Santa Cruz County: Parade of the Past*, published when I was a senior in high school, Koch's account of the lynching is inaccurate in several respects, but more significantly is told from the perspective of *justifying* the lynching—"an eye for an eye, a tooth for a tooth"—and claiming that the only "law" of that era was by "gun and rope."

By the time I had reached my mid-twenties, I began researching the 1877 hanging on my own. While in the San Francisco Public Library, conducting research about another period of vigilante activity in the region—the anti-Filipino riots in Watsonville in the winter of 1930 that resulted in the death of Filipino farm worker Fermin Tobera—I decided to pull out microfilm from San Francisco papers from the late 1870s, wondering if they had covered the lynching as well.

They did. There was an entirely different tone—and often different facts—in their varied renditions.

I wrote my first article on the lynching—entitled "Hanging on the Water Street Bridge"—for the long defunct *Santa Cruz Express*, then edited by the inimitable Buz Bezore, who encouraged my writings about the darker chapters in Santa Cruz County history. That article was later turned into a short chapter in the first volume of my book, *Santa Cruz Is in the Heart*, published in 1989.

When the Museum of Art and History (MAH) this year mounted an exhibition based on my writings, I wanted the lynching—and the Baldwin photo—featured in the exhibit. The starkness and naked violence of the image presented concerns about how to portray it in a public setting in which young children would be viewing it. MAH's exhibition manager Justin Collins came up with an ingenious device, placing it behind a broken fence in a cordoned-off section of the exhibit.

"The crowd in the photo are all so packed in," Collins noted, "that I imagined there were people that wanted to get close to his horrific spectacle but couldn't. It is also such a powerful image I was looking for a way to draw people in by obscuring it enough make them question what was behind the fence, but then to confront





**GEOGRAPHY OF A LYNCHING** *The Water Street Bridge in the 1880s with horse and buggy traffic. Mission Hill in the background (at right), with the newly constructed Holy Cross steeple, was the site of the County Jail from where Arias and Chamales were removed by the lynch mob prior to their hanging.*

people with it when they peered through the openings in the fence.”

## Lit Fuse

The immediate events leading to the Santa Cruz lynching began on the evening of Saturday, April 28, 1877, when Henry de Forrest, aged 62 and a carpenter at the California Powder Works, was walking home along River Street (then known as the Powder Mill Road), near the site of the present-day Lloyd's Tire Shop, on the corner of Mora Street.

The Powder Works was a bustling enterprise at the time and one of the largest employers in the region. While accounts vary, it was said that de Forrest was married, with two children, and was working to save up enough money to relocate his family to California.

I should note here that accounts vary widely in many respects, and that there were several renditions in more than a half-dozen local and Northern California newspapers, so that the events have been filtered through the eyes and perceptions of journalists and their editors (and perhaps, also, their publishers).

I've never been able to locate a single government document of the incident. How reliable the journalistic accounts are is a matter of conjecture. (In the age of the Internet, I have recently found reports in newspapers appearing across the country, including one in Tennessee.)

That said, by all accounts, near eight in the evening on that Saturday night, shortly after dusk, de Forrest was approached by two assailants and shot with a large-caliber Russian revolver through the right shoulder; the bullet passing through both of his lungs. An initial shot had torn through a nearby fence, missing its intended target. De Forrest's pockets were ransacked, and he was dragged some 50 feet away from the main thoroughfare into the southeast corner of the Mission Santa Cruz orchard, left to die in a pool of blood. It wasn't until the following morning that his body was discovered by a passerby.

An investigation of the murder was immediately organized by the county sheriff and coroner. An unidentified “Indian” living in the Native American village a mile north of town (presumably in what came

to be known as the Portrero) had been stopped by two men, Arias and Chamales, just prior to the murder. The alleged assailants recognized their would-be victim and allowed him to proceed.

A short time later, the witness declared that he heard a pistol discharged from where he had been accosted by Arias and Chamales.

Both Arias and Chamales had criminal records. It was reported that Arias had served out two sentences at San Quentin, one for murdering a sheep herder in San Luis Obispo, the second for robbing the home of farmer Peter Murphy in Watsonville. But records also indicate that he was sent there a third time for “assault to do bodily injury” in Santa Clara County. Chamales had also served time in San Quentin for robbing “the widow Rodriguez” in Branciforte. Both had recently returned to the region.

Later that evening, the two men were seen together in Aptos at “Montgomery Queen's California Menagerie, Caravan and Double Circus” following the time of the murder, and they were said to be in possession of substantial “gold and silver coinage.” The large and ornate circus, then traveling throughout the west, featured more than “100 men, ladies, children and horses,” along with a “two horned rhinoceros and [an] African horned horse.” It was described by the *San Francisco Chronicle* as “the most gorgeous spectacle of its age.”

It was alleged that the lure of the circus—and their lack of funds to purchase tickets—are what motivated the suspects to commit their crime.

By Monday, law enforcement officials from the County, Watsonville and Santa Cruz tracked down the two suspects, Chamales being found in Watsonville and Arias camped out with two native women in “a brush hut” near Corralitos.

Both men reportedly admitted to the murder, though Chamales allegedly fingered Arias as the actual assailant, claiming that it was Arias who pulled the trigger and that he himself had received only \$2.50 of the \$20 (or \$8) in coin taken from the victim. Arias did likewise to Chamales.

They were placed in the jail together that day, Chamales requesting separate cells.

The first account of their arrest appeared in the May 3, 1877, *San Jose Daily Mercury*, which included a brief editorial comment at its conclusion: “We just say here, that in view of the excitement engendered in the minds of the people of this beautiful and flourishing place over the appalling murder of DeForrest, but which to a certain extent has subsided, that the citizens are emphatically law-abiding and will see that the law take its course and Justice be meted out to the prisoners.”

That course, however, would be altered.

## Rough Justice

It is at this point where accounts of the lynching diverge, and diverge considerably—sometimes bizarrely—and where all renditions must be taken with a heavy grain of salt. The hard cold “facts” of the lynching will never be known with certainty, until at the end, all we know for sure is that the early-morning spring breezes swept up the San Lorenzo River, pressing against the two corpses and into the faces of those townspeople who had congregated to witness the results of “Judge Lynch.”

When I traveled to the San Francisco Public Library nearly 30 years ago, and finally discovered outside accounts of the lynching—some of which had been republished in the local press—I was startled by the discrepancies not only in the narratives about the events here in 1877 (and they are plentiful) but also in the judgments directed at the lynch mob. It confirmed for me that our understanding of the events would always be something like an encounter with an abstract painting in the mode of Diebenkorn—composed of broad strokes, sketchy, fragmented, details made vague, almost indiscernible, left open to interpretation and speculation.

After midnight, in the early morning hours of Wednesday, May 2, a crowd gathered outside the jail—then located on Mission Hill, just east of where Holy Cross Church now stands, on the present site of the church parking lot—where, according to a lengthy account in the *Santa Cruz Sentinel*, “all was quiet the next day, the people generally believing that the law would be



allowed to take its own course.”

It would not. The following morning, again after midnight, a larger crowd gathered near the jail, more unruly (the *Sentinel* suggested that many of them were from Felton, perhaps from the Powder Works, “where DeForrest had lived and had friends”), determined to take justice into their own hands. Local accounts proclaimed the number as large as 200; those from outside, including those in the *Alta* and *Bulletin* claimed as few as 40. They also asserted that the lynch mob arrived with blackened faces; the local papers made no mention of it.

At some point that fateful morning, the “committee,” as it was called, forced its way into the jail, placed Arias and Chamales in a wagon and drove them the quarter-mile or so down Mission Hill (present day Mission Street) to the western end of the wood framed bridge, where they would be issued their crude and public fate.

The *Santa Cruz Weekly Courier* claimed to have “found” a “description” of the events “under our door,” asserting that a “complete confession” had been “elicited.” According to this account, Arias and Chamales “were as calm and collected as though they were saints,” and had requested that their “relatives would see that mass was said for the repose of their souls.” They said their goodbyes in Spanish. “A few short struggles,” the *Courier* intoned, “a relaxation of the muscles, and they had paid the penalty for their revolting crime.”

The *Sentinel*, on the contrary, claimed that it had not such a communication, “neither do we believe a letter was left under any one’s door...and we will not resort to any such subterfuge.” The paper further claimed that it knew nothing of the lynching until “Thursday morning, when our attention was directed to the upper San Lorenzo bridge.” The account claimed that Arias had asked for whiskey and that he “drank the bottle to its dregs.” It described his face after the hanging as “hard and repulsive.”

The non-Santa Cruz papers, however, were sharply critical of the lynching. “Is the taking of human life without authority of law any less a murder because it is perpetrated by

many instead of one?” asked the *Alta*, published in San Francisco. “Indeed not.”

The *Santa Cruz Local Item* took a profoundly different slant. “Judge Lynch is a very dangerous magistrate,” the paper opined, and “should never be called to preside except as a last resort....But he is a terror of outlaws and desperadoes, and a most able defender of public safety.” It was the language of conquest and subordination. “Let the criminals and the vagrant idlers in and about Santa Cruz beware how they conduct themselves,” the *Item* concluded. “Let those who operate here take warning. A vigilance committee can be organized here at a moment’s notice, and California vigilance committees mean business when they commence operations.”

Only a decade after the incident, the popular California historian Herbert Howe Bancroft included an account of the lynching in Volume 36 of his *Works*, entitled *Popular Tribunals*. Bancroft asserted that the murder committed by Arias and Chamales “exhibited a human depravity of lower depths that language cannot reach.” But Bancroft was not convinced by the arguments of those writing in the local newspapers that justified the lynching:

*The necessity of 40 men to blacken their faces...was no more necessary at this time in the quiet and respectable young city of Santa Cruz than in San Francisco, Boston, or London. In the one place, as in the others, the prison was secure, the officers faithful, and the judges just. There was no shadow of excuse for passionate summary execution. In the annals of punishment upon this coast, I have not met an instance so utterly inexcusable.*

No member of the “vigilance committee” was ever identified.

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*The exhibit “Santa Cruz Is in the Heart,” based on the writings of Geoffrey Dunn, will be open at the Museum of Art & History through November 23. Special thanks to Stan Stevens; Marla Novo of MAH; and Craig R. Wilson for providing the author with a copy of his unpublished paper, “Local Sovereignty, Vengeance, and Justice: Analysis of the 1877 Santa Cruz Lynching” (2006).*