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RICHARD M.
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NO DUTY
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3

California Conflict and the American Dream

*"We founded an American community, in which peace
and order, honesty and decency, industry and
economy, plenty and comfort prevailed."*
Petition of California settlers to the President of the
United States (1880).*

On May 11, 1880, a long-simmering conflict came to a violent climax in the Central Valley of California. Before the day was over, seven were dead or dying in the outcome of a deadly gunfight in a wheat field six miles northwest of Hanford, the small-town metropolis of the Mussel Slough area. The gunfight was savage. All those who exchanged shots would lose their lives.

By the 1870s and 1880s the spirit of no duty to retreat—sanctified by major state supreme court decisions in Ohio and Indiana and epitomized by the exploits of grassroots and glorified gunfighters—had become a key cultural institution of California and the West. In countless instances the no-duty-to-retreat attitude mentally programmed Californians and others to stand their ground and kill in defense of themselves, their property, and their values. In the Golden State the doctrine of no duty to retreat inspired the intransigence of the two opposing sides in a great struggle for the control of land in the agriculturally rich Mussel Slough district located thirty miles south of Fresno.

The Mussel Slough gunfight was a no-duty-to-retreat high

point in a vast trend of land consolidation that afflicted California and the West with pervasive violence in the late nineteenth century and produced a tragic legacy of lethal gunfighting.

Those slain in the Mussel Slough gunfight of May 11, 1880, represented two sides that had for years bitterly contested the ownership of thousands of acres of rich Mussel Slough farmland. Five of those slain in the gunfight were members of and represented the faction of settlers who were willing to defend their homes and farms with their lives. Behind this resolution not to retreat in the face of danger was the settlers' version of the American dream: a cooperatively built community of thriving farmers inspired by allegiance to a deeply rooted homestead ethic.¹ Two of those who died were from the other side, supporters of a mighty railroad claiming ownership of the land, their opponents, the settlers, had converted through years of struggle and sacrifice from a barren desert to an agricultural conucopia. The supporters of the railroad (and the railroad owners, too) had their version of the American dream conflicting with but just as idealistic as that of the settlers: success to be gained, not by cooperative community effort, but through individual enterprise in a market economy.²

The railroad involved was the Southern Pacific. In 1880 it was owned and led by a remarkable triumvirate of Leland Stanford, Charles Crocker, and Collis P. Huntington. These three Californians—Yankees originally from the northeastern United States—along with their now-deceased partner, Mark Hopkins (another Yankee), had gained fame in 1869 by completing the western leg of the first rail connection between California and the East. This was the Overland Route, and the corporate entity of the undertaking was the Central Pacific Railroad, the recipient of a huge federal land grant to subsidize construction. Despite the lavish federal subsidy in land (and credit), the challenge in completing the Overland Route was daunting, and the accomplishment of the "Big Four" (Stanford, Huntington, Crocker, and Hopkins) in so doing was an enormous personal triumph for them. Successful but obscure Sacramento mer-

chants in the 1850s, these four crafty Yankee businessmen had emerged in the 1860s and 1870s as California's most noted and powerful industrialists; their impact ramified through the full range of the social, economic, and political system of the state.

They carved out distinct roles for themselves. Hopkins, the treasurer and efficient bureaucrat, was the most retiring of the four; he died in 1878, reducing the Big Four to the Big Three. Huntington—financier and logistical genius—was the most creative and powerful of the Big Four, but because he was their congressional lobbyist and eastern financial representative and purchasing agent with an office in New York City, he was not usually as visible in California as the others. As a lobbyist, Huntington's remarkable powers of persuasion were frequently clinched with hard cash (delivered through intermediaries) or other illicit material rewards. To Californians the name of Huntington became, in time, a byword for corruption. Later to serve for a time as president of the Southern Pacific, Crocker had been the hard-driving construction boss of the Central Pacific project. Stanford, as a stalwart of the Republican party who had served as governor of California early in the Civil War, relished his role as public-relations front man and politico for the railroad; he also served as president of the Central Pacific and later, like Crocker (but much longer), president of the Southern Pacific. Although Stanford was the only one of the Big Four to gain high office, all four were founders of the Republican party in California, and in the 1850s they had been idealistically opposed to the expansion of slavery into the territories. Much later in his life—and while the odium of corruption was imperishably connected to his name—Huntington had been a major contributor to the support of African-American education in Virginia, where he built a large shipbuilding yard and drydock. To their dying days Stanford, Huntington, Crocker, and Hopkins were proud pillars of the Republican party and, as entrepreneurial industrialists, solid members of its conservative wing on economic matters.

Chartered some years after the Central Pacific, the Southern Pacific drew on its own huge federal land grant along a line bisect-

ing California from San Francisco through the Central Valley to its terminus on the Colorado River boundary of Arizona.³ In charge of this railroad empire, the Central Pacific and the Southern Pacific, the Big Three of Stanford, Crocker, and Huntington were in 1880 unequaled in their power in the state of California. Because of the immense clout they unhesitatingly wielded in political and economic affairs, neither the Big Three nor their railroads were loved in the Golden State. While they sincerely viewed themselves as great entrepreneurial benefactors of California, many citizens saw Stanford, Crocker, and Huntington as oppressive monopolizers of the state's land and wealth.⁵

The roots of the challenge to the Big Three and the Southern Pacific mounted by the Mussel Slough settlers went deep. In the middle and late eighteenth century, America endured a crisis of land, population, and wealth in which the increasing concentration of property in the rural and urban elite, as a result of a narrowing land base in the face of steeply growing population, spread discontent far and wide. From 1740 to 1799, there were nine rural rebellions in the back country of America stretching from Massachusetts and Vermont to South Carolina. Inspiring the rural rebels was their ardent, shared belief in the homestead ethic, an enduring body of values centered on the belief in the right of rural Americans to have and to hold a family-size farm. After the Revolution, the crisis of land, population, and wealth faded (although the homestead ethic did not) owing to the rapid expansion of frontier settlement west of the Appalachians, which relieved the population pressure on the land in the original thirteen states and diluted the concentration of wealth in the hands of the few.⁶

Following the Civil War, Americans began to perceive a new version of the earlier land-population-wealth crisis as an alarming trend of land consolidation and enclosure threatened the small landholders of the West. Henry George of San Francisco, later to be famous as the author of *Progress and Poverty*, articulated the new perception. George's social philosophy was moored in a deep belief in the homestead ethic. As he expressed it, the health of

American society rested on "the cultivator of a small farm"—"owning his own acres, using his own capital, and working with his own hands."⁸ Yet Henry George feared for the continued existence of the independent small farmer on whom the homestead ethic centered. *Progress and Poverty* did not appear until 1880, but in publications during the 1870s George, writing in San Francisco, spelled out his view of the new land-population-wealth crisis facing California, the West, and the nation in an era of land consolidation.

In a book entitled *Our Land and Land Policy* (1871), Henry George noted that the American population was rising steeply while the availability of land was narrowing just as swiftly. Although the Western wide-open spaces of the federal public domain were huge, only about one-third of that expanse was then fit for cultivation. With the total supply of unoccupied land thus restricted, there was a further problem of the increasing monopolization of the best land, due especially to the imperial land grants to great railroads such as the Southern Pacific and the Central Pacific. More than anything else, said George, the gigantic railroad land grants were causing "the monopolization of land" and making "the many poorer, and a few richer." And George saw that of all states, the problem of land monopoly was greatest at home, in California.⁹ By 1877 Henry George saw "all wealth and power tending more and more to be concentrated in a few hands." "What sort of a republic will this be in a few years," asked George, "if these things go on?"¹⁰ With the Southern Pacific Railroad heading the land monopolists of California, George denounced the trend by which "large bodies of our new lands" were being concentrated "in the hands of the few" with the consequent "absorption of small farms into large estates."¹¹

What Henry George observed was a gigantic American movement of consolidation in the form of land enclosure. This process of consolidation resulted in frequent episodes in the Western Civil War of Incorporation. One such episode was the Central Valley conflict between the settlers and the Southern Pacific Railroad.

The settlers, as noted, had their own ideology based on the

homestead ethic upon which they aspired to the American dream of success through cooperative community effort. The railroad exemplified the drive to incorporate the West in the interest of the conservative, consolidating authority of capital in a market economy dominated by corporate enterprise. One dimension of the incorporating trend was land monopolization and enclosure through giant land grants such as that made to the Southern Pacific.

Dissident Westerners reacted to the trend of incorporation and the land-population-wealth crisis with resistance that was often violent. Thus the process of incorporation, often aggressive and violent, provoked resistance that resulted in many a battle in the Western Civil War of Incorporation—a war that repeatedly flared up in surpassingly bitter local struggles for power. Often referred to locally and by later historians as “wars,” these conflicts were indeed local civil wars remarkable for their casualties and unremitting character. Social, economic, and political factors fostered alignments that bred antagonists prone to resolve an irrepressible conflict with no-duty-to-retreat violence. Sometimes these examples of the Western Civil War of Incorporation pitted intransigent mining magnates and their lieutenants against the nascent labor-union movement of the West. Especially violent conflict of this sort broke out, for example, in the Coeur d’Alene mining region of northern Idaho in the 1890s¹² and was broadly perpetuated into the early twentieth century in great outbreaks of industrial conflict in mine and mill, field and forest in such widely dispersed spots as Cripple Creek and Ludlow, Colorado,¹³ Wheatland, California,¹⁴ and Everett and Centralia, Washington,¹⁵ as well as in such metropolitan centers as Los Angeles and San Francisco.¹⁶ Again and again, however, the Western Civil War of Incorporation hinged on opposed land claims resulting in brush-fire conflicts, charring the land and its people from the prairies of Texas to the plains and mountains of Wyoming and on to the valleys of Arizona and California.

As the nineteenth century wore on the grim analysis of Henry

George was borne out by a series of struggles that emerged from the land-enclosing trend he deplored. Throughout the West range wars stemmed from the land-enclosing tactics of large-scale ranchers exercised at the expense of the small ranchers and homesteading farmers. Among numerous examples of these land-oriented conflicts in the Western Civil War of Incorporation was the 1877–78 outbreak in Custer County, Nebraska, in which homesteaders were locked in violent combat with big cattlemen.¹⁷ In Johnson County, Wyoming, aggressive cattle kings waged war in 1892 against violently resisting small ranchers and homesteaders.¹⁸ The Great Plains region of Texas smoldered with long-term conflict in the 1880s and 1890s, peaking in the “Fence Cutters’ War” of 1883–84, during which small farmers and ranchers used the guerrilla tactics of fence-cutting violence against the larger ranchers and farmers who were enclosing the open range for themselves.¹⁹ Northern New Mexico in the early 1890s was the locale of the White Cap movement—a violent campaign by poor Hispanic villagers to fight off the takeover of the communally held sheep ranges that were the basis of their livelihoods.²⁰

In California itself there unfolded before the horrified eyes of Henry George²¹ and others the Mussel Slough conflict in Tulare County, 1878–80. No episode could have better illustrated the warnings and admonitions of George in regard to the evil consequences of the land-monopoly trend of the late nineteenth century. The settlers of the Mussel Slough region employed the tactics of vigilantism to resist the land-enclosure campaign carried on by the Southern Pacific Railroad and its clients.

Before 1870 the Mussel Slough area, about thirty miles south of the present city of Fresno in the southern Central Valley of California, was virtually a desert.²² The Mussel Slough, which gave its name to the area, was only a long arm of the Kings River. The latter, draining the heavy snows of the Sierra Nevada, was the key to the development of the Mussel Slough district. The vast irrigation potential of the Kings River would be aggressively implemented during the 1870s.²³ The Mussel

Slough district was about eight to ten miles wide and nearly twenty miles long.²⁴ Lured by promotional pamphlets of the Southern Pacific Railroad distributed not only in California but east of the Mississippi, settlers began to pour into the region. By 1880 the population was pushing four thousand.²⁵ Three new town sprang up: Hanford, Grangeville, and Lemoore. Laid out by the Southern Pacific Railroad in 1877 along its branch line from Goshen to Huron, Hanford became the small urban center of the Mussel Slough vicinity.²⁶ Irrigation improvements were made by the cooperative efforts of hundreds of families and came to include a large, complex system of seven main canals with their branches.²⁷ Some of the irrigation canals (or ditches) were very wide.²⁸ Thousands of acres were watered by these ditches, and a thriving people prospered as a result of them. The principal product of the Mussel Slough area was wheat, and from its former barren status the district became a deep breadbasket of California, which was then one of the great wheat growing states in America.²⁹

Hanford was not large in 1880—fewer than a thousand folks lived there—but it was a bustling little town, the third biggest in far-flung Tulare County. In Hanford were four churches, good schools, a city water works, twelve retail establishments, four hotels, a flour mill, and six grain-storage warehouses with a capacity of ten thousand tons.³⁰ For the busy farmers and townspeople who took time out from their daily tasks, there was also inspiring mountain scenery. The lofty, snow-capped Sierra Nevadas loomed in the east.³¹ To the west were lower but closer ranges. Despite the unattractive place name of “Mussel Slough,” life in the area was good. From Hanford, well-tilled and well-irrigated fields were seen in every direction.³² Living in a broad vale between two great mountain ranges of California, the citizens of Mussel Slough were proudly conscious of their existence in one of the finest garden spots of the state.³³

While the cultivation of the land went well, the people in their social and economic relations were beset almost from the beginning by dire troubles. Hanford and its Mussel Slough environs

did not escape the plague of crime and lowlife that so often afflicted American frontier communities. Outlaws made periodic forays from haunts in the wilds of the western ranges, and gamblers and prostitutes descended on Hanford. Drawing on the deeply imbedded tradition of frontier vigilantism of which California was a stronghold, the settlers from Modesto to Hanford took things into their own hands with at least five vigilante movements from 1872 to 1884.³⁴

The violence between vigilantes and the criminous did not, however, exhaust the factor of conflict in the troubled region, for an even greater vendetta was that between the settlers and the Southern Pacific Railroad in the latter's triple role as rail monopoly, land-owning giant, and behind-the-scenes political power in California. This bitter episode in the Western Civil War of Incorporation turned on the twin issues of land titles and land prices. In the Mussel Slough region, the even-numbered 640-acre land sections were held by the federal government for disposal to the pioneers, but one-half of the entire land of the district was held (or claimed) by the railroad in the form of the odd-numbered 640-acre sections, which had been granted to it in 1866 by the United States government as a subsidy to be eventually used for the construction of rail lines southward through California.³⁵

In controversy were at least twenty-five thousand acres claimed by the railroad under the federal land grant,³⁶ while settlers claimed that the failure of the railroad to complete a line all the way from Tres Pinos, far to the north, to Huron, west of Hanford, meant that the railroad had violated the terms of the land grant and should therefore forfeit the land back to the government.³⁷ In great number, settlers occupied these disputed lands, intending to establish their own claims under the federal preemption land law. The question of who rightfully had title to the land was in litigation, but meanwhile settlers disputed the prices at which the railroad sought to market its land should it triumph in the legal wrangle over the land grant. The crux of the settlers' position was their contention that the

railroad in its promotional pamphlets had promised to sell most of its agricultural acreage for only \$2.50–5 (or little more) per acre without any additional charge for the value of the improvements (irrigation ditches, buildings, soil development, etc.) the settlers might have made on the property.³⁸ In contrast to this, the railroad by 1877–78 was determined to charge settlers the market value of the land, including the improvements made by the settlers themselves. The rates the railroad intended to charge for the land varied but were from \$20 to over \$30 per acre—many times the \$2.50–5 price emphasized in the railroad promotional pamphlets.³⁹

The economic stakes on both sides were enormous. For example, at the \$20 per acre rate, the railroad stood to realize as much as \$500,000 from sales of the disputed acreage in the Mussel Slough area⁴⁰—a huge sum in the deflated dollars of the 1870s and 1880s. For the individual settler, the rate of \$20 per acre would amount to a total cost of \$1,600 for a relatively small one-eighth section of 80 acres. For a quarter-section the bill would be \$3,200; for a half-section the charge would \$6,400. For the great majority of the landholders settled on the railroad-claimed sections, these were prices that were impossibly beyond their means.

The irony is that the agricultural policy of the Southern Pacific Railroad in California was, on the whole, quite enlightened. Administered by its astute, forceful land director, Jerome T. Madden, the railroad's policy in general was to encourage farmer and rancher settlement along its lines in the interest of building up the railroad's freight traffic through the development of the country. At the core of the policy was the sale of acreage from the railroad's huge land grant. The Southern Pacific shaped its sales policy in favor of true settlers rather than land speculators. The prices it charged settlers were reasonable, because the railroad did not wish to discourage settlement by demanding excessive rates for the land.⁴¹ In the Mussel Slough region, however, the railroad took a hard line in order to repel a direct threat to its claimed ownership of the grant lands (about the legality of which it felt there was not the least shadow of doubt) and to defeat the

settlers' attempt to undercut the railroad's complete freedom to set its own prices for its own property.

The incorporating thrust of the Southern Pacific's relentless land policy was a direct affront to the homestead ethic of the Mussel Slough settlers. In particular, the railroad's land-enclosing threat violated the keystone of the homestead ethic: the belief in the right to have and hold a family-size farm, especially in the case where the settler, by bestowing his labor on the homestead, had gained what was seen as the natural right to hold it without legal challenge. To the Mussel Slough pioneer as to the American farmer going back to the mid-eighteenth century, the land of the homestead improved by the labor of the settler could not "be taken" away from him, so New Jerseymen asserted in opposing a powerful proprietary elite in 1746, "without breaking thro' the Rule of Natural Justice; for thereby he would be actually deprived of the Fruits of his Industry."⁴² Allegiance to the homestead ethic thus inspired the settlers to resist incorporation in a landed society dominated by the Southern Pacific Railroad and its Big Three owners.

In defense of their occupancy of the land, the Mussel Slough settlers drew heavily on the homestead ethic as they took their case to the highest level—to President Rutherford B. Hayes. When Hayes visited San Francisco in 1880 he received an impassioned, eloquent petition from settler representatives. In their petition the settlers described how they had added their labor to the land to establish the rightfulness of their claims. We organized irrigation companies, said the petitioners,

and saturated the sterile plain to the extent of . . . thousands of acres. . . . We accomplished this work in the face of great natural obstacles, with very little means, and under extreme conditions of hardship, toil and endurance. . . . In brief, through sheer energy and perseverance by the investment of our means . . . continued through the best years of of our lives, and relying firmly upon the rights we had acquired as American citizens, and upon the pledges of the Southern Pacific Railroad Company [in regard to low land prices], we converted a desert into one of the garden spots of the

State. . . . We . . . acted like men . . . [who believed] that they were securing, fairly and honorably, permanent homes for themselves and their families.

In the course of their improvements and unremitting industry, the settlers were building, also, a community for themselves and their neighbors.

We erected fences, houses, barns, school houses, and churches, after the manner of a permanent and well-ordered community. We laid out and established roads, which are now in many places shaded by thrifty trees. We cultivated fields and orchards, and produced . . . cereals, vegetables and fruits. . . . We raised stock of all kinds and of choice breeds. We beautified our homes with gardens and vines. We supported thriving villages and one considerable town [Hanford].

[In short, the plea concluded,]

We founded an American community, in which peace and order, honesty and decency, industry and economy, plenty and comfort prevailed.⁴³

Typical of those who participated in this process of founding an American community to realize the American dream were a husband and wife—Frank and Mary E. Chambers, who in the 1870s sought an unincorporated life on Mussel Slough land claimed by the railroad. “I shall never forget my first impression of the country,” Mrs. Chambers later reminisced, “I was so discouraged with the looks of it that I did not want to look out [of] the wagon. Nothing but cattle and horses” were to be seen “until it looked like one vast corral, with no more appearance of vegetation than a well swept floor.” Although the Chamberses had no experience with farming, they were determined to stick it out. The cattlemen told them that they would “starve to death, as it was impossible to raise anything on the dry plains.” But Frank and Mary Chambers did not believe the stockmen, whom they looked on “as an indolent people who had never made an effort to cultivate the soil; but we, with our energy and perseverance, would make the wilderness to blossom and bear.”

The stockmen were right, however, and the Chamberses led a hand-to-mouth existence their first year and soon found that there was no hope without irrigation. With others they banded together to dig the seven-or-eight-mile-long Lower Kings River Ditch. Women and children happily ran out to see the first water flow into the ditch from the river, but the joy was premature, for the parched land too swiftly absorbed the water. Three tough years followed, and then the twenty-seven-mile-long Peoples Ditch was dug by settlers “without a dollar and a living to make the while.” But not until a third irrigation canal, the aptly named East Chance Ditch, was completed did the Chamberses finally begin to succeed as farmers.⁴⁴

Having been assured in written communications from the railroad that they would have to pay no more than \$2.50 per acre for their land should the railroad’s claim to it be upheld, Frank and Mary Chambers were starkly disillusioned by what happened in 1877. At this time, the Southern Pacific sent in its land appraiser and, with evaluation of the Chambers-occupied land, “up went our land from \$2.50 to \$22 per acre. And why? Because we had a house, barn, orchard, alfalfa pasture, flower garden, ditches, and a well cultivated farm. Our ditch interests cost us about \$1,500, and now, just as we were getting our heads above water, here comes the demand, \$22 per acre or leave the land.”

“Are we to walk out of our houses and leave them to strangers without even a murmur?” Mary Chambers asked in behalf of all the settlers. Contrary to the railroad’s denunciation of the settlers as lawless squatters, “we have,” she declared in 1880, “made a country, built towns, churches, and school houses” and, at last, gained the respect and sympathy of the stockmen.⁴⁵

Hundreds of Mussel Slough pioneers like Frank and Mary Chambers joined the Settlers’ League to defend their home places against the claims of the Southern Pacific Railroad. Court records show that the Mussel Slough settlers who contested the railroad’s claim occupied an average of 128 acres.⁴⁶ One of these struggling settlers was Robert B. Huey, born in Pennsylvania but a Califor-

nian since 1856, who married in 1865, took a hand at school-teaching, and then moved on to a Mussel Slough quarter-section in 1869. With a growing family, Huey built a house, dug a well, planted shade trees, and put in a garden but did not do well as a farmer on the arid land until in 1872 he began irrigating his acreage with Kings River water from a big ditch dug and maintained by the cooperative efforts and money of Huey and his neighbors. With the precious irrigation waters, Huey planted almost all his land in grain and soon was prosperous enough to build a barn, put in an orchard and vineyards, and make an addition to his house.⁴⁷ Then in 1878 the blow fell: attorneys for the Southern Pacific Railroad sued Huey for possession of the 160-acre lot, which he had improved with \$3,500 worth of labor and capital investment.⁴⁸ Like many other Mussel Slough settlers, Huey claimed the quarter section under the federal preemption land law, which allowed a settler to purchase at a minimal rate land already occupied by the settler. The railroad denied Huey's claim, holding that Huey's tract was legally part of the giant check-board federal grant of land made to the railroad in 1866.

The social philosopher of the settlers' movement in which the Chamberses, Huey, and others enlisted was J. W. A. Wright of Hanford, who had pursued the agrarian ideal from Alabama to California and been high in the councils of the state and national Grange.⁴⁹ To Wright the Mussel Slough area was, in line with the homestead ethic, a realization of the "ideal of a mixed husbandry on the land, systematically" cultivated "by independent and enterprising ranchers on small farms." It was this unincorporated, group-created society based on the affirmation of the homestead ethic that attracted Wright to Mussel Slough and caused him to lend his enthusiastic support to the settlers' movement against the railroad.⁵⁰ Another leader of the settlers' movement sounded the note of no-duty-to-retreat resistance to incorporation in a railroad-dominated society: the settlers were, he declared, "fighting" for their "homes," defending what they believed "to be right," standing by the houses and tracts which they "had made comfortable with years of toil and privation."⁵¹

Initially, the defense was nonviolent, beginning in 1874 with petitions to Congress. A lobbyist was sent to Washington, D.C., in 1876 and 1878 while a legal defense of the settlers' land claims was underway.⁵² Soon the settlers organized a vigilante movement to defend their land occupancy violently against the railroad and the well-to-do who were eager to buy the land tracts out from under them at the railroad's high rates. After railroad land appraiser W. H. Clark moved into the Mussel Slough area in 1877 to begin assessing the value of land tracts prior to the railroad's placing them on the market, six hundred of the pioneers met at Hanford on April 12, 1878, to found the Settlers' League.⁵³ With an elaborate organization of a grand league, six subordinate neighborhood leagues, officers, a constitution, and a schedule of dues to raise funds for the legal campaign, the settlers' League was at first a nonviolent organization and one that was in part modeled on the insurgent militancy of the Irish Land League.⁵⁴ Such were the mounting tensions inflamed by the settlers' fears of being made homeless by the railroad, however, that in less than a year the daytime, legal activities of the Settlers' League were eclipsed by the night-riding of league members garbed in masks and gowns to hide their identities.⁵⁵

The specific action of the railroad that brought the violent vigilante response of the settlers came in the fall of 1878 when the railroad began to bring suit against those occupying the odd-numbered sections claimed by the Southern Pacific.⁵⁶ The settlers struck back in November 1878 with their first acts of violence. In that month the night-riding vigilantes burned down the house of a tenant of a well-to-do farmer who aligned himself with the railroad.⁵⁷ In March 1879 the settlers organized military companies that openly paraded the streets of Hanford, Grangeville, and Lemoore in following months,⁵⁸ and from November 1878 until the fatal climax on May 11, 1880, the night-riding, violence, and intimidation continued.⁵⁹

Underlying the violence was the bitterness of a dispute that split the Mussel Slough domain into two hostile, violence-prone factions, each imbued with the social doctrine of no duty to retreat.

On one side was a minority faction that supported the railroad and was entirely comfortable with the trend of incorporation. Some of its members were in process of paying the high railroad rates for land in order to oust the original settlers. Heading this prorailroad, land-enclosing faction were Walter J. Crow, a young, well-to-do farmer with roots in the Modesto area,⁶⁰ and Mills Hartt, a tough-talking, chip-on-his-shoulder former Southern Pacific station agent.⁶¹ Members of the prorailroad faction were significantly better off than the rank-and-file of the Settlers' League. Hartt, for example, had the ample means to purchase for the hefty price of \$6,288 a half-section of railroad-claimed land cultivated by two members of the Settlers' League.⁶²

Locally spearheading the resistance to the Southern Pacific's incorporating process were five men who headed the antirailroad Settlers' League movement: John J. Doyle, Major Thomas J. McQuiddy, Luther J. Hawley, J. W. A. Wright, and James N. Patterson. Each had a distinctive role in the movement. Doyle was the initiator, the activist, the strategist, and the organizer;⁶³ McQuiddy was a charismatic leader and radical grassroots politician who would soon become the Greenback party's candidate for governor of California.⁶⁴ Hawley was the secretary.⁶⁵ Wright was the intellectual and penman.⁶⁶ Patterson was always at the center of the most critical action.⁶⁷ They were a formidable group of men; this is shown not only by their actions but by the surviving portraits of the full-bearded Doyle, McQuiddy, Hawley, and Patterson. McQuiddy and Patterson were steely-eyed individuals, and it is easy to imagine them at the head of night-riding activities. Doyle and Hawley, too, gaze steadily out of their portraits, and one senses an implacability of purpose on their part as well.⁶⁸

Perhaps none exceeded the violence-prone McQuiddy in the power of his personality and in his defiance of the railroad. A fiery California opponent of the Western trend of incorporation, McQuiddy, as a result of his role in the Mussel Slough resistance, was indicted but became noted for his ability to evade arrest. Finally arrested, he was never brought to trial.⁶⁹ When a Sacra-

mento man, one Jackson, purchased title from the railroad for the tract of land occupied by McQuiddy, the latter left a belligerent note on his gatepost that so unnerved Jackson that he hurried back to the capital city, never to return, while McQuiddy and his family calmly reoccupied their place.⁷⁰ The Civil War service of McQuiddy and Hawley⁷¹ (along with that of other war veterans in the Settlers' League) enhanced their effectiveness as League leaders, and the military temper learned in wartime may well have been put to use in night-riding activities.

Firmly and deeply oriented to the homestead ethic, these Settlers' League leaders were set apart from the Hartt and Crow group in a number of ways. Somewhat older, the League leaders ranged in age from the middle thirties to the early fifties. These leaders were from both the North and the South.⁷² Hawley, for example, was from Ohio by way of Oregon, to which he had come in 1851.⁷³ Two had served as majors in the Confederate army,⁷⁴ while one had been a captain in the Northern army during the Civil War.⁷⁵ Common allegiance to the homestead ethic transcended the divided Civil War loyalties of these chieftains of the Settlers' League. Yet the Civil War military service of these men (and others in the League) may well have reinforced, as it did for Justice Oliver Wendell Holmes, belief in no duty to retreat (on Holmes, see Chapter 1).

Still, sectional animus may have been a factor in the Mussel Slough dispute. There was a strong contingent of settlers with Southern backgrounds, and one authority has contended that they were well aware that the Southern Pacific Railroad headed by the Big Three was dominated by persons of Yankee origin. According to this view, the settlers tended to see the railroad magnates and their policies in the same light in which most white Southerners viewed the Northern Radical Reconstruction leaders in the South: odious outsiders bent on bringing their victims low.⁷⁶ In the Mussel Slough vicinity, there were also deep-seated feelings of class consciousness and animosity. Mills Hartt was especially contemptuous of the antirailroad settlers, whom he derisively referred to as "sandlappers"⁷⁷—a California 1870s–80s

equivalent of our term "redneck." Walter J. Crow expressed the murderous emotions of hatred welling up in his clique when telling friends that he would either have a certain piece of land or kill its occupant.⁷⁸ In general, the prorailroad group viewed the "sandlappers" as being led "by a set of demagogues" who were generally "poor" and consequently "very anxious to get something for nothing" by their "agitation" against the Southern Pacific land claim.⁷⁹

Indeed, the town of Hanford, located in the cockpit of the Mussel Slough troubles, had become a radical center in California. It was a California stronghold of the national Anti-Monopoly League,⁸⁰ and the Settlers' League's most radical leader, John J. Doyle, had ties to the militant labor movement of San Francisco led by Denis Kearney,⁸¹ while the homestead-oriented agrarianism of J. W. A. Wright was in contrast to the social conservatism of the members of the prorailroad faction. The latter relished their own values, which were characteristic of the self-aggrandizing propertyholders and enterprisers of the incorporating West.⁸²

With the settlers increasingly resorting to night-riding vigilante tactics and the Hartt-Crow faction airing reckless threats, the situation during 1879 and 1880 neared the flash point. Despite the searing emotions involved, both sides were, in the spirit of no duty to retreat, pursuing rational policies based on force and violence calculated to gain their respective ends.

While the Settlers' League followed its deliberate pace of resistance to the railroad through a legal route leading eventually (and fruitlessly) to the United States Supreme Court, it was also pursuing a vigilante campaign of violence and intimidation that had two objectives. First, the Settlers' League vigilantes sought to use their might and violence to take entire control of the Mussel Slough area. Second, and more specifically, they hoped to stop the execution of prorailroad legal judgments in the Mussel Slough district.⁸³ This aspect of their strategy became crucial after Judge Lorenzo Sawyer of the Federal circuit court in San Francisco rendered a definitive judgment in favor of the Southern Pacific land claims on December 15, 1879.⁸⁴

To the misfortune of the Mussel Slough settlers the federal circuit court in San Francisco was under the sway of Lorenzo Sawyer, who willingly made his courtroom a citadel of capitalistic consolidation and expansion in the Western trend of incorporation. An ever-grateful Sawyer owed the inception of his long judicial career in California to an 1862 appointment by Leland Stanford, then governor of California.⁸⁵ A Gold Rush veteran, Sawyer was a close personal friend of both Stanford⁸⁶ and Charles Crocker⁸⁷ of the Southern Pacific. Sawyer was proud of the judicial assistance he had given as a California state supreme court judge in the 1860s to the railroad-building achievements of Stanford, Crocker, Huntington, and Hopkins.⁸⁸ Forty-niners all and self-made successes in the California Gold Rush, Sawyer and the Big Four shared the same American dream of success through untrammelled individual effort. Thus Sawyer brought to his tenure on the United States circuit court a social and economic philosophy favoring individual and corporate enterprise, which he and his colleagues in the federal court system of the late nineteenth century were solidifying into a judicial doctrine that was of immense benefit to monopolistic corporations such as the Southern Pacific.⁸⁹

Judge Sawyer's judicial ruling of December 15, 1879, hit the Mussel Slough area like a bombshell and was the basis for the Southern Pacific's launching of twenty-three suits of ejectment against Settlers' League members in the spring of 1880.⁹⁰ In the view of Settlers' League militants this increasingly successful legal campaign of the railroad dictated the intimidation of persons inclined to make land purchases from the railroad that would result in the dispossession of the original settlers. Hartt and Crow were too determined and violence-prone themselves to be vulnerable to this tactic, but the strategy of violent intimidation was successful against others, including employees of the railroad. The zealots of the Settlers' League, said a Hanford resident, imposed a "reign of terror" on the Mussel Slough area. Warnings were posted against the purchase of railroad-claimed land. Behaving like vigilantes, the armed and masked "military

branch" of the Settlers' League paraded nightly in the streets of Hanford to intimidate its opponents. Certain staunch supporters of the legal cause of the Southern Pacific were ordered to leave the community and lost no time in doing so.⁹¹

Meanwhile, as both grassroots and incorporation gunfighters, Mills Hartt and Walter J. Crow armed themselves to the teeth and let it be known far and wide that they would use gunplay to back up their purchases of land claimed by the railroad.⁹²

With implacable attitudes on both sides, the Mussel Slough conflict in the spring of 1880 moved swiftly toward its violent climax of May 11. The crisis was precipitated by what seemed to be duplicity on the part of the railroad and its allies. Politically the situation did not look good for the Settlers' League. Its protest against the Southern Pacific attracted many words of sympathy but no action. The state legislature supported the settlers and had sent a resolution to Congress in behalf of the Mussel Slough people.⁹³ Sympathetic also were two U. S. senators and one congressman from California,⁹⁴ but the settlers were losing in the courts, and the executive branch in both state and nation had not been very helpful. The administration of President Rutherford B. Hayes stood aloof. Yet in spring 1880 the settlers took hope from a surprisingly conciliatory attitude on the part of one of the Big Three, Leland Stanford, who visited the Mussel Slough country in March 1880 and then followed up the visit by appointing Doyle, McQuiddy, and Patterson to a committee to negotiate, if possible, a compromise between the settlers and the railroad.⁹⁵ The settler representatives carried on intermittent discussions with Stanford for "about a month" looking toward "an equitable arrangement" to resolve the land dispute.⁹⁶

These hopes were dashed by what the settlers believed was an egregious double-cross when in early May 1880 the United States marshal for California, Alonzo W. Poole, suddenly appeared in the Mussel Slough vicinity. The legal writs borne by Poole obliged him to dispossess individual Settlers' League members in favor of the Southern Pacific's land claims⁹⁷ More broadly, each side—railroad and settlers—believed too strongly

in its own principles and contrasting versions of the American dream to yield on critical points. Thus a true compromise was impossible, and an action by one side was misinterpreted or rejected by the other. Both factions were in a strongly no-duty-to-retreat mood. A showdown on this front of the Western Civil War of Incorporation was near.

The railroad's program of dispossession followed a significant escalation of the dispute by the Settlers' League; on April 14 Doyle, McQuiddy, and Patterson had visited railroad representative D. W. Parkhurst in Hanford to demand that he leave the area. That night masked and armed men confronted Parkhurst with the same command, resulting in his departure the next day. The league met sometime in the week before May 11 and prepared itself for violent resistance to the railroad's power play, legally enforced dispossession of settlers.⁹⁸ For the morning of Tuesday, May 11, the Settlers' League had scheduled a great picnic, an occasion for which they had engaged as a speaker the stormy petrel of California politics, Judge David S. Terry, to whom they were looking for inspiration and encouragement.⁹⁹

Although Terry was unable to appear at the picnic, his involvement (or near involvement) in the Mussel Slough conflict is symbolically appropriate. Militantly opposed to the railroad and strongly in favor of the settlers, Judge Terry was a hot-tempered, violence-prone individual who while serving on the California state supreme court in 1859 killed United States Senator David C. Broderick in a duel.¹⁰⁰ In California, David S. Terry personified the violent spirit of no duty to retreat, and on the morning of May 11, 1880, that spirit was running high on both sides of the Mussel Slough conflict.¹

¹ The sensational killing of Judge Terry on August 14, 1889, by David Neagle both typified and was another dramatic example of the ambience of no-duty-to-retreat violence that so remarkably characterized California in the middle and late nineteenth century. This was because the slaying of Terry—one of the most prominent Californians of his time—hinged on the killer Neagle's role as the bodyguard of one of the most prominent Americans (and Californians) of the era: Stephen J. Field, associate justice of the United States Supreme Court, 1863–96. The controversial homicide was, according to Neagle and Field, provoked by an assault on Field by Terry on August 14. The Terry-Neagle-Field imbroglio

Despite Terry's inability to appear, the Settlers' League went on with its picnic plans, and the railroad faction used the settlers' preoccupation with the festivities to pull off what would have been a crucial land grab. Early in the morning of May 11, a heavily armed party of four persons set out to dispossess the Settlers' League partners, Henry D. Brewer and J. O. Storer, from the north half of an odd-numbered section northwest of Hanford, which Mills Hartt had purchased from the railroad. In addition to Hartt, the party of four was composed of Walter J. Crow; William H. Clark, the hated Southern Pacific land appraiser; and the federal marshal, Alonzo W. Poole, who had the responsibility of enforcing the United States court's writ of ejectment against Brewer and Storer.¹⁰³ Moving among the wheat fields in a route taking them steadily toward the disputed half-section, the party was halted near Brewer's house by the appearance of a mounted group of Settlers' League members

also illustrates the volatile, violence-prone nature of nineteenth-century California social history and was indirectly connected to the Mussel Slough episode. Although never chief justice of the U.S. Supreme Court, Field dominated it philosophically during his long term on the Court and, according to constitutional historian Leonard W. Levy, was one of the half-dozen most influential figures in American judicial history.¹⁰¹ David S. Terry and Stephen J. Field were political enemies, but it was Terry's threats against Field—growing out of a heated personal and legal dispute—that resulted in the employment of Neagle (who had been a tough Tombstone lawman in the era of Wyatt Earp) as Field's bodyguard. The killing of Terry by Neagle was indirectly related to the Mussel Slough conflict: Field, a Californian, was a judicial ally of Lorenzo Sawyer (see note 89) and, like Sawyer, was a jurisprudential protagonist of the Southern Pacific and a personal friend of Stanford and other railroad leaders. Terry, on the other hand, was a leader of the dominant antimonopoly, anticorporation, anti-Southern Pacific wing of the California Democratic party, which struck a hard blow against the 1884 national presidential ambitions of Field, a strongly conservative Democrat. From first to last in the 1888–89 feud between them, both Terry and Field had behaved in a spirit of no duty to retreat. Field's attitude—very much shared by his surrogate, Neagle—was a reversion to his days in the California Gold Rush era when, as a volatile, dynamic, and much threatened young politico and state-court judge, Field had unmistakably let it be known that he, in an implacably stand-one's ground temper, would if need be defend himself to the death with the firearm he ostentatiously carried. Much later in life Field believed strongly that only his armed no-duty-to-retreat demeanor had saved his life and that such determination both preserved him from violence and made retaliatory violence by him unnecessary.¹⁰²

and picnickers led by James N. Patterson.¹⁰⁴ Not many of the men in Patterson's party were armed, but the Leaguers had a heavy advantage in numbers. A parley ensued, and Patterson and his men insisted that Poole would have to stop executing his writs of ejectment—earlier in the morning William Braden had been evicted from his land and his possessions cast out of his home and on to the side of the road. Poole replied that his personal sympathies were on the side of the settlers but that, as U.S. marshal, he would have to and would enforce the court ruling against Braden, Brewer, and other settlers.¹⁰⁵

Hopelessly outnumbered, Poole reluctantly allowed himself to be detained by the Leaguers.¹⁰⁶ A peaceful outcome was not to be, however, for long-standing personal enmity between one James Harris, who was present in the settlers' band, and Mills Hartt brought on an argument and a sudden burst of gunfire between Harris and Hartt. Hartt's gun spoke an instant before Harris's shot mortally wounded Hartt.¹⁰⁷ In retaliation, Walter J. Crow began to spray the settlers with bursts from his shotgun. First Harris, the potent resister gunfighter, was killed with a shot in the chest, then in rapid succession four other settlers (also resister gunfighters) were slain or fatally injured by Crow's lethal shooting. With Crow's last shot, the firing stopped, for by then the only armed settlers were dead or dying.¹⁰⁸ Crow escaped but later that day was caught in a wheat field just a mile and a half away by a small band of armed settlers who promptly and vengefully killed him.¹⁰⁹

Because all of those who fired shots in the gunfight died as a result of it, no murder charges were filed in the wake of the gun battle. Thus, while all who took part in the gunfight bravely stood their ground and obeyed no duty to retreat, no legal issue of the duty to retreat arose in the aftermath of the gunfight.¹¹⁰ As for the death of Walter J. Crow, the identity of his killer was an open secret in the Mussel Slough area. He was Caleb W. Flewelling, who was a hero for a few days (as the settlers condoned what was in effect a lynching), after which he heard that the federal authorities wanted him. Flewelling then fled the area

for Spokane, Washington, where he lived an inoffensive life, unmolested by the law.¹¹¹

Of those who took part in the Mussel Slough gunfight of May 11, 1880, the deadliest by far was the grassroots and incorporation gunfighter Walter J. Crow, who accounted for five lives before losing his own later in the day. Crow was blond and quiet—almost a mute—but he was one of the finest marksmen in all of California, a great wing shot who constantly practiced target shooting.¹¹² None of the glorified gunfighters of the West such as Wild Bill Hickok, Wyatt Earp, Billy the Kid, or John Wesley Hardin came anywhere close to killing as many men in a single episode as did Walter J. Crow. The only one of the acclaimed gunslingers who did come close was Commodore Perry Owens with his toll of three opponents on September 4, 1887, in Holbrook, Arizona.¹¹³

Yet Crow is unmentioned in the lengthy annals of famed Western gunfighters. One cannot, however, blame Crow's California contemporary, leading American writer Ambrose Bierce, for this lack of recognition, for Bierce, writing a year later in his popular column in the San Francisco *Wasp*, sought to immortalize Crow in the context of the growing mythic tradition of the Western hero and the Western gunfight. Bierce payed homage to "the splendor" of Crow's "terrible courage," to his "amazing performance," to his "death struggle," and to the "startling terrors of his departure from this life, baptized with the blood of men, saluted with the wails of widows and orphans." Bierce concluded his paean by calling for recognition of "this bravest of Americans." "Will not God raise up," asked Bierce, "an historian to relate, a poet to celebrate," the "valor" of Walter J. Crow?¹¹⁴

Posterity's answer to Bierce has been no. Some of our finest writing in the field of Western history has dealt with the heroes and antiheroes of Western myth and legend, but none of these scholars mentions the name of Walter J. Crow.¹¹⁵ Nor, by the same token, is the bloody Mussel Slough shootout of May 11, 1880, cited in the works of historians and aficionados who have

written so lengthily of gunfights and gunfighters in the West.¹¹⁶ Thus Ambrose Bierce failed utterly in his campaign for the glorification of Crow as a heroic Western gunfighter.

In one sense, the exclusion of Walter J. Crow and the Mussel Slough gunfight from the scope of historians who have studied the mythic tradition of Western heroes and the gunfight (and the tradition's counterpart in historical reality) is correct, for the mythic gunfight/hero tradition is too limited in its explanatory power adequately to contain the Mussel Slough shootout. The interpretive aspect of the Western mythic gunfight/hero tradition narrowly excludes the factors of ideology and social, economic, and political group conflict and wholly ignores the Western Civil War of Incorporation. Instead, abstract forces of good and evil are personified as hero versus villain in the mythic tradition of gunfighting without regard to any substantial context of reality. To the makers and perpetuators of the mythic gunfight/hero tradition there was no room for the sort of social, economic, political, and ideological struggle represented by the opposed forces of the Southern Pacific Railroad and the Settlers' League. Just as the political and ideological factors represented by Wyatt Earp were excluded from the myth of Wyatt Earp as gunfighter, so was the politically and ideologically oriented Walter J. Crow excluded from the realm of the glorified gunfighters.

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Nor were Americans the only ones stunned by the tragic loss of lives in the Mussel Slough gunfight. None other than Karl Marx, in distant London, knowing of the controversy over land monopoly in California and of its violent outcome on May 11, 1880, took notice. Six months after the fatal gun battle, Marx wrote to an American friend asking for more news on "economic conditions" in California. In his letter, Marx declared that California "is very important for me, because nowhere else" in the world "has the upheaval most shamelessly caused by capitalist" oppression "taken place with such speed."¹²⁶

Karl Marx sensed that California was in the midst of a revolutionary situation, and it was. The wheat farmers who resisted the Southern Pacific Railroad's version of the Western process of incorporation with guns at the Mussel Slough battle and with the legal briefs of their attorneys in courts of law were ultimately defeated. In the federal circuit court in San Francisco, Judge Sawyer, the friend of railroad leaders Stanford and Crocker, continued to rule adversely on the settlers' land claims,⁷ and by

⁷ Judge Sawyer was certainly biased in favor of the railroad as a result of his philosophical convictions and his friendships with Stanford and Crocker,¹²⁷ but able legal scholars disagree on whether Sawyer's decision upholding the railroad's land claim and the ejection of the settlers was right as a matter of law. John A. Larimore cogently argues that, contrary to the settlers' contention, the railroad's claim to the land was, as Sawyer demonstrated in his opinion, a correct one in terms of a previous key U.S. Supreme Court decision and previous actions by the legislative (state and national) and executive (national) branches. Considering substantially the same evidence, however, David J. Bederman forcefully contends that Sawyer's decision had no proper basis in the law but was the result of his personal view that corporations "should be given full scope to carry out their functions."¹²⁸ Larimore, Bederman, and all authorities agree on the strongly conservative Sawyer's deep sympathy for corporations and the Southern Pacific and its owners.

the late 1880s the majority of these settlers were gone—dispossessed by the legal action of the railroad.¹²⁹ Yet the farmers fought the railroad not only with guns and legal briefs but through the political system as well, for many of them joined radical antirailroad third-party movements in California in the 1870s and 1880s. One of the fiercest of the Mussel Slough settler leaders, Major Thomas Jefferson McQuiddy, became the Greenback party's candidate for governor in 1883.¹³⁰ McQuiddy lost the election, but even before that many of the Mussel Slough settlers joined the first radical farmer-labor party in the West, the Workingmen's Party of California (or the WPC as it was usually called) founded in 1877 in San Francisco.¹³¹ Thus the same turbulent city by the Golden Gate that during the 1870s had nurtured what ultimately became the radical single-tax program of Henry George,¹³² ushered in the radical WPC, founded in 1877 by San Francisco's rough, dynamic blue-collar orator, the Irish-born drayman Denis Kearney, whose rousing speeches to restive crowds in the sandy vacant lots of San Francisco rallied the "sandlotters"—the urban wing of the WPC.¹³³ Kearney was soon joined by a second radical orator—a golden-voiced Baptist minister from the East, the Reverend Isaac S. Kalloch, whose social and reform-oriented Metropolitan Temple in San Francisco had the largest membership of any Baptist church in the country.¹³⁴

Kearney and Kalloch eventually led the WPC to a stunning political victory in San Francisco: Kalloch's 1879 election as

¹²⁹Just as gunplay in the Western manner was a major aspect of the Mussel Slough story, so did gunplay provide two key episodes in the WPC scenario in San Francisco. Both events in San Francisco involved Isaac S. Kalloch. San Francisco's leading newspaper then, as now, was the *Chronicle*, still published in the late 1870s by its founders, the de Young brothers—Michael H. and Charles. Michael de Young was quiet and cautious; Charles, the dominant brother, was impulsive and outspoken. Both brothers were united in their desire to dominate San Francisco. The de Young brothers and their newspaper initially supported the WPC, but when they saw that they could not seize control of the WPC from Kearney and Kalloch they broke with the WPC and aggressively expressed their opposition in the columns of the *Chronicle*. This led to the violent Kalloch-de Young feud. The trading of personal insults by the Reverend Mr. Kalloch and Charles de Young escalated to the next event: the Aug. 23, 1879, point-blank shooting of Kalloch by Charles de Young in front of Kalloch's Metropolitan

temple.¹³⁵ Meanwhile, with strong farmer support in such interior areas as Mussel Slough, the WPC was in the van of the 1878–79 movement that resulted in a new state constitution for California—a document with pointed taxation, anticorporation, and antirailroad provisions that gained it national fame as the most radically progressive state constitution of its time in America.¹³⁶ Nor did the WPC neglect the cause of the Mussel Slough settlers against their common enemy the Southern Pacific Railroad, whose owners incensed the plain people of San Francisco with the erection of ostentatious mansions on Nob Hill in a time of severe unemployment and urban privation.¹³⁷

Mussel Slough settler leader John J. Doyle joined the WPC and was elected as a delegate from Tulare County to the 1879 WPC state convention in San Francisco. That convention of the WPC willingly included in its platform a plank against land monopoly, and delegate Doyle obtained the passage of a resolution against the railroad in support of the Mussel Slough settlers. Kearney, the charismatic WPC sachem, had a strong following in rural Tulare County and the Mussel Slough area and was enthusiastically received when he spoke in the Mussel Slough country as well as in the county seat, Visalia.¹³⁸ The farmer-labor link between the Mussel Slough Settlers' League and the San Francisco–based WPC was thus a combative alliance of rural "sandlappers" and urban "sandlotters" in opposition to the Southern Pacific Railroad, its Big Three owners, and the Western trend of incorporation.

temple. Almost miraculously, Kalloch survived the shooting and, benefiting by a powerful surge of public sympathy, was within the year elected mayor of San Francisco on the WPC ticket. Yet the violence was not at an end, for Kalloch's son, the Reverend Isaac M. Kalloch, brooding over the insult and injury to his father, invaded Charles de Young's office and (in an incident much like the 1978 shootings of San Francisco Mayor George Moscone and Supervisor Harvey Milk in their city hall offices by ex-supervisor Dan White) shot de Young dead.¹³⁵ Unconnected to the Kalloch—de Young feud was a similar vendetta in which in 1884 Adolph Spreckels shot and wounded Michael de Young in retaliation for the accusation of the *Chronicle* that the Spreckels family's sugar business had defrauded stockholders.¹³⁶