

The discovery of gold in 1848 encouraged many U.S. citizens to come to California. Mexicans came, most from the state of Sonora, just south of the California border. Chinese immigrants also headed for the gold country. In the intense competition for riches, an increasingly xenophobic atmosphere arose. With passage of the Foreign Miners' Tax law in 1850, Sonorans and Chinese were prevented from filing new claims. They were charged an exorbitant \$20 per month tax on existing claims. Thus, most of the "foreigners" were forced out of the diggings. Mexican bandits, among them perhaps former miners seeking revenge, began attacking people in the gold country.

One of these bandits was the legendary Joaquín Murieta. Livermore Valley lore describes his hiding in caves in the hill country near Brushy Peak, the last hills before the San Joaquin Valley. From here, Murieta, the stories go, could see lawmen on the Stockton Road long before they came near his hiding place, and he could signal *compadres* with mirrors.

Herb Hagemann is the source for legends describing Murieta as an unwelcome visitor to the Kottinger home in Pleasanton, where he would drop in looking for supplies and food. According to *A Pictorial History of Pleas-*

*anton*, published in 1976, "On one occasion his attention had to be diverted long enough for Kottinger and [his father-in-law] Juan Pablo Bernal to make a trip to deposit a large amount of gold in a San Francisco bank." The two men left in the morning for the bank, their saddlebags filled with gold from miners who had paid them for a delivery of beef cattle. Rafaela, Juan Pablo's wife, was sitting near a window sewing.

Not long after her husband had left, Murieta arrived at their adobe. "He fired a shot, which hit a silver thimble on the window sill and lodged in the wall beyond," Hagemann said in his book, *Juan Pablo Bernal*. Kottinger's wife, Refugia, was also at home. The two women invited Murieta and his men into the house for a meal. They served a large meal that took time to prepare, thus allowing their menfolk time to be safely on their way. Many times on Saturdays, which was baking day, Murieta and his gang would appear at the Kot-

tinger adobe to demand a share of the fresh-baked bread prepared by Refugia and an Indian servant. He would pound on the door and shout, "Pan o la Vida!" (Bread or your life!) Supposedly, Murieta was familiar with the Kottinger/Bernal family because he had been a laborer for them.

The California Rangers, precursors of the California State Police, were formed in 1848 to put an end to the attacks of the bandits. In June of 1853, rangers captured and beheaded a man said to be Murieta. A \$1,000 reward offered by the governor was paid. The legislature added another \$5,000 to the reward.

The bandit's head was preserved in a jar of alcohol and exhibited in Stockton and many other cities along with another jar containing the hand of a bandit named Three-fingered Jack. But that was not the end to the Murieta myth. Some said the head was definitely not Murieta's; others claimed that he had fled to Mexico. The truth is probably

that a fictionalized image created an outlaw hero.

In 1854 John Rollin Ridge, a Cherokee whose Native American name was Yellow Bird, wrote a 90-page book, *The Life and Adventures of Joaquín Murieta*, in which he told the story of a man who turned to a life of crime only after he was beaten, his wife brother hanged, and his half-raped and murdered. Ridge romanticized Murieta's criminal acts into Robin Hood-type adventures. According to *From Rancho to Reservoir*, "The book was immediately pirated, serialized, republished in Spain, Mexico, South America, and France, and rewritten numerous times over the next 75 years in the form of dime novels, newspaper series, and 'biographies.'"

A 1936 film perpetuated the myth. Even early California historian Hugh Bancroft was convinced by Ridge's fiction that Joaquín Murieta was an historical figure. Joseph Henry Jackson, author of *Bad Company*, wrote, "Ridge, in his . . . little

# Do You Remember?



By Anne Homan  
Livermore City Historian

## JOAQUÍN MURIETA

book actually created both the man, Murieta, and the Murieta legend as these stand today." In his introduction to the 1955 reprint of Ridge's story, Jackson said, "Tracings of the facts will not damage the Murieta Myth. His eyes flashing, his knife ever ready for a gringo's ribs, his gallyantry beyond doubt, his horsemanship superb. . . . Murieta will ride down the years as California's great gold-rush legend, his cattle thievery forgotten, his brutal murders (if, in fact, he ever committed them) conveniently ignored."

Don Scullion, whose family owned property up in the Altamont hills adjoining the caves near Brushy Peak, told me a story recently. When Don was in grade school, he met a man up in the Altamont at the foot of a large rock wall. He said that he was related to Murieta, who wasn't killed by the California Rangers but returned to Mexico. The man had a map and said that Murieta had buried loot at the foot of the rock. So far, when Don saw him, he had dug a hole about ten feet deep and had discovered Indian artifacts, but no loot. A week later, he was gone. However, he had left behind his tools and a small shack he had built. Don smiled, "We never knew if he had actually found Murieta's gold."

(Readers can reach me at [am50homan@yahoo.com](mailto:am50homan@yahoo.com).)