

FAREWELL TO THE LAST BANDIT

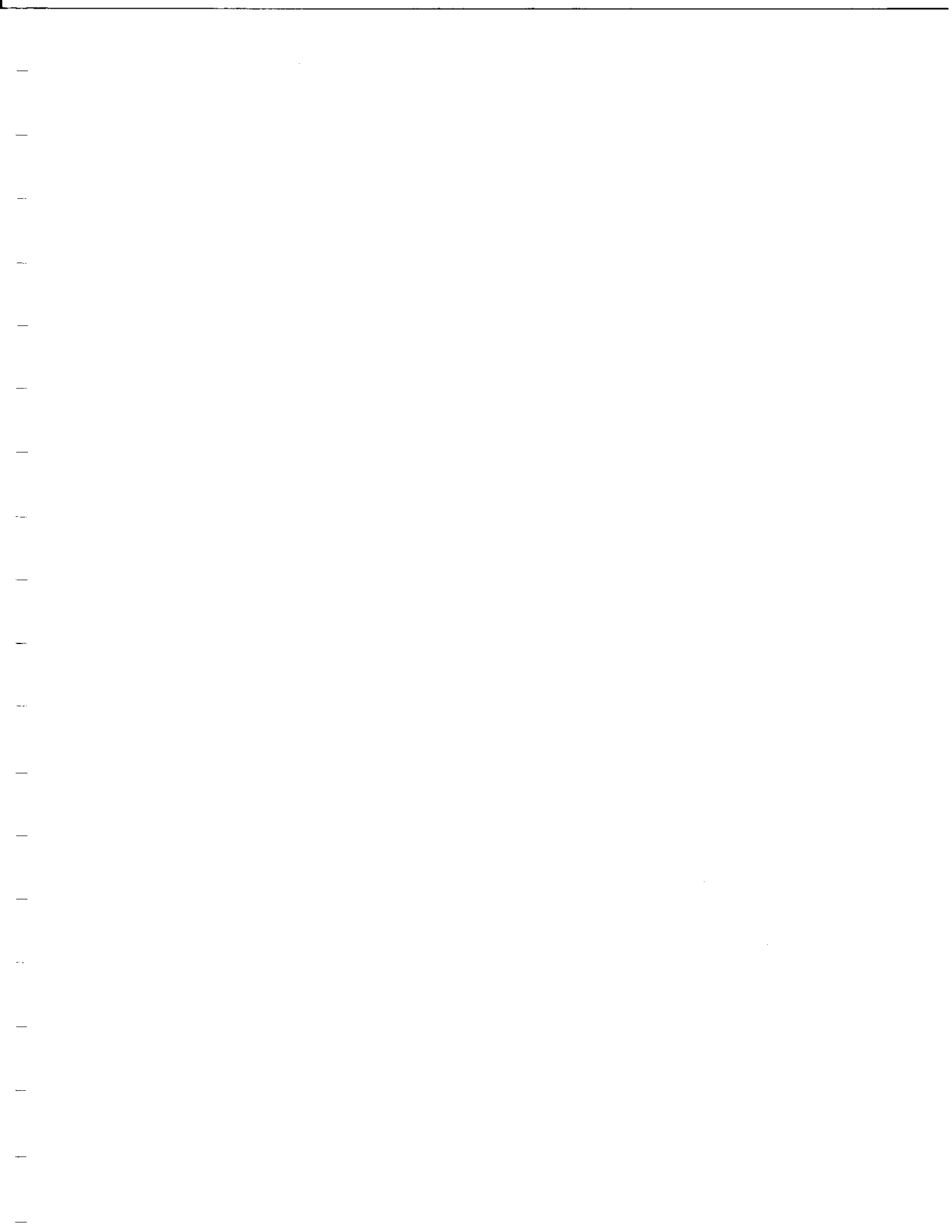
**AN ESSAY PRESENTED
TO
THE CALIFORNIA PIONEERS
OF
SANTA CLARA COUNTY**

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INTRODUCTION

Tiburcio Vasquez was a liar, cheater, murderer, and a rapist. But, the people of San Jose loved him. That is precisely what this essay/story illustrates in the following pages. It focuses on the human reaction towards this man, along with revealing some interesting facts about the life of Tiburcio Vasquez.

This essay was put into story form for many reasons. In hopes of making the material more interesting, even though it already is, the format is more like a story. If it succeeds, it will give the reader a feeling of inclusion into the character's ~~life~~ and a feeling of closeness. And, above all, it just seemed a lot more interesting.

Yet, the story is still completely true according to the writer's research, with the exception for two dramatizations. There are two main dramatizations, one taking place in a neighborhood saloon and another involving a lady visiting Tiburcio in his jail cell. Though, the characters are based on research and facts, their actions, talk, and feelings are representative of their character background. Other than the dramatizations, the essay is composed of clean facts.

THE BEGINNING OF THE END

The morning was fresh with dew and bird song while the small posse of seven men waited for the right moment. The air was misty from the day before in which a dense fog covered the canyon. Sheriff Johnston's mind was lost in thought as he tried to pick the right moment to initiate the assault on Greek George's house where Tiburcio Vasquez was presumed to be. According to a certain spy nicknamed "Bird" who served Sheriff Morse of Los Angeles, Vasquez was hiding out in the old house on the Brea rancho. Johnston and his group had left the city inconspicuously, one by one, leaving Sheriff Rowland behind. They hoped they could trick Vasquez's spies into thinking they had not left.

His men lay perched and ready with shotguns and rifles in hand when their chance finally came, many hours past morning. A high-sided empty, wood wagon crept into the canyon with two Mexican woodcutters at the reins. The posse moved swiftly to the little wagon. They detoured it and thrust their guns into the woodcutters backs. Their simple plan was formulated with haste. Deputy Hartley spoke to the woodcutters in fluent Spanish commanding them to allow six of the deputies to lie "like sardines" in the bed of the wagon and to head towards Greek George's place. He added that any shouts or signals to reveal to Vasquez the hidden cargo would result in two dead men. The woodcutters, struck with fear, did so.

Tiburcio planned on holing up in the old house for a couple of days to let everything cool down before he went back to his life of crime. An eight thousand dollar price on his head was

something not to be taken lightly. He was also there for his recent lover, Modesta Lopez. Tiburcio along with being a bandit was a known lover. Like Sheriff Johnston, Tiburcio had much to consider. It was lunchtime so he removed his revolvers from his waist and set down his rifle, after which he made his way to the kitchen where lunch was ready. Besides himself, he ate with one of his many partners in crime, Corona. As Vasquez ate his meal, he noticed the mexican woodcutters nearing the house. He did not bother himself and continued to eat his meal since he knew the faces of the two very well, a very sorry mistake.

As the "Trojan Horse" came very near to the hideout of the notorious bandit, the officers took from their hiding. Beers and Hartley lead the way to the west while the everyone else went to the eastern side. Harris and Hartley approached the door cautiously. Modesta stole a glimpse of the officers and yelled frantically to warn her lover and desperately attempted to close the door. With the muzzle of his gun, Harris ~~pryed~~ the door open in time to see the agile Vasquez leap through an eighteen inch window which hardly allowed light passage, let alone a grown man. Harris shot hastily with his Henry rifle while he shouted at the top of his lungs, "There he goes!". Vasquez landed in a clump of high grasses and confusingly shot his head about. He made a decision in the heat of the moment and darted off towards his tethered horse only to come face to face with deputy Beers. There was a mass of confusion of shots, yells screams and blood which left Vasquez with six buckshot wounds and a seventh shot by

Beer's went clear through Vasquez's shoulder. "No shoot, No shoot" whimpered the bandit in pain and defeat. It was over.

"Come along, then" said Harris calmly as he lead the bloody Vasquez to a makeshift pallet where they could bandage his wounds and round up everyone. On the way, the weary man poured from his lips, "You boys have got me; my name is Alejandro Martinez". Johnston stopped and looked at him in a mixture of admiration and sympathy and answered, "I have had your photograph for a year, and know you to be Tiburcio Vasquez". It was the beginning of the end for Tiburcio Vasquez.

WORDS OF THE PEOPLE

"So, what will it be boys?" questioned Carlota in a strong and cheerful voice. "Like always, Carlota," said Jack under his breath. He looked around the smoke scented bar room, checking out what means of people were out so early this morning. There were a few scattered drinkers here and there, talking to themselves about how many problems they had and how little money they had. Jack twisted about on his barstool in search of some friendly conversation when his eyes passed over an elderly man sitting at the far end of the bar. Carlota set his drink down without a word and went about her business. Jack wrapped his fingers around the handle of the mug, slid off his stool, and proceeded in the direction of the elderly stranger. He set himself down next to the old man and intetionally knocked his glass down especially hard to catch his attention. The old man

lowered the newspaper he was reading and gave a friendly smile.

They entered into a conversation about day to day things and this and that until they came upon the subject of the recent capture of Tiburcio Vasquez. There was quite a little stir of action concerning the trial and such. "Well, I'm glad to see that vulgar devil in jail where he belongs," said the old man indignantly. Jack chose his words carefully, he wasn't afraid but hated losing an argument. "I'm as glad as the next man to see that ol' bandit locked up, I jus think he shouldn't be treated like an animal an all." "Why shouldn't he," replied the old man getting angrier every passing moment, "he only terrorized our good state for years on end," said the old man sarcastically. "Well, hold on now mister," said Jack trying not to back down, "even though he did those things that he did, don't mean that we shouldn't treat him with some respect." Carlota, after hearing all this talk, stepped in to throw in her two bits. "Well, if you ask me, I think he is a right fine looking man. I mean, there's just something about him that jus gives me jitters down my spine," said Carlota while she rested her chin on her propped up hands and stared off into never, never land. The three sat there in their own little worlds, all thinking differently, but about the same thing.

MARY LOUISE STEVENSON

The bandit was shipped here and there until he finally ended up in San Jose where he was to be tried for murder. At the time,

San Jose had been growing steadily and was on its way for a grand future. The city was bustling with activity, which all the more increased with their new visitor. Some were angry seeing the villian in their fair town, some were honored, some were glad. Many of Vasquez's countrymen donated money to see that their brother be protected well. But, the most interesting was the reaction of the women in San Jose. They took an odd attachment to this bandit, and many fancied him for their assorted reasons. Many a time, women came to Vasquez's cell to visit the legend, and to experience his company. Such a women was Mary Louise Stevenson.

Mary Louise Stevenson was your average lady. She did what she was told, played bridge on Sunday evenings, stayed home and cooked, kept the house tidy, and above all led a very hum-drum life. When she visited Vasquez, she wanted to do something wild, something completely off track.

She stood quietly, waiting her turn to see the prisoner amongst reporters, lawyers, officials, and a disturbingly excessive amount of women like herself. When the officer told her it would be her turn, she picked up her neatly wrapped box and followed the officer to the cell. She saw Tiburcio in his black sack coat with a white shirt and a narrow rimmed hat, he also wore fine boots. This man was nothing that she had expected. She approached him cautiously. He was at the time having a conversation with his fellow jailers. Vasquez noticed her entrance and terminated his conversation. He motioned for her to take a seat on his small bunk while he sat on a squat

stool. She opened her mouth to say something but nothing came out. Mary had no idea what to say. She wished very badly that she hadn't come. Mrs. Stevenson stood up to leave, but Tibuncio caught her arm gently. Mary was taken by surprise by his action and decided to stay a while.

She had a pleasant talk with him in a somewhat broken English. Mary gave him the package which he set down next to the array of assorted gifts he received from his many visitors. During her conversation, she enquired about his past. It was translated by one of the jailers as this, "I am not as bad a man as I am represented. I have robbed men, and I have tied them up, but I have never shed human blood, and have always advised those with me not to kill or wound those we robbed. I have been persecuted and driven from point to point from year to year. The Americans heaped wrongs upon me in Monterey, and the officers of the law hounded me." Mary looked at him with sympathy. The officer took her away swiftly and she found herself back on the streets again. In her mind, she could see his handsome face and his neat clothes. She also heard his words again, how very sad he seemed. She didn't know whether she believed him or not, but one thing she did know was that she was going to be at the trial.

PUNISHMENT

On January the fifth of the year eighteen seventy-five, the trial of a Mister Tibuncio Vasquez began. The courtroom was filled, mainly of women like Mary Stevenson. There were

reporters and cameras, and everything you could expect at a trial. There was quite a big deal being made about this trial.

The presiding judge was a mister Judge Belden of the twentieth Judicial District Court. The prosecution consisted of State Attorney General John Lord Love, District Attorney N.C. Briggs, and W.E. Lovet of Hollister. Pleasant Briton Tully of Gilroy and William Henry Collins, and Joseph Addison Moultrie of San Jose made up the defence attorneys. The jury included many farmers. The whole jury were as follows: Tyler Brundage, Lambert Donnberger, George Cox Fitzgerald, Frank Hamilton, Morris Lubliner, Stephen T. Woodson, M. Tobin, Calvin Servetus Towle, George Washington Reynolds, Noah Parr, John Milton Morehead, and finally Hugh O'Rourke.

The defence and offence were like black and white. Collins of the defence tried to appeal to the jury's emotions, using rhetoric and passion filled speeches to sway the jurors viewpoint. He tried to make them believe that in fact it was not the fault of Tibuncio Vasquez that he turned to a life of crime, but it is society who is at fault for what Vasquez did. In strong contrast, Attorney General Love kept away from theatrics and stuck to the facts of the matter. It was going to be quite a show.

The trial was called to order by His Honor. Just as the judge announced that the meeting was to come to order Mr. Tully asked for a continuance on the grounds that Judge Darwin had suddenly decided not to take the case because of something that Tibuncio did that disagreed with him. This left what Tully

thought was too much and a proper defence could not be established at such short notice. His Honor, knowing Tully well, denied because Tully knew well enough the background of the case and would not need more time.

There were many hours spent on picking the jury which is listed above. The defence was being very selective, for example, out of a possible seventy-four jurors, the defence only accepted one.

On Wednesday, at two o'clock, the testimonies began. The main goal of the offence and main worry of the defence was whether or not Vasquez was guilty of first degree murder. There were several statements of interest which illustrate the crimes which were being tried.

Abdon Leiva- Question, Was there any other reason given by Vasquez why he should have that watch at that time. (They were dividing up the loot, and Vasquez was saying how he did the most and should get the gold watch). Answer, He said that he had done more than any of the party -- he had shot two men; he said this in the presence of all of us.

Abdon Leiva- Question, Were you not asked at the Moreno trial if Vasquez and Chavez did not do all the shooting? Answer, Yes, sir; I was; those that I had seen Vasquez had shot, and one he didn't.

Louis Shennan- The Tres Pinos saddler testified to being in the room with Davidson when the latter was killed. He recognized Vasquez as the one whom fired the shot that killed Davidson.

The brother of the deceased's wife, B.L. Burton, saw the murder and recognized Vasquez as the murderer.

In defence of himself, Vasquez took the stand. "...Then saw a shot fired at the corner of the store, and went up to the store and found Leiva throwing a man down on the ground. I said, 'that is not right'. I then heard Gonzalez shooting near the stable...Did not see who fired". The whole testimony of Vasquez was similar to this excerpt, that Tibuncio steals and ties up people, but never wanted or did hurt anyone and tried to make his partners do the same. And, that it was his partners that did all the killing.

Gradually, the courtroom became more and more filled. Along with the auditorium, the adjoining gallery was filled. Only the people near the bar could hear the trial, the rest were there to see what was happening and find out what happens to their now beloved bandit.

"Stand," commanded Judge Belden, "The judgment is--death. That you be taken hence, and securely kept by the Sheriff of Santa Clara County, until Friday, the nineteenth day of March, 1875. That upon that day, between the hours of nine o'clock in the morning, and four in the afternoon, you will be by him hanged by the neck until you are dead. And may the Lord have mercy on your soul." His Honor cracked his gavel down and it was all over. The murmurs from the crowd turned into a roar of mixed emotions. Vasquez listened all the while, devoid of all emotions. His face did not reveal any signs of sadness or regret but showed a dull look as if he had not heard he was sentenced to

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death.

WORDS OF THE PEOPLE, CHANGED

It was the eighteenth, the day before the execution. Jack sat again on his stool, drinking slowly from his mug. Again he glanced about and picked out the old man he talked to a few days ago. Jack drank down the rest of his beer and casually walked over to the old man. This time the old man wasn't reading the newspaper but sat there, staring at some point on the wall while drinking as if he didn't notice the young man walk up. Jack was the first to strike up the conversation again. And again they fell onto the subject of the trial. Carlota broke in again with her gossip, "Ya know what, huh, I heard theres goina be a big bust to get that Vasquez guy out." The three of them drifted off into silence for a few minutes. "Ya now, now that's a real man. He's brave, courageous, smart, dresses good, and really knows what he's doing. Its kinda sad to see a guy like that go." "Yeah, I know what you mean," said the old man softly.

THE LAST DAYS

During the time after he was sentenced, the bandit held private conversations with the local priest, Father Senda. At first he refused, but once he realized that there was no way of changing his fate, he accepted it and tried to pay his last respects. He even asked if he could see his coffin. It was a

piece of art, with satin pillows sewn in on the inside. "I can sleep here forever very well!" he exclaimed, trying to retain his lightheartedness.

The day came and it was truly a day for mourning. He went about normally, taking time to eat a full meal. The little time he had left he spent in sadness with his remaining relatives. The sadness almost became pain as the day dragged on. Sheriff Adams finally came and read a extremely long death warrant. Once finished, he rested his eyes on the lighthearted Vasquez. "Tiburcio, the time has come." said the Sheriff. "All right" the bandit said and said his good byes the the officers and jailers about him.

Vasquez walked steadily towards the gallow brought in the day before. In his hands, he carried a small crucifix. On his left was Sheriff Adams, on his right was Father Senda. A stillness came over the sea of people as the three ploded up the thirteen steps to the top of the gallow. Vasquez looked at the symbol in his hands staringly as if in deep meditation. A white robe was tossed onto his shoulders while he spoke in whispers to the Father. Afterwards, he remove his coat, tie, and collar. The hemp rope was fixed tightly onto his neck which turned his face red while his feet and hands were bound. Then, at 12:35 the black cap was put over his head and he was dropped like "a ball from a gun". His neck broke cleanly and he was pronounced dead nineteen minutes before two.

The body was sent to the family where it was buried at the Santa Clara Cemetery in full grandeur.

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