

Feld

# A SNAKE IN THE ASH PILE

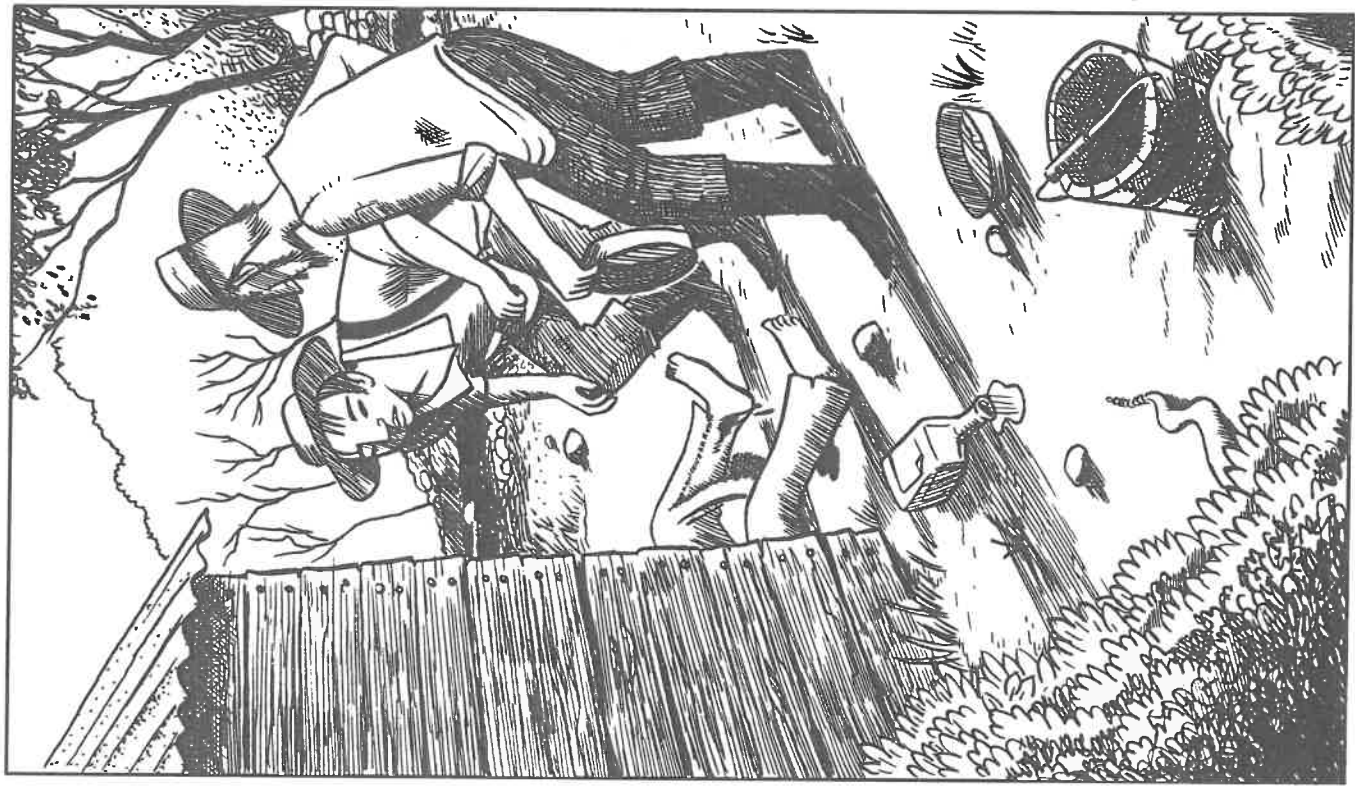
*California Gold Rush, 1851*

**M**URDER WAS ALL TOO COMMON now, Doc Maynard thought, not for the first time. It didn't used to be that way. Two years ago, when the physician first arrived in the Sierra foothills, a miner could walk away from his stake and his kit and know that everything would be there when he got back.

But now, after traveling so long and putting up with so much privation, after getting here and finding so much of the gold already panned out, it was more than some men could take. About once a week, Doc would be digging a bullet from a whiskey-sodden corpse and glancing out his parlor window as a vigilante committee gathered in the street. They would search out the owner of the bullet, give him a quick trial and string him up before the light faded. On the map, their town was labeled Dry Diggings, but people were starting to call it Hangtown.

What made this murder different, thought Doc as he examined the scruffy, smelly body laid out on his own bed, was that it hadn't been committed in the heat of drunken passion. Someone had actually taken the time to kill Jesse Blackburn with poison. It seemed like more consideration than Jesse deserved.

It all began that morning. Abner Barnes, a Baptist preacher who'd abandoned his meager congregation for the lure of the



gold fields, was just crossing Muddy Flats, half a mile out of town. He looked over to Jesse Blackburn's camp, ready to wave a greeting to the sour, unpleasant man and to the hired hands who slaved twelve hours a day at his sluice. But no one was there. Something was wrong. Even if Jesse were drunk in his cabin, Johnny Talaya or Hector Pleasant should have already been at work.

Abner glanced to the cabin, hoping to see Jesse's wife Mabel, one of the few bright spots in this stinky, muddy world. Instead he saw two men beside the timbered shack's only door. "Hello!" Abner shouted. A large, dark man was on his knees, bending over another man on the ground. "Johnny?" said Abner as he started to walk over. "What's wrong?"

Johnny was what they called a Kanaka, one of the native Hawaiians who'd come to San Francisco as sailors on the fast schooners that plied the Pacific. Like everyone else—farmers, preachers, dry goods merchants—most Kanakas had abandoned their ships or been abandoned by their bosses and made their way to the California hills. Many wound up as laborers, half a rung higher than the Blacks and Chinese, slaving on other men's long toms or risking their lives down other men's coyote holes.

The large, dark man spun around, a look of terror in his eyes. "He's been bit," Johnny said. The man moaning on the ground was Jesse Blackburn, incoherent from shock or pain or last night's whiskey; maybe all three.

"I saw the snake," Johnny said, pointing to the nearby brush. "Went into the bushes. Mr. Blackburn, he come running out of shack, holding leg and screeching fierce. We got sea snakes back home. Very big poison. Snakes here got poison, too. Yes?"

Abner asked Johnny what it looked like. From Johnny's description, it sounded like a rattlesnake. "You don't see many rattlers. Good gospel, Johnny, what you been doing?"

Jesse Blackburn's pant leg was torn open, exposing a

bloody ankle. The big Hawaiian was holding a knife in one hand. There was blood on the blade. "I suck out poison," Johnny said. "Is all right?" Abner had heard of this but had never seen it done. He was at a loss.

"Abner? Johnny? What happened?"

Mabel Blackburn was coming up the dirt path, pushing the empty wheelbarrow that had held this morning's meat pies. Mabel made a nice profit baking and selling pies to the womanless miners so unskilled in cooking. Behind her came Hector, the free Negro who sometimes walked with her as a bodyguard, not so much for Mabel's safety as for the money's. She could pocket two hundred dollars a day from her cooking, when Jesse wasn't around to drink and gamble it away.

Mabel saw her husband on the ground. "Jesse!" She seemed to know at once that it was more than just another case of his falling down drunk.

Johnny and Abner spouted out their stories. To Mabel's credit, she was quick to take control. A capable woman, Abner thought, adding it to her list of virtues.

"Hector, you stay and watch the camp. Johnny, come with me. Abner..." She couldn't order the minister around as she could her husband's workmen. "I'd appreciate it if you came along."

The men loaded Jesse in the back of the buckboard and set off for Hangtown and Doc Maynard's home. Doc placed the Indiana farmer-turned-miner in his own bed and for a while Jesse seemed to get better. One at a time, Doc allowed a visitor at the bedside—first Mabel, then Abner, his friend, and even Johnny, the hired man.

The case was touch and go, and Jesse's taste for the bottle seemed for once to be an advantage. "Nothing better for snake bite than whiskey," said Doc, repeating the old wives' tale. The words were barely out of his mouth when Jesse Blackburn's body convulsed and fought for breath and, a few seconds later, gave up the ghost.

Doc Maynard leaned over the lifeless figure, his eyes

focusing on the leg. "Something's wrong here," he said in his deep Southern drawl. Doc pointed to a small brown stain deep inside the cut-open wound. "Was this brown stuff here when you brought him in?"

"I don't remember," Mabel said with serious curiosity. "What does it mean?"

"Could mean poison," Doc said simply. "Give me some time with the body and maybe I'll know more."

Mabel and Abner and Johnny left the house in a daze. "Johnny?" said Mabel to the big Hawaiian. "Take the wagon and pick up supplies at Wang Fu's. He's got a list. Abner and I can walk."

As soon as Johnny left, Abner led the way back home. "Ain't too many rattlers in these parts," he said to Mabel. "If Jesse was drunk like he often is, it wouldn't take much to lay him out, cut open his leg and slip some poison into the wound. You call it a snakebite and no one will be the wiser."

Mabel's eyes grew wide. "No. Johnny cut the leg in order to suck out the poison, not to... What reason would he have...?" She stopped. Of course Johnny had a reason to kill. No one treated hired help worse than Jesse. For the past two months, he'd held back their pay, always giving some excuse or other. Neither Johnny nor Hector had taken it well.

Black Hector had been saving money to buy his family's freedom back in east Texas. Just yesterday he'd threatened to stab Jesse if he didn't pay their wages. Jesse made all sorts of excuses and both men had no choice but to believe him.

"Johnny knows I'll pay them," Mabel whispered. "Out of my own pocket if need be."

"I'm gonna check around Johnny's tent," said Abner. He saw Hector in the distance and waved to him to wait up.

"OK," said Mabel in a weak voice. "I want some time alone." Then she cut across Muddy Flats and disappeared into a grove of aspens.

Johnny's and Hector's tents stood side by side in a ravine not far from the Blackburn cabin. As they walked, Abner

explained his suspicions to Hector. At first the freed slave didn't want to have anything to do with looking for his boss's killer. But Hector wasn't the type to argue much. The two men searched Johnny's tent, found nothing, then walked out of the ravine and toward the cabin.

Meanwhile in Hangtown, Doc Maynard finished his examination. From the minute he'd mentioned poison, he knew Johnny would be a suspect. Could Hawaiian Johnny really be a killer? He doubted it.

"If I can stop one unearned lynching in these parts..." Doc left the thought unfinished as he threw on his coat and headed out the door. "All I need is some evidence."

**(1) Who killed Jesse Blackburn? (2) How was he killed? (3) What evidence points to the killer?**

**If you've already solved this mystery, check the Solution on p. 135. To discover additional clues, turn to Gathering Evidence on p. 111.**

---

#### HISTORICAL NOTES ON GOLD RUSH FEVER

---

IN JANUARY OF 1848, James Marshall was constructing a sawmill along the American River when he discovered a golden nugget in the riverbed. He looked and saw another nugget, then another. Neither Marshall nor his employer, John Sutter, was happy about this. They were building what they hoped would be an agricultural empire and the last thing they wanted was an invasion of gold seekers overrunning their land. They agreed to keep the discovery secret, and their plan worked—for a while.

Rumors began circulating, but no one quite believed them, until Sam Brannan, a store owner and newspaperman, heard the news. Brannan immediately bought up every shovel and pickaxe he could lay his hands on and then ran through the streets of San Francisco, shouting that gold had been found. People finally paid attention, and mining pans that he had

bought for twenty cents were now selling for fifteen dollars. Sam Brannan, who never mined for gold, quickly became California's richest man.

By 1849, men were flocking to northern California from all over the world. It took four months of arduous travel to reach the gold fields, either across the barren plains and mountains or by ship around the tip of South America. Tens of thousands came, believing the wildest of stories. An ad in an Indiana paper promoted a secret lotion. All you had to do was rub it on your body and roll down a hill. The lotion would make gold stick to you and, by the time you reached the bottom, you would be set for life. One lotion supposedly worked for gold. Another worked for silver.

What set the California gold rush apart from earlier strikes is that the discovery occurred in an unsettled, largely ownerless territory. There were few laws and even fewer families to act as social restraints to the wild young fortune seekers.

As for John Sutter and his dream of an agricultural empire.... Although in a perfect position to prosper from the early days of the rush, Sutter never caught gold fever. The '49ers, as they were dubbed, stole his crops, trampled his farms, and tore down his fort for building material. John Sutter, on whose land the gold was found, died a bankrupt man.