

SE-2845353

979.434
NEWS
V. 5, #3

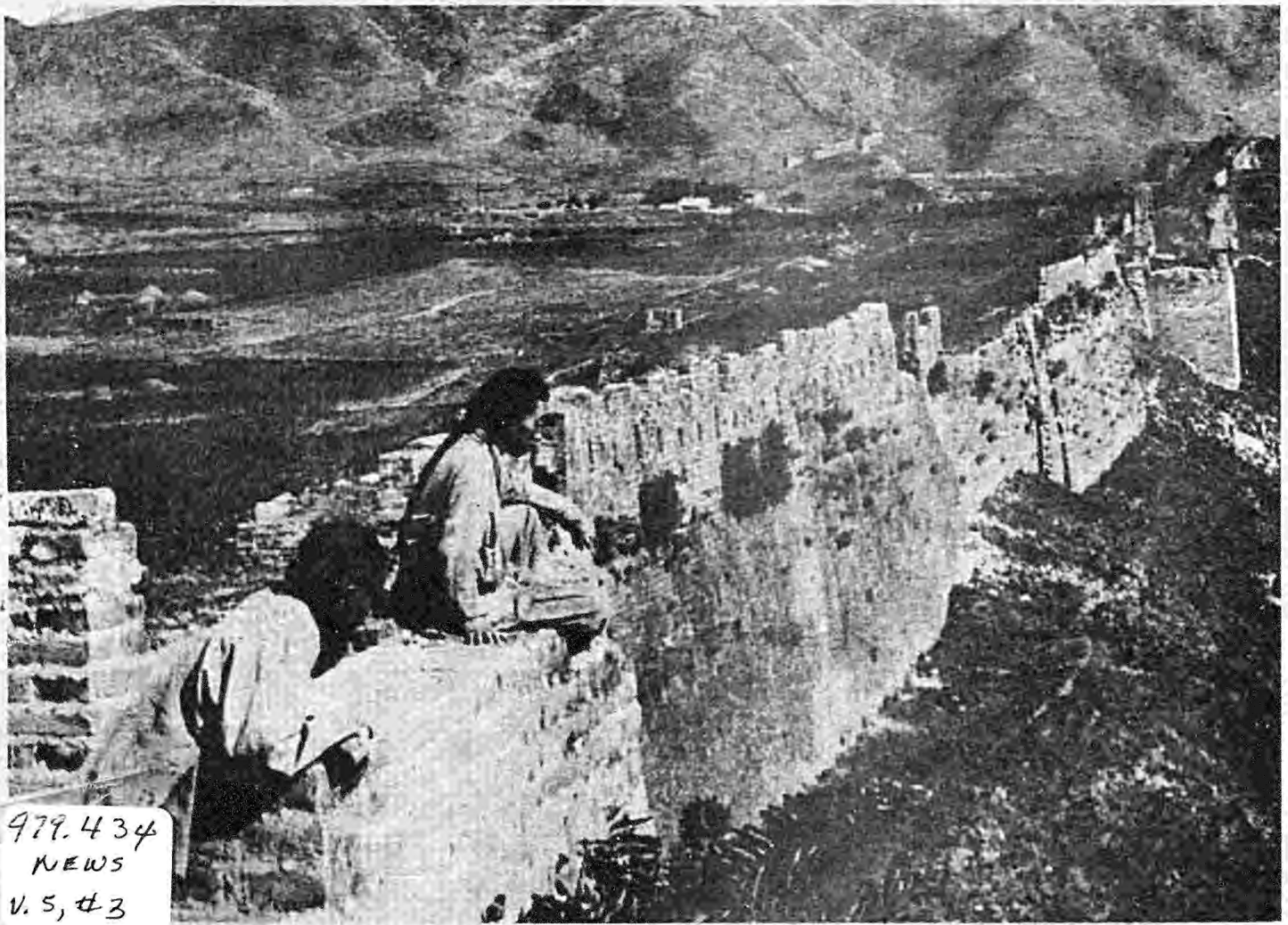
SUTTER COUNTY HISTORICAL SOCIETY

NEWS BULLETIN

VOL. V No. 3

YUBA CITY, CALIFORNIA

SEPTEMBER 1966



979.434
NEWS
V. 5, #3

THE SUTTER COUNTY HISTORICAL SOCIETY
BULLETIN

SUTTER COUNTY HISTORICAL SOCIETY

MEETING

NOVEMBER 16, 1966

7:30 P.M.

BOARD OF SUPERVISOR'S CHAMBERS

OFFICE BUILDING

SPEAKER

MR. ERNEST BEHR

" HYDRAULIC MINING IN THE SIERRA NEVADA "

THE SUTTER COUNTY HISTORICAL SOCIETY
BULLETIN

Mrs. Bernice Gibson
Editor

VOL. V NO. 3

September 1966



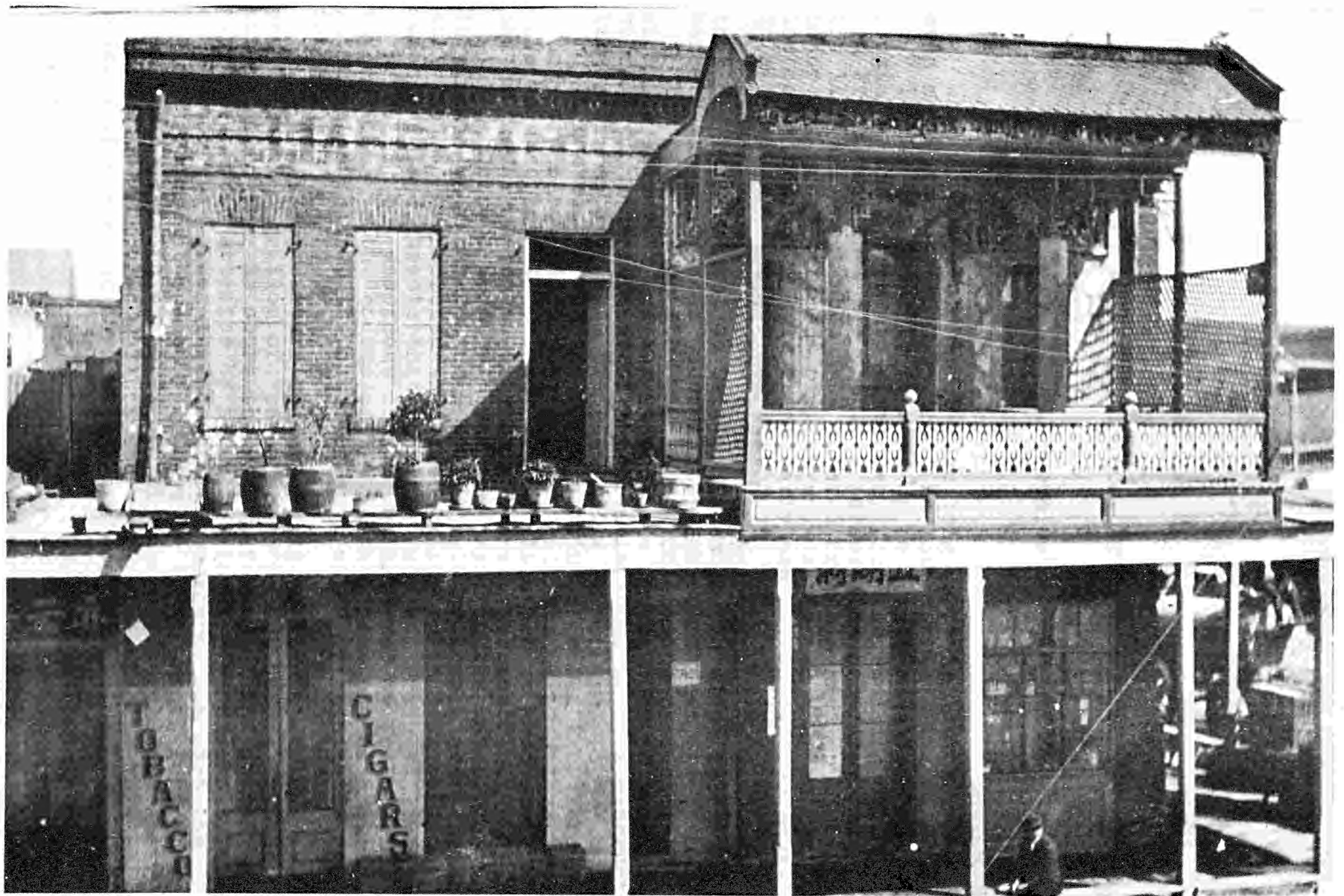
MARYSVILLE CHINESE-- Bok Kai Temple about 1965

THE STORY OF BOMB DAY AND THE INCREDIBLE GOD BOK KAI

According to Chinese folklore while the people of China were experiencing great floods they turned to the god Bok Kai for help in draining their lands of water to alleviate the terrible devastation. During his attempt to help the people Bok Kai was attacked by two evil spirits, Turtle Spirit and Snake Spirit, while he was standing in a swollen creek. Just as the spirits were about to fulfill their craving for his flesh, Bok Kai called on Queen Zum, the goddess of mercy, to come to his aid which she did. With her help Bok Kai overcome his enemies, who then became his helpers and helped in draining the flooded lands. Legend has it that the bombs fired in the celebration of the great victory fell to persons deserving good fortune in the coming year. The exploding bombs rain down good fortune on the lucky ones. Today all the bombs that are exploded are wrapped with red ribbon and have a numbered ring on the outside. The person retrieving the number four ring will supposedly have the best luck.

THE ONLY BOK KAI TEMPLE IN THE U.S. STILL USED IN MARYSVILLE

Marysville's Bok Kai Temple was built in 1854 and virtually reconstructed after it had fallen into disrepair. On April 12, 1850 five Marysville men, Lung Sing, Hong Ling, Oy Chow, Yow Yee and Mot Chung were appointed as trustees to the building to see that it was kept in proper condition. Trustees have been looking after this task ever since. The temple, known as the Joss House is located on Front Street facing the Yuba River and the god Bok Kai is credited with being a major protector of the city of Marysville during break up before the onslaught of the river.



MARYSVILLE CHINESE— 3rd & C. Street about 1906

AH KOW'S \$10,000 QUEUE

By Earl C. Brownlee

When Ah Kow lost his 30-inch long queue he lost something even more precious to his kind. He lost face.

It did not occur to Ah Meng up here in the valley, half the length of the Sacramento river away from the swelling Chinatown of San Francisco, that his cousin's persecutors had flagrantly violated the 14th amendment when they sheered from his kinsman his badge of honor and proud ornament of race and creed. Ah Meng was not told that the constitution of this relatively new nation offered equal protection to all persons. Ah Kow had lost face!

These two were simple character in a virtually anonymous horde that had been brought to California to do the slave labor that was beneath the gold laden Caucasians who brought them.

The tide was continuing in an immigration that started virtually with the gold rush and was to continue for another 50 years. It was to call from the host every conceivable abuse until a disgruntled lunacy in San Francisco produced a law.

Ah Kow was one of the first victims of a San Francisco city-county ordinance (1876) designed to halt the Chinese immigration. This was a climax by forces, from legislature to Hoodlumville, that had previously depended only on arbitrary persecution.

"The Chinese must go!" was the cry from the bay to the highest diggins in the Mother Lode. Every field of labor, every human activity had been opened to Chinese labor lured originally by questionable contracts that promised much and produced little.

The all but anonymous Ah Kow was selected by fellow victims to beat down in the courts of the state a mean and hateful law permitting authorities to crop the queue of any jailed Oriental--the supreme indignity.

An early legislature had attempted to stop the flood with an act taxing immigration of "persons who cannot become citizens," but an alert supreme court thwarted enforcement and opened the way to repeated attempts by state and local governments to correct conditions that often threatened open warfare. In 1858 the legislature sought an absolute barrier in an act to forbid the landing on California shores of "Chinese or Mongolians" under penalty of \$400 to \$600 fines and/or imprisonment. This ultimate measure also was cut down by supreme court decision.

An act to protect free, white labor against competition with coolies masses was passed in 1862. It offered the novel approach of a \$2.50 monthly head tax on all Orientals. The state supreme court again nullified the effort while councils, supervisors and legislators settled down to serious study of ways and means.

Some of San Francisco's "better" minds came up with an ordinance in 1870 requiring that every house, room or apartment, except within prisons, occupied as a lodging, must contain within its walls at least 500 cubic feet of air for each adult person dwelling or sleeping therein. Penalties were misdemeanor fines of \$10 to \$500 and/or imprisonment of from five days to three months for each occupant of such quarters.

Since no Chinaman in overrun San Francisco lived willingly under such conditions, this ordinance was an undisguised blessing. It opened the doors to jails that afforded vastly less than the demanded 500 cubic feet, yet much more than the miserable quarters in which an ever-increasing number of Chinese were being crowded.

When the celestial tide started in 1850 California counted 789 Chinese, including two women. By the close of the same year there were 4018 men and the female contingent had grown to five. A year later there were 12,000 men and the same five women. But by the time Ah Kow fell under the spotlight just a quarter of a century later San Francisco alone harbored from 45,000 to 50,000 of the 100,000 Chinese in the state. These now included 2000 women, 95 percent of whom had been imported for the most questionable of commercial purposes.

San Francisco's terryfying influx was housed within eight square blocks of the expanding city-some 6000 human being to the sometimes narrow block straddling the same avenue (Grant) that today centers the largest Chinatown outside the Orient and offers one of San Francisco's prime tourist lures.

Many a single room in this overwhelmed area sheltered five or six persons sharing 80 square feet of floor space for all the family functions, frequently in addition to some income-producing activity, such as light manufacturing.

"...they huddle together and overlay each other, like a herd of swine that seeks shelter in a strawpile on a cold winter night," a contemporary said in describing his findings where a space "of no greater dimensions than a large dry-goods box furnishes ample room for a cigar stand," or a cobbler held shop in an unused doorway.

These people rejoiced in the spaciousness of jail and the certainties that went with incarceration. So much so that the Bulletin, one of the city's newspapers, said:

"The Mongols have determined upon a policy of worrying the authorities in their attempt to enforce an ordinance prohibiting the unwholesome crowding of lodging houses in the hope of rendering the effort futile...And if the crusade is continued the cattle pound or some other spacious enclosure will have to be utilized for their confinement." The heading was "Chinese Obstinacy."

Since every Chinese person in San Francisco lived in violation of the ordinance, every foot of jail space was promptly filled with their bodies and a minimum of air fouled by constant rebreathing. Compulsion was called for. No desire for living space and free fare,

no "policy" of higher ups could be tolerated if a bad situation was not to be made worse by encouraging even more immigration.

A new ordinance blossomed from the barassed minds of the supervisors in 1873. It provided that immediately upon the jailing of any male person following judgement or conviction, he must suffer the hair of his head to be cut or slipped to a uniform length of one inch from the scalp. This was aimed, of course, only at the Chinese and only at males.

Such darts of disgrace were not enough. Another ordinance forbade removal of bodies from any cemetery without written permission from the coroner, a law under which it would be simple to preclude immigrants who would lose all hope of heaven if they could not transfer the remains of their own beloved to the fatherland.

Thoroughly aroused, the lawmakers thought they had closed the last avenue of resistance, set up the last barrier to immigration, when they passed a third ordinance licensing at \$15 all laundries, laundry offices and washhouses which "employed no vehicle drawn by animal power." Certainly no Oriental could crowd a horse, even a burro, into the 80 or 100 square feet of his already overflowing residence. Certainly no Occidental would think of delivering laundry with less than animal power, even when his animal had to be the pitiful collie labor his minute wage scale had helped to attract in the first place.

Every loophole was closed. Under penalty of everlasting shame no Chinaman would dream of going home, as the Bulletin said, "without his badge of honor." Assuredly immigration of a superstitious people would be dammed by refusing permission to remove the bones of loved ones to the land of his ancestors. "A reflux would commence from our shores to the flowery kindgom," the flowery Bulletin said.

The encompassing legislation of 1873 won Mayor Alford's considered veto, but determination spurred by San Francisco's even then strong labor sentiment pressed upon the state legislature. In 1876 that body enacted a law similar to the earlier lodging limitation ordinance. The city-county government followed suit with a 10 to 2 passage of the new queue ordinance.

Of his own volition or as a guinea pig who could maneuvered through the devious legal channels of questionable court procedures, Ah Kow, an otherwise inconspicuous Cantonese, was one of the first to face the penalty of official queue clipping. In his name a suit was filed against Sheriff Noonan, demanding \$10,000 in damages as small compensation for the shame he had suffered.

Ah Kow's approach denied the validity of the city-county ordinance with the contention that the board of supervisors had exceeded its authority and that the law as invalid for inflicting degrading and cruel punishment upon a particular class of persons. His appearance in court was backed by such legal counsel as was available, but, more, by a score of his fellow-countrymen who had also lost queue and face.

Cousin Ah Meng was missing. He had hesitated a long time about sending any of the sorry little poke of gold dust he had scratched and pawed so painfully from the valley floor. Now there was no more with which to help Cousin Ah Kow recover face.

Whatever moves may have been made in lower courts shall be an unrepeatable chapter, thanks to intervention of earthquake and fire in 1906, when such records as may have been made were destroyed. Not until the action initiated in the name of Ah Kow reached the United States supreme court is a definitive reaction preserved and again brought close to our own scene in the hands of Judge Stephen Field.

The sheriff, of course, had answered Ah Kow, justifying his action under the ordinance; otherwise the case would not have gone beyond local and state courts. To the sheriff's answer, counsel for Ah Kow obviously demurred.

There were a dozen grounds on which the highest tribunal could sustain the demurrer and award Ah Kow his \$10,000. None was less sound legally, but more positive from the humanitarian viewpoint, than the finding that the queue cutting ordinance was "legislation which is unworthy of a brave and manly people."

In consequence of his loss "the plaintiff has...suffered great mental anguish, been disgraced in the eyes of his friends and relatives, and ostracized from association with his countrymen; and that hence he has been damaged to the amount of \$10,000," the high court decision said.

When the city and county of San Francisco was consolidated for governmental purposes the enabling act specified that no penalty might be imposed that would exceed \$1000 or six months in jail, or both. There was no provision for the substitution of any other penalty and subsequent "abusive" ordinances had been passed without reference to the consolidation act.

"No one, for example," the court had pointed out, "would pretend that the board of supervisors could, for any breach of a municipal regulation or any violation of the Consolidation Act, declare that a man should be deprived of his right to vote, or to testify, or to sit on a jury, or that he should be punished with stripes, or be ducked in a pond, or be paraded through the streets, or be seated in a pillory, or have his ears cropped, or his head shaved."

That the queue ordinance was class legislation intended only for the Chinese of San Francisco was asserted by the decision, which said: "It is special legislation on the part of the supervisors, against a class of persons who, under the Constitution and laws of the United States, are entitled to the equal protection of the laws."

"Probably," it was added, "the bastinado, or the knout, or the thumbscrew, or the rack, would accomplish the same end; and no doubt the Chinaman would prefer either of these modes of torture to that which entails upon him disgrace among his countrymen and carries with it the constant dread of misfortune and suffering after death. It is not creditable to the humanity and civilization of our people, much less to their Christianity, that any ordinance of this character was possible."

On the ground that "...nothing can be accomplished by hostile or spiteful legislation on the part of the state or its municipal bodies," the court held "The plaintiff must have judgement on the demurrer to the defendant's plea of justification; and it is so ordered."

Immediately the storm of abuse against the court swelled over the highest hills in San Francisco. The particular target was Justice Stephan J. Field, first alcalde of Marysville, former chief justice of the California supreme court and now a tower of strength on the high court circuit that brought him often and for long periods into the very scene of anti-Chinese strife.*

Notwithstanding Judge Field was well known as an opponent of unrestrained Chinese immigration, the whole state surrendered reason and adopted a bitterness that had stewed since 1850 and was to continue to boil into a new century.

The jurist had made it clear that it was not wise that persons should be encouraged to come into the country who, by their habits, religion, language and manners, could not assimilate readily with our people.

But in the Ah Kow case the court was dealing with the law and the Constitution, in which Justice Field would let no personal view infringe. Clearly, new law and a new Constitution were called for, both from the court's point of view and that of beleaguered San Francisco.

Serious anti-Chinese rioting broke out under the blatant, semi-literate prompting of the notorious Dennis Kearney. Kearney had won some local renown and a questionable following as leader of the Workingmen's Party. His cry, "The Chinese must go!" was heard in every gathering, from the organized rally to the bar rails of innumerable saloons, until the second Vigilante committee arose to take the man and his menace in hand.

Kearney shouted his demands for abrogation of the Burlingame Treaty with China, which held open the immigration gates. He pointed up an admittedly grave situation in the labor market when he led 1500 unemployed men through San Francisco streets. Their cry was for "bread or a place in the county jail," an echo that was heard in legislative halls in Sacramento.

The legislature empowered the city to employ 2000 laborers for three months of "made work," but the authority was ignored by the board of supervisors acting under a joint city-county charter. The supervisors held themselves to be closer to and thus better judge of the qualities of Kearney's rabble rousing.

Out of the mixup came demand for a new state constitution. A constitutional convention was called in June 1878. The people were hardly in a mood to uphold either constitutional or treaty provisions. The mere presence of the Chinese labor competition "would necessarily engender enmities and conflicts, disturbing the peace and injurious to the prosperity of the country." In these premises the state was supreme, especially in matters involving the Orientals. No counsel to the contrary was heard as the clamor arose.

* Stephen Johnson Field served as a justice of the United States supreme court (on appointment by President Lincoln) for 34 years, a term approached by only two other justices in the nation's history. He was a brother and protege of David Dudley Field, famed 19th century New York lawyer and of Cyrus West Field, who conceived, organized and carried out the laying of the first telegraph cable across the Atlantic.

Authors of proposals for a new state constitution aimed their efforts particularly at the Chinese problem. Their ammunition included a stern prohibition against employment of any Chinese or Mongolian, directly or indirectly, by any corporation now existing or hereafter formed under the laws of this state. Orientals were to be disfranchised, they were to be excluded from labor on public works and the collie labor contracts under which they had come to the United States were to be annulled.

Under such labor contracts Orientals were paid their fare from China and were guaranteed \$1 a day to do any work called for between sunup and sundown, with an hour off for meals.

Put to a vote, the new constitution lost in every city in the young state, but outside the cities it carried by 10,820 votes and became effective in July 1879, not to be seriously overhauled for 30 years. This response was difficult to explain, since much of the demand for immigration checks came from the cities, through such voices as Kearney's reaching thunderous vaolume.

Although most of the anti-Chinese provisions in the new constitution were nullified by the U.S. supreme court, the Burlingame Treaty against which police, courts and such as Kearney had railed, was not abrogated until 1882. Meanwhile, Kearney had been so successfully fighting for his convictions that, without having held him in jail an hour or assessed him a dollar, he was freed of charges in 1880 when the state supreme court reversed rulings of the San Francisco police court.

State and United States supreme court decisions were cause for not more than a pause in the war against the Chinese who had by then established in Marysville the largest of their colonies in America beyond San Francisco. Turmoil that had spread somewhat mildly from an embittered San Francisco into the gold country almost with the arrival of the first Chinese, was now intensified throughout the state. Although Chinese had been a vital element in the "diggin's" along California's many gold-bearing streams, they became a menace to Caucasian miners when they took to the rocker and sluice box on their own account. The northern bearing areas are specked with the workings of a Chinese legion that scattered to whatever point at which whites had found traces of dust or had come up with a nugget. On the fringes of activity these Chinese set up their wispy camps and indulged their wishful thinking.

Their futile monuments remain almost as conspicuous as they great placer gouges with which the white brethren despoiled the foothills and filled stream beds, resulting finally in prohibition of such methods. The little piles of earth, looking like nothing so much as a symmetrical prairie-dog town, upon which the 12-foot-long sluice boxes of the Oriental throng rested, remain as little monuments to mark the frugal fields of the hated infidels.

The Chinese impounded rain water, or led little ditches to shallow reservoirs, or carried water from the nearest source and sluiced out the surface of gravelly ground that often yielded a pittance that would sustain the effort, at least until the terrain was dotted with the uniform mounds on which their boxes rested.

More often than not the futile, emaciated Chinese miner waked the next morning to find his pitiful gleanings gone. Or he didn't wake at all, having suffered a crushing blow administered by white

miners coming down from higher workings to the valley-level towns that served the gold country. Many a white of a renegade breed spent the loot taken from the poke of an harassed Chinaman on the liquor and the girls of Marysville, Auburn, Sonora, Stockton or San Francisco.

Thousands of the Oriental influx built the railroads of the west at wages that reflected the mounting bank accounts of promoters who had little of their own money to invest in the creeping rails. Many were employed at starvation wages on the Central Pacific as it inched eastward from the first transcontinental line under the aegis of Leland Stanford, the Crocker brothers and Collis Huntington. These, who were not even the chief financiers of the railroad, actually deserve less of a place in the story of California's building than do the Chinese who were victimized by them almost as tragically as they were by the rowdies and the hoodlums of the gold fields.

The Chinese, too, were targets for all the bitterness and strife of the growing cities. Queue cutting had been stopped by pressure of such decisions as that in the Ah Kow case. But abuses were devised in a score of other enthusiasms which were encouraged, if not actually by law, then by the goons who had at least the avowed sympathy of other classes in a harried society of eager and largely rough-hewn people.

As late as 1886 Dr. C. C. O'Donnell, then San Francisco city-county coroner, was willing to count 13 of the city's 86 suicides within the year as products of "cheap Chinese laborers." However unfairly, Dr. O'Donnell's annual report said:

"Inability to obtain work actuated 13 of our noble citizens to sacrifice their lives rather than lead a life of crime...(they) were crowded out of every avenue of employment by the base coolie slaves of Asia."

To this he attached a recommendation that the board of supervisors avert additional self-destruction for the same causes by abating Chinatown (now San Francisco's prime tourist attraction and a highly important economic factor) and all Chinese as public nuisances.

QUOTES FROM THE BANNER:

Chinese are Swarming to Central Pacific R.R.

Banner - 4/20/67

Page 1 col 4

The Chinese are swarming in the direction of the Central-Pacific Railroad, says the Grass Valley Union, and the Company has commenced sending them in large numbers beyond the summit of the mountain preparatory to the work of the coming season. Within a few days agents of the Company have been in Grass Valley and other portions of the country, offering work to any number of Chinamen who desired to go upon the road. We are also informed that the Company's agents have traversed the whole mining regions upon the same mission, and that within the next thirty or forty days there will be at least 20,000 scratching gravel on the great national highway.

Cheapness of Chinese Labor

Banner - 4/20/67 Page 2 col 3

Much has been said about the cheapness of Chinese labor, but few perhaps know how cheap it really is. The Hawaiian Government sent an agent to China to engage coolies to work on the sugar plantations. Several hundred were engaged at \$48 per year (an board of course) to work for 5 years. We presume that is the price paid to all Chinese coolies imported into California.

The Chinese Temple Dedication

Banner - 3/26/80 Page 3 col 2

The heathen of Marysville and vicinity had quite a "blow-out" on Sunday last, that day being employed by them in the dedication of their new temple. About fifteen hundred Chinese were present during the ceremonies, and fully that number of white people visited the scene of the Mongolian festivities during the day. It would be hard, indeed to describe the order of exercises to the satisfaction of our readers, because, being unacquainted with their language, we know nothing of the import of their various actions and ceremonies. Let it suffice that it consisted of anointing, by the Priests, the offering of sacrifices, the inharmonious blowing of horns and the exploding of firworks. The building itself was gorgeously decorated with Chinese paintings and symbols, and seemed to be regarded with more than superstitious awe by the crowd of half frantic celestials who crowded it to its utmost capacity. With the exception of a little disturbance created by a converted Chinaman who preached on the street during the day "Christ and Him crucified," everything passed off quietly, and the deciples of Confusius and worshipers of "Joss" retired to their dens happy and delighted with the day's doing more deeply merged in the meshes of superstition and more earnestly believing in the efficacy of their heathen dieties than ever. The occasion proved clearly to all who witnessed it that the curse of California is incapable of enlightened progression, and unless checked in its rapid conquest will e'er long blight the fairest land the sun even shone upon, and make wretched and miserable the homes of millions.

FIFTEENTH ANNUAL SYMPOSIUM
NORTHERN CALIFORNIA-SOUTHERN OREGON
HISTORICAL SOCIETIES

14-15-16 October 1966

Siskiyou County Museum
910 South Main Street
Yreka, California

THEME: Aborigines and Orientals

Friday, 14 October

1:00 p.m. Registration (At Museum)
2:00 - 3:00 p.m. Old Time Demonstration of Loading Pack Mules
(Two real mules, at Museum)
3:00 - 4:30 p.m. Guided Bus Tour of Yreka, (Leaving Museum)
7:30 p. m. Slide Lecture, "The Siskiyou Saga" (At Museum)
By Mr. and Mrs. Fred Meamber
9:00 p. m. Social Period (Let's all get acquainted!)

Saturday, 15 October

8:00 a. m. Registration (At Museum)
9:00 a. m. Welcome Session at Museum, Fred Meamber pre-
siding
9:30 a. m. Business Session, Dr. R. Coke Wood, presiding
Brief History on How the Symposium Began
12:00 Noon Recess
12:30 p.m. Luncheon at Elks Club, 322 W. Miner Street
Fashions of the Past and Present
Mae Flock, Narrator
1:30 p.m. Speakers:
Mr. Moon Lee of Weaverville, Storekeeper,
Past Noble Grand Humbug, E. Clampus Vitus, and
Preserver of History, will speak on "Early
Chinese in Northern California "
2:30 p.m. Mr. Laurant Paine, Author and farmer of Fort
Jones - "The Reading and Writing of History"
3:30 p. m. Mr. Alan McMurry, "History Hobbyist" and
Contractor of Yreka - "The Modoc War"
4:30 p. m. A Visit to Siskiyou Art Gallery - Upstairs
over Elks Club, featuring scenes by Local
Artists
7:00 p. m. Banquet - Winema Hall, Fair Grounds, U.S. 99
8:00 p. m. Speakers: Dr. and Mrs. George Eby of
Stockton - Slide Lecture on Nez Perce In-
dians and Chief Joseph - "Hear Me, My Chiefs"

Sunday, 16 October

9:00 a. m. Guided Bus Tour to Fort Jones, returning to
Museum at Noon

SUN
REAR
N

California
[REDACTED]

