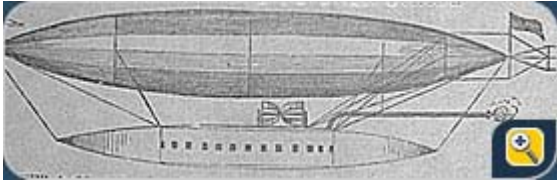


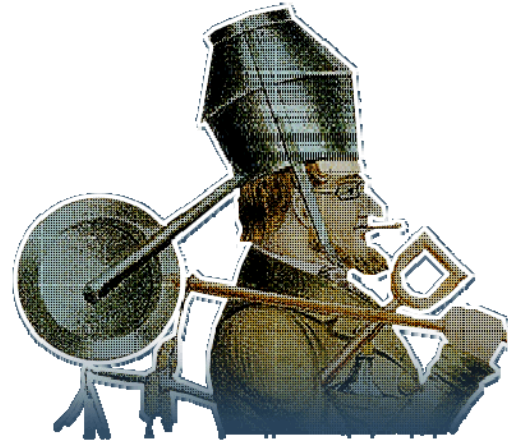
The Gold Rush: California Transformed

The World Rushed In



James Wilson Marshall, a moody and eccentric master found "some kind of mettle" in the waters of the American River on January 24, 1848. The "mettle," of course, proved to be gold.

As news of Marshall's discovery began to spread, Californians rushed to the site. These eager "forty-eighters" were seized by a gold fever that soon swept the world.



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the nation and



"Some Kind of Mettle"

On January 24, 1848, a young Virginian named Henry William Bigler recorded in his diary one of the most fateful sentences in American history: "This day some kind of mettle was found in the tail race that looks like gold first discovered by James Martial, the Boss of the Mill."



Thus was recorded, in a scrawl barely legible, the momentous discovery of California gold by master carpenter James Wilson Marshall while working at a sawmill on the south fork of the American River.

Marshall later said that he made the discovery while inspecting the tailrace of the mill. He found there a glittering particle, caught behind a stone beneath the water.



When he showed his find to **Johann August Sutter**, the owner of the mill, Sutter exclaimed "It's gold--at least twenty-three-carat gold."

For an event of such importance, it's surprising that so little is known about the exact circumstances of the discovery. Marshall was never entirely sure of the date. He later speculated that he had made the discovery "on or about the 19th of January." Several other accounts, including Bigler's diary entry, contradict Marshall.

The discovery of gold in California was an epoch-making event. News of the discovery attracted to California hundreds of thousands of gold-seekers from across the country and around the world. Their coming transformed not only the economic history of California, but much of its social, cultural, and political history as well.

Forty-Eighters



The first published accounts of the discovery of gold at Sutter's Mill appeared in San Francisco's two weekly newspapers in March 1848. The news caused little excitement...at first.

An enterprising young merchant named Sam Brannan soon saw the possibilities of making a profit from whipping up some gold fever. He stocked his store at Sutter's Fort with merchandise that he thought would be in demand by gold seekers. Then, on May 12, he came to San Francisco, waved a bottle of gold dust in one hand and his hat in the other, and shouted "Gold! Gold! Gold from the American River!"

Brannan's carefully staged announcement had the desired effect. San Franciscans rushed to the American River--some stopping along the way at Brannan's store--to look for gold. The San Francisco Californian ceased publication on May 29, complaining that "the whole country, from San Francisco to Los Angeles and from the sea shore to the base of the Sierra Nevada, resounds with the sordid cry of 'Gold! Gold!! Gold!!!' while the field is left half planted, the house half built, and everything neglected but the manufacture of shovels and pickaxes."

During the summer of 1848, the gold fever spread to Hawaii, Oregon and Utah, and in the fall to Mexico, Peru, and Chile. Altogether about 6,000 "forty-eighters" rushed to the gold fields.

Gold Fever



Like ripples in a pond pulsing outward from a skipping stone, news of the California gold discovery circled the globe. At first, reasonable people responded with disbelief. Tales of nuggets as large as hens' eggs were dismissed as tall tales. Only as the initial rumors were confirmed by subsequent reports did reasonable people find themselves possessed by a gold mania.

Their intense excitement was compounded by a determination to make up for the time they had lost in doubt.

Monterey resident James H. Carson later recalled that he had remained an "unbeliever" until he saw with his own eyes a sack of gold nuggets, some truly as large as hens' eggs. His description of what happened next is a classic account of the contagion that was raging out of control:

" I looked on for a moment; a frenzy seized my soul; unbidden my legs performed some entirely new movements of Polka steps--I took several--houses were too small for me to stay in; I was soon in the street in search of necessary outfits; piles of gold rose up before me at every step; castles of marble, dazzling the eye with their rich appliances; thousands of slaves, bowing to my beck and call; myriads of fair virgins contending with each other for

my love, were among the fancies of my fevered imagination. The Rothschilds, Girards and Astors appeared to me but poor people; in short, I had a very violent attack of the Gold Fever."

Sea Routes



The worldwide rush to the California goldfields began in earnest during the winter and early spring of 1849. Gold seekers from the eastern United States followed three main routes to California: by way of the Isthmus of Panama, around Cape Horn, or via the overland trail.



Sea routes were the most popular at first. Sailing to Central America and crossing the Panamanian isthmus was the quickest way to get to California. The average time from New York to San Francisco was three to five months in 1850, but later the travel time was reduced to six to eight weeks. Travelers on this route risked contracting malaria, yellow fever, and other tropical diseases.

Sailing around Cape Horn was a voyage of 18,000 nautical miles and took five to eight months. Accommodations on the ships were crowded and uncomfortable. Violent storms off the Cape posed a constant danger to even the most experienced mariners. As one seaborne Argonaut recalled, the gales at the Cape "produce long, loud, fierce blasts, bearing down on the sea and ship for hours and hours together. Their effect...is to produce long, huge swells, over which the ship mounts with a roll, then plunges into the abyss again as if never to rise."



The Overland Trail

Although the sea routes drew the heavy traffic in the early months of the gold rush, ultimately most California-bound Argonauts from the eastern United States traveled by various overland routes through the American heartland. This journey of 2,000 miles took at least three or four months and meant crossing incredibly difficult terrain.

Young Sallie Hester, traveling overland with her parents in 1849, recorded in her diary the rigors of making it across the unbroken deserts of the southwest: "The weary, weary tramp of men and beasts, worn out with heat and famished for water, will never be erased from my memory."

The biggest killer on the overland trail was disease, responsible for nine out of every ten deaths. Cholera was by far the greatest scourge, but scurvy, typhoid fever, and dysentery also took their toll. Drowning while fording swollen rivers contributed to the mortality rate, as did fatal accidents caused by the careless or reckless use of firearms. Following the accidental death of a ten-year-old boy, overlander Lucia Williams wrote to her mother that "for many days we could not forget this agonizing experience. It hung over us like a black shadow. It took all the joy out of our lives."

Jim Beckwourth of Beckwourth Pass

Jim Beckwourth was an African-American mountain man and frontier scout. He dressed in fringed buckskins and beaded moccasins; around his neck hung a pendant of a rifle bullet and two brightly colored oblong beads. Today, Jim Beckwourth is recognized as one of the great African-American pioneers in California history.

Born in Virginia in 1798, Beckwourth escaped from the slaveholding south at his earliest opportunity and headed for the freedom of the west. He was adopted by the Crow Indians and lived with them for a while along the Yellowstone and Bighorn rivers. Among the Snake Indians, he was known as "Bloody Arm" because of his prowess in battle.

Beckwourth came to California during the gold rush and prospected around Murderer's Bar and Rich Bar on the Feather River. He was well aware that one of the greatest challenges facing his fellow forty-niners was making it through the Sierra Nevada. The high passes, or narrow openings through the mountains, were difficult to cross.

In 1851, Beckwourth discovered a pass through the northern Sierra that now bears his name. Because the route had excellent commercial possibilities, the citizens of Marysville agreed to pay him to build a toll road over the pass. He spent some of his own money completing the road and succeeded in safely guiding across the first party of immigrants.

Boom Towns



Hundreds of towns sprang to life in California during the gold rush. Wherever gold was discovered, mining camps appeared almost overnight. Some disappeared just as quickly, once the easily available gold was gone. Often located near rutted wagon roads or free-flowing streams, the towns and camps served as supply centers as well as places where miners could gather for entertainment.

The largest towns in the interior were Sacramento and Stockton. Sacramento served as the gateway to the central and northern mines, while Stockton was the supply center for settlements in the southern mining regions.

The greatest boom town of all was San Francisco. Its population swelled from just 600 in 1848 to 25,000 in 1849. San Francisco was the port of entry for all seaborne Argonauts and for supplies arriving from around the world. It also served as the center for California banking, manufacturing, and other economic activities.

New Yorker Bayard Taylor arrived in San Francisco in September 1849. This is what he saw and heard: "Hundreds of tents and houses...scattered all over the heights, and along the shore for over a mile. A furious wind was blowing through a gap in the hills, filling the streets with clouds of dust. On every side stood buildings of all

kinds, begun or half-finished, and the greater part of them mere canvas sheds, open in front and covered with all kinds of signs in all languages. Great quantities of goods were piled in the open air, for want of a place to store them. The streets were full of people, hurrying to and fro, and of divers and bizarre a character as the houses... One knows not whether he is awake or in some wonderful dream."

Life in the Diggings



"Gold-rush California was a tumultuous place. Mark Twain aptly called it "a wild, free, disorderly, grotesque society!"

In their relentless pursuit of wealth, the Argonauts used a variety of mining methods. Some their methods, such as hydraulic mining, left ugly scars upon the land.



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To introduce law and order into this chaotic society, Californians formed mining districts and drafted mining codes. In the cities, they formed vigilance committees. One enterprising Argonaut published a fanciful set of rules, The Miner's Ten Commandments.

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Many of the most successful gold-rush Californians were merchants who sold supplies to the miners. Mining the miners often proved to be a more lucrative enterprise than simply mining the gold. Sadly, many of the miners themselves failed to realize their dreams of wealth. Gold-rush songs such as "The Lousy Miner" are poignant reminders of the miners' loneliness and disappointment.

One of the finest eye witness accounts of the gold rush is a set of letters written by Dame Shirley, the pen name of Louise Amelia Knapp Smith Clappe. Dame Shirley realistically portrayed the hardships of life in the diggings, conditions that often were forgotten by those in later years who engaged in remembering the gold rush.

Early Mining Methods



Miners in California used a variety of methods to extract gold.

The simplest method was panning. Squatting by the side of a river or a stream, the miner shallow, flat-bottomed pan with what he hoped would be "pay dirt." Then he held the pan the surface of the water and swirled it about with a gently rotating motion for several minutes. With one side of the pan held lower than the other, the water washed away the



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dirt and sand. The heaviest gold particles--if any--would remain in the bottom of the pan.



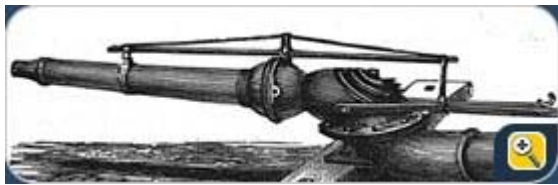
Panning was a tedious and backbreaking job. Miners improved on this simple method by using a rocker, an oblong box without a top, several feet in length, mounted on rockers like a child's cradle and placed in a sloping position. Pay dirt was shoveled into the rocker, followed by buckets of water. As the miner vigorously rocked the cradle back and forth, the muddy water rushed through and the gold was trapped behind "riffles" or cleats in bottom of the rocker.



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Further improvements appeared by the end of 1849. The "long tom" was an open wooden trough about twelve feet long. Water and dirt flowed through the tom more rapidly and in greater quantity than could be handled by a rocker. The long tom later evolved into a sluice, a series of riffle boxes fitted together, sometimes as much as several hundred feet in length.

Hydraulicking



The easily available gold in California soon was depleted, but rich deposits of the precious metal remained far below the surface. Thus the early mining methods gave way to methods more complex--and more destructive.



Working together in large mining companies, miners turned aside entire rivers to expose the pay dirt of streambeds. They also dug deep shafts or tunnels into the earth. One of the most spectacular of the new mining methods was "hydraulicking." Miners used the destructive power of high-pressure water to wash away banks and hills, uncovering gold-bearing gravel far beneath the surface. Hydraulicking left the earth deeply scarred and in some places unrecognizable from its previous state.

Hydraulic mining was a true California innovation. In 1853 a former sailmaker named Anthony Chabot constructed a sturdy canvas hose, and a Connecticut Yankee named Edward E. Matteson invented a tapered nozzle of sheet brass. For the next three decades, hydraulic mining was the dominant form of gold extraction in northern California.

Law and Order



As the world rushed in to California, the gold seekers found themselves in a land beyond the reach of any established law. They ignored the tribal governments of the California Indians and had little respect for the past

practices of Mexican rule. The mining regions remained largely unaffected by the actions of American military governors and officials of the newly formed state government.

Concerned about regulating and securing their mining claims, the miners took matters into their own hands. They formed more than 500 self-governing mining districts. Within each district was an elected recorder, variously called an arbitrator or chairman, whose duties were to keep a record of all claims in the district and to settle disputes over contested claims.

Each district adopted its own unique mining codes. The codes defined such things as the maximum size of claims, the process of filing them, the necessity for continually working them, and what constituted the abandonment of a claim.

The mining districts were democratic bodies, but many also were discriminatory. They commonly excluded African Americans, Asians, and Latinos. The miners also banded together to administer vigilante justice, banishing or lynching those whom they suspected of wrongdoing.

The Miner's Ten Commandment



James Mason Hutchings, an English-born author and editor, published in 1853 a gold-rush letter sheet called "The Miner's Ten Commandments." A letter sheet is a type of illustrated stationery that can be folded to form a self-made envelope. Hutchings sold more than one hundred thousand copies of his "Commandments" in just one year.



The First Commandment was simple and direct. It reflected a stipulation found in many actual mining codes: "Thou shalt have no other claim than one."

The Sixth Commandment was a bit more complex but just as important: "Thou shalt not kill thy body by working in the rain.... Neither shalt thou kill thy neighbor's body in a duel.... Neither shalt thou suck through a straw...nor gurgle from a bottle...."

The Eighth Commandment was the toughest: "Thou shalt not steal a pick, or a pan, or a shovel, from thy fellow miner, nor take away his tools without his leave...for he will be sure to discover what thou hast done, and will straightaway call his fellow miners together, and if the law hinder them not they will hang thee, or give thee fifty lashes, or shave thy head and brand thee like a horse thief with 'R' upon thy cheek."

Mining the Miners



Many of the most successful Californians during the gold rush were enterprising merchants who sold supplies to the miners. Rather than mining gold, the merchants prospered by "mining the miners."

A Bavarian-born dry goods merchant arrived in California in 1853 with a load of canvas he hoped to sell to the miners for tents. But this merchant soon found a better use for his canvas, making pants for the miners. The merchant's name was Levi Strauss, creator of those trousers known around the world as "Levi's."

Railroad barons Mark Hopkins and Collis P. Huntington got their start as hardware merchants in the gold-rush town of Placerville. One of their neighbors, John M. Studebaker, did a brisk business building and selling wheelbarrows for the miners. Later he and his brothers became the world's leading manufacturers of wagons and buggies. Eventually they went on to build automobiles, and from 1902 until 1963 the streets and highways of America were graced with sleek new Studebakers.

Another up-and-coming gold-rush merchant was a butcher from New York named Philip Danforth Armour. He made a small fortune cutting meat in Placerville and then went back to Chicago where he and his family became multi-millionaires running the largest meat-packing business in the world.

"The Lousy Miner"



Historian Oscar Lewis has estimated that fewer than one out of twenty California gold seekers returned home richer than when they left. They expressed their frustration in the names of ramshackle mining camps like Poverty Hill, Skunk Gulch, and Hell's Delight.



Loneliness and despair also were recurring themes in gold-rush ballads such as "The Unhappy Miner," "I'm Sad and Lonely Here," "I Often Think of Writing Home," and "The Miner's Lament." One of the most poignant ballads was "The Lousy Miner," first published in John A. Stone's *Original California Songster* (1855). The opening stanza begins:

It's four long years since I reached this land,
In search among the rocks and sand;
And yet I'm poor when the truth is told,
I'm a lousy miner,
I'm a lousy miner in search of shining gold.

The final refrain is one of bitter disappointment:

Oh, land of gold, you did me deceive,
And I intend in thee my bones to leave;
So farewell, home, now my friends grow cold,
I'm a lousy miner,
I'm a lousy miner in search of shining gold.

Dame Shirley



Women were a rarity in most gold-rush communities. They represented about one-twelfth of the state's non-native population in 1850, and increased only to one third by 1880.

One of the most remarkable women in gold-rush California was Louise Amelia Knapp Smith Clappe. She lived for over a year in a rough-and-tumble mining camp along the Feather River. She's known to us today by a marvelous series of letters she published under the pen name Dame Shirley. The letters are a valuable resource because they provide a woman's perspective on life in the gold rush. They contain a wealth of detail on the interior furnishings of miners' cabins, the clothing worn by the forty-niners, and their typical daily fare.



Dame Shirley also records the miners' unusual figures of speech. "Seeing the elephant," for instance, meant having a truly remarkable experience, something as unusual and unexpected as encountering an elephant in the mines.

Remembering the Gold Rush



Like so many episodes in California history, the gold rush has been considerably romanticized by many of its later chroniclers. Memoirs and fictionalized accounts, published decades after the event, tended to view the "days of '49" through a golden haze. Understandably, the aging Argonauts wished to put the best possible spin on their youthful exploits.



Heroic pioneers, stouthearted and triumphant, were popular images in Gold Rush anniversary celebrations. "California's Golden Jubilee" in 1898 included a procession through the streets of San Francisco witnessed by a crowd of two hundred thousand enthusiastic celebrants. The glorification was complete by 1948 when Californians observed the centennial of the gold discovery. Gordon Jenkins and his orchestra recorded a "musical narrative" that unabashedly celebrated the gold rush as part of the national legendary:

There's gold in California,
Gold out California way.
Streets are paved with it,
Fortunes are made with it,

Even golden razors
So you can get shaved with it.

The mood during the gold-rush sesquicentennial in the late 1990s was considerably different. Thomas Frye, curator of a gold-rush exhibit at The Oakland Museum of California, commented: "In 1948, everyone identified with California's golden history. Today, it is very different. Not everyone believes in the golden history." State librarian Kevin Starr agreed, noting that Californians no longer "have a coherent society where everyone can agree on what is being celebrated."

Diversity and Conflict



Following the discovery of gold in California in 1848, the world rushed in. Eager gold seekers headed south from Oregon; north from Mexico, Chile, and Peru; east from China and the islands of the Pacific; and west from every state in the union and countries throughout Europe. This richness of intersecting frontiers produced the most ethnically diverse region in the nation.

Gold-rush California also became a region noted for its ethnic conflict. Frustrated ambitions of unsuccessful gold seekers were vented in an almost unending round of ethnic hostilities. Scapegoats were eagerly sought, identified with lightning speed, and dispatched with little regret.



Native American miners were forced to abandon the diggings, and many fell victim to genocidal campaigns. The destruction of the ranchos dispossessed members of the old rancho elite, and Latino miners endured violent opposition as well as discriminatory taxes. French miners, derided as Keskydees, bitterly complained when they too were compelled to pay extra fees as foreign miners. Hawaiians in the gold fields were commonly called Kanakas. Chinese immigrants came seeking their fortune in the fabled land known as Gam Saan. African Americans were a small minority in gold rush California and unfair laws and practices too bound them. In spite of discrimination and hardship, individuals like Biddy Mason left a legacy of pride and accomplishment.

Native American Miners



The discovery of gold brought hundreds of thousands of newcomers onto the lands of the California Indians. The Native people responded in a variety of ways. Many retreated into the interior as the flood of gold seekers invaded their homelands. Others, especially among the Miwok and Yokuts in the Central Valley, raided the settlements of the newcomers for horses and other livestock.

Many Native people joined in the rush for gold and became miners themselves. Colonel Richard B. Mason estimated in 1848 that more than half the gold diggers during the first year of the gold rush were Indians. Miwok prospectors and miners, for instance, helped open the extraordinary riches of the southern mines.

At first, many Indian miners worked as laborers for white Californians, often in a state of peonage similar to their status on the Mexican ranchos. Others labored as independent agents and traded their gold to white merchants for a variety of goods. In the early days, California Indians were unaware of the true value of the gold they were trading, and the whites competed with one another in cheating them. A common practice was to trade glass beads to Indian miners for gold, weight for weight. But soon the Native miners developed a finer appreciation of the white man's high regard for gold and became increasingly able and sophisticated traders themselves.

Episodes in Extermination



The Native American population of California declined from an estimated 150,000 in 1846 to 30,000 by 1870. Most of the decline was caused by disease and malnutrition, but thousands of Indians died in genocidal campaigns carried out by white Californians. Miners and ranchers banded together for the express purpose of killing Indians. These men roamed through the hills and valleys of northern California, hitting especially hard the Native people who lived in the heart of the mother lode, the Nisenan Maidu and the Miwok.

Local sentiment was strongly in favor of Indian extermination. The Yreka Herald in 1853 made its position unequivocally clear: "Extermination is no longer a question of time--the time has arrived, the work has commenced, and let the first man that says treaty or peace be regarded as a traitor." In 1866 the Chico Courant concurred: "It is a mercy to the red devils to exterminate them, and a saving of many white lives. Treaties are played out--there is only one kind of treaty that is effective--cold lead."

Frontier communities raised subscriptions to pay bounties for Indian scalps and Indian heads. In addition to such local remuneration, the state legislature authorized payments of expense claims totaling over \$1 million. The federal government subsequently reimbursed the state. Thus the process of extermination went forward with the financial support of local, state, and federal governments. It was legalized and subsidized murder on a mass scale.

The Destruction of the Ranchos



The Treaty of Guadalupe Hidalgo ended the Mexican American War. It provided that the property rights of Mexicans living in the lands ceded to the United States would be "inviolably respected." Hundreds of Mexican ranchos covered some thirteen million acres of land in California. As the world rushed in during the gold rush, the property rights of the rancho owners often were ignored. Newcomers settled on the rancho lands as squatters.

To resolve the confusion over land ownership, the United States Congress in 1851 passed a new land law. The law established a lengthy legal procedure by which the rancho owners could prove the validity of their land titles and remove the squatters. Ultimately the owners won confirmation of about 600 claims, involving nearly nine million acres, and lost about 200 claims, covering four million acres. But the average length of time required by the

grantees to prove the validity of their titles was 17 years. By the time their grants were confirmed, the original grantees usually were bankrupt. Thus the grantees often lost their lands in the process of proving ownership.

The impoverishment of the old rancho elite of California evoked expressions of intense bitterness. Apolinaria Lorenzano, once the proud owner of three ranchos, mourned the loss of her lands: "I find myself in the greatest poverty, living by the favor of God and from handouts."

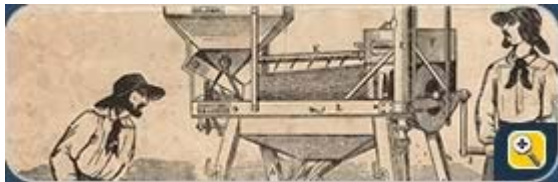
Latino Miners



The largest group of foreign miners in the early years of the California gold rush was Latin Americans. Some came from Chile and Peru, but most were Mexicans from the state of Sonora

Animosities between English-speaking and Spanish-speaking Californians became intense in the early years of the gold rush. Part of the animosity was due to leftover hostilities from the Mexican American War. But economic competition also propelled the antagonism. Many of the Latinos were expert miners, possessing superior mining knowledge and experience.

Keskydees



A San Francisco French-language newspaper in 1853 estimated that some 32,000 French gold seekers were in California. Throughout the gold country today are reminders of their presence--place names like French Camp, French Corral, and French Gulch.

The French, like other foreigners, were subject to discrimination by United States citizens who wished to exclude miners from other lands. The Americans derided the French by calling "Keskydees," derived from the Frenchmen's frequent and uncomprehending question, "Qu'est-ce qu'il dit?" meaning, "What does he say?"



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them



Anglo-Americans tried to rid the state of foreign miners by requiring them to pay a special monthly tax of twenty dollars for the privilege of mining gold in California. The French, along with

Mexicans and some Germans, mobilized opposition to the tax and staged an unarmed protest in the town of Sonora in 1850. Their protest came to be known as "The French Revolution."

Kanakas



Natives of the Hawaiian Islands first arrived in California in the early 1800s. These Pacific Islanders, then known as Kanakas, worked on ships engaged in the hide and tallow trade and in the hunting of sea otter. Richard Henry Dana included a striking portrait of the Kanaka sailors of California in *Two Years Before the Mast* (1840).

During the gold rush, hundreds of Hawaiians came to California to work in the mines. Place names like Kanaka Creek in Sierra County and Trinity County's Kanaka Bar remind us of their early presence in the gold country.

Even two young members of the Hawaiian royal family became forty-niners, Prince Lot and Prince Alexander. Like boys everywhere, the two young princes weren't very conscientious about writing letters to the folks back home. Fifteen-year-old Prince Alexander later explained that he hadn't written because he didn't think his family and friends would "like to hear about sufferings and murder and gamblers."

Gam Saan



Many Chinese came to California during the gold rush. By 1870 approximately one-fourth of the miners in California were Chinese. News of the gold discovery spread rapidly throughout China, and California became known as a fabulous land--Gam Saan or "Gold Mountain."

Unfortunately the Chinese immigrants often received a hostile reception in California. Many Anglo-American miners feared the Chinese would take too much of the gold. Others opposed the Chinese because of their willingness to accept low wages. Much of the opposition was based on essentially irrational fears directed against a foreign people whose way of life was thought to be somehow dangerous to the well being of the state.



In 1852 the state legislature created a new Foreign Miners License Tax with the clear understanding that it would be enforced primarily against the Chinese. The tax was set at \$3 per month, later raised to \$4. The tax was collected, month after month, until it was declared unconstitutional in 1870. During these eighteen years, this discriminatory tax brought in nearly a quarter of the state's annual revenue.

African Americans



About one percent of the non-Indian population of gold rush California was African American, including enslaved persons as well as free men and women. The free blacks came to California on their own, seeking gold. Their southern masters in spite of California's status as a free state brought those enslaved. Some who came as slaves, such as Biddy Mason, later obtained their freedom.

The status of African Americans in California was restricted by various discriminatory public policies. The state constitution restricted suffrage to "free white males," thus excluding all nonwhites and women from the right to vote. Likewise, the state legislature restricted membership in the state militia to whites. The legislature also adopted a harsh fugitive slave law. The most odious of these anti-black statutes were the state testimony laws that prohibited "blacks, Negroes, mulattoes" and Indians from testifying in any civil or criminal proceeding either "in favor of, or against a white man."



African Americans in San Francisco organized a Franchise League in 1852 to petition the legislature to grant them their full civil rights. Later, in 1855, black residents organized a statewide California Convention of Colored Citizens to protest unfair and unequal treatment.

Biddy Mason

One of California's most intrepid African American pioneers was a woman named Biddy Mason. Born a slave on a Georgia plantation in 1818, she was taken by her owner to San Bernardino, California in 1851.

California was officially a free state. The state constitution of 1849 was very clear about this: "Neither slavery nor involuntary servitude shall ever be tolerated in this state." Nevertheless thousands of African Americans like Biddy Mason were brought to California by their masters and kept in bondage. When Mason's owner attempted to take her back to the slave-holding south, a California judge ruled that she and her family were "entitled to their freedom and are free forever."

Biddy Mason, free at last, stayed in California and went on to become one of the first African American women to own property in Los Angeles. From her home on Spring Street, she tended her family and helped the poor. She was a woman with a large and generous heart. "If you hold your hand closed," she was fond of saying, "nothing good can come in. The open hand is blessed, for it gives in abundance, even as it receives."

Statehood



Political affairs in California were confused and chaotic in the early years of the gold rush. Deadlocked over the future of slavery in lands acquired during the Mexican American War, Congress provided no legal form of government for California until its admission to the union in the fall of 1850.

Impatient Californians assembled in a constitutional convention in Monterey in 1849 to engage in some serious constitution making. The delegates to the convention drafted a constitution that established the fundamental structure of California government. They also attended to such minor matters as approving a design for the great seal of the state of California.

President Millard Fillmore signed a bill for the admission of California on September 9, 1850, a date celebrated forever after as Admission Day.

California political affairs remained somewhat unsettled as the roving capital moved from city to city in search of a permanent home.

Constitution Making



Forty-eight prominent Californians assembled in Monterey's Colton Hall early in September 1849. Their task was to draft a constitution for California. Eight of the delegates were Spanish-speaking members of the old rancho elite, including Mariano Guadalupe Vallejo of Sonoma. A majority of the delegates had lived in California more than three years; about half were less than 35 years old.

Perhaps the most pressing issue facing the delegates was whether to petition Congress for admission as a territory or as a state. Because the gold rush had already brought in such a large population, the delegates understandably resolved to skip the territorial stage and apply immediately for statehood. Another issue of great importance was the question of slavery. By a unanimous vote, the delegates decided to seek California's admission to the union as a free state.

The delegates also voted to include in the constitution a provision for the separate ownership of property by a married woman. All property of a wife, owned before she got married or acquired afterward, would remain her property. Such had been the practice in Mexican California, but no other American state yet allowed women this privilege.

The question that gave the delegates the most trouble was the issue of California's eastern boundary. After considerable discussion, the boundary was set at its present location along the eastern slope of the Sierra Nevada.

Admissions Day



The prospect of admitting the state of California to the union sparked one of the great debates in our nation's history. California's admission as a free state would upset the equal balance in the number of free and slave states, a balance that had long allowed the south to protect its "peculiar institution."



The controversy was resolved when northern senators agreed to pass a stringent new fugitive slave law. Southern senators, thus mollified, agreed to the admission of California as a free state. President Millard Fillmore signed the bill for the admission of California on September 9, 1850.

News of the momentous event did not reach California for about five weeks. On the morning of October 18, the S.S. Oregon sailed into San Francisco Bay with all flags flying in celebration of the exciting news it bore. Soon a parade was organized down Market Street. City marshals in crimson scarves led the festivities, marching along with a brass band of buglers and a troupe of Chinese revelers carrying bright blue silk banners. That night, huge bonfires on Twin Peaks and other hills

The Roving Capital



One of the important issues left unresolved by the California constitutional convention was the location of a permanent state capital. In a remarkable display of fiscal responsibility, they left its location open to future bids from rival towns. They hoped thereby to acquire land and buildings for the capital without cost to the state treasury.

San Jose was the first city to enter the capital sweepstakes. The state legislature assembled in San Jose for its inaugural session on December 15, 1849. The proceedings were not altogether as stately as one might have hoped. Contemporary critics dubbed it "the legislature of a thousand drinks."

In June 1851 the legislators moved to Vallejo, but were then lured back to San Jose, back to Vallejo, to Sacramento, back to Vallejo again, and then to Benicia. There the legislators took a breather, enjoying for several months the splendid accommodations at the new Benicia City Hall. But even this was not to be their final resting spot. At last, in 1854, the legislators settled on Sacramento as their permanent headquarters. They met in the Sacramento County Courthouse until construction of the present capitol building was nearly completed in 1869.