

## “DEVILISHLY UNCOMFORTABLE”:

In the Matter of Sic — *The California  
Supreme Court Strikes a Balance Between Race,  
Drugs and Government in 1880s California*

BY MIKELIS BEITIKS\*

On the evening of October 22, 1885, some 300 residents of Stockton showed up at the town’s city hall for an “Anti-Chinese Meeting.” The turnout was so large that officials had to relocate the meeting to the nearby Turn-Verein Hall to accommodate the crowd.<sup>1</sup> To read newspaper accounts of this event is to feel as though one is watching the raucous, conflict-establishing closing scene of a play’s first act — a thunderous and irreversible event that will surely lead to something interesting after the intermission.<sup>2</sup>

Exhibiting a dynamic that had been playing and replaying in West Coast towns for several decades, Stockton’s white residents were pacing, clenching their jaws and cracking their fingers over difficult economic times, and

---

\* [Editor’s note: This article was the winning entry in the California Supreme Court Historical Society’s 2011 Student Writing Competition, written while the author was a third-year student at UC Hastings College of the Law. He is now a member of the California Bar.] The author would like to thank Professors Brian Gray, Reuel Schiller, and Darien Shanske for their support, inspiration and suggestions for this paper.

<sup>1</sup> “The Anti-Chinese Boom,” *The Stockton Daily Evening Mail*, October 23, 1885. (The Turn-Verein Hall was Stockton’s German ethnic hall).

<sup>2</sup> “They Must Go,” *The Stockton Daily Independent*, October 23, 1885. See also, “The Anti-Chinese Boom,” *The Stockton Daily Evening Mail*, October 23, 1885.

then coming to a consensus that Chinese immigrants were to blame for their hardship.<sup>3</sup> Stockton's anti-Chinese meeting was reportedly called to "urge



the necessity of excluding the Chinese from the city,"<sup>4</sup> but a headline describing the meeting in the *Stockton Mail* the next day captures the gathering's purpose more bluntly: "Law or no Law, John Chinaman Must Go."<sup>5</sup>

In an era of partisan politics, Stockton's anti-Chinese meeting was a collaborative event. Future governor of California, former U.S. congressman and Stockton resident James

Budd was the featured speaker. Budd declared that if "healthy public sentiment" prevailed, every Democrat, Republican, Workingman, Socialist and Sandlotter "would put his shoulder to the wheel, and help to throw the Chinese to the other side of the Mormon slough." He assured those present that there was "no question" that the town could use the law to target the Chinese, and then went further, proclaiming that it was in fact "the duty" of local government to make life "so devilishly uncomfortable," for the Chinese as to make them "glad to leave." Budd informed the crowd that Stockton's City Attorney, Frank Smith, was already drafting ordinances to this effect — sanitary laws targeting the Chinese, similar to ones that had been recently adopted in San Francisco. His speech was followed with great applause.<sup>6</sup>

Stockton's chief of police then stood and spoke in "glowing language of the filth and corruption that met his gaze" in Chinatown, giving details

<sup>3</sup> Elmer Clarence Sandmeyer, *The Anti-Chinese Movement in California* (Chicago University of Illinois Press, 1991), 97. It is noteworthy that this 1885 action by Stockton was one of a series of many momentous anti-Chinese actions that were happening even within that very month in California. Sandmeyer lists over thirty California communities that were taking drastic action against their Chinese during this period of 1885, in a series of actions motivated by dissatisfaction with the implementation of preceding anti-Chinese legislation, and spurred by a murderous anti-Chinese riot in Wyoming.

<sup>4</sup> "They Must Go," *The Stockton Daily Independent*, October 23, 1885.

<sup>5</sup> "The Anti-Chinese Boom," *The Stockton Daily Evening Mail*, October 23, 1885.

<sup>6</sup> *Id.* The Mormon Slough was Stockton's southern border in 1885.

of conditions that could be targeted by sanitary laws. His account was received with “laughter and good-natured applause.”<sup>7</sup>

With the substance and the color of the meeting’s thrust sufficiently established, resolutions were drafted to support only anti-Chinese candidates in the upcoming election and to create a permanent anti-Chinese committee to ensure follow-through. As the resolutions were enthusiastically adopted by those in attendance, there was but one “No” vote cast in the hall — “a single voice, the voice of a woman.”<sup>8</sup>

Mrs. Farrington, a landlord to some of Stockton’s Chinese residents, rose amidst bustle and gavel-raps for order to attempt to speak in defense of the town’s Chinese. She reminded the group that some of Stockton’s Chinese residents had lived in town for three decades — longer than almost any of the whites in attendance — and that the Chinese were undeniably prompt and dutiful in paying their bills and their taxes. She attempted to continue her plea, but before she should say any more, the meeting’s chairman aggressively cut her off, calling Farrington and people of her type a “curse to the city.”<sup>9</sup>

The chairman’s dismissal of Farrington was “drowned in uproarious applause.” He rounded out his scorning by saying that Stockton would be better off if it could be rid of the Farrington-types of the town right along with the Chinese, and then shouted a motion to adjourn over her objection, abruptly closing the meeting.<sup>10</sup>

And just like that, with the downswing of the chairman’s gavel, the curtain drops on the first act of the play, the lights go up in the house, and the crew begins to move furiously, re-setting the stage.

In the second act, less than a week after this dramatic meeting, the Stockton City Council would pass local sanitary ordinances “aimed at the Mongolians.” These ordinances set penalties for various aspects of open cooking fires, gambling, operating laundry facilities in town, and opium smoking — penalizing practices unique to the town’s Chinese residents.<sup>11</sup>

---

<sup>7</sup> “They Must Go,” *The Stockton Daily Independent*, October 23, 1885.

<sup>8</sup> “The Anti-Chinese Boom,” *The Stockton Daily Evening Mail*, October 23, 1885.

<sup>9</sup> Id.

<sup>10</sup> Id.

<sup>11</sup> “John Chinaman Must Go,” *The Stockton Daily Evening Mail*, October 27, 1885.