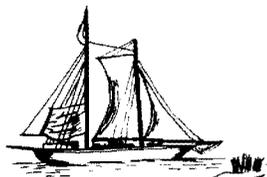


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MINUTE BOOK A - COURT OF SESSIONS (Civil) SAN JOAQUIN COUNTY - CALIFORNIA - 1850-52

Annotations by Robert Bonta

(Continued from the January-March 1978 Issue)

EDITOR'S NOTE:

With this issue we commence the verbatim publication of the Court of Sessions entries. Please note the two styles of type in the succeeding pages, regular and italic. The former is used for the MINUTE BOOK entries while the latter is used for all annotations. All quotations (other than the MINUTE BOOK entries) are identified by the use of the standard quotation marks or by indentation of the quoted material along the left-hand edge of the column.

MINUTE BOOK "A"

Be it remembered that heretofore to wit, on Monday the 3rd day of June (it being the 1st Monday of said month) in the year of our Lord one thousand eight hundred and fifty, a special term of the Court of Sessions of the County of San Joaquin, State of California, was held pursuant to law & notice legally given.

Present: the Hon. Benjamin Williams, County Judge

Hairston Amyx and O. C. Emory, two of the Judges-elect of the County of San Joaquin, appeared and produced certificates of their election as members of the Court of Sessions.

Present: R. P. Ashe, Esquire, Sheriff

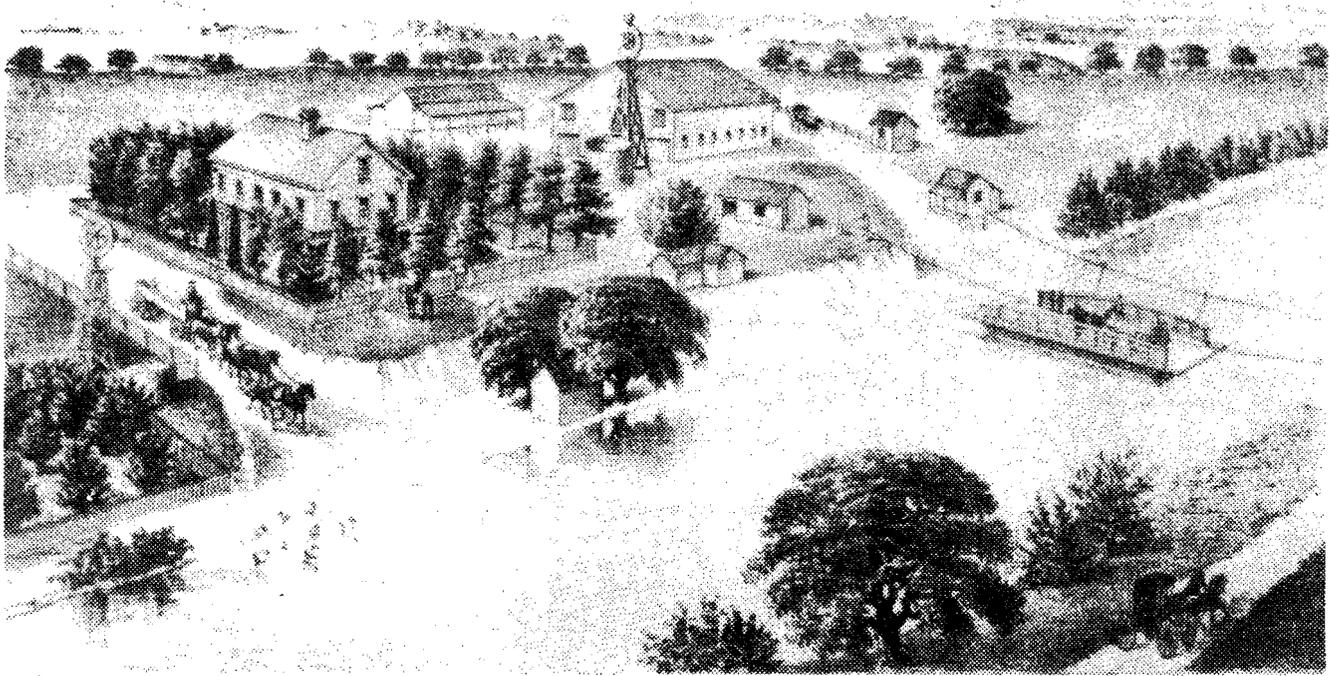
Abraham C. Bradford, Atty., County Clerk

Benjamin Williams was serving as the alcalde or "Judge of the First Instance" in Stockton under the provisions of the old Mexican system of government when elected as San Joaquin County's first judge in

April, 1850. In a four-way race for the relatively prestigious position Williams was a minority winner with the following recorded vote: Williams--509; J. P. Bush--410; J. H. Jones--227; Wm. B. Sloan--96 votes. (His career as judge of the county court as well as presiding judge of the Court of Sessions will be covered later following his resignation from public office.)

Judge Hairston Amyx's selection by his fellow justices of the peace in San Joaquin County to serve on the Court of Sessions followed his election to the local judicial post on May 13 (1850). Little is known of his early years other than that he had been born in Virginia in 1819. A local newspaper noted that at the time of his death (on October 21, 1892) he was 73 years, three months, and eleven days of age, which would place his birthdate on approximately July 10, 1819. A Captain Fleming Amyx of Tuolumne County arrived in California in early 1849 following service in the Mexican-American War. He had been born in Botetourt County, Virginia, on May 20, 1812, and had lived in Mississippi for some time prior to enlistment in the Second Regiment of the Mississippi Volunteers. According to Carlo M. De Ferrari of Sonora, this Amyx (like Hairston in Stockton) became a justice of the peace following the creation of Tuolumne County. Although a relationship between the two has not been established, it would seem that they were probably at least cousins. De Ferrari, in checking the will of Fleming's father, did not find any reference to a son by the name of Hairston - a strong indication that they were not brothers. Adding to the mystery is the apparent marriage of Hairston to Fleming's widow just six months after the latter Amyx had passed away.

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The Dickenson ranch buildings and ferry on the Tuolumne River after the holdings had been sold to J. W. Roberts in 1862. The Dickenson acreage, about eight miles east of Waterford in Stanislaus County

today, was originally known as the Horr Ranch.

From a lithograph in Elliott and Moore's *History of Stanislaus County, California* . . . , 1881.

Oliver Cromwell Emory was born in the Mohawk Valley of New York about 1809 but had moved to Louisiana sometime between childhood and the outbreak of the Mexican-American War. He volunteered for service under General Taylor, going with Taylor's army to the Rio Grande as a quartermaster. He was in General Scott's army when it landed at Vera Cruz. Following the end of the war, and his separation from the service, Emory returned to New Orleans. He arrived in California early in 1849 on board the steamer EDITH. Soon after arrival he joined in partnership with another early Stockton settler and Mexican-American War veteran, Richard W. Heath, in operating a livery stable. By the following spring the two men were advertising lots for sale in the town and they also described themselves as "forwarding and commission merchants." By this time they were also operating a ferry on the Stanislaus River near the present city of Oakdale. Along with Amyx, Emory's first bout with local politics got him elected as a Justice of the Peace in May, 1850, and as noted in the introduction, this in turn led to his selection as a member of the first Court of Sessions.

The office of sheriff was not new to the area, although Ashe was the first to be elected to that position following the organization of counties in

California under civil rule. Earlier sheriffs had served the San Joaquin District which had been formed by the self-appointed governor, General Bennett Riley, in June of 1849. On August 1 the male residents of the District had elected Gallant Dickenson to serve as their Prefect, and the Stockton residents elected George G. Belt as their alcalde. General Riley soon after appointed J. G. Marshall to serve as the sheriff of both the huge judicial district and the new town. He in turn had been followed in that office by S. C. Bunker and E. B. Bateman, the latter holding the position until succeeded by Sheriff Ashe (in San Joaquin County) following the election of April 3, 1850.

While primarily an official of the county Sheriff Ashe none-the-less was responsible to the judge of the Fifth Judicial District as well in carrying out court orders and in assisting the judge in hearing cases brought before him in San Joaquin County. (The judge of each of the nine judicial districts held court alternately in each of the county seats within his district, and both the county clerk and the county sheriff in each county within the district were ex-officio court officers. Only the judge traveled from county to county.) Official duties and responsibilities of the office were spelled out in great detail by the state legislature in an act passed on April 29, 1851.

Richard Porter Ashe, born circa 1825, was a native of North Carolina and a physician by

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profession. Leaders in the development of political parties and of local government in the new state were mostly young men with good educational backgrounds, and Ashe was no exception. A surprisingly high percentage of office-seekers and office-holders in the early 1850's in California were doctors or dentists, and having a physician serve as the county sheriff would not be given a second thought in those turbulent years. He continued his professional practice while in county service, and was in fact appointed "visiting physician" at the new state hospital for the mentally ill in Stockton in April, 1851. He had been active in Democratic Party politics, this probably accounting more than anything else for his appointment by the governor to the state post. His interests in the community were diverse, including the operation of a stage line from Stockton to Mokelumne Hill in the spring of 1850. In reading between the lines of the Court of Sessions entries one gets the distinct feeling that while the good doctor was not "crooked" in the usual political sense of the word, he certainly fared better financially as a sheriff than he could ever have hoped to do as a physician. A sheriff in those days was not questioned too closely regarding the operation of his office. The boarding and care of prisoners was charged against the county by the sheriff on the basis of a fixed amount per day per prisoner, and any corner-cutting and/or figure-juggling would be to his financial benefit.

In September, 1853, Dr. Nelson Taylor, a dentist and one of Stockton's earliest settlers, was elected sheriff in place of Dr. Ashe.

* * * * *

Judge Abraham C. Bradford was listed in the fall, 1850, census of San Joaquin County as a native of Virginia and twenty-six years of age. This would indicate a birthdate somewhere in the latter part of 1823, or more likely, in 1824. The date of his arrival in Stockton is not recorded although it would seem most likely to have been sometime before the beginning of 1850 as he was well-enough established in the county to have been elected to his first public office that April upon the establishment of the first county government. As County Clerk he also automatically served as clerk of the Court of Sessions, clerk of the County Court, and clerk of the Fifth Judicial District. The latter position required his attendance upon the court each time it was held in San Joaquin County in addition to all paper work involving litigation within the county. (The county clerks of Tuolumne, Calaveras, and Mariposa counties likewise served the Fifth Judicial District.)

Despite his youth, like many of the other prominent politicians he was very active in the community. Two weeks after the opening of the Court of Sessions in June of 1850 he was elected Assistant Chief of the newly-formed town fire department, known later as the new city's Weber Engine Company Number One. He was also elected city clerk for Stockton (at that time there was no law prohibiting the holding of two public offices at

the same time) on August 1, 1850, and took office four days later. (His deputy county clerk, G. B. Claiborne, succeeded him to the city position upon Bradford's resignation a year later on July 18, 1851.)

In April, 1851, he was instrumental in the organization of the Democratic Party in San Joaquin County, and for a number of years took an active part in its functions - including the editorship of the party's Stockton newspaper, the REPUBLICAN, for a short time commencing in September of 1854. The same year he served at least a part of a term as one of the county's two assemblymen. On July 4, 1852, he was honored by the community by being chosen the "orator of the day" in Stockton's first real celebration of the nation's birth. The following year he was succeeded in his county clerk's position by G. B. Claiborne and then evidently went into private law practice in Stockton.

Bradford served as the first Registrar in the Stockton Land Office, and following the division of the original Fifth Judicial District he served as the District Judge of the newly-formed southern San Joaquin Valley district until its demise in January, 1880, upon the establishment of the county superior court system (which had been mandated by the newly-adopted 1879 state constitution). At the time of his death on February 15, 1890, he was serving as Registrar of the San Francisco Land Office, having been appointed to it by Governor George Stoneman.

Death came to the veteran civil servant and politician on board a train between Pleasanton and San Francisco, and funeral services were held in the latter city on the afternoon of the 19th under the auspices of the Society of California Pioneers. At the time of Bradford's death he was a vice-president of the Society, and a member of its Board of Directors. He was also a member of both the Masons and the Odd Fellows. Following the services at San Francisco's Pioneer Hall the body was moved by ferry to Oakland for shipment to Stockton. The following morning the members of the local (Stockton) Odd Fellows lodges conducted a second funeral service and then escorted the remains to Rural Cemetery for committal in a private vault.

* * * * *

It is ordered that notification be given Charles M. Weber, Esq., that this Court is now in session and prepared and ready to receive any communications from him relative to or concerning any donation from him to the County of San Joaquin of lands for the erection of public buildings for the use of the County, and thereupon notification was placed in the hands of the Sheriff.

The original city - a square mile in size - was laid out for Weber by a professional surveyor, Major R. P. Hammond, in the spring of 1849. At that time Weber set aside seventeen blocks or "squares" for public use. One of these, block three east of Center Street, was named by him "Courthouse Square." It was assumed from the beginning (of organized government) that Weber would donate this block to

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the county for its government center, and that the city would be given a half block for a city hall on Center Street, between Lafayette and Washington streets (the city never used the site; in 1858 the Stockton School District began construction of the pioneer Franklin Grammar School on the half-block, and it was not demolished until 1957).

With this in mind, the Court of Sessions authorized Sheriff Ashe to open negotiations with Captain Weber for the transfer of title on block three to the county as a first step toward the erection of a courthouse and jail facilities.

Ordered that the Sheriff of the County of San Joaquin is hereby authorized to receive for and in the name and on behalf of the County aforesaid, livery of seisin and formal possession of any and all lands and tenements that may be donated to this county.

The term "livery of seisin" (or seizin) was a legal term commonly used a century ago in reference to the formal transfer of property to a public body. Webster's NEW COLLEGIATE DICTIONARY defines the term as a "method by which the ceremonial conveyance of land was formerly made."

Ordered that the Judge of the County Court be instructed to procure forthwith at the least possible expense, copies of such acts of the Legislature of this State as are now required by the officers of this County in the performance of their duties.

Ordered that Court be adjourned until Monday next 10th instant,

Benj. Williams
County Judge

Be it remembered that heretofore to wit, on Tuesday the twenty-fifth day of June (it being the 4th Tuesday of said month) in the year of our Lord one thousand eight hundred and fifty, a "Special term of the Court of Sessions for the transaction of county business" for the county of San Joaquin, state of California, was held pursuant to law and notice legally given.

Present: Hon. Benj. Williams, County Judge
O. C. Emory, Associate Justice

R. P. Ashe, Sheriff

A. C. Bradford, Clerk

- 1 It is ordered that there be assessed on each one hundred dollars' worth of taxable property for the purpose of erecting a court house, one fourth of one per cent.

Authority for the imposition of a "courthouse tax" is found in an April 10, 1850, act passed at the first

session of the California Legislature. It is interesting to note that the act provided that until courthouse facilities were available, it would be the responsibility of the Sheriff to secure adequate facilities for the District Court as well as all county offices. The act, in its entirety, reads as follows:

CHAPTER XXIII

AN ACT to provide for the erection of Court Houses. The People of the State of California, represented in Senate and Assembly, do enact as follows:

Section 1. The Court of Sessions of each county shall cause to be erected therein, at the county seat, as soon as the circumstances will permit, a good and sufficient building for a Court House, and also suitable offices for the use of the Sheriff, Clerk, Treasurer, and Recorder.

Section 2. If they deem it to the interest of the county, the Court of Sessions may erect, purchase, or receive by donation, any building or buildings at the county seat of the county, suitable for a Court House and offices.

Section 3. For the purpose of erecting or purchasing such building or buildings, the Court of Sessions is authorized to levy a tax upon the taxable property of the county, not exceeding one fourth of one per cent, the proceeds of which tax shall be applied to no other purpose.

Section 4. Until such building or buildings are provided by the Court of Sessions, the Sheriff shall provide a suitable room or rooms at the seat of justice, for the several courts of the county; and the Sheriff, Clerk, Treasurer, and Recorder, shall each procure a suitable room for the transaction of his official business. The reasonable rent for such rooms, and also the expenses of procuring the necessary furniture for the same, shall be allowed by the Court of Sessions to be paid out of the County Treasury, as other county charges.

Section 5. It shall be the duty of the Sheriff to furnish the necessary fuel and lights for the use of the District and County Courts, and Court of Sessions of his county; and the amount expended therefor shall be paid out of the County Treasury as other county charges are paid.

Section 6. The Clerk shall procure all such books and stationery as may be severally directed by the said courts for their use, the costs of which shall be paid out of the County Treasury. The certificate of the District or County Judge that such books and stationery have been directed to be procured for their respective courts, shall be sufficient evidence on which to audit and allow the claims for the costs thereof.

Section 7. The Court of Sessions shall also make provision for the purchase of all necessary books and stationery for the use of the office of Recorder.

- 2 It is ordered that there be assessed on each one hundred dollars worth of taxable property in the county, one-fourth of one per cent to defray the expenditures of the county for the present year.

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3 It is ordered that there be assessed upon each taxable poll in the county the sum of five dollars for county purposes.

The poll tax was a per capita tax assessed upon individuals and is sometimes also referred to as a CAPITATION tax. Authority for the imposition of this tax in the counties of California was given by the state legislature in an act passed on March 30, 1850, at its first session held in San Jose. Every competent male inhabitant between the ages of 21 and 50 years, except Indians living in their native state, were subject to it. The Court of Sessions in each county was empowered to impose such a tax, and to set its amount, in addition to the state-imposed poll tax designed to generate sorely-needed state revenues.

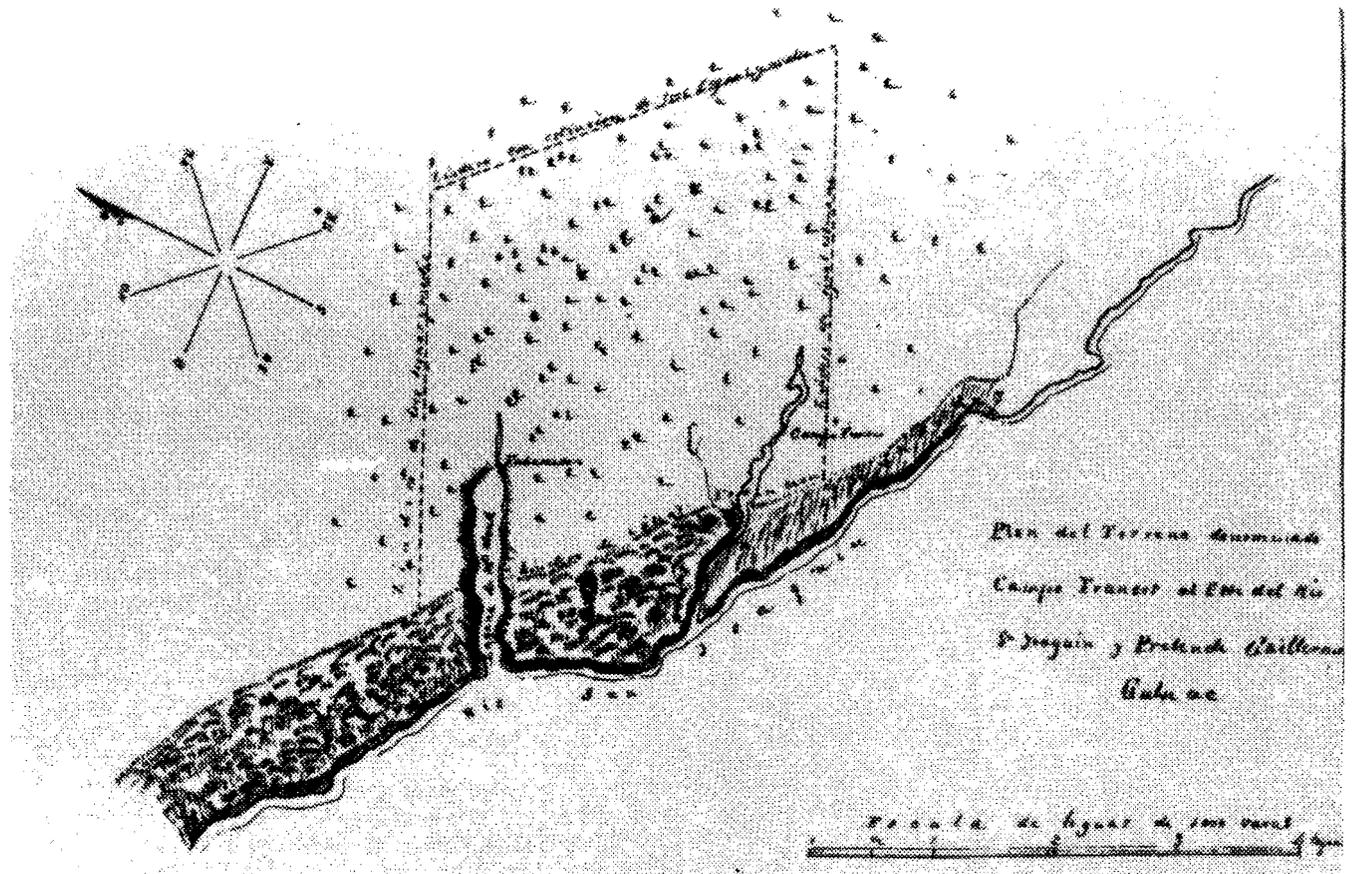
While the poll tax has generally been associated with the attempt to disenfranchise the Blacks in the southern states following the Civil War, in California

its purpose was simply to raise tax monies. It was abolished by the initiative process in this state in 1914.

4 It is ordered that there be assessed for county expenditures, upon each License to vend goods, wares and merchandise, in the town of Stockton, the following sums to wit:

License for two months	30 dollars
License for 4 months	50 dollars
License for 6 months	60 dollars
License for 9 months	75 dollars
License for 12 months	100 dollars

5 It is ordered that there shall be assessed for county expenditures, upon each License to vend goods, wares and merchandise beyond the limits of the town of Stockton yet in the county the following sums to wit:



Copy of an 1844 map drawing of Weber's El Rancho del Campo de los Franceses, at that time issued to his former business partner, William Gulnac. Weber bought out the latter's interest in the eleven-square league (48,750 acres approximately) grant in April of the following year. The notation on the right-hand side reads "Plan del Terreno denominado Campo Frances al Este del Rio Sⁿ Joaquin y Pretende Guillermo Gulnac." The English translation would be "Map of the land called French

Camp on the east [side] of the San Joaquin River and claimed [by] William Gulnac." Note the word "Embarcadero" at the head of "Laguna de McCloud" (Stockton Channel) -- site of the original Stockton settlement a few years later. Note also the strip of overflow or tule lands along the length of the east side of the river, now a part of the Delta island area west of Stockton.

From land grant records, U.S. District Court, deposited in the Bancroft Library.

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License for 2 months	10. dollars
License for 4 months	16.66 $\frac{2}{3}$ /100 dollars
License for 6 months	20. dollars
License for 9 months	25. dollars
License for 12 months	33.33 $\frac{1}{3}$ /100 dollars

6 It is ordered that John Caspar be allowed the sum of two hundred and fifty-seven dollars for a press and table and seven chairs made for the use of the clerk's office and that a warrant issue therefor[e] in his favor.

"and that a warrant issue therefore. . . ." This was the common expression used by the Court of Sessions to authorize issuance of a county warrant, or check, to the person named in the entry. Following issuance of these warrants by the County Treasurer, the clerk entered the simple notation "Warrant issued" on the margin next to each entry.

7 It is ordered that for each License to vend liquor by retail, in a less quantity than one pint, to be drank [sic] at the place where sold, the following sums shall be assessed to wit:

License for 2 months	20 dollars
License for 4 months	35 dollars
License for 6 months	45 dollars
License for 9 months	60 dollars
License for 12 months	75 dollars

8 It is ordered that a notice be posted up cautioning all persons against selling goods, wares, & merchandise from boats or vessels upon the Levee within the limits of the town of Stockton, unless by a License to be procured from the Court of Sessions or from the county Treasurer.

8 $\frac{1}{2}$ It is ordered that for each License to carry on and exercise the business of Exchange Broker, there be assessed the following sums to wit:

License for 6 months	\$100.00
License for 12 months	\$150.00

It is ordered that court be adjourned till tomorrow 10 o'clock.

Wednesday morning 26th June A.D. 1850
 Court met pursuant to adjournment.
 Present: Hon. Benj. Williams, County Judge
 O.C. Emory, Associate Justice
 R.P. Ashe, Sheriff
 A.C. Bradford, Clerk

9 It is ordered that for each license to carry on the business of keeping horses, mules or cattle, at livery, there shall be assessed the following sums, to wit:

License for 6 months	\$75.00
License for 12 months	100.00

"... at livery. . . ." refers to the practice, in the "good old days" before the automobile, of stabling horses, etc., for their owners. Some were usually

kept for rental as well. Every community, regardless of size, generally had someone who provided this very essential service. Sometimes it was combined with a blacksmith shop.

10 It is ordered that for each license to keep an eating house or restaurant, other than a Hotel, there shall be assessed the following sums, to wit:

License for 3 months	\$15.00
License for 6 months	\$25.00
License for 12 months	\$40.00

11 It is ordered that for each license to use a billiard table for purposes of hire or profit and for each Bowling Alley used as above there shall be assessed the following sums, to wit:

License for 6 months	\$30.00
License for 12 months	\$50.00

12 It is ordered that for each license to carry on the business or occupation of a butcher or baker there shall be assessed the following sums to wit:

License for 6 months	\$75.00
License for 12 months	\$100.00

13 It is ordered that for each license to carry on the business or occupation of draying with drays, carts, or wagons in the town of Stockton, there shall be assessed on each cart, dray, and wagon the following sums, to wit:

License for 2 months	\$20.00
License for 4 months	\$35.00
License for 9 months	\$50.00
License for 12 months	\$75.00

14 It is ordered that for each license to keep a hotel there shall be assessed the following sums, to wit:

License for 6 months	\$75.00
License for 12 months	\$100.00

15 It is ordered that there shall be assessed, for county expenditures, upon each license to carry on the business or occupation of a blacksmith, the following sums to wit:

License for 3 months	\$50.00
License for 6 months	\$75.00
License for 12 months	\$100.00

16 It is ordered that there shall be assessed for county expenditure, for each license to carry on the business or occupation of a cooper, tinner, or carpenter the following sums, to wit:

License for 3 months	\$30.00
License for 6 months	\$50.00
License for 12 months	\$75.00

17 It is ordered that there shall be assessed for county expenditure upon each license to carry on the trade or occupation of a tailor, shoemaker, saddler or watchmaker the following sums, to wit:

License for 3 months	\$20.00
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License for 6 months	\$35.00
License for 12 months	\$50.00

18 It is ordered that for each license to carry on the business of storage or warehousing on board ships or vessels lying within the limits of this county there shall be assessed the following sums, to wit:

License for 6 months	\$75.00
License for 12 months	\$100.00

One of the shortcomings of the 1849 constitution cited by the proponents of the new constitution when it was presented to the electorate for their approval in 1879 was the brevity of the sections on taxation. Article IV, Section 37, gave to the legislature the power to limit local taxation ("It shall be the duty of the Legislature to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money . . .," while at the same time Article XI, Section 9, charged each community and county with the obvious responsibility of supporting its own local government "subject to such restrictions and regulations as the Legislature may prescribe." The only other reference to the raising of public revenue is found in Section 13 of the same Article: "Taxation shall be equal and uniform throughout the state." This was in reference to the assessment and taxation of real and personal property.

This left to the first legislature the obligation of setting down the fiscal guidelines for the new counties. Two major acts were passed the following spring (1850), one dealing with the assessment and collection of property and personal taxes, for both state and county use, and the other dealing with the authorization, establishment, and collection of license fees as an exclusive source of revenue for the counties. The major provisions of the latter Act are quoted below:

1. There shall be assessed and paid into the county treasury, for county expenditures, the following license taxes:

1st. For each license to vend goods, wares and merchandise, of either foreign or domestic growth or manufacture, other than spiritous, malt or vinous liquors, in a less quantity than one pint, to be drank at the place where sold, not less than twenty dollars, no more than two hundred and fifty dollars, for one year, or with the same proportion for any less time, according to the amount of business done, as near as may be, to be judged of by the court of sessions.

2d. For each license to vend by retail, in a less quantity than one pint, to be drank at the place where sold, any brandy, rum, gin, whiskey, muscat, or any other spiritous or distilled liquors, or any vinous or fermented liquors, or the mixture of any such spiritous, vinous or fermented liquors, a sum of not less than fifty dollars, nor more than one thousand dollars, for one year, or with the same proportion for any less time. The court of sessions of each county may, in their discretion, grant licenses to retail spiritous, vinous or fer-

mented liquors, in a less quantity than one pint, to be drank at the place where sold and charge for such license, as such court may think proper, not less than fifty dollars, no more than one thousand dollars for one year.

3d. For all other business or occupations not enumerated in this act, and not prohibited by law, such sum may be charged as the court may think proper. Each travelling merchant, hawker and pedlar shall be charged as other merchants, in proportion to their business, as near as may be, to be judged of by said court.

On June 25, 1850, at the second meeting of the Court, the judges tackled the whole problem of financing county government by passing a series of tax measures. The first one dealt with the imposition of a special tax to finance construction of a county courthouse (entry 1); the second dealt with the assessment of personal and property taxes (entry 2); the third dealt with the poll tax (entry 3); entries 4-5 and 7-8½ dealt with the establishment of license fees. On June 26 the Court continued to spell out its license-fee program (entries 9-18) concluding with the imposition of taxes on the various ferries operating within the county.

The new license fee schedule was immediately posted, and shortly after notices appeared in the STOCKTON TIMES warning all businessmen subject to the new tax regulations of their legal obligation to comply. The first to appear, dated June 29 and signed by the County Clerk, A. C. Bradford, read as follows:

Public Notice - By order of the County Judge of San Joaquin County, all merchants and exchange brokers; all owners or keepers of hotels, drinking houses, restaurants or eating houses, billiard tables and bowling alleys; all butchers, bakers, blacksmiths, coopers, tanners, carpenters, tailors, shoemakers, saddlers, watchmakers, and stable-keepers in Stockton; and all merchants and persons owning ferries, keeping store, or warehousing vessels, or selling goods, wares or merchandise from vessels, within the limits of the county are hereby notified that the Court of Sessions has assessed a tax upon them, and they are hereby notified to make application to the county treasurer forewith for a license to carry on such business or occupation; otherwise, they will be proceeded against according to law.

A few days later, on July 2, the County Treasurer's office released the following legal notice:

Notice is hereby given that all persons living in the town of Stockton, subject to pay license, must take out the same on or before the 6th inst.; and persons residing out of Stockton, and yet within the county, subject to pay license, must take out the same on or before the 15th inst. Also all vessels arriving with cargo to be sold from the vessel, must take out their license within twelve hours after arriving, and before any articles are sold, or they will be proceeded against as the law directs. By order of the Court.

Public reaction to what the businessmen

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considered an onerous and unfair system of taxation was swift and determined. Many refused to cooperate within the deadlines set for acquiring their licenses, and the County Attorney seemed to add insult to injury by immediately bringing suit against them in the Court of Sessions. Angered by both the tax and the high-handed manner in which it was being enforced, a number of prominent citizens called for a public protest meeting to be held on the courthouse block (then empty) on the evening of July 13. A large crowd showed up, and they immediately elected Dr. George Shurtleff as president and J. C. Norris as secretary. Following speeches by a number of persons present - all of whom spoke bitterly of the tax and its authors (Court of Sessions judges) - the group voted to have a committee of five study "means to be adopted in order to procure relief from this oppressive taxation" and to then report back to the whole at another meeting scheduled for the 16th. (It is interesting to note that one of the most vocal opponents at the meeting was Sheriff Ashe!)

At the second meeting those assembled were addressed by the committee chairman who stated in his opening remarks that after giving the subject "all of the consideration that their time would admit of" the group had come to the conclusion that

... the Act of the Legislature giving to the Court of Sessions the power of levying a Tax upon the honest industry of the County is an arrogant assumption of power wholly [sic] unprecedented in the annals of our history, and that the Court of Sessions in levying said Tax, have wholly lost sight of that sound judgement which should at all times distinguish our public officers, and that from facts within the possession of the Committee they are led to believe that at least a portion of that Court have [sic] departed from that spirit of honesty which should distinguish all men, particularly public functionaries.

The chairman then offered several resolutions which, in effect, asked that the license fees be rescinded and that all court action against the protesters be dropped. Their second resolution is worthy of quote in light of its grandiose threat:

Resolved: - That if the above request [that the Court rescind the license fees imposed by them] is not granted, that we citizens of Stockton do solemnly pledge our sacred word and honor to resist the operation of said law even to the shedding of our blood.

Nothing ever came of their entreaty - or their threat - and the license fees remained in effect.

(To Be Continued in Next Issue)

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P.O. Box 21, Lodi, California 95240

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The San Joaquin County Historical Society, a non-profit corporation, meets the fourth Monday of each month except for July and August. Annual memberships are: Individual - \$5.00, Corporate - \$8.00, and Junior - \$1.00, and include a subscription to the *San Joaquin Historian*. Non-members may purchase individual copies from the Society's Secretary at \$1.00 per copy. The Society also operates the San Joaquin County Historical Museum at Micke Grove. Persons wishing to donate items should contact the Museum Director.

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[1977-78]**

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