

## CHILEANS SEEKING CALIFORNIA GOLD (1849-1851) Contemporary Newspaper Articles — Expulsions and taxation

### **Weekly Alta California, 12 July 1849**

Placer Intelligence.

Information gathered from various sources tends to confirm our expressed fears upon the subject of **foreign labor** in the mines. In the American river country, it is understood, the miners had assumed a decidedly hostile bearing towards their **Chilean** neighbors, as these people rapidly augmenting in numbers, occupied many of the richest washings, and, it is resolutely contended, would provoke disturbance if permitted to remain. These prejudices were daily strengthened, and by recent arrivals from the North, we learn that the **Chileans** were beginning to abandon the American river washings in consequence. Our informants state that the roads from that section of the Placer to the Sacramento City embarcadero were frequently lined with them on their return. A camp of Californians were found to have withdrawn from the mines, believing themselves included among the proscribed, whereupon a deputation of Americans overtook and waited upon them, courteously inviting them to return.

### **Weekly Alta California, 26 July 1849**

Meeting of Miners.

At a mass meeting of the miners of the Mockelumne River, and its tributaries, held on the 7th of July, 1849, at the intersection of Hunt's Creek and said river, for the purpose of consulting on measures in which their interests are deeply involved, and their future welfare concerned, W. T. Dougherty, M. D. was appointed President, and Thomas Fallan and Don Pedro, Vice Presidents, and Michael Tuckerman, Secretary of said meeting. The following preamble and resolutions, presented by J. Donnelly, were unanimously adopted : Whereas, we have assembled this day for the purpose of devising measures and executing resolves in accordance with our present interests and future welfare; The sudden and unexpected appearance amongst us of influential men from the distant provinces of Mexico, **Chili**, Peru, Sandwich Islands, &c., with large bands of hired men (who are nominally slaves,) — and who, by an Act of Congress passed in 1807, are virtually excluded from all participation in the profits arising from the gold placer, recently discovered in California — have contributed in a most serious degree to paralyze the efforts of those who, relying upon their own exertions for a livelihood, or the profitable investment of their labor, have been forestalled in their views, and their expectations disappointed by the presence amongst them of those worse than Russian serfs: They have not come to this country with the view of settling or locating lands — agriculture languishes in

view of them; while the useful arts, commerce, and manufactures are, to them, a dead letter. It is vain to think that Americans who have conquered and own the soil, and under whose special legislation it must be ultimately ruled — that the native Californian who must necessarily love his country — or the foreigner (no matter of what country) who, thrown by circumstances or love of adventure to locate himself as a permanent resident of the country, who wrested (or aided to wrest) it from Mexican misrule — who discovered the resources of the country and applied those resources to practical purposes, — can ever hope to compete with the hordes of hired men who are weekly, nay, almost daily, flocking in upon them from the distant provinces of Mexico and South America. In view of these considerations, we, the **miners** of the Mockelumne River and its tributaries, in mass meeting assembled, do Resolve, That we consider the immediate expulsion from the diggings before mentioned of all classes of slaves or hired serfs coming from distant countries, — and who from their numbers and repulsive habits, are the means of doing infinite injury to the honest laborer, who, relying upon his own independent and individual exertions for a livelihood, or the means of bettering his condition, — as on expedient which must be finally resorted to, and that the sooner it is put into execution, the evils of which we so justly complain will be diminished, and our future rights be regarded. And we do further Resolve, That due notice be given to those **foreign taskmasters** and the men in their employ, that they will be required to leave the diggings above mentioned by the ninth (9th) day of the present month, or that such measures will be adopted in relation to their removal as will effectually preclude their presence from the Mockelumne River, its tributaries, and what is at present considered its remote precincts. On motion of Mr. J. Haskell, it was further Resolved, That this meeting adjourn to meet at 12 o'clock E, on Monday the 9th inst., fully armed and equipped for the purpose of carrying into effect the above resolutions. On motion, Resolved, That the above proceedings be published in the Alta California, and all other papers published in California. W. P. DOUGHERTY, Pres't. Mr. Tuckerman, Secretary.

### **Daily Alta California, 22 April 1850**

The Mines.

The Bill introduced by the Hon. Mr. Green in the Senate at San Jose for the better regulation of the mines and the government of **foreign miners** has passed both branches of the legislature and received the approval of the Governor. It differs in a good many respects from the original bill, having undergone numerous important amendments. As it is a matter calculated to interest a very large portion of our citizens, both here and at the mines, we deem it proper to give it the benefit of an extended circulation in our columns. It is a matter of doubt in our minds whether the provisions of the laws can be carried out or whether any power exists by which they can be enforced. It is proposed to grant licenses to **foreign miners** until Congress shall make some enactments with relation to the mines. In the event of

foreigners refusing to take out a license it is made the duty of the sheriff to summon a posse of American citizens and by force compel them to cease operations; and for continuing to mine subjects the offending parties to imprisonment. The Governor is empowered to appoint collectors of mining dues, receiving two dollars for each license granted. We question very much whether the State Legislature has any right to pass any such act, and are impressed with the belief that riot and bloodshed instead of being prevented, will ensue from any attempt to enforce it. In many instances it will be merely legalizing the most desperate attacks upon portions of the **foreign** population, and although a small amount of revenue may probably be derived from this source, it will not be sufficient to counterbalance the many bad effects which will arise from the operation of the act.

Whereas, the extraordinary gold discoveries of California are drawing to our shores great multitudes of people from many nations of the earth, among whom a large portion are of desperate character, from the culprits of the Mexican and the South Pacific States, to Botany Bay convicts; and whereas, these people, in the absence of any law of the United States Congress upon the subject, have flocked to our mines in great numbers, possessing themselves of the most choice places for gold digging, and carrying daily to **foreign parts** immense treasure which is rightfully the property equally of the American citizen; and, whereas, frequent conflicts and bloodshed occur between such foreigners and our own citizens, to the disturbance of good order and the security of the public; and finally, whereas, in the absence of a law of Congress, it is an inalienable right in the citizens of this State to enjoy and defend life and liberty, to acquire, possess and protect property, and to pursue and obtain safety and happiness, therefore,

The People of the State of California, represented in Senate and Assembly, do enact as follows:

Section 1. It shall be the duty of every person who is not a naturalized or native citizen of the United States, or who may have become so under the articles of the Texas annexation, or by the treaty of Guadalupe Hidalgo (all native California Indians excepted,) to apply to the County Collector of the County, as prescribed hereafter, and take out a license so to mine, for which license he shall pay the sum of twenty dollars per month, and for any number of months not exceeding three, and which license it shall be the duty of all such foreigners to renew from time to time, at the same rate per month, until the Governor shall issue his proclamation announcing the passage of a law of Congress upon the subject.

Sec 2. If any such foreigner or foreigners shall refuse or neglect to take out such license by the second Monday in May next, it shall be the duty of the County Collector, as herein provided, to furnish his or their names and places of residence to the Sheriff of such County, whose duty it shall be to summon a posse of American citizens and, if necessary, forcibly prevent their continuing such mining operations.

Sec. 3. Should such foreigner or foreigners, after having been stopped from mining in one place, seek a new location and continue such mining operation, it shall be considered a high misdemeanor, for which such offender or offenders shall be arrested and held to bail by the Sheriff of such County, and he or they shall be fined in a sum not exceeding one thousand dollars, and imprisoned not more than three months, by any court having competent jurisdiction of the same.

Sec. 4. Any such foreigner or foreigners who may take out such license to mine, shall not be subject to interruption in his or their mining pursuits during the continuance of such license, provided, he or they do not claim a larger extent of ground for such operations than he or they may be able to work out during the continuance of such license.

Sec 5. It shall be the duty of each County Collector to keep a full and complete register of the names of all such foreigners so taking out licences, and a duplicate of all such licenses, to be returned to the Comptroller of State, and all moneys so collected shall be held by said county collector as is hereinafter provided.

Sec. 6. The Governor, with the consent of the Senate, shall appoint a collector of **foreign** license dues for each of the mining counties and county of San Francisco, who, before entering upon the duties of his office, shall enter into a bond of ——— dollars, with good and sufficient securities to be approved by the Governor, for the faithful performance of his duties, and which bond shall be filed in the Treasurer's office.

Sec. 7. If any such collector shall fail or refuse to perform his duty, as herein provided, it shall be the duty of the Comptroller of State to give information thereof to the District Attorney in whose district said officer may have been appointed, who shall bring an action against such collector and his securities upon his bond, before any court of competent jurisdiction, and upon recovery had thereon the said District Attorney shall receive for his services ten per cent, upon the amount collected, the balance to be paid to the Comptroller and by him to the Treasurer of the State.

Sec. 8. Upon the delivery by the Treasurer to the Collectors of any such licenses, he shall take his receipt for the same and charge him therewith, and such Collector, and his securities shall be liable under his bond for the number so furnished him, either for their return or the amount for which they may be sold under the provisions of this Act; and the monies collected as herein provided, shall be held at all times subject to the draft of the Treasurer; and if such Collector fail or refuse to honor such draft, he and his securities shall be proceeded against on his bond as prescribed in Section seven.

Sec. 9. It shall be the duty of the Treasurer to have printed and furnished to said Collectors the licenses above mentioned, which shall be in the form following, to-wit:

A citizen of \_\_\_\_\_ aged \_\_\_\_\_ height \_\_\_\_\_ complexion \_\_\_\_\_ is hereby licensed to work in the mines of California for a period of thirty days from this date.

[Signed] RICHARD ROMAN, Treasurer.

Which said license, when sold, shall be endorsed on its back by the Collector of the County wherein the same may be granted, and shall in no case be transferable.

Sec. 10. Each Collector shall charge and receive the sum of two dollars for each license sold, which shall be the full amount of his compensation.

Sec. 11. It shall be the duty of the Governor of the State, so soon as he shall be officially informed of the passage of a law by the United States Congress upon this subject, to issue his proclamation requiring all County Collectors to stop the issuing of any further licenses.

Sec. 12. It shall be the duty of the Secretary of State, immediately after the passage of this Act, to have two thousand copies each, in English and Spanish, published and sent to the mining districts for circulation among the **miners**, and also to have the same published for thirty days in the Pacific News, at San Francisco, and a paper in each Sacramento and Stockton cities.

### **Marysville Daily Herald, 17 April 1851**

Proclamation by the Governor.

WHEREAS the Legislature of the State of California, did on the 14th inst. pass an Act to repeal the Act entitled "An Act for the better regulation of the mines, and the government of foreign miners," approved April 13, 1850. Now, therefore, I, John McDougal, Governor of the State of California, do declare the act aforesaid, requiring of all foreigners to pay a tax of twenty dollars per month for the privilege of working the placers in this state, to be from the date hereof abolished and of no effect. And all collectors of said foreign miners' tax, are hereby notified of the existence of the repeal of said law, and are required to cease from the further collection of said tax.

In witness whereof I have caused the Great Seal of the State to be hereunto affixed. Done at the City of San Jose, the 14th day of March, A. D., 1851, and of the State the 2nd.

JNO. McDOUGAL.

By the Governor.

W. Van VOORHIES, Sec. of State.