

## 6. SUBURBAN SQUIRE

BERKELEY WAS A WORLD away from San Francisco's Chinatown. The town was situated on land that Mexico had granted to the Peralta family, Mexican settlers, in the 1820s and that had passed to Anglo ownership in the early 1850s, after the Mexican-American War. Berkeley had an industrial section and working-class settlement along the bay front and an elite community that had grown up around the campus of the University of California, three miles east of the bay, after it was founded in 1868. By 1890, Berkeley was a leafy town of forty thousand, with elegant homes, a modest commercial district, and a number of farms. There were industries at its edges and still much undeveloped land.

There were quite a few Chinese in the East Bay, though not in Berkeley. Chinese laborers were employed in and around Oakland on farms and in fisheries and industries, including a dynamite factory. By the 1880s, Oakland had five Chinese labor contractors. Its Chinatown contained lodging houses, general stores, clan associations, vice houses, restaurants, and five Chinese churches and missions. In Berkeley, there was a small Chinese population living in the vicinity of Dwight Way, in the central business district, mostly laun-

drymen and house servants, known locally as "Chinese help." There was a Chinese gambling hall run by one Ge Thang, but not much else in terms of a Chinese community.

The Tapes, of course, did not live among Berkeley's Chinese. The family's new house was on Russell Street, near Shattuck Avenue, in a newly subdivided area in the southern part of town. In some ways, life on Russell Street recalled the Tapes' time on Green Street in San Francisco during the 1870s: both areas were sparsely populated and on the cusp of development. Even as the town grew, though, development in south Berkeley was slow. Although the neighborhood had been subdivided in 1875, there were only a few homes on Russell twenty years later when the Tapes arrived. The entire block of Oregon Street behind the Tapes' house was held by Elizabeth Shattuck Havens, the younger sister of one of the town's founders, and would remain undeveloped for several more decades.

In the early 1890s, William Bissell, a contractor-realtor, built three identical speculative houses in the neighborhood. These were small, wood-framed Victorians with high stoops, bay windows, and gabled roofs. Joseph bought one of these houses, at 2123 Russell, for about \$1,000. He fenced in the property and built an arbored trellis over the front gate. He also acquired the adjacent lot, where he built a small shed and stable, dug a well, and installed a water tank and a wind-powered pump. These investments enabled the Tapes to enjoy modern conveniences, such as a flush toilet, that were not yet commonplace in south Berkeley. It would be another decade or more before the neighborhood would have city sewer lines and paved streets.

The Tapes had only a few neighbors on Russell: John Brothers, who was a clerk with the Southern Pacific, and a widow, a confectioner, and a stenographer, all German Americans. Around the corner on Shattuck Avenue, there was a lumberyard and the Peralta Volunteer Fire Company, which Joseph and Frank, now sixteen, joined. Just beyond lay the Southern Pacific's freight yards. There is no evidence that Joseph worked there, but he was never one to miss a business opportunity. It is possible that he expanded his express

business to Berkeley, even as it remained centered in San Francisco's Chinatown.

In 1896, Knox Presbyterian Church, formed by local residents who had been members of Berkeley's First Church, went up across the street. The Tapes did not join the all-white congregation. They were not regular churchgoers and in any case associated with people from the Chinese missionary circles in San Francisco and Oakland. When they moved to Berkeley, there were as yet no Chinese missions there; it would be another decade before the Methodist Episcopal Church bought the rear building of Robert Agers's soda water factory near Telegraph Avenue and Dwight Way to use as a Chinese mission church.

Berkeley's public schools were not segregated. Gertrude and Emily went to the LeConte School, a six-room schoolhouse built in 1892, just a few blocks from their home. Their childhood was in many ways the one their parents had desired ten years earlier for Mamie—attending school and playing with white children. This was especially true for Gertrude, the youngest, who had never gone to the Chinese Primary School in San Francisco and, unlike her siblings, had never learned to speak Chinese. Mary insisted on the girls' training in the arts: Emily continued to take violin lessons and became skilled at embroidery; Gertrude started on the piano.

Things were not as easy for Mamie, who was eighteen when the family moved across the bay. She did not go to school in Berkeley, although she continued to be tutored at home, and she must have missed her friends in Chinatown. Frank more readily settled into the good life. One telling family photo shows him romping as a "señorita," confident in his ability to charm and entertain his younger sisters. He may have attended Berkeley's Commercial High School, but if he did, it was not for long. He much preferred working with his father, from whom he learned to ride a horse, hunt and fish, and feel important.

By the turn of the century, Frank was commuting with Joseph across the bay, driving his father's express wagon between the docks

or the railway station and Chinatown and helping out in his father's office. By this time, in the mid-1890s, Joseph's business was thriving. He had become an actual employee of the Southern Pacific when the railroad company acquired the Pacific Mail Steamship Company. Joseph was the company's official "transportation clerk" for Chinese passengers, delivering baggage for those arriving on both Pacific Mail vessels and Southern Pacific trains. The service was free for arriving passengers, but the company did not pay for departing passengers' baggage to be picked up; that work was done by Joseph's private company. Joseph also became the Southern Pacific's "Chinese passenger agent," in which capacity he sold steamship and train tickets to Chinese customers, earning a commission on each one. It was a fabulously advantageous position: he had a monopoly on these services, and his employment by the railroad insulated him from downturns in the business cycle. But he was not merely prosperous. Being a broker meant that he knew important white people in the transportation industry and the immigration bureau. Among the Chinese, his position was highly prestigious.

Frank strived to be like his father—respected and successful—but he did not have Joseph's discipline. The only son, he had been spoiled as a child and now was entitled and boastful. And soon worse: there were stories in Chinatown of customers whose valuables (notably, Mexican silver) had disappeared from their luggage between Chinatown and the docks. On more than one occasion, Joseph had to appear before the Chinese Six Companies to answer to these charges. Chinese were not averse to suing one another in American courts—they had done it for decades in mining claim disputes and other business matters—and with the rise of overland domestic travel in the late nineteenth century, a body of "baggage law" had emerged defining the liability of common carriers for personal belongings committed to their care. But in most cases, complainants likely sought adjudication through the *huiguan*, because they did not discover their losses until after they had left the country. Joseph

conceded no wrongdoing on the part of his son, but he made half payment for lost goods.

Joseph's business thrived despite these incidents and, more generally, despite the fact that he had been forced to grow it in the face of official Chinese exclusion after passage of the Chinese Exclusion Act in 1882. Exclusion did not actually eliminate immigration from China; merchants and their families were exempt from exclusion and continued to immigrate, as did laborers who had established residence in the United States before 1882 and were therefore eligible for reentry (at least theoretically) if they went to China for a visit. Others gained admission by falsely claiming to be merchants or native-born citizens. All who entered, whether legally or illegally, needed transport to Chinatown or tickets to points beyond San Francisco, and Joseph Tape was there to assist them. Immigrants who returned to China—either temporarily, to visit family or conduct business, or, in light of the hostile environment in California, for good—needed Tape's express service to deliver their baggage to the steamship dock. In the face of his father's sweeping success in the business realm, perhaps it is no wonder that Frank's feelings—entitlement, possibly insecurity, and even resentment—were complex.

The customs bureau of the U.S. Treasury Department was responsible for enforcement of the Chinese Exclusion Act. The bureau had no experience with immigration, but it already had officers posted at the ports and relationships with the steamship companies. The Treasury Department created within the customs bureau a new division, the Chinese bureau, and a new position, the Chinese inspector, but issued very little in the way of procedures and instructions. The act required the Chinese government to determine prospective immigrants' eligibility to enter the United States and to issue certificates to those who were deemed admissible. As a result, the immigration inspector at the port of arrival relied largely on the Chinese government's process.

Even so, the customs bureau had to communicate with arriving immigrants. The bureau's first Chinese interpreter in San Francisco was John Endicott Gardner Jr. Having been born in China to an American missionary father and a half-Chinese, half-American mother, Gardner was fluent in Chinese. He was a direct descendant of John Endicott, the first governor of Massachusetts, the state supplying most American foreign mission workers in the early nineteenth century. Gardner came to San Francisco in 1882 with his mother and stepfather, Reverend Daniel Vrooman, a missionary whom his mother married after his father's death.

When the Chinese Exclusion Act passed that year and the collector of customs was scrambling to hire a Chinese interpreter, Vrooman's bright nineteen-year-old stepson was one of the few, perhaps even the only, bilingual white people available for the job. His partial Chinese ancestry was apparently overlooked in light of the urgent need.

At first Gardner's job was perfunctory. He merely asked arriving passengers to show their documents—"section six" certificates issued in China for the exempt classes, such as merchants and students—and departing Chinese residents of the United States to show their "leave permits," which were issued by the Chinese consul in San Francisco and entitled them to reenter the country upon their return. There was little interrogatory; no statements were taken.

But officials soon came to believe that some Chinese were entering with fake certificates or false claims. A rumor that the head of the Chinese Six Companies had brought one hundred reentry permits to China to sell there led officials to suspect a budding brokerage business in entry papers. Gardner was advised to ask all landing passengers their place of birth. The *San Francisco Evening Bulletin* warned of "the necessity of vigilance."

Meanwhile, it became clear that detaining arriving passengers on board ship was problematic, especially when passengers who were denied entry had to wait either for an appeal to be heard or to be shipped back to China. The customs collector believed that "after the journey of thirty days in their confined and cramped quarters, not

only humanity, but practical sanitary considerations require that, upon landing, they should be removed from the [arriving] vessel."

Some of the first Chinese arrivals held for detention were transferred to the hulk *China*, one of the Pacific Mail's old wooden-hulled side-wheelers that remained in the harbor awaiting the breaker's yard. Another decommissioned vessel sitting on the mud flats, the bark *Columbia*, was used to quarantine arrivals who had smallpox. Notwithstanding humanity and sanitation, the steamship company continued to detain Chinese whose admission cases were pending aboard its steamers, sometimes transferring them from one vessel to another when scheduled departures required it.

With limited space on board these ships, the customs bureau sought other solutions. The collector of customs released some merchants on bond while the bureau investigated their cases. He lodged women at the Protestant mission homes. He also transferred some Chinese, particularly those awaiting deportation, to the county jail at Broadway and Dupont. Joseph Tape's business profited from these arrangements: he was paid ten dollars to transport people between the jail and the dock and forty cents per person per day for board. One imagines that he purchased food in Chinatown for less than that amount, but we have no way of knowing how large his cut was.

These ad hoc arrangements, especially the constant moving of the floating Chinese population from ship to ship, was an ongoing logistical nightmare for customs personnel charged with enforcing the exclusion law. With just one full-time interpreter and two stenographers, the burden of work was great. Gardner not only hopped from ship to ship interviewing arriving passengers, but he also translated confiscated letters and coaching notes, which incriminated those who hoped to circumvent the exclusion law by posing as people who were legally admissible, such as merchants or U.S. citizens by native birth. Officials considered these practices evidence that Chinese had no respect for the law. That the stringency of the exclusion laws would lead would-be immigrants to adopt extraordinary measures to gain entry into the country was given no shrift.

Many of those arriving in San Francisco were, in fact, legitimate immigrants, but how was the immigration inspector to know who was truly the person he or she claimed to be and who was a fraud? Questions of law and evidence abounded: the definition of "merchant," the veracity of certificates issued in Canton and Hong Kong, the relative reliability of testimony from Chinese and white witnesses. Racial prejudice against Chinese—that they were all coolies and inherently untrustworthy, cunning, and prone to telling lies—infected the manner in which these issues were addressed.

In November 1884, Gardner resigned from his position, perhaps from exhaustion. The *Evening Bulletin* noted that his resignation

will deprive the Custom House . . . of one bar against fraudulent entry by this device [claiming citizenship] . . . Intercepted Chinese letters have taught the customs officials as much about Chinese wiles as any other source of information. It has been difficult to find any white interpreter—and a Chinese interpreter is out of the question—who can read Chinese readily . . . The interpreter stands between the Government and the Chinese Consulate, and the [next] appointment will be based on character as well as upon linguistic accomplishment.

Gardner returned to his position in San Francisco in 1896, after several years as a preacher and part-time immigrant interpreter in Victoria, British Columbia. The U.S. Bureau of Customs would soon give him a dual appointment as Chinese interpreter and Chinese inspector, the latter a higher rank with the authority to decide cases. Projecting an air of erudition and Christian moral bearing, he was the only employee in the bureau ever to hold both job titles. In Chinatown, Gardner was known as "Pak Wah Jon" ("Baihua John," Chinese-speaking John); he treated Chinese with condescension, perhaps to compensate for his own mixed racial heritage.

Gardner's long career in the Chinese bureau would be marked by controversies over where his loyalties lay. Despite his acculturation as a Euro-American, his superiors distrusted his Chinese "racial tem-

perament," which was thought to "seriously impair his efficiency as an impartial and unbiased interpreter." Local Chinese merchants accused Gardner of mistreating immigrants. But Reverend Ira Condit of the Presbyterian Chinese mission wrote in his defense: "Mr. Gardner has been largely instrumental in breaking up the illegal landing of bad Chinese women; and such charges come from those whose very lucrative traffic has thus been spoiled . . . What he has done is entirely approved by the Chinese Legation, the Christian Chinese, and all the better class of that people here."

In 1898, the steamship company's ability to detain Chinese aboard ships was thwarted when the U.S. military chartered seven vessels in the Pacific Mail's fleet to transport troops to the Philippines for the Spanish-American War. The company converted the second floor of its wooden office building at one end of its thousand-foot-long covered wharf into a detention facility. The wharf complex, known as the "mail dock," had storehouses for coal and wood, equipment repair shops, warehouses for imported merchandise, and the so-called office house, where Joseph Tape kept a small office. Several hundred people were crammed into the second-floor loft, which measured 150 feet by 100 feet, the size of a "four-room cottage."

The "detention shed," as the loft became known, quickly became a symbol for all that was rotten about Chinese exclusion. Detention could last for weeks as cases awaited investigation and longer still for those on appeal. Regardless of one's view of exclusion, the shed was a problem. Missionaries and civic-minded people decried the deplorable conditions there, noting that the shed was "built over the water where the odors of sewage and bilge are most offensive; unclean, at times overrun with vermin, and often inadequate to the numbers to be detained." Chinese living in San Francisco protested the detention of their relatives and friends. They congregated on the wharf, especially at the foot of the stairs leading up to the loft, calling out the names of their loved ones, trying to make contact, to send up a package with food, to reassure them that witnesses who could vouch for them were being located. The immigration inspectors inter-

preted these communications as efforts to coach the arrivals with the proper "answers" for their interviews. They also suspected the Pacific Mail employee who delivered food to the shed of smuggling coaching notes to the detainees. That person may well have been Joseph Tape or one of his employees.

During the late 1890s, the collector of customs in San Francisco, John P. Jackson, heard a growing number of Chinese native cases, in which the arriving passenger claimed to be an American citizen by native birth. Jackson was inclined to accept testimony from the immigrant's relatives or acquaintances. ("I remember he was born on Clay Street in 1875. His parents took him back to China when he was two years old.") Unlike other officials, he did not demand white witnesses. By 1898, he was rejecting approximately thirty percent of native-case claims, but officials in Washington considered this figure to be too low. Most suspected that native cases were, as a rule, fraudulent, and they wanted to require white witnesses for the cases, even though there was nothing in the statute or the administrative guidelines stipulating it.

Those who were denied admission often appealed their cases to the district court. Judges there, though not necessarily sympathetic to Chinese, were inclined to accept as legitimate evidence uncontradicted oral testimony from "friends" and "relatives"—often people who had not testified at the immigrant's arrival but now appeared conveniently to vouch for his or her identity ("I remember he was born on Clay Street . . ."). In approximately half of these cases, the court overruled the customs bureau and ordered the immigrants to be landed. The court's discharge papers in such cases—releasing the immigrant from custody on the grounds of his or her U.S. citizenship—became the legal document authenticating the immigrant's status as a citizen. This in turn became the basis for the future admission, as "derivative" U.S. citizens, of the person's offspring (or others posing as his or her offspring) born in China. Thus commenced the decades-long practice of "paper-son" immigration, by which tens of thousands of Chinese circumvented the exclusion law.

In light of the various ways that Chinese managed to slip through the Golden Gate, immigration procedures grew even tighter in the 1890s. The practice of releasing merchants on bond was discontinued, and merchants complained bitterly that they were "restrained of [their] liberty and detained for about a week in the wooden sheds on the wharf of the Steamship Company, practically in the same manner as if [they] were charged with [a] crime." Local Chinese were no longer permitted on the wharf when the steamers made port, and so were denied the ability to greet passengers, "a recognized custom of all races, and usually indulged in, partly by desire, and partly by duty."

The interview upon arrival also grew more elaborate and now focused on catching native citizens in a lie that would expose their imposture. The burden of proof was placed on the immigrants, and questionable cases were determined in favor of exclusion. The role of the interpreter as the language mediator was crucial, not just for communication but also for identifying truth from falsehood. Racial suspicion of Chinese led San Francisco customs officials to hire only white interpreters, who were, of course, in short supply. A few had lived in China, such as John Gardner and Hipolite Eca da Silva, a Portuguese from Macao. One or two others had learned Chinese while living in San Francisco and had translated for the courts and police before working for immigration.

Joseph's success in the immigration business brought the family wealth and social status, but it also created pressures for the second generation. Like most immigrants, Joseph and Mary regarded their children's achievements as measures of their own success in assimilation. They had focused on their children's schooling and their relationships with white people. Mary, who believed in the arts as a means of achieving refinement and respectability, also had insisted on their musical education. Joseph was preparing his son for the family business and his daughters to marry men of intelligence and ambition. The pressures on the children were even greater because

the Tapes were among the first Chinese to test the social limits imposed by exclusion. There were few others in their position and few, if any, role models to follow.

At the turn of the century, the younger children appeared to be doing well. Emily seems to have been self-sufficient and even-tempered. She enjoyed dancing (Frank taught her the popular dances) and was a serious student of the violin. Gertrude, the little darling, had been least influenced by Chinatown's ways and, as is evident in Mary's photographs of her, was her mother's finest accomplishment. Although she was still only ten years old, her parents could imagine a rosy future for her.

But from the parents' point of view, the two oldest children were falling short. Frank struggled constantly to live up to his father's expectations. Though spoiled, he also had a certain fearlessness, which perhaps grew from his desire to impress Joseph. In December 1898, while fighting a fire with the Peralta Volunteer Fire Company in south Berkeley, he fell through the building's roof into a burning room below and was "rescued with difficulty." He sustained serious injury to one leg and arm. Was Joseph proud of his son's heroism, or did he think that Frank had been reckless? Frank's stealing from his father's customers may have been, in part, a young man's rebellion, but his behavior must have both worried and angered Joseph.

The lawsuit that had won Mamie the right to go to school had taught her to question authority. Now she appeared merely willful. Despite her parents' objections, she was seeing a boy from Chinatown whose future seemed unpromising at best. Had Joseph sued the school board, stood up to Miss Hurley and that pig Moulder, and brought her up as Caucasian, "except in features," so that she could marry a mere servant boy?

## 7. TWO MARRIAGES

HERMAN LOWE, the object of Mamie's affection, was also a Chinese American. He was born as Lo You Huen (Lü Yaoxuan) in San Francisco's Chinatown in 1875, in his parents' home, a room on the third floor above the Tuck Wo butcher and grocery shop at the corner of Jackson Street and Fish Alley. The alley, lined with fishmongers, poultry dealers, gambling houses, and opium shops, was "one of the most malodorous spots in Chinatown." His father, Lo Kwai (Lü Guai), had worked for many years in San Francisco as a cook, peddler, and laborer before he could afford to send for his wife, Lau Shee. Lau Shee gave birth to her son in the Chinese way, attended by a midwife and two other women from the neighborhood.

Lo You Huen and his younger sister went to the Baptist mission school on Clay Street, the only primary school located in central Chinatown. His parents were not Christians, but Lo Kwai may have spoken about the children's schooling to someone at the Gospel Temple, a block away on Jackson Street, or Lau Shee, who was herself illiterate, may have broached the subject with one of the female missionary workers who visited the tenements. Anna Vrooman, mother of the Chinese immigration interpreter John Gardner, was known