

H. R. XXXX

IN THE HOUSE OF REPRESENTATIVES

September 9, 2005

Mr. Lungren of California introduced the following bill;
which was referred to the committee on the XX.

A BILL

Honoring the day each State was admitted into the Union.

1 *Be it enacted by the Senate and House of Representatives of the*
2 *United States of America in the Congress assembled,*

3 **Section 1. Short Title.**

4 This act may be cited as the “State Admission Day Recognition Act
5 of 2006”.

6 **Section 2. In Order to form a more Perfect Union.**

7 On February 12, 2009 America celebrates the Bicentennial birth
8 of our Greatest President, Abraham Lincoln. Accordingly, it seems
9 altogether fitting that we honor his Leadership & Sacrifice and “Bind
10 the Nation Together” fulfilling his dream and the Constitutional vision
11 of the Founding Fathers “In Order to Form a more Perfect Union.”

1 **Section 3. State Flag over the White House.**

2 Therefore, it is hereby established that the State Flag of each
3 State shall be flown over the White House on the anniversary of their
4 admission into the Union.

5 **Section 4. Precedent for Action.**

6 The precedent for such action was set by President Coolidge on
7 September 9, 1924 when he ordered the California Bear Flag flown
8 over the White House, "...and expressed the hope that it be flown on all
9 succeeding September nines".

10 **Section 5. History for Action.**

11 The history for this action is duly recorded in the October 1924
12 issue of The Grizzly Bear, the official journal of the Native Sons of the
13 Golden West on page 23 under the title: "Bear Flag at Washington"

14 For the first time in the history of California, the State (Bear)
15 Flag waved over the White House at Washington, DC, on Admission
16 Day, September 9. A few days previously, Del Bowley of San
17 Francisco, a member of Mission Parlor No. 38 N.S.G.W., called on
18 President Coolidge, and presented him with a Bear Flag and outlined its
19 history. The President volunteered to have the state emblem flown from
20 the White House on Admission Day, in honor of California.

21
22 In acknowledgment of the compliment to California, Edward J.
23 Lynch, Grand President of the Order of Native Sons of the Golden
24 West, dispatched the following telegram to President Coolidge, under
25 date of September 9:

1 “Californians are elated to know that for the first time in history
2 our state banner, the Bear Flag, is flying over the Capital of the nation.
3 We deeply appreciate this tribute which you have paid to the people of
4 California upon the seventy-fourth anniversary of its admission the
5 Union. The Bear Flag was first raised in the historic town of Sonoma
6 on June 14, 1846 by an intrepid band of Americans, while California
7 was still claimed by Mexico and other foreign powers were preparing
8 to take possession. They determined to hold California as a republic
9 until the time should come when the Stars and Stripes should wave over
10 the entire land, from the Atlantic to the Pacific. On behalf of the Native
11 Sons of California, I extend most cordial greetings and our most sincere
12 appreciation.”

13

14 Additional accounts were provided by the San Francisco

15 Chronicle in this front page article dated September 9, 1924:

16

**Bear Flag Tops White House
President Honors California’s Emblem
First Washington Display**

17

18

19

20 The Bear Flag will float today over the White House in
21 Washington, D.C. The emblem flung to the breeze by Fremont
22 previous to California’s Admission to the Union seventy-four years ago
23 will be seen on every flagstaff today throughout California, but this is
24 the first time that the Bear Flag has been officially recognized by the
25 President of the United States.

26

27

President Thanked

28

29 Thousands as they pass the White House will wonder at that flag. It will
30 be commented upon in the newspapers and stories told of it when the
31 bedtime program over the radio.

32

33 Word that President Coolidge, who ordered the Bear Flag flown
34 today, has thus honored California was known yesterday to many
35 organizations of San Francisco, and many telegrams were sent the
36 President thanking him.

1 **Accepts State Emblem**

2
3 Delevan B. Bowley attended the national encampment of the Sons of
4 Veterans in Boston this summer, and on his way back stopped in
5 Washington where he met the President. Bowley had occasion to
6 mention the Bear Flag and recounted its history. President Coolidge
7 was much interested and gladly accepted a silk Bear Flag that Bowley
8 offered him, saying that he would be pleased to have it flown over the
9 White House on Admission day, and expressed the hope that it would
10 be flown on all succeeding September nines.

11
12 In confirmation, this article appeared on page two in the
13 Washington Post dated September 10, 1924:

14 **California's Flag Flies From the White House**

15
16 An innovation was instituted at the White House yesterday when
17 the California State Flag was raised over the executive mansion along
18 side the Stars and Stripes. The occasion was the seventy-fourth
19 anniversary of the admision of California as a State. The flag, of white
20 silk about two feet square, bore the figure of a bear, which is prominent
21 in the California State seal.

22
23 California is the first State to be honored in this way. It was
24 done at the suggestion of Delevan B. Bowley, of San Francisco
25 commander of the Loyal Legion of California, who recently called
26 upon President Coolidge.

27
28 **Section 6. History of Delevan B. Bowley**

29
30 Delevan Bates Bowley was born December 28, 1873, the second
31 son of Flora and Captain Freeman Sparks Bowley.

32 During the Civil War, Captain Bowley was 1st Lieutenant of the
33 30th United States Color Troops and was captured as a POW during the
34 Battle of Petersburg, VA in July of 1864. His memoirs were published

1 later as “A Boy Lieutenant-Memoirs of Freeman S. Bowley-30th
2 United States Colored Troops Officer” with an Introduction by Ronald
3 R. Seagrave and Edited by Pia Seija Seagrave, Ph.D.

4 Delevan was named after his father’s commanding officer,
5 Colonel Delevan Bates who was appointed Bvt. Brigadier General
6 and awarded the Congressional Medal of Honor after being shot in the
7 face while leading the 30th USCT at the Battle of Petersburg.

8 After the war, Captain Bowley was stationed at the Presidio in
9 San Francisco where he and his wife Flora raised 5 children, 4 boys and
10 a girl.

11 While Delevan did not join the military, two of his brothers, Lt
12 Col. Freeman W. Bowley and Lt. General Albert J. Bowley graduated
13 from West Point and served with distinction for many years with Albert
14 becoming Commander of the Ninth Army.

15 However, Delevan did not shirk from his duty, but followed in
16 the family footsteps serving in the Patriotic Societies working his way
17 up to Commander of the Loyal Legion of California (MOLLUS) in
18 1924, Commander-in-Chief of the Sons of the Union Veterans of the
19 Civil War (SUVCW) in 1928-1929 and finally, President of the
20 Federated Patriotic Societies of California in 1935-1936.

1 It was following his trip to Boston for the Grand Encampment in
2 1924 that he met with President Coolidge, and presented the Bear Flag.

3 During his many years of patriotic service, he worked closely
4 with his mother who served for 70 years in the Woman's Relief Corp,
5 Grand Army of the Republic (GAR) and was affectionately known as
6 "Mother Bowley" for her tireless care of the sick and wounded from
7 both the Spanish American War and WWI. She died in 1936 at the age
8 of 93.

9 His father, Freeman S. Bowley was an original companion in the
10 Military Order of the Loyal Legion and died of Small Pox in 1903 at the
11 age of 56.

12 Delevan passed on January 20, 1947 at the age of 74.

13 In addition to his many patriotic memberships, Delevan was a
14 member of the Native Sons of the Golden West, Mission Parlor # 38,
15 and a Master Mason , Seaport Lodge #550, both of San Francisco.

16 During his Civil War service, Captain Bowley met President
17 Lincoln at the Executive Mansion while stationed in Washington, but
18 his mother knew Mr. Lincoln quite well, frequently recalling many first
19 hand incidents during the stirring times of 1861-1865.

1 At the end of his term as Commander-in-Chief of the Sons of
2 Union Veterans, Delevan was presented a framed portrait of Abraham
3 Lincoln gift with the following inscription on the back:

4 **Rough Diamonds.**

5
6 God sends great souls into the world
7 Clothed oftentimes in curious attire.
8 And one misses much good fellowship
9 Who thinks that from what men seem to be
10 He can determine what they are.
11

12 **Section 7. Congressional Awareness**

13
14 On September 9, 1924 the Los Angeles Times ran a front page
15 article indicating Congressman John D. Fredericks representing the 10th
16 Congressional District in Los Angeles, California (1923-1927) was
17 notified of the President's decision to fly the Bear Flag.

18 **Fetes to Mark Admission Day**
19 **Coolidge Will Fly Bear Flag from White House**
20 **White House to Fly State Flag**
21

22 President Coolidge will fly the California State flag from the
23 flagstaff of the White House today in honor of the State's seventy-fourth
24 birthday. Congressman Fredericks received a telegram from Washington
25 yesterday stating that the request made to the President that he fly the
26 Bear Flag on Admission Day had been granted.
27

28 The request was made last week by an ardent Coolidge supporter
29 in California. It was pointed out that since California is one the States
30 which never was a territory-having passed directly from the status of
31 republic to State-the granting of the request would not establish a
32 precedent which would have to be followed on the occasion of the
33 anniversary of each States Admission.

1 Prior to his service in Washington, Congressman Fredericks
2 was District Attorney for Los Angeles County (1902-1914) and
3 reminded many observers of Abraham Lincoln.

4 **Section 8. Responsibility for Action.**

5 Since California was the first to have her Flag flown over the
6 White House on Admission Day, the responsibility falls upon her to re-
7 establish the tradition and lead the way for every State to be so honored
8 regardless of status prior to joining the Union..

9 **Section 9. History of California Admission Day.**

10 In 1959 the Grand Parlor of the Native Sons of the Golden West
11 published, The History of Admission Day as a Holiday and Its Present
12 Legal Status as Such by Peter Thomas Conmy, Director of Historical
13 Research, Native Sons of the Golden West in San Francisco..

14 Accordingly, Mr. Conmy states:

15 “California was admitted to the Union on September 9, 1850. At
16 that time there was no telegraph extending to the Pacific Coast so that
17 day came and went and no one in California knew that the great event
18 had taken place. John Bidwell left Washington for California
19 immediately, and arrived in San Francisco October 19th. As soon as the
20 news was spoken, the pioneer city assumed carnival form. Business
21 ceased. The streets gave way to fireworks and dancing. The early hours
22 of the next day found the revelry continuing. This was the first
23 celebration of the admission of California to the Union. It was
24 impromptu and unsatisfactory for lack of dignity and planning. For this
25 reason on October 29th a formal ceremony was held at which Judge
26 Nathaniel Bennett was the speaker of the occasion.

1 On September 9, 1851, the first anniversary of the admission of
2 the State, the Society of California Pioneers held a literary exercises in
3 honor of the occasion, and this observance was repeated each year down
4 to and through September 9, 1874.

5
6 On July 11, 1875, a new organization, the Native Sons of the
7 Golden West was born. This society was dedicated to the perpetuation
8 of the historic past of California and as its first project observed the
9 twenty fifth anniversary of California’s admission to the Union on
10 September 9, 1875. This was a very credible celebration.

11
12 The organization continued to observe Admission Day and public
13 interest and support grew greater each succeeding year. In 1879 that the
14 State of California ought to give official notice to the day was
15 recognized by Governor Irwin who by proclamation declared September
16 9, 1879 the twenty-ninth anniversary, a holiday. This was followed by
17 similar action each year by succeeding governors down to and through
18 1888. The last governor to proclaim a holiday on Admission Day was
19 Hon. Robert Waterman. In his message delivered to the legislature in
20 January 1889 he recommended that action be taken to make Admission
21 Day a statutory holiday. Governor Waterman wrote as follows,

22
23 “I respectfully recommend that September 9th, Admission Day, be
24 made a legal holiday. It is the natal day of the State, and therefore, one
25 of great interest to the people, and particularly those born in the State.
26 Most of the states recognize their natal day as being a fitting reminder of
27 their entrance into the Union and the progress made. And, for the
28 additional reason that for the past ten years it has been made a legal
29 holiday by proclamation, whereas if it were definitely fixed the people
30 would be prepared for it in advance, and the business interests of the
31 state would suffer no inconvenience.”

32
33 Senator Anthony Caminetti introduced Bills relating to
34 Admission Day in the legislature early in January 1889. These were
35 known as Senate Bills Nos. 171, 172 and 173. They passed both houses
36 speedily and were approved by Governor Waterman on March 1st.
37 Senate Bill No 171 amended the *Code of Civil Procedure* by adding
38 September 9th to the holidays listed in Secion 10 thereof. Similaly Senate
39 Bills Nos. 172 and 173, respectively, added Admission Day to the day to
40 be observed in the Civil Code, Sec. 7, and the *Political Code*, Sec. 10.

1 The sponsor of the legislation by Senator Caminetti is not without
2 significance. He was a very active member of Excelsior Parlor No 31 of
3 Jackson. That there was Native Sons of the Golden West participation in
4 the movement to make Admission Day a statutory holiday is evidenced
5 by the following excerpt from the Report of the Grand Parlor of the
6 Grand President M.A. Dorn in April, 1889.

7
8 “The present year has witnessed the accomplishment of two
9 results of utmost importance to our Order-the enactment of a law making
10 Admission Day a legal holiday, and the completion of the General Winn
11 monument. Earlier in the year I became convinced, because of the
12 precarious nature of the tenure by which we hold Admission Day as a
13 holiday, that some legislation was necessary, not so much on account of a
14 past action of Governors of the State, because it has been our good
15 fortune to have active assistance and presence of the Governor of
16 California at every celebration held thus far..., but because there might
17 come a time when circumstances would not be so satisfactory. As the
18 best means to this end, I assumed the right and appointed a committee to
19 take charge of the matter of which Brother R.P. Hammond was chairman,
20 and of which all members of both the House of Legislature, who
21 belonged to the Order, were honorary members. As a result of their
22 labors I am happy to report to you that upon the Statute Books of the
23 State of California stands the law that on the anniversary of our
24 admission to the Union the factory and the laborer shall be at rest, and the
25 people be free to follow the dictates of their own will.

26
27 **Section 10. Support by Native Sons of the Golden West.**

28 Since their founding by General Albert Winn in 1875, the Native
29 Sons of the Golden West have been dedicated to the principles of
30 Friendship, Loyalty & Charity and have sought to honor and keep alive the
31 history of California and the United States.

32 Accordingly, this Act is supported by Tom Sears, Grand President of
33 the Native Sons of the Golden West 2005-2006 and incoming Grand
34 President, J. Michael Anthony 2006-2007 to honor Admission Day not only
35 in California, but for her sister States as well thereby “Binding the Nation
36 Together” in a “More Perfect Union.”

1 In this regard, it seems altogether fitting that this act was initiated by
2 Charline Buckley, Past Grand President of the Native Daughters of the
3 Golden West in conjunction with The Lincoln Highway National Museum
4 and Archives and her husband, Harold “Buck” Buckley, a member of
5 Amador Parlor # 17, Native Sons of the Golden West.

6 The Lincoln Highway was the Nation’s first Transcontinental
7 Highway, dedicated in 1913 and “Binding the Nation Together” in honor of
8 Abraham Lincoln.

9 The Buckley’s live in Amador County, California near the home of
10 Anthony Caminetti, California State Senator and sponsor of the 1889
11 California Admission Day Bill and the first Native Son to be a member of
12 Congress, 2nd Congressional District 1891-1895.

13 **Section 11. Designated Annual Meeting .**

14 Since Admission Day is special to each State, and happens but once
15 a year, it creates the perfect opportunity for each Governor to have a
16 designated “Annual Meeting” with the President to discuss matters of State
17 thereby, “Forming a More Perfect Union” and fulfilling Abraham Lincoln’s
18 dream and the Constitutional Vision the Founding Fathers.

19 **Section 12. California First State.**

20 This Act shall begin on September 9, 2006 with California as the
21 first State, followed by the other 49 as dictated by the calendar.

1 **Section 13. Proclamation for California Admission Day**

2 The Congress requests the President issue a Proclamation each year
3 recognizing September 9th as California Admission Day, ordering the
4 California Bear Flag flown over the White House, and inviting the
5 Governor to the White House for an Annual Meeting to discuss matters of
6 State. **Section 14. Proclamation for State Admission Days.**

7 The Congress requests the President honor the other 49 states by
8 issuing a Proclamation each year recognizing their Admission Day, ordering
9 their State Flag be flown over the White House, and inviting the Governor
10 to the White House for an “Annual Meeting” to discuss matters of State.

11 **Section 15. Admission Day for the 50 States.**

12 Admission Day for the 50 states are as follows:

- 13 (1) California-September 9, 1850;(2) Nevada-October 31, 1864; (3) North
14 Dakota-November 2, 1889; (4) South Dakota-November 2, 1889; (5)
15 Montana-November 8, 1889; (6) Washington-November 11, 1889; (7)
16 Oklahoma-November 16, 1907; (8) North Carolina-November 21, 1789; (9)
17 Illinois-December 1818; (10) Delaware-December 7,1787; (11)
18 Mississippi-December 10, 1817; (12) Indiana-December 11, 1817; (13)
19 Pennsylvania-December 12, 1787; (14) Alabama- December 14, 1819; (15)
20 New Jersey-December 18, 1787; (16) Iowa-December 28, 1846; (17)
21 Texas-December 29, 1845; (18) Georgia-January 2, 1788;

1 (19) Alaska-January 3, 1959; (20) Utah-January 4, 1896; (21) New Mexico-
2 January 6, 1912; (22) Connecticut-January 9, 1788; (23) Michigan-January
3 26, 1837; (24) Kansas-January 29, 1861; (25) Massachusetts-February 6,
4 1788; (26) Oregon-February 14, 1859; (27) Arizona-February 14, 1912;
5 (28) Ohio-March 1, 1803; (29) Nebraska-March 1, 1867; (30) Florida-
6 March 3, 1845; (31) Vermont-March 4, 1791; (32) Maine-March 15, 1820;
7 (33) Maryland-April 28, 1788; (34) Louisiana-April 30, 1812; (35)
8 Minnesota-May 11, 1858; (36) South Carolina-May 23, 1788; (37) Rhode
9 Island-May 29, 1790; (38) Wisconsin-May 29, 1848; (39) Kentucky-June 1,
10 1792; (40) Tennessee-June 1, 1796; (41) Arkansas-June 15, 1836; (42)
11 West Virginia-June 20, 1863; (43) New Hampshire- June 21, 1788; (44)
12 Virginia-June 25, 1788; (45) Idaho-July 3, 1890; (46) Wyoming-July 10,
13 1890; (47) New York-July 26, 1788; (48) Colorado-August 1, 1876; (49)
14 Missouri-August 10, 1821; (50) Hawaii-August 21, 1959.