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To Preserve Moral Virtue: Opium Smoking in Nevada and the Pressure for Chinese Exclusion

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Nevada

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Boyhood Days in Winnemucca, 1901–1910
JAMES R. CHEW

Front Cover: Chinese man in front of a store in Virginia City.
(Nevada Historical Society)

TO PRESERVE MORAL VIRTUE

Opium Smoking in Nevada and the Pressure for Chinese Exclusion

Diana L. Ahmad

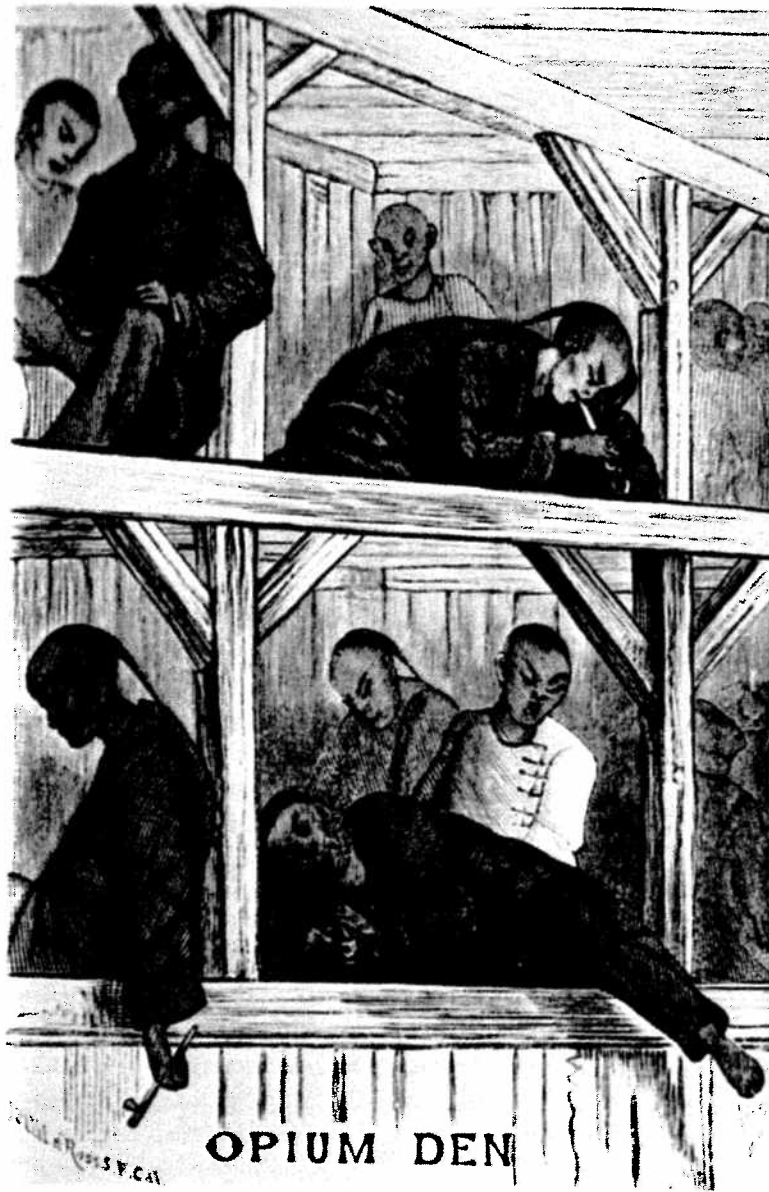
With "their souls wrapped in forgetfulness,"¹ men and women gathered in "loathsome resorts of degradation"² to partake of the "noxious drug"³ sold to them by "soulless human reptiles."⁴ During the 1870s and 1880s, Nevada newspapers used these colorful characterizations to describe opium smokers, dens, and dealers. The rhetoric was particularly critical of the purveyors of the poppy's product, the Chinese.

Many Nevadans believed that opium dens were something far more sinister than a communal gathering place for the understrata of the state's gold and silver mining communities. They believed that the physical and behavioral effects of opium smoking threatened the Victorian moral structure that had been brought to Nevada from the eastern states. To prevent the possibility of moral deterioration, citizens sought to eradicate the opium-smoking habit from Nevada by outlawing the narcotic. But when lax enforcement of the state's anti-opium smoking statutes rendered the laws ineffectual, the drug's opponents moved to halt immigration by those they believed responsible for the narcotic's importation. They sought exclusion of Chinese people, the major suppliers of the product.

It has traditionally been said that the anti-Chinese agitation in this country was centered around the beliefs that the Chinese were cheap labor, that they polluted America's bloodstream with syphilis, and that they sent money back to China.⁵ Nevada's reasons for banning the Chinese included the generally accepted arguments, but beyond this, Nevada came to lead the nation in opposing Chinese immigration because of the alleged Chinese connection to opium.

Originally, Chinese came to seek their fortunes in California because of a series of political, economic, and environmental disasters in China that included

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Lithograph of opium den in Virginia City, Nevada.
(Nevada Historical Society)

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the near collapse of the country's agricultural economy, an increasing population, and flooding along the Yangtze River, as well as several internal and foreign wars.⁶ Opium, too, prompted immigration to the United States because drug consumption hurt subsistence farming: Some Chinese farmers spent their profits on the opiate instead of on economic necessities. Simultaneously, Chinese farmers increased poppy-field acreage, not only making the item more accessible to the consumer, but reducing the acreage devoted to traditional crops.⁷ In addition to these "push factors," the California gold rush served as an important "pull factor" that encouraged Chinese men to go abroad in search of their fortunes.⁸ Opium, then, brought some Chinese to the United States. Later, it would be opium that pushed them back.

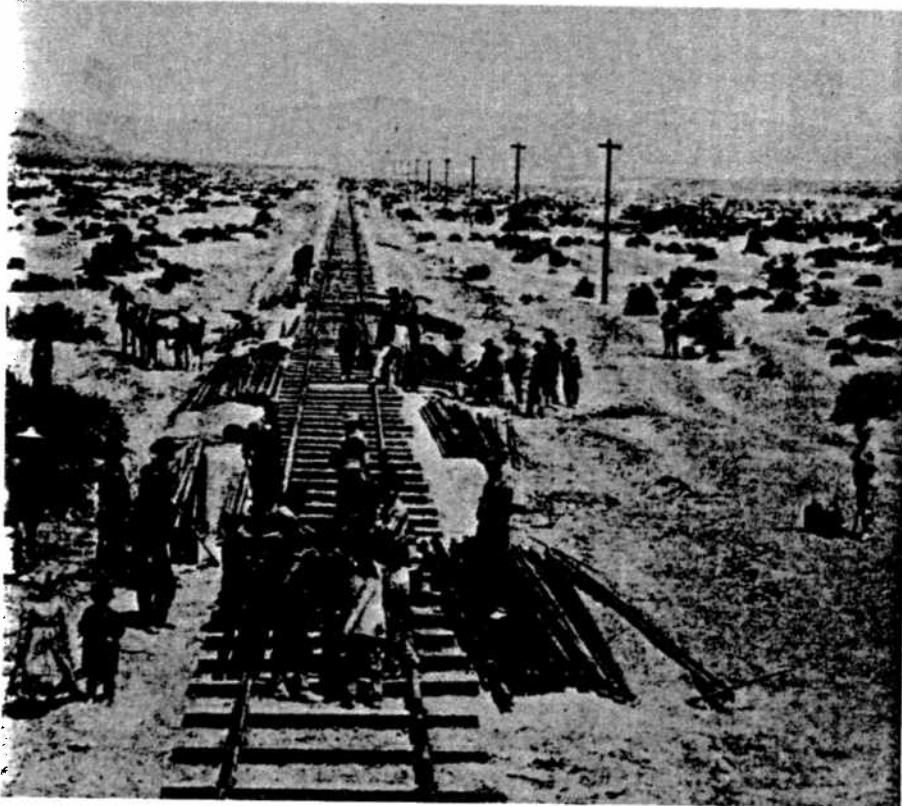
Because of limited opportunities for Chinese to improve their personal economic conditions in China, a theoretically temporary move to the United States seemed a logical and practical way to help a family's financial situation. Conditions encouraged Chinese to move to California, and then on to Nevada. The first Chinese entered the United States in 1848, and Nevada's first Chinese sojourners arrived in 1851.⁹

When Chinese arrived in the United States, the moral system of the country's genteel classes revolved around a Victorian ideology. American Victorians expected their civilization to be better and more sophisticated than any other.¹⁰ They also expected women to be pure, pious, domestic, and submissive because American civilization depended on them, according to historian Barbara Welter.¹¹

With these ideas forming the ideological background of elite and middle-class America, the Victorians looked at Chinese customs and judged them not on their own merits, but instead on how the Chinese way of doing things fit into American society. Aspects of Chinese culture, such as opium smoking, did not find an easy resting place in the nineteenth-century United States.

After arriving in Nevada, Chinese worked at whatever employment they could find. They built irrigation ditches and railroads, washed clothes, served as domestics, and ran opium dens. Generally, they followed the mineral strikes and frequently established Chinatowns wherever they lived for more than a few days. These communities within a community dotted the Nevada area. Russell M. Magnaghi's study of Virginia City noted that a Chinatown acted as a buffer for the Chinese against the prejudice of the white community. He wrote that whites usually ignored Chinatown and visited it only for the special services that it provided, such as exotic foods and products, gambling, prostitution, and the use of opium dens.¹²

Chinatowns existed in virtually every location where Chinese worked. Nevada communities that contained Chinatowns included, for example, Virginia City, the largest Chinese community outside of San Francisco, Elko, Tuscarora, and Pioche. According to the 1875 Nevada Census, 1,341 Chinese men and women lived in Storey County, the home of Virginia City; they represented 7



"Crocker's Pets" at work on the Central Pacific on the Humboldt Plains, 1868. (*Nevada Historical Society*)

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percent of the county's population. In Pioche, 132 out of a population of 2,732 were Chinese. By 1880, the state of Nevada recorded its highest nineteenth-century Chinese population with 5,416, or 8.7 percent of the population.¹³

Accounts of Chinatown ranged from journalistic depictions to anti-Chinese diatribes. From the reporters' side, Dan De Quille, Mark Twain, and Alfred Doten, all writers for the *Territorial Enterprise*, left detailed descriptions of Virginia City's Chinatown. In De Quille's *The Big Bonanza*, he wrote that the Chinese community contained shops, gambling dens, and a joss-house (a place of worship), as well as opium dens. Twain, in *Roughing It*, commented upon the narrow streets and the variety of foods available there. Alfred Doten's diary noted the gambling dens, brothels, and New Year's celebrations to be found in Chinatown.¹⁴ The reporters' descriptions generally serve as a guide to the Chinese community rather than as a moral commentary on it.

Others, however, did not hesitate to condemn Chinatown for what they viewed as its immoral and degenerative nature. Mary McNair Mathews, a longtime Virginia City resident, wrote that Chinatown was "a loathsome, filthy den. It is enough to breed cholera or any other pestilential disease." She advised visitors to the Chinatown to take carbolic acid and a pail of chloride of lime with them to ward off any malady that might come their way.¹⁵ On the other hand, in 1871, Grace Greenwood noted while traveling in Nevada that her "sole amusement" was watching more Chinese and Indians than she had ever seen previously. She added that Chinese made good waiters and found that "the sleeping and the dead and the Chinese are but as pictures."¹⁶

Being considered a tourist attraction did not endear Chinese to the white residents of Nevada; instead the locals found Chinese an economic, political, and moral threat. Occasionally, an anticipatory anti-Chinese movement would begin even before any Chinese had arrived. For example, on February 18, 1860, the *Territorial Enterprise* published an article requesting that the territorial legislature pass laws preventing Chinese from moving into their community. The newspaper said that the city would be "cursed by their presence," and that if no laws were passed against them "we will soon have [the Chinese] swarming as the locusts of Egypt upon us."¹⁷

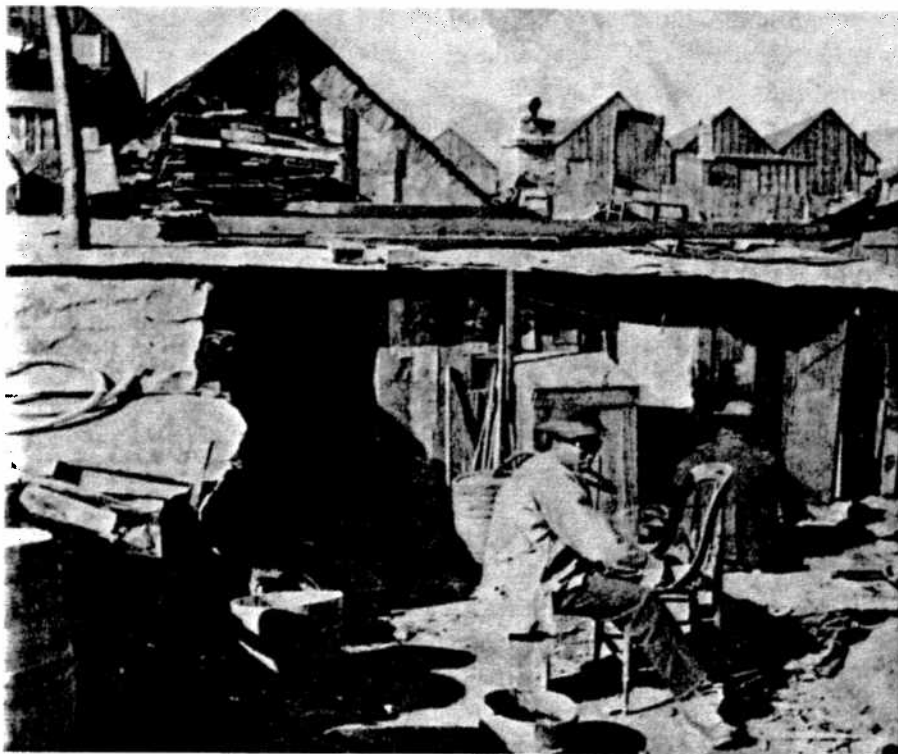
The community may have believed that their fears were justified because the families of Chinese laborers did not accompany them to the United States, and Chinese men frequently spent their leisure time in places that included brothels, gambling houses, and opium dens. This caused some in the white population to consider the majority of Chinese immigrants to be vice-ridden and a threat to American society. And one of their worst vices, in contemporary opinion, was the smoking of opium.

When Chinese smoked opium, Americans were inclined to be somewhat understanding because most of them knew that Chinese families had remained in China, leaving the men with little to do in their spare time. In that regard, in 1873, *Theriaki: A Magazine Devoted to the Interests of Opium Eaters*, a journal



Laundry man, Virginia City, Nevada, 1890. (*Nevada Historical Society*)

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Chinatown, Virginia City, Nevada, c. 1870s. (*Nevada Historical Society*)

published in the United States and concerned with opium addiction and its cures, commented that “there is more of charity allowable for these degraded creatures than for the white races, in that they enjoy less of the amenities of social life.”¹⁸ But, when white Americans began smoking opium, the drug took on an immoral quality that the whites perceived as being Chinese.

For Nevadans, the link between the drug and the Chinese strengthened as the state’s newspapers regularly reported that the Chinese brought the practice of smoking opium to the United States. For example, in 1879, the *Tybo Weekly Sun* commented that the opium-smoking “peril increased ten fold by the introduction of the Chinese” into the United States.¹⁹ Also in the same year, the *Reno Evening Gazette* declared that the Chinese were “directly responsible for this blighting vice. They imported and introduced the curse, and at their door must it be laid with a thousand other moral sins.”²⁰ As far as Nevadans were concerned, the blame for the opium-smoking habit fell, without doubt, on the Chinese.

Established by and for Chinese, the first opium-smoking establishments—referred to as dens or joints—in the United States appeared in San Francisco’s Chinatown. Readily available throughout Chinatown, opium for smoking could

be purchased at many Chinese merchants' shops and soon became available throughout the West in five-ounce tin cans priced at approximately eight dollars.²¹

In 1882, Dr. Harry Hubbell Kane, a leading researcher on opium smoking, explained that the practice had so expanded that a letter of introduction from an *habitu's* regular den was all that was required to gain admission to new dens elsewhere in the country. He also noted that "even the little frontier towns and mining camps have their layouts and their devotees."²² Apparently, Dr. Kane's information was correct. Nevada possessed numerous opium dens that catered not only to Chinese but to members of the white community as well. As early as December 1872, the *Pioche Daily Record* matter-of-factly stated that opium dens existed in its Chinatown while in 1880, the *Tuscarora Times-Review* claimed that the town's dens were "running in full blast." Similarly, an 1881 *Territorial Enterprise* article reported the existence of "no less than a dozen places in Chinatown" to smoke opium. Further, the *Enterprise* found that young white men and women visited the dens "quite openly and in broad daylight."²³ The opium dens of Nevada offered their services to those who could afford them, even providing the equipment with which to enjoy the narcotic. Newspaper articles occasionally even printed the precise locations of the dens as well as complete instructions in how to smoke the drug.²⁴ These reporters' intent was probably to dissuade people from visiting the establishments; however, the articles were sufficiently informative that those with the desire to try opium could find a place to do it.

Descriptions of opium dens found in Nevada newspapers and reports differ little from accounts of dens in China, except that American opium resorts did not use bamboo or rattan furniture and matting.²⁵ By far, the best description of a Nevada opium den is that of Dan De Quille in his 1874 *Virginia City Territorial Enterprise* article. He wrote that upon entering the den, he could "see nothing but the lamp, but gradually our eyes adapt themselves to the dim light and we can make out the walls and some of the larger objects in the place." Once his eyes had adjusted, he noticed that "two sides of the den are fitted up with bunks, one above the other, like the berths on shipboard. A cadaverous opium-smoker is seen in nearly every bunk. These men are in various stages of stupor. Each lies upon a scrap of grass mat or old blanket." When a new client entered the den, De Quille observed that the boss of the "cavern of Morpheus" on arising "from the table, takes up a pipe and its belongings, sleepily lights one of the small alcohol lamps and then places the whole before his customer. The old man then returns to his table and sits down. Not a word is spoken. Thus the business of the cavern goes on, day and night."²⁶

Smoking opium required numerous pieces of equipment and a place to recline while smoking, in addition to the opiate itself. The den proprietor provided bunks to relax upon while smoking, as well as the equipment if the smoker did not possess his or her own. The opium pipe (*yen tsiang*) consisted of two

parts, the stem made from bamboo and a bowl that was attached to the end of the pipe. The process also required a needle (*yen hauck*) to prepare the opium for smoking, a lamp to heat the opium pellet, and an instrument to clean the pipe bowl (*yenshee gow*).²⁷

Although the dens accommodated both men and women, the women received the poorest quality pipes because the Chinese believed that if women smoked from a good pipe it would become worthless and likely to split, according to Dr. Kane. A smoker who desired to possess personal equipment could, by 1888, purchase for five dollars a set consisting of a pipe, lamp, needle, and cleaning utensil.²⁸ Chinese and white prostitutes occasionally owned equipment for the convenience of their customers as well as for themselves.²⁹ In 1879, a Winnemucca judge put confiscated opium-smoking equipment on display in his office. Commenting on the exhibit, the *Winnemucca Daily Silver State* wrote that "the whole outfit has a dirty appearance, causing people who have examined it to wonder how anybody not utterly debased can enter the filthy dens and indulge in a smoke from pipes which have undoubtedly been used by leprous Chinese, and run the risk of contracting contagious diseases."³⁰

Once the smoker acquired the necessary items, the process of smoking began. In *Roughing It*, Mark Twain described the procedure:

Smoking is a comfortless operation, and requires constant attention. A lamp sits on the bed, the length of the long pipe-stem from the smoker's mouth; he puts a pellet of opium on the end of a wire, sets it on fire, and plasters it into the pipe much as a Christian would fill a hole with putty; then he applies the bowl to the lamp and proceeds to smoke—and the stewing and frying of the drug and the gurgling of the juices in the stem would wellnigh turn the stomach of a statue.³¹

Although more thorough accounts exist,³² Twain's words convey a vivid picture of the lengthy process, while at the same time reflecting his disgust with the habit.

Despite numerous and graphic newspaper articles about opium dens, the practice of opium smoking continued to grow in the area. From 1871 to 1876, Sing Woh, a Virginia City den proprietor, saw his sales of opium for smoking increase nearly 600 percent, from 94 ounces to 561 ounces, despite the price of two dollars per ounce, or slightly higher than in San Francisco.³³ Neither reporters' attempts to paint murky pictures of the dens nor the cost of the drug seemed to deter smokers.

The exact numbers of smokers in Nevada will never be known; however, Comstock area newspapers reported that by the summer of 1876, approximately 150 white men and women were indulging in the practice in Virginia City's Chinatown alone.³⁴ The spread of opium smoking generally followed the same process wherever it went. First, the Chinese smoked the drug, then the white underworld adopted the habit. In 1875, the *Virginia City Evening Chronicle* wrote that the majority of the community's smokers were young men who belonged to the "sporting fraternity" and white women who belonged "to the outcast

classes." Further, the newspaper noted that were the habit confined only to Chinese, it "would be scarcely worthy of notice," but because of the drug's spread, the newspaper felt compelled to draw its readers' attention to it.³⁵

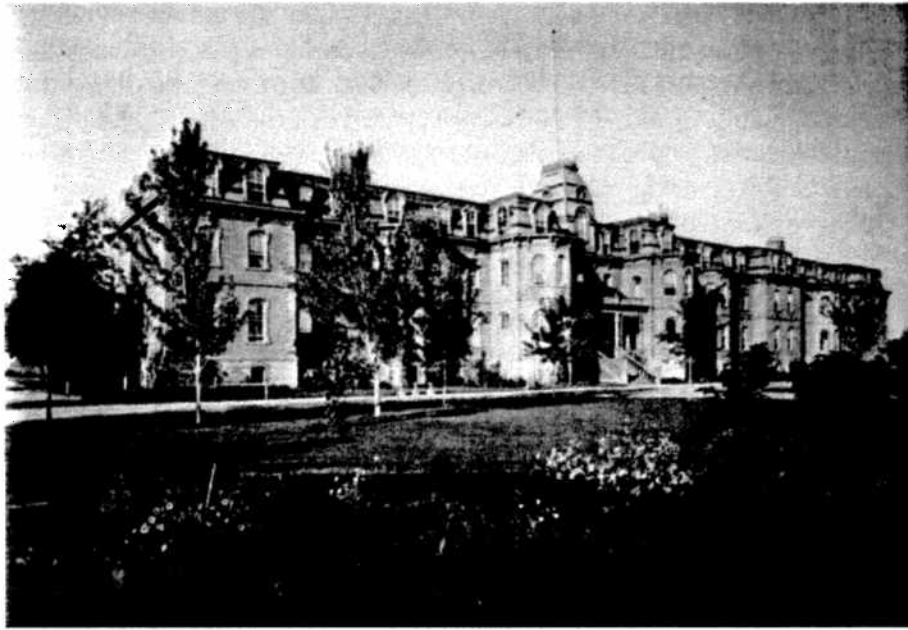
In 1877, reporting on opium smoking in Nevada, the *New York Times* explained that these users sought comfort from their difficult lives in the opium dens. The paper also observed that if the smoking opium habit concerned only the underworld, then it "might be well enough not to interfere." Yet, in 1879, the *Carson City Morning Appeal* disagreed, noting that "it is worth the while to save [these outcasts] from this worst and most degrading of all vices."³⁶ Despite the differences in opinion on whether or not the underworld should be saved, it is apparent that journalists were becoming aware of opium's attraction for the white community.

The next step in the spread of the opium-smoking habit occurred when the custom appeared among the "respectable classes" that included merchants, gentlemen, ladies, and children, as well as Native Americans. In 1874, the *Territorial Enterprise* reported that a young Native American woman had died in an opium den in Benton. The woman's tribe wanted the Chinese man who operated the den held responsible, but "the Chinaman got frightened and skipped."³⁷ Apparently, nothing came of the incident. Regarding children, in 1877, the *Virginia City Territorial Enterprise* claimed that the Chinese, "with the cunning of devils," deliberately lured young people into the opium dens. Further, Mary McNair Mathews commented that boys and girls, aged twelve to twenty, "are daily being ruined by this opium smoking."³⁸

Also that year in another, more sensational, story about the spread of opium smoking among Nevada's youth, the *Virginia City Evening Chronicle* reported an incident involving a fifteen-year-old girl found in a D Street brothel after a four-day absence from her home. The article explained that the girl had received smoking opium from the madam, Rose Benjamin, and was told to "sleep with men." Unbeknownst to the girl's family, she smoked opium regularly in Virginia City's Chinatown and in neighboring Gold Hill's opium dens. When confronted by her parents, the girl "did not seem to experience the slightest sense of shame," but did deny sleeping with men at Benjamin's bordello.³⁹ Apparently, the use of smoking opium by students was widespread enough for the *Reno Evening Gazette* to reprimand parents for failing to warn their children about the narcotic. The newspaper also argued that schools must teach their students about the evils of the drug because the parents did not.⁴⁰

The reasons for Nevadans' vehement objection to the use of smoking opium included the narcotic's alleged physical and behavioral side effects. The behavioral effects included insanity, crime, and moral degeneration. In a Victorian culture that held tightly to prescribed values, such as self-restraint in intimate behavior, these effects could be considered as deadly to a society as physical changes because they might alter the status quo.

Regarding insanity, an 1877 *Territorial Enterprise* article reported that the



Nevada State Mental Hospital in Reno, c. 1900s. (*Nevada Historical Society*)

Chinese “are preparing thousands for early graves, or worse still, to be inmates of hospitals and asylums, a burden to themselves and to their fellow-men”⁴¹ as a result of smoking the narcotic. The local hospital that the newspaper may have had in mind was the Nevada Insane Asylum. The institution’s complaint-and-commitment form asked if the person to be committed was “intemperate in the use of ardent spirits, wine, opium or tobacco in any form” and what the alleged cause of the insanity might have been. A number of Chinese were committed to the Nevada facility, including Ah Gon and China Love. Both of them, according to their complaint-and-commitment papers, were intemperate in the use of opium; however, the reasons for their stay at the asylum were listed as “not known” for Ah Gon and masturbation for China Love.⁴² Although it cannot be said with certainty that the two men used smoking opium, the likelihood of their smoking it was higher than the probability that they were taking medicinal opium. Medicinal opium required a prescription and, as Chinese doctors generally did not possess Nevada medical licenses, the odds of the men using medicinal opium were slight.

Institutionalized in the facility at the same time as China Love were two whites committed for “use of opium” and “excessive sexual excitement.” Joseph Kilpatrick, age seventy, was sent to the Nevada institution for “use of opium,” but because of his advanced age and possible medical conditions, he may have used medicinal opium. The other inmate was August McKay, age

twenty-six, the sexual excitement case.⁴³ It is possible that both Kilpatrick and McKay, who lived in Douglas and Ormsby Counties, respectively, may have visited Chinese opium dens as both counties contained a number of Chinatowns. Worthy of note, however, are the cases of China Love and August McKay, both institutionalized for problems related to sexual behavior. The opium/sexual issue, key to why many Nevadans favored Chinese exclusion and opposed smoking opium, will be discussed later.

Crime also resulted from smoking opium, according to some of the habit's opponents. Sociologist Alfred Lindesmith explained that in the nineteenth century the link between the use of smoking opium and crime developed because of the rapid spread of the narcotic into the white underworld. He noted that the drug did not cause the crime, but the desire to obtain funds to pay for it did.⁴⁴ Contemporary reports appear to support Lindesmith's findings. In 1877, the *New York Times* reported that in Nevada "a heavy hand should be laid on [the opium smokers] and their dissolute course checked for out of such material graduates the criminal element that vexes and disturbs society."⁴⁵ In 1878, the *Territorial Enterprise* also linked smoking opium and crime when it reported that a Chinese was murdered execution style for providing information leading to the arrest of four other Chinese men for selling opium.⁴⁶

Finally, smoking opium caused behavioral changes in a person that resulted in moral degeneration, according to contemporary thought. For example, in 1878, J. A. Dacus, author of *Battling with the Demon*, wrote that "there can be no question as to the deleterious effects of opium on the health and morals of the people. The scenes witnessed daily and nightly in the opium dens of San Francisco, Sacramento, and other places in California, and at Virginia City testify concerning the dreadful influence of this Indian drug."⁴⁷ The white citizenry blamed the Chinese for the moral degradation of those who sought the pipe's pleasures. From 1876 to 1880, the *Territorial Enterprise* frequently reported that opium smoking caused its users to lose all sense of morality. One story charged that smokers sink "to a level of degradation even lower than that of the pagan brutes with whom they daily and nightly herd."⁴⁸ In another, the paper wrote that "the most terrible evils which Chinese immigration are bringing to this coast are not to the industries, but, through opium and lewd women, to the morals and health of the people."⁴⁹ The newspaper's reporters apparently considered morality more important than industrial employment for white Americans. That concept is important, because twentieth century historians consider job and economic concerns as having been paramount in the anti-Chinese campaign; however, Victorian ideology may have caused the *Territorial Enterprise* to believe that without morality the industries of the United States would decline because of a dissipated work force.

Despite the rough and uncertain life in a mining state, many people in Nevada appeared to believe in the Victorian restraints that governed society on the East Coast. Because many of the state's residents originally came from the

East, it is reasonable to assume that they accepted these principles which included the belief that women exerted great influence over those who lived under their guidance. Numerous publications of the 1870s claimed that because women ruled the home, they were in a position to dictate society's moral behavior.⁵⁰ Therefore, if white women frequented Chinese opium dens, they might ultimately put American civilization in jeopardy by neglecting their familial responsibilities.

The consequences of visiting an opium den went further than just spending time away from home. If the women smoked opium, they might subject themselves to its physical side effects, the most devastating of which was the narcotic's alleged ability to heighten sexual desire. Victorians believed that women must remain pure and engage in intimate behavior as rarely as possible.⁵¹

The views of nineteenth-century physicians on opium smoking fit well within Victorian ideology and the medical knowledge of the era. Like those for 800 years before them, these doctors discussed the aphrodisiac power of opium in their studies of the medical uses of the narcotic. Even the Egyptians believed that opium made them "more potent in love."⁵² European and American doctors had long claimed that medicinal opium caused "a great promptitude to Venery, Erections, &c especially if the Dose be larger than ordinary." They also believed that if excessive amounts were taken the user might experience "venereal fury," "inclinations to venery," and "nocturnal pollutions."⁵³

Based on their beliefs about medicinal opium, the American medical community believed that smoking opium possessed a similar aphrodisiac power. It was a logical conclusion that opium for smoking contained qualities not unlike to the medicinal variety of the substance. Also, writings available to the medical community indicated that smoking the drug produced a heightened sexuality. For example, in 1842, G. H. Smith, a surgeon in Penang, reported that young men indulged in smoking opium because the "practice heightens and prolongs venereal pleasure," although eventually the habit led to impotence.⁵⁴ American research agreed with the doctor from Southeast Asia.

With the possibility that women smoked opium in Chinatown's opium dens also came the possibility of their engaging in extramarital relations with men encountered in the dens. That women might experiment with sex with white men was difficult enough for Victorians to consider, but the idea of white women having intimate relations with Chinese laborers and vice operators was nearly unthinkable. Dr. Kane claimed that a woman's sexual appetite "sometimes approaches to frenzy, the woman losing all modesty" when under the influence of smoking opium.⁵⁵ Because of that condition, Kane believed that male smokers eagerly seduced any female smoker they encountered in the den. He wrote that California and Nevada had passed laws against smoking opium specifically to prevent just such situations.⁵⁶

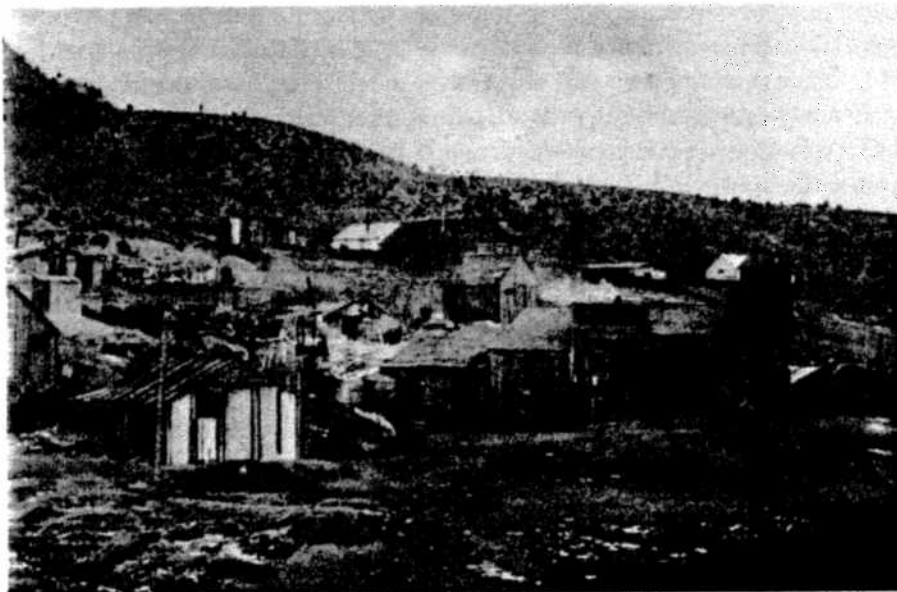
Kane's opinion that Nevada passed statutes and ordinances against the narcotic to maintain a high moral standard within the state may be reasonable.



George, (seated), a chef at the Depot Hotel in Elko, Nevada, 1892.
(Nevada Historical Society)

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Chinatown in Ely, Nevada, c 1900s. (*Nevada Historical Society*)



Belmont, Nevada, c 1920s. (*Nevada Historical Society*)

Frequently Nevada newspaper columns and state and local government representatives linked opium smoking with the downfall of a woman's virtue. While some opponents sought to ban the narcotic, others advocated prohibiting Chinese immigration in order to eliminate opium smoking.⁵⁷

The cessation of Chinese immigration, some thought, would end the import of smoking opium into the country because it was believed that Chinese were the principal importers. Opponents argued that if only the drug was banned, then smugglers would supply the opiate for use in the opium dens. They also argued that if Chinese immigration could be restricted, then not only would import theoretically decrease, but so would the competition from cheap labor. Although demands to end job competition dominated the appeals for Chinese exclusion, the actions and entreaties of the opponents of opium smoking contributed to the agitation for the passage of Chinese exclusion legislation.

Nevada's legislation restricting Chinese behavior began well before attempts to outlaw opium smoking. As early as 1859, the Gold Hill Mining District prohibited Chinese from holding a mining claim in the Gold Hill area. During the next three decades, local Nevada community ordinances prevented Chinese from living where they wanted, holding title to a mine, working on public projects, and marrying whomever they wished.⁵⁸ Except for the marriage laws, the majority of the acts were designed to prevent Chinese from gaining too much economic power within the community or to prevent them from, as some said, sending their earnings back to China without contributing anything to the local American economy beyond their labor.

Demands to abolish Nevada's opium-smoking dens began in the mid-1870s. In March 1876, the *Territorial Enterprise* claimed that it was "a burning shame to our civilization that there seems to be no practicable method of suppressing the nuisance" that turned many white men into "slaves to the habit."⁵⁹ In response to calls for ordinances against opium smoking, a number of communities approved legislation abolishing opium dens. Virginia City was the nation's first to do so in September 1876. "An Ordinance to Abolish Opium-Smoking Dens" prohibited people from keeping, maintaining, visiting, or contributing to the support of any location where people met to smoke opium. The establishments were also declared "nuisances." Violators of the ordinance were to receive a fine ranging from \$50 to \$500 and/or imprisonment for ten days to six months.⁶⁰ Carson City's 1877 Ordinance Number 48 virtually matched Virginia City's law.⁶¹ None of the ordinances directly outlawed smoking the narcotic; however, in theory, if the opium dens were illegal, then the substance would be difficult to procure.

Arrests under the new Nevada ordinances began shortly after the laws passed, but most of the opium dens opened again within a few weeks.⁶² Because of the re-establishment of the dens, the *Territorial Enterprise* reported that young people continued their visits on a regular basis despite the law and that the police did not do enough to eliminate the dens from the city. As a result, at

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a special meeting, the Virginia City Board of Police Commissioners decided to conduct random and unexpected raids on opium establishments still operating in Chinatown. Once the raids began, however, many of the dens allegedly received notice "through their spies," and police efforts to remedy the situation were therefore unsuccessful.⁶³ Another outcome of the Virginia City ordinance was the establishment of a number of new dens in Gold Hill, less than a mile from Virginia City. The *Territorial Enterprise* wondered if the Gold Hill marshal and trustees were ready for the additional "vicious characters" that might move to Gold Hill to avoid punishment under the Virginia City code.⁶⁴ Because the opium dens quickly reopened, many Nevadans sought stronger sanctions against the narcotic.

The Nevada state legislature took action soon after local communities began passing ordinances against smoking opium. Demands at the state level were similar to the calls for local antismoking laws. For example, the *Carson City Morning Appeal* editorialized that "it was high time that a stringent law was passed to forbid the opium traffic among our own kind."⁶⁵ Just as Virginia City had passed the nation's first city ordinance against opium smoking, Nevada became the first state or territory to enact a ban. Effective March 31, 1877, the statute made it illegal to use or possess opium and/or opium smoking equipment, unless through an apothecary and with a prescription. The statute made landlords responsible if anyone used smoking opium on their properties. The penalties matched those of Virginia City's ordinance calling for fines up to \$500 and/or a term in the Nevada State Prison of up to six months.⁶⁶ Two years later, the punishments were increased to \$1,000 and up to two years of imprisonment.⁶⁷ The *Morning Appeal* warned white smokers that "the social status of the offenders will not shield them from prosecution to the fullest extent of the law."⁶⁸ No white citizens spent time in the Nevada State Prison for violating the state's opium-smoking laws, but a few Chinese did.

The laws of Nevada attempted to prohibit the establishment of opium dens, but they did not initially address the issue of smoking opium itself. Perhaps the legislators and community representatives hoped that elimination of the dens would cause smoking to decline because smokers would be denied access to the dens, the equipment, and the camaraderie of their den friends, as well as the drug itself.

Although Nevada rapidly passed numerous ordinances and statutes that attempted to control the smoking of opium, enforcement of those regulations proved to be another matter. Nevadans complained that the laws were ineffective and that more stringent codes were needed to suppress opium smoking. Many of the concerns related to the fact that whites continued to frequent the opium resorts, rather than to the fact that the dens continued to exist. For example, in 1877, the *Tybo Weekly Sun* declared that the

laws have been enacted for the suppression of this traffic, yet we seldom hear of an

arrest being made. It may be that our officers are not aware that whites frequent these dens, yet the fact stares us in the face and cannot be denied. Earnest and decisive steps should be taken toward the suppression of the vice and the punishment of the heathen who who [sic] are engaged in the fearful traffic. Let severe measures be adopted and the sale of the drug will soon be suppressed.⁶⁹

In 1879, the *Reno Evening Gazette* voiced a similar opinion, asking readers, "Is the opium smoking clause of our statutes a dead letter, or are the Chinese of Reno above the law? The question will not be answered until the opium sellers are arrested."⁷⁰ Enforcement of the opium-smoking laws remained important to the citizens of Nevada, and many newspaper editorials began calling for more rigorous enforcement. As noted earlier, the legislature passed a new smoking law that doubled the fines, from \$500 to \$1,000 and quadrupled the prison sentence, raising it from six months to two years.⁷¹

The editorials responded to the new law in the same manner as they did to the earlier legislation. Because white men and women continued to frequent the opium dens of Nevada, the newspapers continued to voice dissatisfaction with the government's attempts to eliminate the narcotic. The possibility of penalties did not appear to deter habitués from going to the opium resorts. The *Carson City Morning Appeal* believed that unless every white person found smoking in the dens was arrested little would change in den life.⁷² Despite the changes in Nevada's opium laws, violations continued on a daily basis, with few arrests. Even if a person was taken into police custody, he or she could be released on bail until the court date.⁷³ That would allow the smoker to return to the den to continue smoking or to simply leave the area and avoid prosecution altogether.

By 1880, Nevada authorities were making little effort to enforce the anti-smoking statute because convicting a white man had proved almost impossible, as Chinese men could not legally testify against whites. Convictions against Chinese were also difficult to obtain because friends of the accused would lie for him to obtain a dismissal of the charges or to avoid prosecution in the first place, according to the *Territorial Enterprise*.⁷⁴ Opponents of the opium-smoking habit failed to consider that the drug addicted its users. Because of the nature of the narcotic, the reopening of dens or the establishment of new ones proved nearly inevitable.

Despite the difficulty of obtaining arrests for opium-smoking offenses, authorities convicted a number of Chinese and sentenced them to the Nevada State Prison for "violating the opium laws" or selling opium. The majority of those found guilty spent time in the state facility from 1879 to 1880, or just after Nevada's second opium-smoking statute became effective. For example, in 1879, the state courts found three Chinese guilty; their prison sentences varied between seven months and two years. The men's ages ranged from twenty-eight to sixty years, and their occupations were listed as miners or laundrymen. The following year, nine Chinese, including laundrymen, unemployed laborers, and

a physician, aged twenty-two to sixty, received prison sentences for up to two years for violating the antismoking law. Four of them served only two months of their eight-month sentences because they received reduced prison time for good behavior.⁷⁵ In the *Biennial Report of the Warden of the Nevada State Prison* for 1883, there were no new Chinese cases sentenced for opium-law violations; however, four men from the previous biennial report continued serving their prison time.⁷⁶ No white men or women spent time in the state correctional facility for violating the opium-smoking statutes.

Opium smoking did not stop once the men went to prison. Chinese inmates, and undoubtedly white prisoners serving time for nonopium-related crimes, were able to acquire opium and the habit from friends who smuggled the narcotic into the facility. In 1880, Ah Lung, a Chinese sentenced to two consecutive five-year terms for burglary, lost twenty days credit against his sentence because he was found with smuggled opium. Also in 1880, Ah Chuey, who was serving a life sentence for murder, had his tobacco privileges taken away because the guards caught him with opium.⁷⁷

A number of Chinese sentenced under Nevada law took their convictions to the Nevada Supreme Court in an attempt to get their sentences, as well as the state opium statute, overturned. Five cases involving the 1877 and 1879 opium statutes went before the court in 1880 and 1881. The 1877 act prohibited opium dens and the sale or disposal of opium, while the 1879 law added a section that outlawed the frequenting of places maintained for the purpose of smoking opium.⁷⁸ The five cases addressed two major issues. First, in 1880 Ah Sam, the defendant, said that the 1879 opium act covered too many points. He claimed that Nevada law prohibited a statute from concerning itself with more than one subject. Second, three 1881 cases challenged the law against selling opium, claiming that because opium could be legally imported into the United States, its sales should be legal anywhere in the country.

In four of the cases, the Nevada Supreme Court ruled in favor of the state, with the justices' written opinions largely concerned with the health and morality of the citizens of the state of Nevada. For example, in Ah Sam's 1880 case, the court decided that the 1879 statute did, in fact, cover only one subject and that was the suppression of opium dens. Justice C. J. Beatty wrote that the law restricted the sale of opium "in order to prevent its improper use as a means of intoxication, and such restriction of its sale has an obvious tendency to break up the establishments [opium dens] at which the law is aimed." The court upheld Ah Sam's sentence in the Nevada State Prison.⁷⁹

In the three other cases, the appellants claimed that opium should be considered property and that, as such, it had value and could be resold. Further, they claimed that because the opium was legally imported and the tariff fees paid, as a result, a contract existed between the United States and the opium importer that allowed the importer to dispose of the product as he saw fit. In all three cases, the court, represented by Justice J. Hawley, ruled that the opium

act did not interfere with the existing rights of property and that it did not conflict with the Nevada Constitution. Hawley claimed that the statute was correct because the state was responsible for the protection of its citizens and it should "promote the health and protect the morals of the community at large." Further, the justice wrote that opium tended "in a much greater degree to demoralize the persons using it, to dull the moral senses, to foster vice and produce crime, than the sale of intoxicating drinks. If such is its tendency, it should not have unrestrained license to produce such disastrous results." Finally, he declared that the state held the power to regulate opium's sale through such laws "as will mitigate if not suppress its evils to society."⁸⁰ The court upheld the prison sentences of the three Chinese.

The only case in which the court ruled in favor of the appellant was that of On Gee How, who claimed that the indictment authorizing his arrest was insufficient to warrant such action. The indictment noted that On Gee How went to number 4 South H Street in the City of Virginia; it did not, however, name the said location as a "place of resort," meaning that the document did not specify that number 4 South H Street was a known place to smoke opium. Justice Beatty ruled in 1880 that the indictment failed to describe the location as a place of resort, implying that the house might be a place of residence and not an opium den. As a result, the Supreme Court reversed the decision against On Gee How, and he was released from Nevada State Prison after a two-month incarceration.⁸¹

What makes the Supreme Court cases noteworthy is the fact that the Chinese cases could be heard at that level at all. Considering that Chinese could not testify against whites, for the Nevada Supreme Court to hear such a case, let alone overturn one as in the case of On Gee How, is especially interesting. Justice Beatty ruled in two of the cases, overturning one lower decision and sustaining the other. This indicates that the justice was willing to listen to the facts of the case and judge the statute on its own merits, and not simply uphold the lower court's decision because the appellant was Chinese.

If the decisions in the Supreme Court cases attempted to strengthen the campaign against smoking opium, they failed to achieve their goal. Opium use may have become more secretive and the den proprietors more cautious about their operations, but the dens continued to exist in Nevada. To remedy the situation, Nevada's opponents of opium smoking called for federal action.

The Nevada laws could regulate opium smoking only in the state, a relatively small geographic area. The eradication of smoking opium needed national legislation, some Nevadans claimed. In 1879, the *Reno Evening Gazette* demanded that federal officials "break up these vile resorts: arrest the Pagan vendors of the villanous [sic] stuff. Stop the traffic in men's souls, if every heaven has got to be run into the Pacific to do it."⁸² In 1881 even the *New York Times* said that Chinese immigration caused more harm to the United States "than would the entrance of a hostile army" because of the smoking opium

they sold in their dens.⁸³ A number of people in Nevada believed that Chinese immigration and opium smoking could both be eliminated at the same time if only the federal government would help.

The United States Congress responded to demands from Nevada that differed little from the demands for Chinese exclusion that were sent to Carson City or to Nevada's newspapers. On May 6, 1882, under pressure from anti-Chinese forces, President Chester A. Arthur signed the Chinese Exclusion Act. Nevada opinion praised Arthur's action saying that the president was "entitled to the thanks of the Pacific Coast people" and that "he has shown that he is in sympathy with his people, and fully recognizes the great danger to the country from a continued influx of Chinese."⁸⁴ The *Territorial Enterprise* wrote that now that the law had passed, "it will be the duty of every good citizen to unite in lessening the evils growing out of the presence of the Chinese already among us."⁸⁵

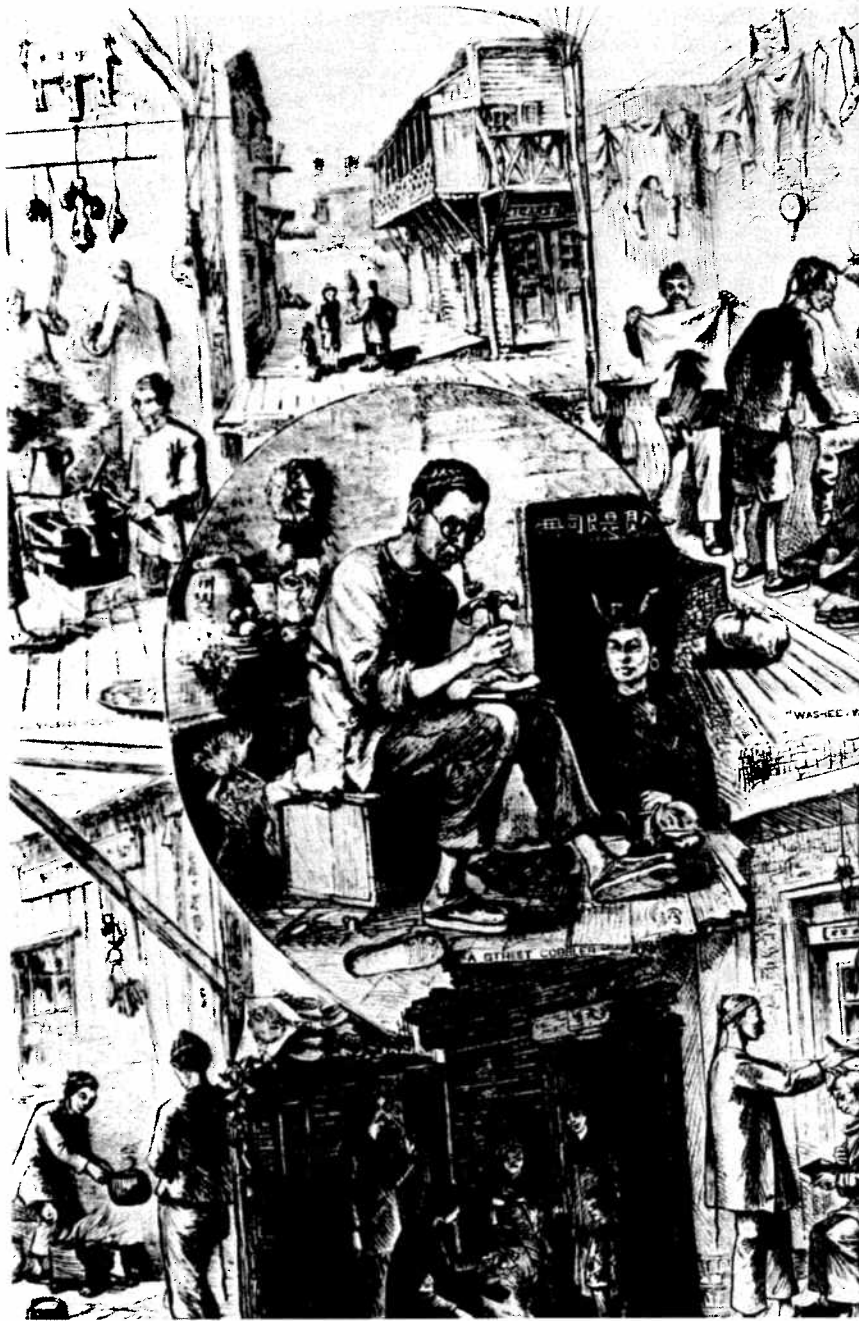
With the passage of the 1882 Chinese Exclusion Act and its 1902 extension, the number of Chinese in Nevada dwindled from 5,416 in 1880 to 927 in 1910.⁸⁶ Despite the reduced Chinese population in the state, complaints against them continued in the same tone as before. Opium smoking and its alleged challenge to good morals remained a central part of the recurring litany against the Chinese. Members of the Tuscarora Miners' Union No. 31 wrote Nevada's United States Senator William M. Stewart in 1901 that the Chinese "are a festering sore. We have seen the youth of this country enticed into their dens of vice and ruined morally and physically."⁸⁷ Arguments from the American Federation of Labor (AFL) the next year followed the same lines, claiming that the Chinese "would imperil every interest which the American people hold sacred for themselves and their posterity." Further, the AFL complained that the Chinese enticed pre-teenage white girls into opium dens and subjected them to evils "too horrible to imagine." The AFL continued that "it seems beyond human reason to remain indifferent to an evil so entirely destructive to our domestic ideals,"⁸⁸ calling to mind the central role white women played in the American Victorian household.

National efforts to end the legal entry of opium into the United States for recreational smoking purposes began with Nevada's complaints against the narcotic and culminated with the federal government's 1909 passage of "An Act to Prohibit the Importation and Use of Opium for Other than Medicinal Purposes." In seeking to pass the legislation, President Theodore Roosevelt's secretaries of state Robert Bacon (1909) and Elihu Root (1905-1909) favored a law that "would prove an important factor in the suppression of the evil in our country,"⁸⁹ according to Sereno Elisha Payne of the Congressional Committee on Ways and Means. Mr. Payne's comments sounded no different than remarks made thirty or forty years earlier.

The twentieth century saw numerous laws and amendments regulating opium smoking and the medicinal use of opium, and other narcotics in the

United States. The most important smoking opium legislation enacted after 1909 concerned the manufacture of smoking-opium within the country. In 1914, the federal government, in rhetoric reminiscent of earlier Nevadans, decided that the nation needed a new law to "regulate the manufacture of a dangerous product, lessening the evils to public health and to public morals which flow from commerce in the product."⁹⁰ This was the first time that no direct mention was made of the Chinese in discussing reasons to pass smoking-opium legislation. The fact that only around 60,000 Chinese remained in the United States by 1914 might be the reason Chinese were not mentioned in Congress's message when the legislature passed the new law.⁹¹

Unlike California, where the labor issue dominated calls for Chinese exclusion, Nevada based its decision for ending Chinese immigration on moral considerations. Even though Chinese use of drugs violated no laws prior to the Virginia City ordinance of 1876, Nevadans believed that the Chinese habit threatened the Victorian morality that accompanied the predominantly white male workers to Nevada. Neither federal Chinese exclusion laws nor local antismoking legislation ended opium's import or use in the United States. Smuggling undoubtedly increased after the 1909 legislation, but use of opium began to decline as the legal importation ended and because some white and Chinese smokers switched to other, less expensive, narcotics. For the most part, smoking opium's use was confined to those on the fringes of Nevada society, such as prostitutes, gamblers, smugglers, and den operators. But occasionally, the middle and elite classes smoked as well. It was primarily their use that concerned government officials and the population of the state.



Lithograph of Chinese Quarter in Virginia City, Nevada, 1877 from *Harper's Weekly*, December 29, 1877. (Drawn by W. A. Rogers from sketches by C. L. Sears)

NOTES

¹"The Death Smoke," *Reno Daily Nevada State Journal*, 8 August 1876, p. 1:1.

²"Opium Smoking: The Hideous Heathen Vice in Our Midst," *Reno Evening Gazette*, 21 February 1879, p.3:3.

³"The Opium Law," *Winnemucca Daily Silver State*, 24 November 1879, p. 3:2.

⁴"Opium Smoking: Hideous Heathen Vice."

⁵For the traditional exclusion arguments see, for example, Mary Roberts Coolidge, *Chinese Immigration* (New York: Henry Holt and company, 1909; rpt. New York: Amo Press and *New York Times*, 1969), 180; Elmer Clarence Sandmeyer, "The Anti-Chinese Movement in California," *Illinois Studies in the Social Sciences*, 24:3 (1939), 11, 25, 35; Rose Hum Lee, *The Chinese in the United States of America* (Hong Kong: Hong Kong University Press, 1960), 12, 73; Stuart Creighton Miller, *The Unwelcome Immigrant: The American Image of the Chinese, 1785-1882* (Berkeley: University of California Press, 1969) 189, 201-2; Sue Fawn Chung, "A Brief History of the Chinese in Nevada," *The Chinese-American Experience: Papers from the Second National Conference on Chinese American Studies*, 1980 (San Francisco: The Chinese Historical Society of America and The Chinese Cultural Foundation of San Francisco, 1984), 189; Russell R. Elliott, *The History of Nevada*, 2nd ed. (Lincoln: University of Nebraska Press, 1987), 166; Ronald Takaki, *Strangers from a Different Shore: A History of Asian Americans* (New York: Penguin Books, 1989), 110-12.

For an opposing view, see one of the latest works on Chinese exclusion, Andrew Gyory, *Closing the Gate: Race, Politics, and the Chinese Exclusion Act* (Chapel Hill: University of North Carolina Press, 1998). Gyory argues that few Americans, including laborers, wanted to ban Chinese immigration. Instead, politicians favored the exclusion legislation simply to garner votes based on ethnic animosities. With the exception of California, Gyory's research included few western sources. Considering that most Chinese lived and worked in the West, the omission of western views, especially labor's, is significant. Gyory's argument may be valid for the East, but he does not prove it for the West.

⁶Stanford Morris Lyman, *Chinatown and Little Tokyo: Power, Conflict and Community Among Chinese and Japanese Immigrants in America* (Millwood, N.Y.: Associated Faculty Press, Inc., 1986), 42-47.

⁷Gregory Yee Mark, "Political, Economic, and Racial Influences on America's First Drug Laws" (Ph.D. diss., University of California, Berkeley, 1978).

⁸Lyman, *Chinatown and Little Tokyo*, 47.

⁹Ira M. Condit, *The Chinaman as We See Him and Fifty Years of Work for Him* (Chicago: Missionary Campaign Library, 1900), 15; Daniel Cleveland to J. Ross Browne, 23 July 1868, George Kenyon Fitch Papers, Box 1, no. C-B761, Bancroft Library, University of California, Berkeley; Sharon Lowe, "The 'Secret Friend': Opium in Comstock Society, 1860-1887," in Ronald M. James and C. Elizabeth Raymond, eds., *Comstock Women: The Making of a Mining Community* (Reno: University of Nevada Press, 1998): 96; Sharon Lowe, "Pipe Dreams and Reality: Opium in Comstock Society, 1860-1887," *Nevada Historical Society Quarterly*, 36:3 (Fall 1993), 178-79.

¹⁰See, for example, *San Francisco Chronicle*, 4 April 1876, Bancroft Scraps, Chinese Clippings, no. F851 .7B2, Bancroft Library, University of California, Berkeley; Josiah Strong, *Our Country: Its Possible Future and Its Present Crisis* (New York: The Baker and Taylor Co., 1891), 44; *idem*, *The Times and Young Men* (New York: The Baker and Taylor Co., 1901), 121.

¹¹Barbara Welter, "The Cult of True Womanhood, 1820-1860," *American Quarterly*, 18 (Summer 1986), 152, 174.

¹²Russell M. Magnaghi, "Virginia City's Chinese Community, 1860-1880," *Nevada Historical Society Quarterly*, 24 (Summer 1981), 131, 150.

¹³Census of the Inhabitants of the State of Nevada, 1875, Vol. 2, Tenth United States Census, 1880; Carolyn Grattan-Aiello, "The Chinese Community of Pioche, 1870-1900," *Nevada Historical Society Quarterly*, 39:3 (Fall 1996), 206.

¹⁴Dan De Quille [William Wright], *The Big Bonanza: An Authentic Account of the Discovery, History, and Working of the World-Renowned Comstock Lode of Nevada* (San Francisco: A. L. Bancroft and Company, 1877; rpt. Las Vegas: Nevada Publications, n.d.), 291, 388; Mark Twain, *Roughing It* (Hartford, Conn: American Publishing Company, 1875), 395-7; Walter Van Tilburg Clark, ed.,

The Journals of Alfred Doten (Reno: University of Nevada Press, 1973), 28 June 1865, 839; 3 October 1865, 866-87.

¹⁵Mary McNair Mathews, *Ten Years in Nevada or, Life on the Pacific Coast* (Buffalo: Barker, Jones and Company, Printers and Binders, 1880; rpt. Lincoln: University of Nebraska Press, 1985), 249.

¹⁶Grace Greenwood, *New Life in New Lands: Notes of Travel* (New York: J. B. Ford and Company, 1873), 175, 173.

¹⁷"The Chinese," *Virginia City Territorial Enterprise*, 18 February 1860, 2:2.

¹⁸"Opium Smoking," *Theriaki: A Magazine Devoted to the Interests of Opium Eaters*, 2:1 (July 1873), 18.

¹⁹H. H. Kane, "Opium Smoking: A New Form of the Opium Habit amongst Americans," *Gaillard's Medical Journal*, 33:2 (February 1882), 103; "Asia's Deadly Drug," *Tybo Weekly Sun*, 3 May 1879, pp. 1:1-2.

²⁰"Opium Smoking: Hideous Heathen Vice."

²¹Kane, "Opium Smoking: New Form," 107; H. H. Kane, "American Opium-Smokers," *Harper's Weekly*, 25:1292 (24 September 1881): 647.

²²H. H. Kane, *Opium-Smoking in America and China: A Study of its Prevalence and Effects, Immediate and Remote, on the Individual and the Nation* (New York: G. P. Putnam's Sons, 1882), 8-9, 70-71.

²³"A Ramble through Chinatown," *Pioche Daily Record*, 4 December 1872, p. 3:3; *Tuscarora Times-Review*, 17 November 1880, 3:2; "Opium Smoking," *Virginia City Territorial Enterprise*, 8 March 1881, p. 3:3.

²⁴See, for example, *Virginia City Evening Chronicle*, 15 February 1876, p. 2:2; "Opium Smoking: Hideous Heathen Vice."

²⁵See, for example, *Virginia City Territorial Enterprise*, 28 July 1874, p. 3:2; Nathan Allen, *An Essay on the Opium Trade: Including a Sketch of Its History, Extent, Effects, etc., as Carried on in India and China* (Boston: John P. Jewett and Company, 1850), 18-21. In 1842, opium dens in Penang also resembled dens in China and the later ones in the United States. See, for example, G. H. Smith, "Abstract of a Paper on Opium-Smoking in Penang," in S. Wells Williams, *Chinese Repository*, Vol. XI, July 1842 (Canton: Printed for the Proprietors, 1842; rpt. Vaduz: Kraus Reprint Ltd., n.d.), 588-9. For a description of a modern Singapore opium den, see, for example, "Inside a Singapore Opium Den," *South China Morning Post* (Hong Kong), 4 October 1992, p. 5.

²⁶*Virginia City Territorial Enterprise*, 28 July 1874, p. 3:2. See also De Quille, *Big Bonanza*, 295-6.

²⁷For lists of opium-smoking equipment, see De Quille, *Big Bonanza*, 295; Kane, *Opium-Smoking in America and China*, 33-35; "Opium Smoking," *Theriaki*, 18.

²⁸H. H. Kane, "American Opium-Smokers," *Harper's Weekly*, 25:1294 (8 October 1881): 683; Virgil G. Eaton, "How the Opium-Habit Is Acquired," *The Popular Science Monthly*, 33 (September 1888), 684.

²⁹See, for example, Clark, *Journals of Alfred Doten*, 887; Bingham Dai, *Opium Addiction in Chicago* (Montclair, N.Y.: Patterson Smith, 1978; rpt. of 1937 study), 146-49.

³⁰"The Opium Smokers' Outfit," *Winnemucca Daily Silver State*, 2 October 1879, p. 3:2.

³¹Twain, *Roughing It*, 395.

³²See, for example, Kane, *Opium-Smoking in America and China*, 41-43. His description is detailed enough to serve as instructions for the opium smoking process.

³³*Virginia City Evening Chronicle*, 15 February 1876, p. 2:2; 19 January 1876, p. 3:2-3; Kane, "Opium Smoking: New Form," 107.

³⁴*Virginia City Evening Chronicle*, 19 January 1876; 15 February 1876; *Reno Evening Gazette*, 5 March 1881.

³⁵Kane, *Opium Smoking in America and China*, 1; *Virginia City Evening Chronicle*, 31 March 1875, p. 3:2; *ibid.*, 8 June 1875, p. 3:2.

³⁶"Opium Smoking in Nevada," *New York Times*, 29 July 1877, p. 10:6; "Opium Smoking," *Carson City Morning Appeal*, 2 April 1879, p. 3:2.

³⁷"Death Smoke"; Kane, *Opium Smoking in America and China*, 72; *Virginia City Territorial Enterprise*, 11 September 1874.

³⁸"Chinese Vices," *Virginia City Territorial Enterprise*, 7 April 1877, p. 2:1; Mathews, *Ten Years in Nevada*, 259. See also *Virginia City Evening Chronicle*, 10 February 1876, p. 2:1.

³⁹"In the Cradle of Hell," *Virginia City Evening Chronicle*, 9 July 1877, p. 3:4-5.

⁴⁰*Reno Evening Gazette*, 18 February 1881.

- ⁴¹"Chinese Vices."
- ⁴²Complaint-and-Commitment Papers of Ah Gon, 17 February 1887, and Complaint-and-Commitment Papers of China Love, 15 May 1878, Nevada Mental Health Institute, Vol. 2,164, 58, Nevada State Library and Archives, Division of Archives and Records, Carson City.
- ⁴³"Biennial Report of the Nevada Insane Asylum, 1877-1878," 10-12, *Appendix to the Journals of the Senate and Assembly, Ninth Session, Legislature, 1877-1878*.
- ⁴⁴Alfred Lindesmith, *Opiate Addiction* (Bloomington, Ind: Principia Press, Inc., 1947), 181, 188.
- ⁴⁵"Opium Smoking in Nevada."
- ⁴⁶"Pacific Coast Brevities," *Virginia City Territorial Enterprise*, 22 January 1878, p. 2:4. The idea that opium smoking and crime are connected continues into the present. See, for example, "Vietnam: The Prevention of Opium Plant Cultivation," *Saigon Times Daily*, 3 April 1997, which claimed that opium leads to crime as well as political instability.
- ⁴⁷Joseph A. Dacus, *Battling with the Demon; or The Progress of Temperance* (St. Louis: J. W. Marsh, Publisher, 1878), 587.
- ⁴⁸"Opium Smokers," *Virginia City Territorial Enterprise*, 8 March 1876, p. 2:3.
- ⁴⁹"Chinese Vices."
- ⁵⁰See, for example, Catharine E. Beecher and Harriet Beecher Stowe, *Principles of Domestic Science; as applied to the Duties and Pleasures of Home* (New York: J.B. Ford and Company, 1871); Elizabeth Blackwell, *Counsel to Parents on the Moral Education of Their Children* (New York: Bretano's Literary Emporium, 1879); Alex M. Gow, *Good Morals and Gentle Manners for Schools and Families* (Cincinnati: Wilson, Hinkle & Co., 1873).
- ⁵¹David J. Pivar, *Purity Crusade: Sexual Morality and Social Control, 1868-1900* (Westport, Conn: Greenwood Press, Inc., 1973), 258; Estelle B. Freedman, "Sexuality in Nineteenth-Century America: Behavior, Ideology, and Politics," *Reviews in American History*, 10:4 (December 1982), 201-2.
- ⁵²See, for example, Nicholas Culpeper, *The English Physician Enlarged* (England[?]: n.p., 17—), 237; John Jones, *The Mysteries of Opium Reveald* (London: Printed for Richard Smith at the Angel and Bible without Temple-Bar, 1700), 24-25, 29, 31; D. Balthasar Ludevicus Tralles, "Opium Stimulates the Sexual Impulses," 1757, notes on the history of opium, collected in research for the book *The Opium Problem*, Mildred Pellens Papers, MS C147, National Library of Medicine, Bethesda, Maryland.
- ⁵³Culpeper, *The English Physician Enlarged*, 237; Jones, *Mysteries of Opium Reveald*, 24-25, 29, 31; Tralles, "Opium Stimulates the Sexual Impulses."
- ⁵⁴G. H. Smith as quoted in Williams, *Chinese Repository*, 588.
- ⁵⁵Kane, "Opium Smoking: New Form," 112.
- ⁵⁶Kane, *Opium-Smoking in America and China*, 131-32; Kane, "Opium Smoking: New Form," 112. See also Charles Warrington, "Opium-Smoking in Chicago," *Chicago Medical Journal and Examiner*, 52 (February 1886), 111; H. H. Kane, "Opium Smoking from a Medical Standpoint," *Medical Gazette*, 9 (1881), 28; Kane, *Opium-Smoking in America and China*, 8.
- ⁵⁷"Slaves to Opium," *New York Daily Tribune*, 19 June 1881, p. 7:1-2; "Topics in the Sagebrush," *New York Times*, 21 February 1881, p. 1:7-2:2; Charles H. Brent, "Report on Opium," c. 1900, Papers of Charles H. Brent, Box 40, Manuscripts Division, Library of Congress, Washington, D.C..
- ⁵⁸Magnaghi, "Virginia City's Chinese Community," 155; F. M. Huffaker and J. P. Flanningham, compilers, *Ordinances of the City of Virginia and Town of Gold Hill, Storey County, Nevada* (Virginia, Nevada: William Sutherland, 1888), 71; J. H. Graham, *Revised Ordinances of the City of Virginia, County of Storey, State of Nevada* (Virginia, NV: Enterprise Steam Printing House, 1878), 114-15; Russell R. Elliott, *History of Nevada*, 166,168. See, for example, Chapters XVIII and XXVIII, *Statutes of the State of Nevada, Fifth Session, Legislature, 1871* (Carson City: Charles L. Perkins, State Printer, 1871), 62-63, 78, 152-53; Assembly Bill no. 23, 1879, Nevada Legislature, Assembly and Senate, Nevada State Library and Archives, Division of Archives and Records, Carson City; Henry C. Cutting, *Compiled Laws of Nevada in Force from 1861 to 1900* (Carson City: Andrew Maute, 1900), Secs. 5004-5006; *Statutes of the State of Nevada, Ninth Session, Legislature, 1879* (San Francisco: A. L. Bancroft and Company Printers, 1879), 81; Cutting, *Compiled Laws*, Sec. 2725, Chapter XXXII, An Act to Prohibit Marriages and Cohabitation of Whites with Indians, Chinese, Mulattoes, and Negroes, 28 November 1881; *Laws of the Territory of Nevada, First Regular Session, Legislative Assembly, 1861* (San Francisco: Valentine & Co., 1882), 93-94.
- ⁵⁹"Opium Smokers," *Virginia City Territorial Enterprise*, 8 March 1876, p. 2:3.

⁶⁰Graham, *Revised Ordinances of the City of Virginia*, 116. The ordinance passed on September 12, 1876. Despite San Francisco's larger Chinese population and greater number of opium dens, San Francisco did not pass an ordinance against opium dens until November 8, 1878. It outlawed the keeping, maintaining, and visiting of opium dens. Interestingly, the ordinance failed to provide punishments for violators. See Order No. 1471, "Persons Prohibited from Keeping or Visiting any Place, House or Room where Opium is Smoked," *General Orders of the Board of Supervisors Providing Regulations for the Government of the City and County of San Francisco and Ordinances of Park Commissioners* (San Francisco: W. M. Hinton and Co., Printers, 1878), 34.

⁶¹"Ordinance no. 48," *Carson City Morning Appeal*, 1 March 1879, p. 4:4. The ordinance became effective on June 12, 1877.

⁶²See, for example, *Virginia City Evening Chronicle*, 30 July 1877, p. 3:5; "Opium Law."

⁶³"An Opium Den Raided," *Virginia City Territorial Enterprise*, 1 April 1879, p. 3:4; "Police Commissioners: A Special Meeting of the Board Last Evening—A Raid to be Made on the Opium Dens," *ibid.*, 3 April 1879, p. 3:2-3; "The Opium Dens," *ibid.*, 8 April 1879, p. 3:4.

⁶⁴*Virginia City Territorial Enterprise*, 22 April 1877, p. 3:4.

⁶⁵"The Opium Vice," *Carson City Morning Appeal*, 12 April 1879, p. 3:1.

⁶⁶*Statutes of the State of Nevada, Eighth Session, Legislature, 1877* (Carson City: John J. Hill, State Printer, 1877), 69-70. The statute was approved by the legislature on February 9, 1877.

⁶⁷*Statutes of the State of Nevada, Ninth Session, Legislature, 1879*, 121-22; "A Warning to Opium Smokers," *Carson City Morning Appeal*, 16 April 1879, p. 3:2. The legislature approved the law on March 8, 1879.

⁶⁸"Notice to Opium Smokers," *Carson City Morning Appeal*, 30 April 1879, p. 3:1.

⁶⁹*Tybo Weekly Sun*, 24 November 1877, p. 3:2.

⁷⁰"Opium Smoking," *Reno Evening Gazette*, 4 April 1879, p. 3:3.

⁷¹Chapter CXVI, "An Act to Regulate the Sale or Disposal of Opium, and to Prohibit the Keeping of Places of Resort for Smoking or Otherwise Using That Drug," *Statutes of the State of Nevada, Ninth Session, Legislature, 1879*, 121-22; "Opium Smoking," *Carson City Morning Appeal*, 9 April 1879, p. 3:2.

⁷²"Opium Smoking," *Carson City Morning Appeal*, 5 May 1879, p. 3:1; "Opium Smokers," *Carson City Morning Appeal*, 20 May 1879, p. 3:2.

⁷³"The Opium Cases," *Winnemucca Daily Silver State*, 25 October 1879, p. 3:2; "Three Chinamen Indicted," *Virginia City Territorial Enterprise*, 11 September 1879, p. 3:2; 16 July 1880, p. 2:3.

⁷⁴"It Should Be Stopped," *Virginia City Territorial Enterprise*, November 24, 1880, p. 2:3.

⁷⁵Biennial Report of the Warden of the Nevada State Prison, 1879-1880, *Appendix to the Journals of the Senate and Assembly, Tenth Session (1881)*. For other years, see, for example, *Biennial Reports of the Wardens of the Nevada State Prison, Appendix to the Journals of the Senate and Assembly; idem, Sixth Session, 1871-1872, idem, Seventh Session, 1873-1874, idem, Eighth Session, 1875-1876, idem, Ninth Session, 1877-1878, and idem, Twelfth Session, 1883-1884*.

⁷⁶Biennial Report of the Warden of the Nevada State Prison, 1881-1882, *Appendix to the Journals of the Senate and Assembly, Eleventh Session (1883)*.

⁷⁷Case no. 0024, Ah Lung, Inmate Case Files, Box 0002 (1874), Nevada State Prison, Nevada State Library and Archives, Division of Archives and Records, Carson City; Case no. 0093, Ah Chuey, Inmate Case Files, Box 0005 (1879), Nevada State Prison, Nevada State Library and Archives, Division of Archives and Records, Carson City. In 1892, Ah Chuey received a pardon from the governor as a result of new evidence regarding his case.

⁷⁸"An Act to Regulate the Sale or Disposal of Opium, and to Prohibit the Keeping of Places of Resort for Smoking, or Otherwise Using That Drug," approved February 9, 1877, *Statutes of the State of Nevada, Eighth Session, Legislature, 1877*, 69-70; "An Act Amendatory and Supplementary of an Act Entitled 'An Act to Regulate the Sale or Disposal of Opium, and to Prohibit the Keeping of Places of Resort for Smoking or Otherwise Using That Drug,' approved February Ninth, Eighteen Hundred and Seventy-seven," approved March 8, 1879, *Statutes of the State of Nevada, Ninth Session, Legislature, 1879*, 121-22.

⁷⁹*State of Nevada v. Ah Sam*, No. 1002, January 1880, *Reports of Cases Determined in the Supreme Court of the State of Nevada, during 1880*, Vol. XV (San Francisco: A. L. Bancroft and Company, 1881), 27-33.

⁸⁰*State of Nevada v. Ah Chew*, no. 1047, January 1881, *Reports of Cases Determined in the Supreme*

Court of the State of Nevada, During the Year 1881-82, Vol. 16 (San Francisco: Bancroft-Whitney Co., 1911), 51-61. See also *State of Nevada v. Ah Gonn*, no. 1040, January 1881, *Reports of Cases Determined in the Supreme Court of the State of Nevada, during the Year 1881-82*, 61-62; *State of Nevada v. Ching Gang*, no. 1046, January 1881, *Reports of Cases Determined in the Supreme Court of the State of Nevada, during the Year 1881-82*, 62-63. In Ching Gang's case, it was also noted that he was a doctor and as a result should be allowed to deal in opium. The court ordered that he must prove he was a doctor according to Nevada statute. As he could not meet the Nevada code for being a physician, the court upheld his sentence finding him guilty of distributing opium.

⁸¹*State of Nevada v. On Gee How*, no. 1021, April 1880, *Reports of Cases Determined in the Supreme Court of the State of Nevada, during 1880*, Vol. XV, 184-187.

⁸²"Opium Smoking: Hideous Heathen Vice."

⁸³"Topics in the Sagebrush."

⁸⁴"Signed the Bill," *Reno Daily Nevada State Journal*, 7 May 1882, p. 2:1.

⁸⁵"The Law of the Land," *Virginia City Territorial Enterprise*, 10 May 1882, p. 2:1.

⁸⁶*Twelfth Census of the United States; Fourteenth Census of the United States*.

⁸⁷W. J. Plumb, A. L. Anderson and J. C. Doughty, *Tuscarora Miners' Union no. 31*, to Hon. W. M. Stewart, 25 November 1901, William Morris Stewart Papers, File 10, Box 6, Nevada Historical Society, Reno.

⁸⁸American Federation of Labor, *Some Reasons for Chinese Exclusion. Meat versus Rice. American Manhood against Asiatic Coolieism. Which Shall Survive?* (Washington, D. C.: Government Printing Office, 1902), 30, 22. See also *Some Reasons for Chinese Exclusion*, 57th Cong., 1st Sess., 1902, S. Doc. 137.

⁸⁹*Prohibiting the Importation and Use of Opium for Other than Medicinal Purposes*, 60th Cong., 2nd Sess., 1909, H. Rpt. 2003.

⁹⁰*Manufacture of Smoking Opium*, 63rd Cong., 1st Sess., 1913, 5. Rpt. 130; see also "Chapter 1—An Act Regulating the Manufacture of Smoking Opium within the United States, and for Other Purposes," *Statutes at Large of the United States of America*, Vol. 38 (Washington, D.C.: Government Printing Office, 1915).

⁹¹In 1910, approximately 67,000 Chinese remained in the United States, and in 1920, the Fourteenth United States Census listed only 54,000 Chinese in the country.

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