

LAWS OF THE STATE OF CALIFORNIA, 1855, page 217

CHAPTER CLXXV [175].

AN ACT

To punish Vagrants, Vagabonds, and Dangerous and Suspicious Persons.

[Approved April 30, 1855.]

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

SECTION 1. All persons except Digger Indians¹, who have no visible means of living, who in ten days do not seek employment, nor labor when employment is offered to them, all healthy beggars, who travel with written statements of their misfortunes, all persons who roam about from place to place without any lawful business, all lewd and dissolute persons who live in and about houses of Ill-Fame; all common prostitutes and common drunkards may be committed to jail and sentenced to hard labor for such time as the Court, before whom they are convicted shall think proper, not exceeding ninety days.

SEC. 2. All persons who are commonly known as "Greasers"² or Disarming of the issue of Spanish and Indian blood, who may come within the provisions of the first section of this Act, and who go armed and are not known to be peaceable and quiet persons, and who can give no good account of themselves, may be disarmed by any lawful officer, and punished otherwise as provided in the foregoing section.

SEC. 3. It shall be the duty of any Justice of the Peace, on Duty of Justice. knowledge or on written complaint from any creditable person of the State, to issue his warrant to apprehend such person or persons, and upon due conviction to send such person or persons to jail, as prescribed in section first of this Act; and on a second conviction for Second the same offense any offenders may be sentenced to the County Jail for such additional time as the Court may deem proper, not exceeding one hundred and twenty days; and in case of a conviction for either of the offenses aforesaid, an appeal may be taken to the Court of Sessions, in the same manner as provided for by law in criminal cases in this State.

1 Digger Indians was not defined by the statute but by common usage at the time referred to the indigenous natives, or, in modern parlance, Native Americans.

2 Greasers was not defined by the statute but by common usage at the time was a racial slur referring to the residents of California from the time when it was a part of Mexico or a Spanish colony. In modern parlance we would say Hispanic. There is no conclusive explanation of the source of the term but it was often associated with darker skin. Those Hispanic people with substantially fair skin (more of Spanish origin rather than indigenous people) were not commonly degraded as Greasers.

SEC. 4. The keeper of the Jail or such other person, as the Sheriff of the county may appoint, shall be master or keeper of such prisoners after conviction and shall employ them at any kind of labor that the Board of Supervisors of the county may direct, and each and every person so convicted, shall be secured whilst employed outside of the County Jail, by ball and chain of sufficient weight and strength to prevent escape.

SEC 5. When the Board of Supervisors of the county shall be of opinion that any person, who may have been committed under the provisions of this Act, has so conducted himself or herself, whilst so confined or employed, that he or she should be no longer held, said Board of Supervisors may discharge such person from confinement, upon his paying what may remain due of the costs of prosecution and commitment, including his support whilst so confined, or upon giving bond with two or more good and sufficient sureties in the sum of five hundred dollars for future good behavior; provided, that the Board of Supervisors shall have power to discharge any person committed under the provisions of this Act without such conditions, when the health of said person is such as to require his or her discharge.

SEC. 6. This Act shall go into effect thirty days after its passage.