

San Francisco's Own Rosa Parks

by Elaine Elinson

When young Charlotte Brown refused a San Francisco streetcar conductor's demand to disembark because "colored persons were not allowed to ride," she faced a social climate almost as hostile as Rosa Parks did in Montgomery, Alabama in 1954.

But Brown's challenge came almost a century earlier — on April 17, 1863.

The African American population of San Francisco was only 1,176. Men outnumbered women six to one.

The Civil War was raging. News of the Emancipation Proclamation had not yet reached most slaves. Suffrage for women in California would take another half century.

San Francisco had the largest black population in the state. Yet African Americans in the city were prohibited from using the public library and were forced to attend segregated schools.

In this repressive climate, where did Charlotte Brown find the courage to stand up for her rights? Perhaps from her mother — for whom she was named — who had been born a free woman in Baltimore. Working as a seamstress, the elder Charlotte bought the freedom of her husband, James a former slave. When the family moved to San Francisco, James opened a stable and in 1855 cofounded *Mirror of the Times*, the first African American newspaper in the Bay Area.

As the sun was setting on that April evening in 1863, Brown set out for a doctor's appointment on Howard Street. She boarded the horse-drawn Omnibus Railroad streetcar on Filbert Street and took a seat midway down the car. When the conductor came around to collect tickets, Brown wrote, "I handed him my ticket and he refused to take it. He said that colored persons were not allowed to ride" He ordered her off the streetcar.

Brown told the conductor she "had a great ways to go and I was later than I ought to be," and would not move. He took hold of her and forced her off the car.

Brown's father — who had helped protect fugitive slaves seeking freedom in California — encouraged his daughter to fight the outrage in court. Just that year, a law had been passed in the state Legislature allowing blacks to testify in cases involving whites.

The Omnibus Railroad justified its conductor's action by arguing that racial segregation was necessary to protect white women and children who might be "fearful or repulsed" by the prospect of riding side-by-side with an African American. The judge sided with Brown, but the victory was diminished by the paltry award: he ordered her reimbursed five cents — the streetcar fare.

Within days of the judgment, however, another conductor forced Brown and her father from a streetcar. Undaunted, the young woman brought another lawsuit. In October 1864, Judge C.C. Pratt of the Twelfth District Court ruled that San Francisco streetcar segregation was illegal. In his opinion, he stated:

"It has been already quite too long tolerated by the dominant race to see with indifference the Negro or mulatto treated as a brute, insulted, wronged, enslaved, made to wear a yoke, to tremble before white men, to serve him as a tool, to hold property and life at his will, to surrender to him his intellect and conscience, and to seal his lips and belie his thought through dread of the white man's power."

A jury awarded Brown \$500.

The decision generated much negative press in the San Francisco papers, including ugly caricatures of black women and scathing editorials chastising Judge Pratt. And despite the legal victory, African Americans in the city often still walked to their destinations because streetcar drivers refused to stop for them or they were forced off the cars by conductors who ignored the court ruling.

It took several more lawsuits, including the one by Mary Ellen Pleasant, the fugitive slave who became known as the mother of civil rights in California, before the state Supreme Court ruled in 1868 that the streetcar company's exclusion based on race was unlawful.

Charlotte Brown's name is not found in our history books — she is truly an unsung heroine. But Californians should celebrate the courage and tenacity of young Charlotte Brown who — without the backing of Fourteenth Amendment, a national civil rights

movement, or even the right to vote – took a stand for racial justice on the streets of San Francisco.

Elaine Elinson is coauthor of “Wherever There’s a Fight: How Runaway Slaves, Suffragists, Immigrants, Strikers, and Poets Shaped Civil Liberties in California,” which won a Gold Medal in the 2010 California Book Awards. A San Francisco writer, Elinson loves to hear stories of our unsung heroes and heroines.