



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Appropriateness Case Report

HEARING DATE: FEBRUARY 21, 2018

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Filing Date: December 5, 2017
Case No.: **2017-015491COA**
Project Address: **Fulton Street Right-Of-Way**
Historic Landmark: Civic Center Landmark District
Zoning: P (Public)
80-X Height and Bulk District
Block/Lot: Between Blocks 0353 and 0354
Applicant: Allison Cummings
San Francisco Arts Commission
401 Van Ness Ave., Suite 325
San Francisco, CA 94102
allison.cummings@sfgov.org
Staff Contact Eiliesh Tuffy - (415) 575-9191
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Reviewed By Tim Frye - (415) 575-6822
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PROPERTY DESCRIPTION

PIONEER MONUMENT - FULTON STREET right-of-way, between Hyde and Larkin Streets, between Assessor's Block 0353 and Block 0354. Dedicated in 1894 and sculpted by the artist Frank H. Happersberger, the Pioneer Monument is a sculptural installation that was originally installed at the intersection of Hyde and Grove Streets, but was relocated in 1993 to its present location in the Fulton Street right-of-way on axis with City Hall. The monument consists of 5 separate freestanding bronze sculptures: a large central figure and 4 surrounding figural sculptures, each of which is mounted onto an ornamental granite base. Bronze lettering identifies the names of the four figural sculptures surrounding the central figure. The monument is surrounded by a low metal fence on a landscaped island in the center of Fulton Street.

The monument is located in a P (Public) Zoning District and an 80-X Height and Bulk District. It is within the boundaries of the Civic Center Landmark District, which is listed as a National Historic Landmark. The monument was determined to be a character-defining feature of the district as part of the *Civic Center Historic District Cultural Landscape Inventory* that was adopted by the Historic Preservation Commission on September 16, 2015.

PROJECT DESCRIPTION

The San Francisco Arts Commission is seeking a Certificate of Appropriateness for alteration to the Pioneer Monument. Specifically, the project proposes removal of the bronze sculptural grouping at the east end of the monument and titled "Early Days" from its granite base. The sculpture will be placed in

long-term storage and the abandoned anchor points in the granite base will be patched in accordance with approved treatments of historic materials.

OTHER ACTIONS REQUIRED

None.

COMPLIANCE WITH THE PLANNING CODE PROVISIONS

The proposed project is in compliance with all other provisions of the Planning Code.

APPLICABLE PRESERVATION STANDARDS

ARTICLE 10

A Certificate of Appropriateness is required for any construction, alteration, removal, or demolition of a designated Landmark for which a City permit is required. In appraising a proposal for a Certificate of Appropriateness, the Historic Preservation Commission should consider the factors of architectural style, design, arrangement, texture, materials, color, and other pertinent factors. Section 1006.7 of the Planning Code provides in relevant part as follows:

The proposed work shall be appropriate for and consistent with the effectuation of the purposes of Article 10.

The proposed work shall be compatible with the historic structure in terms of design, materials, form, scale, and location. The proposed project will not detract from the site's architectural character as described in the designating ordinance. For all of the exterior and interior work proposed, reasonable efforts have been made to preserve, enhance or restore, and not to damage or destroy, the exterior architectural features of the subject property which contribute to its significance.

ARTICLE 10 – Appendix J – Civic Center Landmark District

In reviewing an application for a Certificate of Appropriateness, the Historic Preservation Commission must consider whether the proposed work would be compatible with the character of the Civic Center Landmark District as described in Appendix J of Article 10 of the Planning Code and the character-defining features specifically outlined in the designating ordinance.

THE SECRETARY OF THE INTERIOR'S STANDARDS

Rehabilitation is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. The Rehabilitation Standards provide, in relevant part(s):

Standard 1.

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

The ornamental granite base that supports the "Early Days" bronze sculpture, along with the remainder of the monument, will remain in place. The footprint and arrangement of the monument's five components will be unchanged, preserving its site and spatial relationship within the Civic Center Landmark District.

The current arrangement and use of Fulton Street within the district will remain unchanged. Therefore, the Project conforms to Standard 1.

Standard 2.

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

The spatial relations of the monument and the district will not be altered, as the overall monument will remain in its present location, along the east-west axis of Fulton Street with historic City Hall. The removal of the 'Early Days' sculptural group will not alter character-defining spaces within the Civic Center. Therefore, the Project conforms to Standard 2.

Standard 3.

Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

No conjectural elements will be added to either the monument or the surrounding Civic Center Landmark District. Therefore, the Project conforms to Standard 3.

Standard 4.

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Not applicable

Standard 5.

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

The bronze statue will be preserved through storage off-site and the granite base that currently serves as an anchoring point for the artwork, will be patched to protect the historic stone from damage and weathering. The footprint of the monument's five components, as well as the remainder of the monument itself, will be preserved in situ with no resulting change to the landmark district. Therefore, the Project conforms to Standard 5.

Standard 6.

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

The bronze sculpture is not proposed for replacement, but rather for preservation through off-site storage. Where historic granite stone at the supporting base is damaged or in need of repair, the existing material will be left intact, and areas of damage or deterioration appropriately cleaned and patched using historically appropriate cleaning and patching products. Therefore, the Project conforms to Standard 6.

Standard 7.

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

Upon removal of the bronze sculpture, should cleaning be required the sponsor outlines that it shall be undertaken by conservation professionals using the gentlest means possible and according to methods endorsed by the American Institute for Conservation of Historic and Artistic Works. Therefore, the Project conforms to Standard 7.

Standard 8.

Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Soil disturbance is not part of the scope of work for the project and no known archeological resources are housed within the monument. Therefore, the Project conforms to Standard 8.

Standard 9.

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

No new work is proposed for the site. The removal of the 'Early Days' sculptural group, while an alteration to the monument's existing condition, will not destroy historic materials. Rather, the removed sculpture will be retained and preserved through off-site storage. The footprint of the monument's five separate components, along with its axial relationship to City Hall on Fulton Street will be unchanged in the Project. Neither the character-defining features of the Civic Center Landmark District, nor the overall integrity of the district, will be affected by the Project. Therefore, the Project conforms to Standard 9.

Standard 10.

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

No new additions or new construction is proposed as part of the Project. The Project as proposed is for removal of a single sculpture, which is reversible in nature, should a decision be made in the future for reinstallation at any point in time. Therefore, the Project conforms to Standard 10.

PUBLIC/NEIGHBORHOOD INPUT

The Department has received no public input on the project at the date of this report.

ISSUES & OTHER CONSIDERATIONS

The Project Sponsor has specified in the application materials that the work will be undertaken by conservation professionals in accordance with standard methods established by the American Institute for Conservation of Historic and Artistic Works. In addition, the sponsor states that safety plans will be developed for material handling and disposal, as needed.

STAFF ANALYSIS

Based on the requirements of Article 10, Appendix J, and the Secretary of Interior's Standards, staff has determined that the proposed work maintains the character-defining features of the landmark district because it is limited to the removal of one out of five historic bronze sculptures on a single monument within the district.

Staff finds that the proposed alteration to the monument and related repair work to the granite base will not affect the monument's overall craftsmanship, setting, or relationship to the landmark district. The project will remove one component of the monument, which will be retained and preserved at an off-site storage facility. The work, as proposed, is reversible in nature. Alteration of the monument, which is identified as a small scale character-defining feature in the district, will not affect the integrity of the Civic Center Landmark District as a whole.

ENVIRONMENTAL REVIEW STATUS

The Planning Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One-Minor Alteration of Existing facility) because the project is a minor alteration of an existing structure and meets the *Secretary of the Interior's Standards*.

PLANNING DEPARTMENT RECOMMENDATION

Planning Department staff recommends APPROVAL WITH CONDITIONS of the proposed project as it appears to meet the Secretary of the Interior Standards for Rehabilitation.

CONDITIONS OF APPROVAL

- Upon completion of the Project, any documentation (photographs, written documentation, specifications for granite repair, etc.) that is completed as part of the removal and storage of the "Early Days" sculpture should be forwarded to the Planning Department to be added to the administrative record for Case No. 2017-015491COA.

ATTACHMENTS

Draft Motion
Block Map
Sanborn Maps (1950 and 1998)
Zoning Map
Cultural Landscape Survey Data
Photographs
Certificate of Appropriateness application
Civic Art Collection Staff Report to the SF Arts Commission (dated October 2, 2017)

ET: G:\DOCUMENTS\Cases\COFA\PioneerMonument\PioneerMonument_COA Case Report.doc



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Draft Motion

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ADOPTING FINDINGS FOR A CERTIFICATE OF APPROPRIATENESS FOR PROPOSED WORK DETERMINED TO BE APPROPRIATE FOR AND CONSISTENT WITH THE PURPOSES OF ARTICLE 10, TO MEET THE STANDARDS OF ARTICLE 10 AND TO MEET THE SECRETARY OF INTERIOR'S STANDARDS FOR REHABILITATION, FOR THE PROPERTY LOCATED ON LOTS 031-034 IN ASSESSOR'S BLOCK 0524, WITHIN AN RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on December 5, 2017, Allison Cummings with the San Francisco Arts Commission (Project Sponsor) filed an application with the San Francisco Planning Department (hereinafter "Department") for a Certificate of Appropriateness to alter a small scale character-defining feature in the Civic Center Landmark District by removing to storage the bronze "Early Days" sculptural group from the (James Lick) Pioneer Monument. The subject property is located within the Fulton Street right-of-way, between Block 0353 and Block 0354. The work includes:

- Removal of the "Early Days" bronze sculptural grouping, which is one out of five existing bronze sculptures on the Pioneer Monument. The sculpture will be removed and prepared for storage by conservation professionals. Storage will occur at an off-site location that provides adequate protection of the sculpture from physical and environmental damage or deterioration.

- Repair and patching of abandoned anchor points at the “early Days” granite base, to be executed using the gentlest cleaning methods necessary and historically appropriate patching materials so as not to cause of further any damage or deterioration to the historic stone.

WHEREAS, the Project was determined by the Department to be categorically exempt from environmental review. The Historic Preservation Commission (hereinafter “Commission”) has reviewed and concurs with said determination.

WHEREAS, on February 21, 2018, the Commission conducted a duly noticed public hearing on the current project, Case No. 2017-015491COA (“Project”) for its appropriateness.

WHEREAS, in reviewing the Application, the Commission has had available for its review and consideration case reports, plans, and other materials pertaining to the Project contained in the Department's case files, has reviewed and heard testimony and received materials from interested parties during the public hearing on the Project.

MOVED, that the Commission hereby grants with Conditions of Approval the Certificate of Appropriateness, in conformance with the application materials dated received December 5, 2018 and labeled Exhibit A on file in the docket for Case No. 2017-015491COA based on the following findings:

CONDITIONS OF APPROVAL

- Upon completion of the Project, any documentation (photographs, written documentation, specifications for granite repair, etc.) that is completed as part of the removal and storage of the “Early Days” sculpture should be forwarded to the Planning Department to be added to the administrative record for Case No. 2017-015491COA.

FINDINGS

Having reviewed all the materials identified in the recitals above and having heard oral testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and also constitute findings of the Commission.
2. Findings pursuant to Article 10:

The Historical Preservation Commission has determined that the proposed work is compatible with the character of the landmark district as described in the designation report as amended to February 10, 1994.

- While this project would cause a reduction in the number of bronze sculptural figures on public display as part of the Pioneer Monument, it would not materially alter the character defining features or spatial relationships of the landmark district.
- Historic features, materials and finishes dating from the district's period of significance would be retained and severely deteriorated materials would be replaced with features

matching the original in terms of design, details, material composition, color, and finish. The work would also be monitored by qualified art conservationists to ensure compliance with historic preservation standards.

- The proposed project would not add any conjectural historical features or features that lend a false sense of historical development to the landmark district.
- If the proposed work were to be reversed in the future, the essential form and integrity of the site and surrounding district would remain intact.
- The project would retain the character-defining monumental scale and axial plan of the Civic Center Landmark District.
- The proposed project meets the following Secretary of the Interior's Standards for Rehabilitation:

Standard 1.

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 2.

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 3.

Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Standard 5.

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

Standard 6.

Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Standard 7.

Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Standard 8.

Significant archeological resources affected by a project shall be protected and preserved. If such

resources must be disturbed, mitigation measures shall be undertaken.

Standard 9.

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Standard 10.

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

3. **General Plan Compliance.** The proposed Certificate of Appropriateness is, on balance, consistent with the following Objectives and Policies of the General Plan:

I. URBAN DESIGN ELEMENT

THE URBAN DESIGN ELEMENT CONCERNS THE PHYSICAL CHARACTER AND ORDER OF THE CITY, AND THE RELATIONSHIP BETWEEN PEOPLE AND THEIR ENVIRONMENT.

GOALS

The Urban Design Element is concerned both with development and with preservation. It is a concerted effort to recognize the positive attributes of the city, to enhance and conserve those attributes, and to improve the living environment where it is less than satisfactory. The Plan is a definition of quality, a definition based upon human needs.

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

POLICY 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

POLICY 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

POLICY 2.5

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

POLICY 2.7

Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

The goal of a Certificate of Appropriateness is to provide additional oversight for buildings and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance.

The proposed project qualifies for a Certificate of Appropriateness and therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the 1338 Filbert Street Cottages for the future enjoyment and education of San Francisco residents and visitors.

4. The proposed project is generally consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed project will not have any impact on neighborhood serving retail uses.

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed project will strengthen neighborhood character by respecting the character-defining features of the landmark district in conformance with the Secretary of the Interior's Standards.

- C) The City's supply of affordable housing will be preserved and enhanced:

The project will not reduce the affordable housing supply.

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed project will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed will not have any impact on industrial and service sector jobs.

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is improved by the proposed work. All work on site will be executed in compliance with all applicable construction and safety measures.

- G) That landmark and historic buildings will be preserved:

The proposed project is in conformance with Article 10 of the Planning Code and the Secretary of the Interior's Standards.

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

The proposed project will not impact the access to sunlight or vistas for the parks and open space.

5. For these reasons, the proposal overall, is appropriate for and consistent with the purposes of Article 10, meets the standards of Article 10, and the Secretary of Interior's Standards for Rehabilitation, General Plan and Prop M findings of the Planning Code.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **GRANTS a Certificate of Appropriateness** for the Pioneer Monument located in the Fulton Street right-of-way between Assessor's Block 0353 and Block 0354 for proposed work in conformance with the application materials dated as received December 5, 2017 and labeled Exhibit A on file in the docket for Case No. 2017-015491COA.

APPEAL AND EFFECTIVE DATE OF MOTION: The Commission's decision on a Certificate of Appropriateness shall be final unless appealed within thirty (30) days. Any appeal shall be made to the Board of Appeals, unless the proposed project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, in which case any appeal shall be made to the Board of Supervisors (see Charter Section 4.135).

Duration of this Certificate of Appropriateness: This Certificate of Appropriateness is issued pursuant to Article 10 of the Planning Code and is valid for a period of three (3) years from the effective date of approval by the Historic Preservation Commission. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor.

THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OF OCCUPANCY UNLESS NO BUILDING PERMIT IS REQUIRED. PERMITS FROM THE DEPARTMENT OF BUILDING INSPECTION (and any other appropriate agencies) MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.

I hereby certify that the Historical Preservation Commission ADOPTED the foregoing Motion on February 21, 2018.

Jonas P. Ionin
Acting Commission Secretary

AYES: X

NAYS: X

ABSENT: X

ADOPTED: February 21, 2018

Block Map

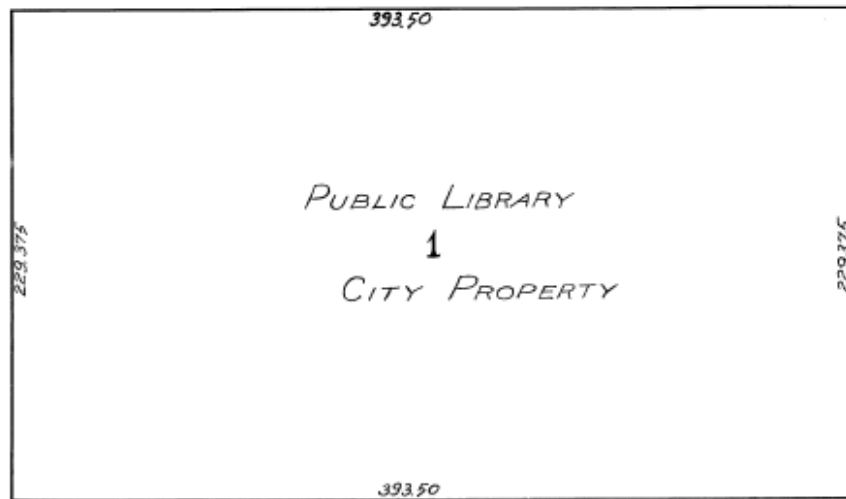
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CITY & COUNTY ASSESSOR 1995



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AND
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W. A. BLK.

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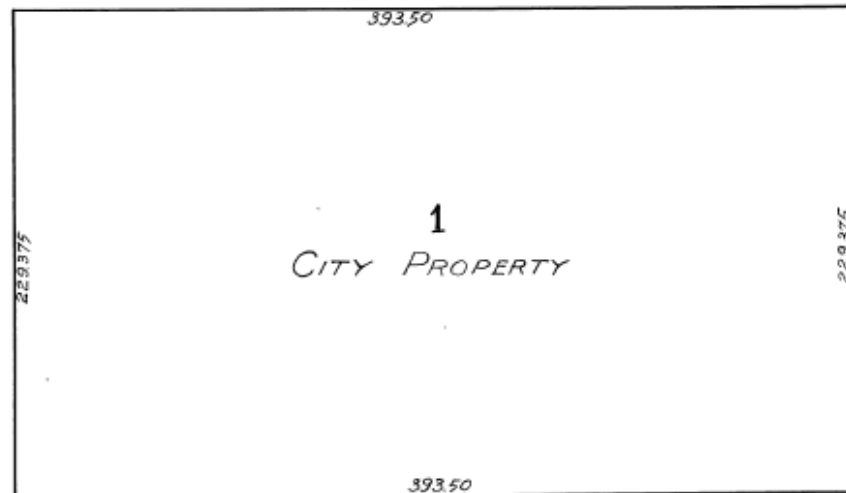


SUBJECT PROPERTY



LARKIN

HYDE

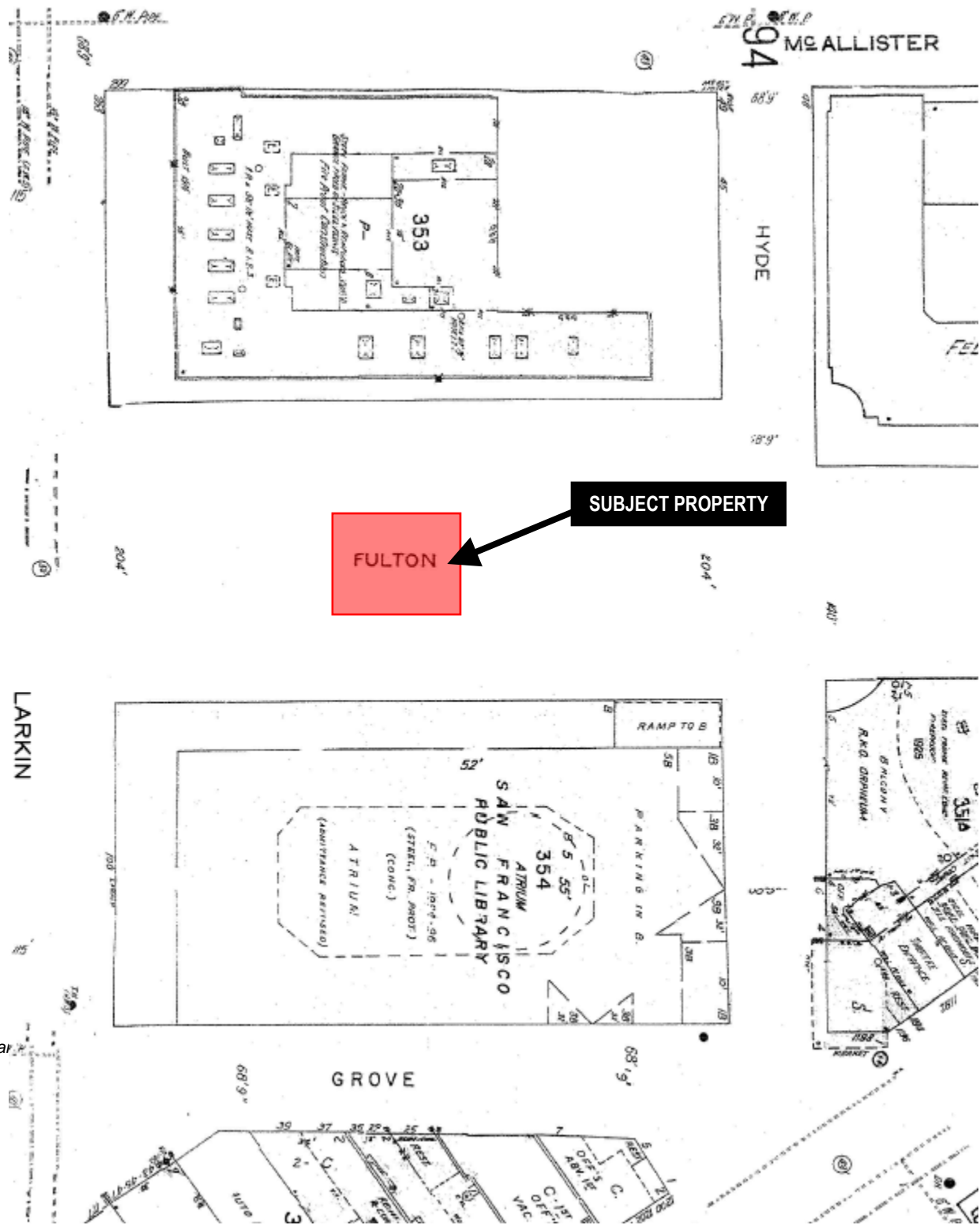


GROVE



Case Number 2017-015491COA
Pioneer Monument
Fulton Street Right-Of-Way

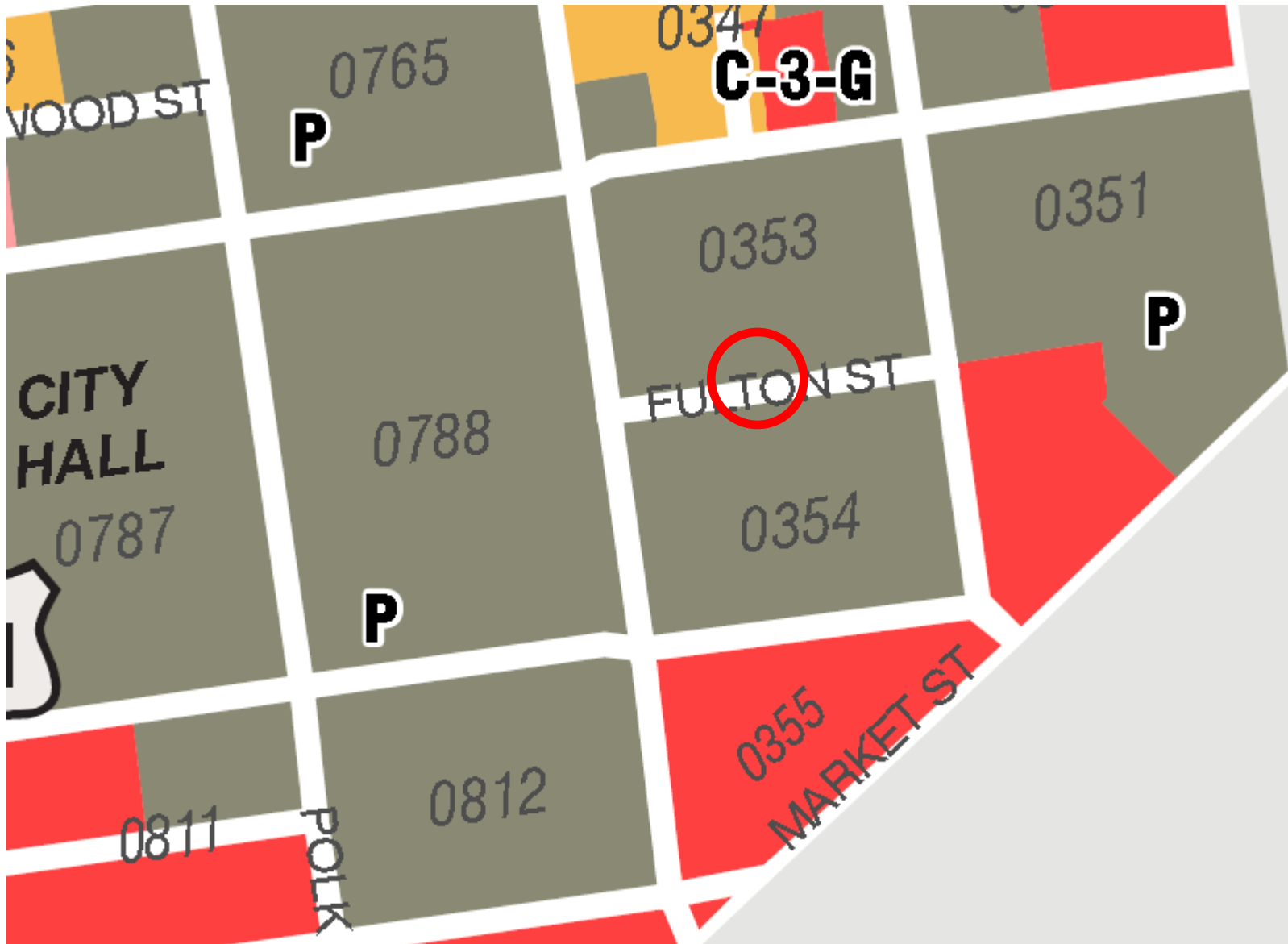
Sanborn Map – 1998



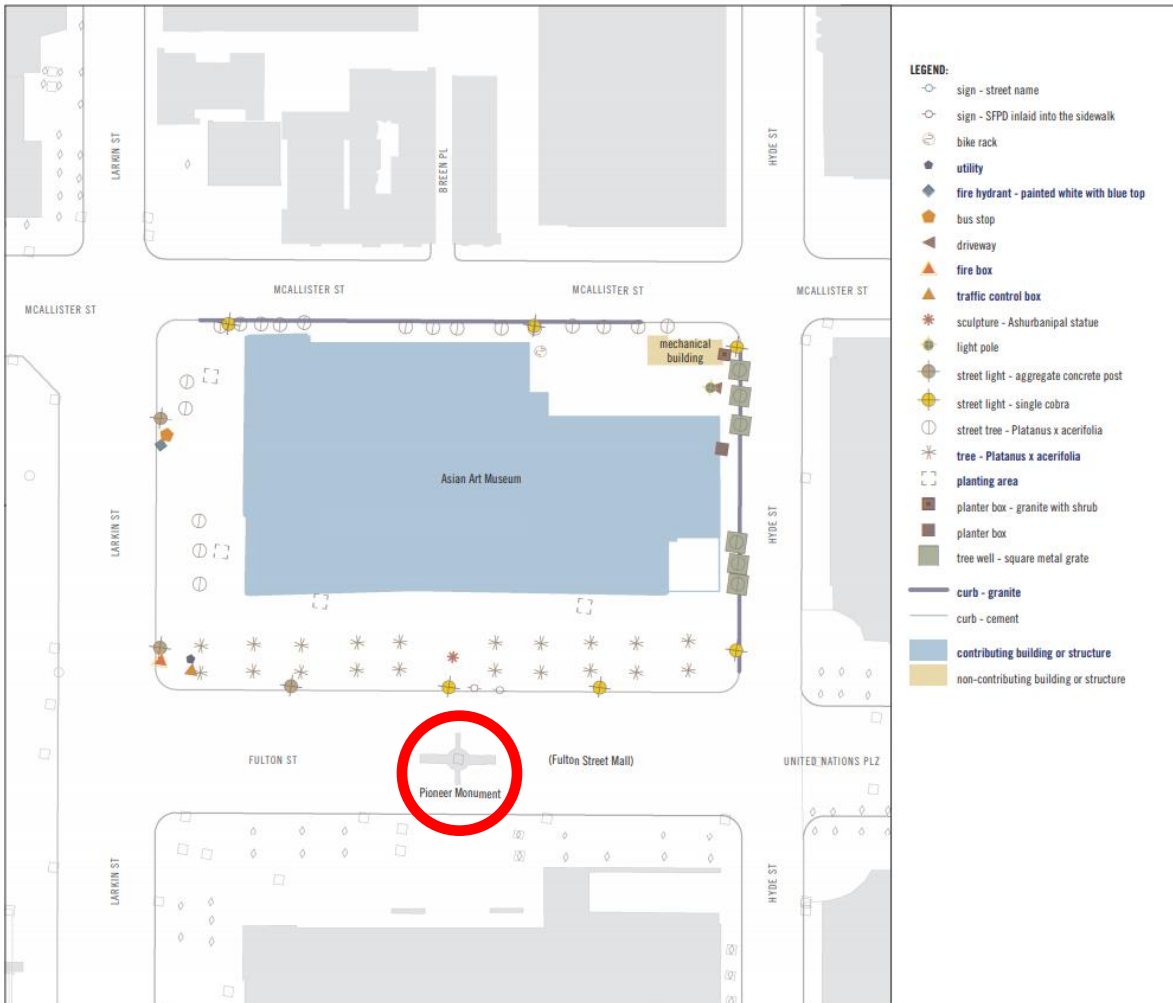
Certificate of Appropriateness Hearing
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Fulton Street Right-Of-Way



Zoning Map

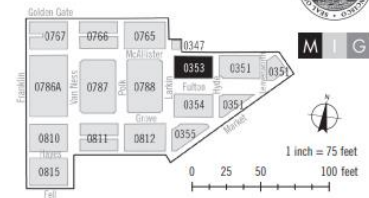


Cultural Landscape Survey



San Francisco Civic Center Historic District
Planning Department, San Francisco, California

Cultural Landscape Report BLOCK #0353



SOURCES:

1. MIG field work, September 10-14, 2012
2. Hand drawn inventory field maps, September 2012
3. Bing aerial imagery online for ArcGIS, 2012
4. San Francisco Utility Commission light pole data, 2012
5. San Francisco publicly available GIS city lot, block and curb data, 2012

DRAWN BY:

MIG: Rachel Edmonds, Steve Leathers and Heather Buczek using Arc GIS 10.

DRAWN DATE:

March 2013, updated September 2013

LEGEND FOR SURROUNDING LANDSCAPE FEATURES:

- vegetation
- small scale feature
- circulation
- circulation - curb
- building or structure



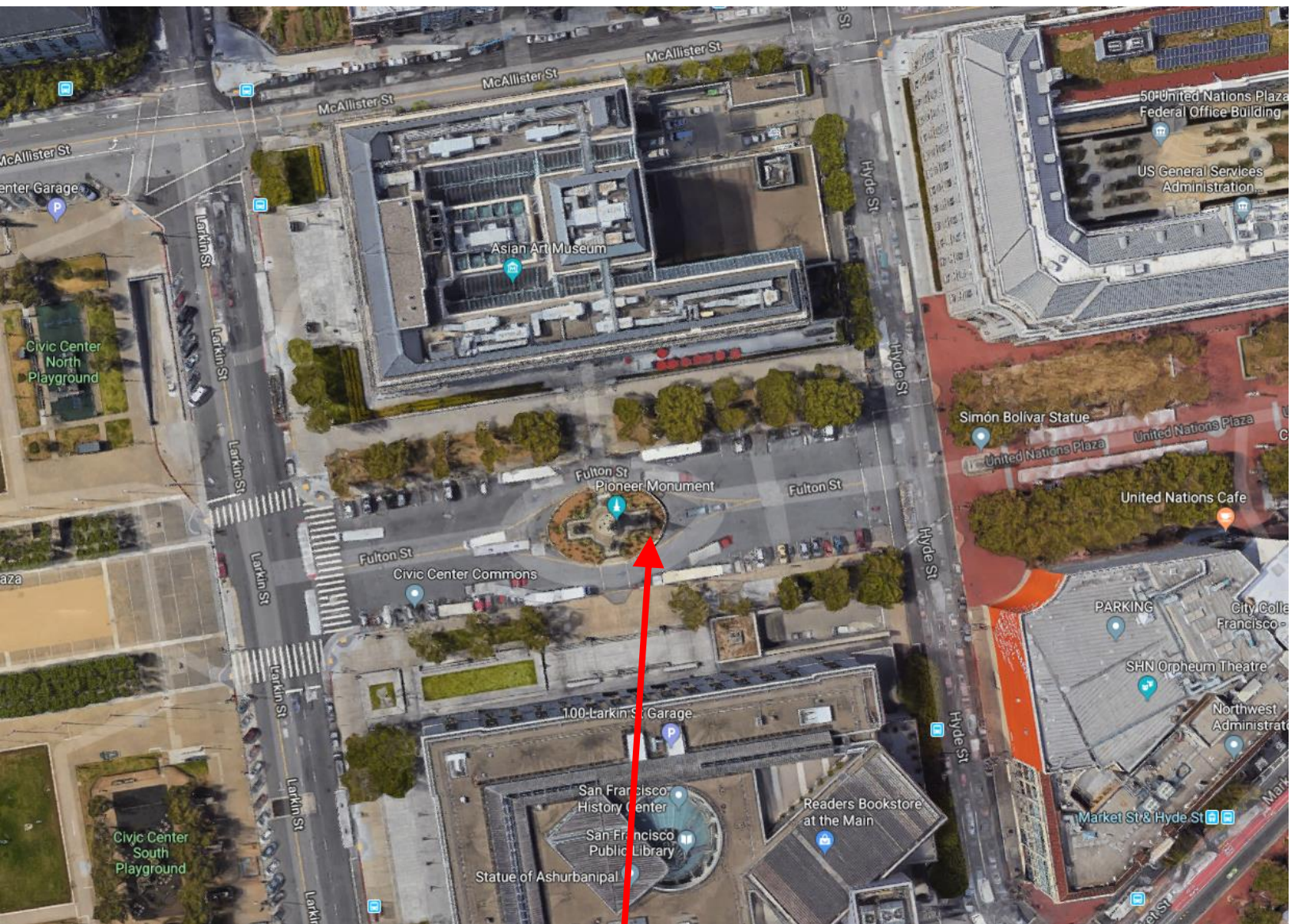
Cultural Landscape Survey

BLOCK #0353 - ASIAN ART MUSEUM								
CHARACTERISTIC	QTY.	FEATURE	DESCRIPTION	ADDRESS/LOCATION	DATE BUILT	PRIMARY SOURCE	JURISDICTION	CHARACTER DEFINING
buildings & structures	1	Asian Art Museum	Asian Art Museum; ten murals (former San Francisco Public Library)	200 Larkin	1916	1978 NR, 1987 NHL, 1994 SFLD	-	C
circulation	6	curb	6" cement curb	Block #0353 on Fulton, Hyde, Larkin, McAllister	-	site visit	DPW	-
circulation	2	curb	6" granite curb	Block #0353 on Hyde, McAllister	1910c	site visit	DPW	C
circulation	1	driveway	driveway with light pole	Block #0353 on Hyde	2003	site visit	-	NC
small scale feature	1	bike rack	bike rack	Block #0353 on McAllister	2003	site visit	DPW	NC
small scale feature	1	bus stop	bus stop - covered with bench	Block #0353 on Larkin	2010	site visit	MUNI	NC
small scale feature	1	fire box	firebox - red metal post	Block #0353 on Larkin	pre 1936	site visit	SFDT	C*
small scale feature	1	fire hydrant	fire hydrant - painted white with blue top	Block #0353 on Larkin	1909c	site visit	BEWS	C*
vegetation	1	planter box	planter box - adjacent to building	Block #0353 on Hyde	2003	site visit	-	NC
vegetation	1	planter box	planter box - granite with tall shrub	Block #0353 on Hyde	2003	site visit	-	NC
vegetation	2	planting area	planting area adjacent to building with box hedge	Block #0353 on Fulton	pre 1938	site visit	-	C
vegetation	2	planting area	planting area adjacent to building with turf and box hedge	Block #0353 on Larkin	pre 1938	site visit	-	C
small scale feature	1	sculpture	sculpture - at entry steps; bronze statue on a concrete base of Ashurbanipal - by Fred Parhad and Frank Tomsick	Block #0353 on Fulton	1985	site visit	DPW	NC
small scale feature	1	sign	sign - logo for SFPD inlaid into the sidewalk	Block #0353 on Fulton	-	site visit	-	-
small scale feature	1	sign	sign - street name 'FULTON' engraved into curbside ramp apron	Block #0353 on Fulton	-	site visit	DPW	-
small scale feature	1	traffic control box	traffic control box - green metal post	Block #0353 on Fulton	1916c	site visit	-	C
small scale feature	6	tree well	tree well - square metal grate	Block #0353 on Hyde	2003	site visit	DPW	NC
small scale feature	1	utility	utility protected by a green mesh cage	Block #0353 on Larkin	1916c	site visit	-	C
small scale feature	1	light pole	light pole - double lamp on metal post on median into driveway	Block #0353 on Hyde	2003	site visit	-	NC
small scale feature	3	street light	street light - aggregate concrete post with single pendant arm style with cobra luminaire	Block #0353 on Fulton, Larkin	-	SF PUC	SF PUC	-
small scale feature	6	street light	street light - single cobra	Block #0353 on Fulton, Hyde, McAllister	-	SF PUC	SF PUC	-
small scale feature	1	sculpture	Pioneer Monument - see Block #0354 for more information	Fulton between Larkin and Hyde	1894, 1993	1987NHL, 1994 SFLD	DPW	C
spatial organization	1	Fulton Street Mall	Fulton Street Mall - associated with Blocks #0351, #0353, #0354, #0788	Block #0353	c. 1916	c. 1918 SF Planning image	DPW	C
vegetation	20	tree	street tree - Platanus x acerifolia, London Plane	Block #0353 on Hyde, McAllister	2003	site visit	DPW	NC
vegetation	5	tree	street tree - adjacent to planting area - Platanus x acerifolia, London Plane	Block #0353 on Larkin	1980-1993	site visit	-	NC
vegetation	20	tree	tree in an alley with turf - (historically) pollarded Platanus x acerifolia, London Plane	Block #0353 on Fulton	c. 1936	J. Tilman image courtesy of Moulin Archive	-	C

*This feature has been determined to be a contributing feature of the Civic Center Historic District. Features similar to this one located outside the district boundaries were not evaluated as part of this project.



Aerial Photo



SUBJECT PROPERTY



Certificate of Appropriateness Hearing
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Pioneer Monument
Fulton Street Right-Of-Way

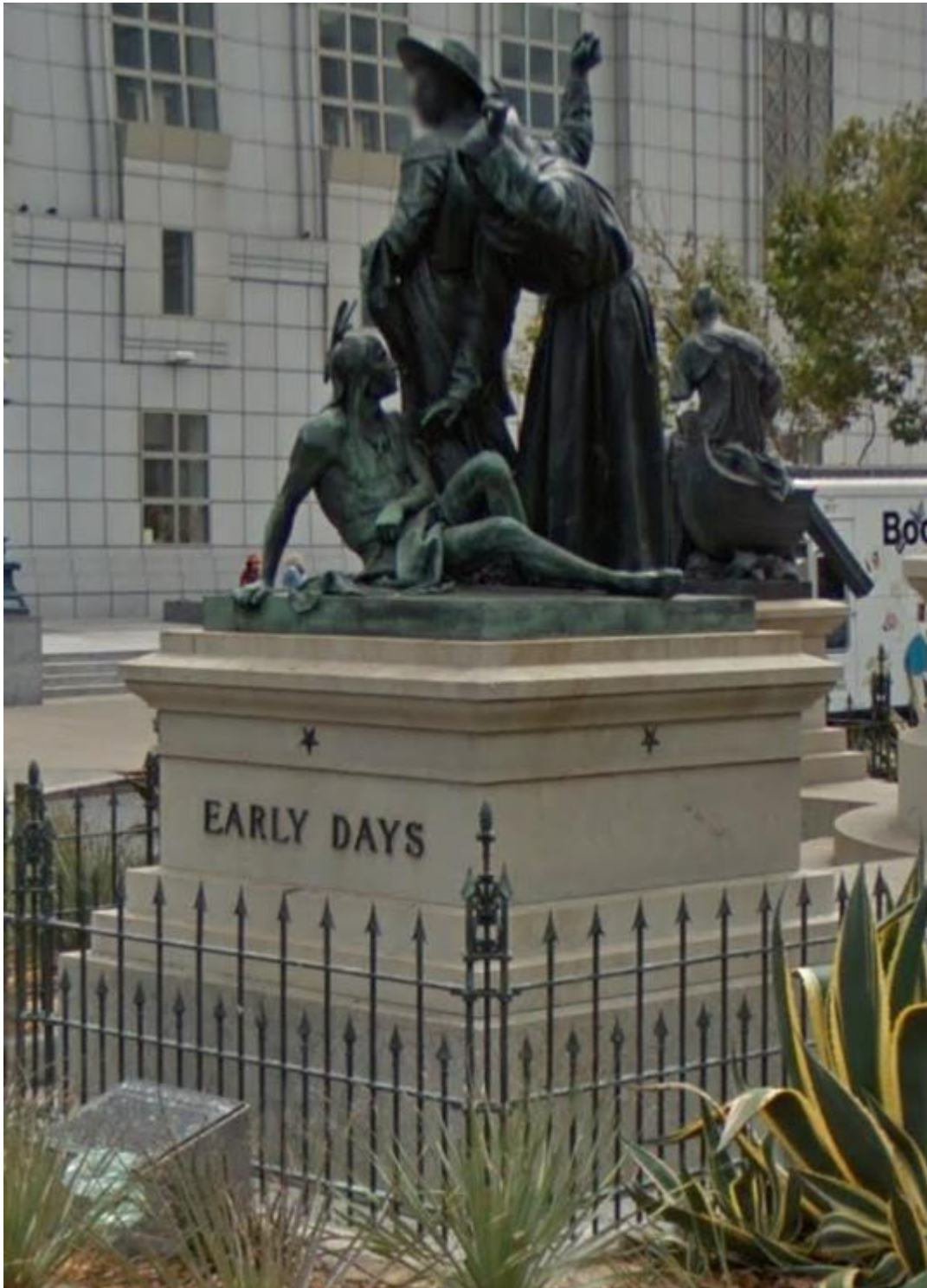
Site Photo



AREA OF WORK

Certificate of Appropriateness Hearing
Case Number 2017-015491COA
Pioneer Monument
Fulton Street Right-Of-Way

Site Photo



Certificate of Appropriateness Hearing
Case Number 2017-015491COA
Pioneer Monument
Fulton Street Right-Of-Way

APPLICATION FOR Certificate of Appropriateness

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: City and County of San Francisco - San Francisco Arts Commission	
PROPERTY OWNER'S ADDRESS: 401 Van Ness Avenue, Suite 325 San Francisco, CA 94102	TELEPHONE: (415) 252-2255 EMAIL: ART-Info@sfgov.org

APPLICANT'S NAME: <div style="text-align: right;">Same as Above <input checked="" type="checkbox"/></div>	
APPLICANT'S ADDRESS: 	TELEPHONE: () EMAIL:

CONTACT FOR PROJECT INFORMATION: Allison Cummings, Senior Registrar, Civic Art Collection and Public Art Program <div style="text-align: right;">Same as Above <input type="checkbox"/></div>	
CONTACT PERSON'S ADDRESS: San Francisco Arts Commission 401 Van Ness Avenue, Suite 325 San Francisco, CA 94102	TELEPHONE: (415) 252-2212 EMAIL: allison.cummings@sfgov.org

2. Location and Classification

STREET ADDRESS OF PROJECT: 147 Fulton Street		ZIP CODE: 94102		
CROSS STREETS: Fulton Street, Mid-block, between Larkin Street and Hyde Street				
ASSESSORS BLOCK/LOT: 0354 /	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
ARTICLE 10 LANDMARK NUMBER			HISTORIC DISTRICT: Civic Center Historic District	

3. Project Description

Permission to alter a small scale contributing feature to the Civic Center Historic District, by removing to storage the "Early Days" sculptural group from the James Lick Monument (Pioneer Monument).

Building Permit Application No. _____

Date Filed: _____

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

GROSS SQUARE FOOTAGE (GSF)	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
Residential				
Retail				
Office				
Industrial / PDR Production, Distribution, & Repair				
Parking				
Other (Specify Use)				
Total GSF				

PROJECT FEATURES	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
Dwelling Units				
Hotel Rooms				
Parking Spaces				
Loading Spaces				
Number of Buildings				
Height of Building(s)				
Number of Stories				

Please provide a narrative project description, and describe any additional project features that are not included in this table:

The San Francisco Arts Commission, an agency of the City and County of San Francisco established in 1932 by charter, with charter authority over artworks owned by the City and County, is applying for a Certificate of Appropriateness for an alteration to a small scale contributing feature of the Civic Center Historic District. The Arts Commission proposes to remove the bronze sculptural grouping titled "Early Days" from its plinth located on the North West side of the James Lick Monument (Pioneer Monument) and place the sculpture in long term storage. The granite plinth beneath the sculpture will be cleaned and surfaces secured, no other modification to stone elements are proposed. (Please see the attached Staff Report from October 2, 2017 for detailed information about the monument, including historic documentation, images, commission minutes, press articles, public comment and context statements.)

East

Findings of Compliance with Preservation Standards

	FINDINGS OF COMPLIANCE WITH PRESERVATION STANDARDS	YES	NO	N/A
1	Is the property being used as it was historically?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Does the new use have minimal impact on distinctive materials, features, spaces, and spatial relationship?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Is the historic character of the property being maintained due to minimal changes of the above listed characteristics?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Are the design changes creating a false sense of history of historical development, possible from features or elements taken from other historical properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Are there elements of the property that were not initially significant but have acquired their own historical significance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Have the elements referenced in Finding 5 been retained and preserved?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7	Have distinctive materials, features, finishes, and construction techniques or examples of fine craftsmanship that characterize the property been preserved?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Are all deteriorating historic features being repaired per the Secretary of the Interior Standards?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Are there historic features that have deteriorated and need to be replaced?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Do the replacement features match in design, color, texture, and, where possible, materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11	Are any specified chemical or physical treatments being undertaken on historic materials using the gentlest means possible?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Are all archeological resources being protected and preserved in place?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13	Do exterior alterations or related new construction preserve historic materials, features, and spatial relationships that are characteristic to the property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	Are exterior alterations differentiated from the old, but still compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	If any alterations are removed one day in the future, will the forms and integrity of the historic property and environment be preserved?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please summarize how your project meets the Secretary of the Interior's *Standards for the Treatment of Historic Properties*, in particular the *Guidelines for Rehabilitation* and will retain character-defining features of the building and/or district:

Proposed work at the monument is fully reversible; Arts Commission staff will oversee the project which will be undertaken by contractors who are professionals in the fields of fine art conservation, architectural preservation and cultural asset management. The monument is a small scale contributing feature to the Civic Center Historic District, it's alteration does not effect the character- defining features of the district.

Findings of Compliance with General Preservation Standards

In reviewing applications for Certificate of Appropriateness the Historic Preservation Commission, Department staff, Board of Appeals and/or Board of Supervisors, and the Planning Commission shall be governed by *The Secretary of the Interior's Standards for the Treatment of Historic Properties* pursuant to Section 1006.6 of the Planning Code. Please respond to each statement completely (Note: Attach continuation sheets, if necessary). Give reasons as to *how* and *why* the project meets the ten Standards rather than merely concluding that it does so. IF A GIVEN REQUIREMENT DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

1. The property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships;
The whole monument will remain in it's current location (albeit not it's original location, it was moved in 1993, removing the "Early Days" sculpture does not affect the character-defining elements of the architectural landscape of the Historic District.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided;
The spacial relationships that define the Civic Center Historic District will not be altered. The monument will retain its axial relationship to surrounding structures.

3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken;

No conjectural features or elements will be added as a function of this project.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved;
All proposed work is reversible and meets established Secretary of the Interior Standards. Sculptural elements that are removed will be archived and packed for safe long term storage. The sculpture retains its original design features.

5. Distinctive materials, features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property will be preserved;

There will be no modifications to the granite base or plinths will be undertaken; no alteration to the overall monument's location within it's mid-block area on Fulton Street.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence;

The granite plinth beneath the "Early Days" sculpture will be repaired to the extent that no openings (former connection points for the sculpture) will remain on the horizontal surface that could compromise the stability of the granite elements over time. The materials selected will be specified by qualified professionals in historic preservation. Work will be executed by firms with previous experience with historic monuments.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used;

Any chemical or physical treatments - if deemed necessary - will be undertaken by conservation professionals adhering to the Code of Ethics and Guidelines for Practice set forth by the American Institute for Conservation of historic and Artistic Works. Safety plans will be developed for material handling and disposal, if deemed necessary.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken;

It is not anticipated that archaeological resources will be encountered as a part of this project, particularly as none were encountered when the monument as a whole was relocated in 1993. However, if so, appropriate measures will be enforced. No sub-grade work is anticipated.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment;

No material will be destroyed as a function of this project. The "Early Days" sculpture will be removed to long term storage, and its removal does not impact the axial relationship between the architectural assets of the district.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would not be impaired;

No new additions are proposed as a function of this project.

PLEASE NOTE: For all applications pertaining to buildings located within Historic Districts, the proposed work must comply with all applicable standards and guidelines set forth in the corresponding Appendix which describes the District, in addition to the applicable standards and requirements set forth in Section 1006.6. In the event of any conflict between the standards of Section 1006.6 and the standards contained within the Appendix which describes the District, the more protective shall prevail.

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

Consistent, no change to neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

Consistent, no change to existing housing and neighborhood character. The overall monument will remain in place and maintain footprint.

3. That the City's supply of affordable housing be preserved and enhanced;

Consistent, no change to supply of affordable housing. This is a historic monument and does not affect housing square footage.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

Consistent, no change to Muni transit service or neighborhood parking. This project will not interrupt public transit.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

Consistent, no change, no proposed commercial development and this project does not affect existing commercial development in the area.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

Consistent, no change. The sculptural element will be secured and stored away from the public.

7. That landmarks and historic buildings be preserved; and

No change to character defining features of the Civic Center Historic District. The proposed alteration is reversible.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

Consistent, no change to the view or access to sunlight.

Estimated Construction Costs

TYPE OF APPLICATION:	
OCCUPANCY CLASSIFICATION:	
BUILDING TYPE: Historic Monument	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION:	BY PROPOSED USES:
ESTIMATED CONSTRUCTION COST: \$129,878.01	
ESTIMATE PREPARED BY: San Francisco Arts Commission and ARG Conservation Services, Inc.	
FEE ESTABLISHED: \$6,808.50	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Signature: Tom DeCaigny

Date: 11/30/2017

Print name, and indicate whether owner, or authorized agent:

Tom DeCaigny, Director of Cultural Affairs

☒ Owner ☐ Authorized Agent (circle one)

Certificate of Appropriateness Application Submittal Checklist

The intent of this application is to provide Staff and the Historic Preservation Commission with sufficient information to understand and review the proposal. Receipt of the application and the accompanying materials by the Planning Department shall only serve the purpose of establishing a Planning Department file for the proposed project. After the file is established, the Department will review the application to determine whether the application is complete or whether additional information is required for the Certificate of Appropriateness process. Applications listed below submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent**.

REQUIRED MATERIALS (please check correct column)	CERTIFICATE OF APPROPRIATENESS
Application, with all blanks completed	<input checked="" type="checkbox"/>
Site Plan	<input type="checkbox"/>
Floor Plan	<input type="checkbox"/>
Elevations	<input type="checkbox"/>
Prop. M Findings	<input type="checkbox"/>
Historic photographs (if possible), and current photographs	<input checked="" type="checkbox"/>
Check payable to Planning Department	<input type="checkbox"/>
Original Application signed by owner or agent	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or product cut sheets for new elements (i.e. windows, doors)	<input checked="" type="checkbox"/>

NOTES:

- ☐ Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- ☒ Typically would not apply. Nevertheless, in a specific case, staff may require the item.

PLEASE NOTE: *The Historic Preservation Commission will require additional copies each of plans and color photographs in \ reduced sets (11" x 17") for the public hearing packets. If the application is for a demolition, additional materials not listed above may be required. All plans, drawings, photographs, mailing lists, maps and other materials required for the application must be included with the completed application form and cannot be "borrowed" from any related application.*

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



FOR MORE INFORMATION:

Call or visit the San Francisco Planning Department

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**

FAX: **415 558-6409**

WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)

1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

October 2, 2017

STAFF REPORT

To: Honorable Members of the San Francisco Arts Commission
From: Civic Art Collection Staff
Re: Pioneer Monument Historical Documentation

Artwork: *Pioneer Monument* (James Lick Monument), 1894 (Dedicated November 29, 1894)
Artist: Frank Happersberger (1859-1932)
Medium: Bronze and granite
Dimensions: 420 x 488 x 676 in. / 47 ft. (H) x 60 ft. (D) x 45 ft. (W) / Weight Approx. 820 tons
Credit Line: Collection of the City and County of San Francisco; Gift of James Lick
Location: Public Display : Fulton St. : between Larkin and Hyde St. : District 6
Accession #: 1894.4.a-o

INTENT

Gift of James Lick who died in 1876 and left \$100,000 to be used for "statuary emblematic of the significant epochs in California history". The monument is the thirteenth trust of the deed from James Lick, for "a group of bronze statuary, illustrative of the History of California, from the early settlement of the missions till the year 1874."

Excerpt from, San Francisco Municipal reports for the Fiscal Year 1893-1894, Ending June 30, 1894.
Published by Order of the Board of Supervisors, quoting James Lick Bequest:

"And in further trust to erect, under the supervision of said parties of the second part, and their successors, at the City Hall, in the City and County of San Francisco, a group of bronze statuary, well worth one hundred thousand dollars (\$100,000), which shall represent by appropriate designs and figures the history of California; first, from the earliest settlement of the Missions to the acquisition of California by the United States; second, from such acquisition by the United States to the time when agriculture became the leading interest of the State; third, from the last named period to the 1st day of January, 1874."

To honor the bequest, a strip of land in the center of City Hall Avenue was set aside as the future site of the monument in 1886. The area in which the monument was located was known as City Hall Avenue and Marshall Square from 1870-1906. Photographs of the monument show it in a plaza/park setting with City Hall located 250 feet behind the statue.

The trustees invited sculptors and architects in 1887 to enter into competition and submit designs for the statuary, which resulted in the submission of twenty-four designs later that year. In 1890 four finalists were selected and paid \$750 each for the models of their proposals. Artist Frank Happersberger was awarded the commission. The laying of the cornerstone occurred on September 10, 1894 on the forty fourth anniversary of the Admission of California into the Union.

DONOR

James Lick (August 25, 1796 – October 1, 1876) was an American carpenter, piano builder, land baron, and patron of the sciences. At the time of his death, he was the wealthiest man in California, and left the majority of his estate to social and scientific causes.

In 1874 he placed \$3,000,000 (\$65,200,000 relative value in 2017) at the disposal of seven trustees, by whom the funds were to be applied to specific uses. The principal divisions of the funds were:

- \$700,000 to the University of California for the construction of an observatory and the placing therein of a telescope to be more powerful than any other in existence (now Lick Observatory at Mount Hamilton)
- \$150,000 for the building and maintenance of free public James Lick Baths in San Francisco
- \$540,000 to found and endow an institution of San Francisco to be known as the California School of Mechanic Arts (Now Lick-Wilmerding High School)
- \$100,000 for the erection of three appropriate groups of bronze statuary to represent three periods in Californian history and to be placed before the city hall of San Francisco
- \$60,000 to erect in Golden Gate Park, San Francisco, a memorial to Francis Scott Key, author of "The Star-Spangled Banner"

ARTIST

Frank H. Happersberger (1859-1932) was an American sculptor based in San Francisco. He was born in 1859 in Placer County, California. He is best known for the sculptures of President James A. Garfield in Golden Gate Park and the Pioneer Monument, both in San Francisco.

Happersberger's father, Frank Happersberger, Sr. was a Bavarian immigrant who moved from New York to San Francisco to join the Gold Rush. In his youth Frank Jr. worked for the San Francisco firm of Kemp and Hoffman as a wood-carver. For eight years, he studied at a German art academy and while still in Europe he entered and won a competition to build a monument to the assassinated James A. Garfield. The Garfield sculpture was completed in 1885, and established Happersberger's reputation. He married Eva Happersberger in 1890 and they had two sons, Frank Happersberger III and Harry Happersberger.

Happersberger established a studio in San Francisco at 51 Park Avenue. In 1894 he completed the Pioneer Monument. In 1899, Happersberger moved to New York, hearing that there was more work for sculptors there. He died on October 11, 1932 in San Anselmo, California at age 74.

DESCRIPTION

The monument consists of one central spherical structure of Rocklin granite, forty-seven feet high. This center structure built of huge blocks of granite is surrounded by a flight of three steps. The column is topped by "Eureka" representing California and measuring 12 ½ ft. tall. Her right hand grasps a spear, her left hand holds a shield, and on her right is the California grizzly bear. Beneath the figures is a bronze wreath of the products of the state – fruits, nuts, grain and garlands of acorns and laurel. The column contains four bas reliefs ("Crossing the Sierra", "Vaqueros Lassoing a Bull", "Trapper Trading Skins with Indians", "California's Progress Under American Rule"); five portrait medallions (John Fremont, Sir Francis Drake, Father Junipero Serra, James Lick, and John Sutter; additional names (Vallejo, Larkin, Marshall, Castro, Stockton, Slat, Portola and Cabrillo), flags, and two dates from California's history: 1849 – The Discovery of Gold and 1850 – California's Admission to the Union. Four pedestals extend out from the central column, two pedestals with bronze allegorical figures: "Plenty/Agriculture" (female figure crowned with blades of wheat and holding a cornucopia of fruits); and "Commerce" (female figure "Goddess of the Sea" holding an oar representing California's ports and shipping industry). Two pedestals with groups of representative figures depicting specific periods in California's history: "Early Days" (a Native American, a mission padre, and a vaquero); and "In '49" (three miners examining a gold nugget with tools resting at their feet). The monument's historical perspective is from a Euro-American point of view.

Excerpt from, San Francisco Civic Art Collection: A Guided Tour to Publicly Owned Art of the City and County of San Francisco, 1989:

"At the intersection of Hyde, Grove and Market Streets. One of the largest and most prominent of the San Francisco historical monuments, this work stood firm when the old City Hall, directly behind it, was demolished in the 1906 earthquake and fire. Post "quake" photos show homeless citizens sitting at the statue's base amid the City Hall ruins."

HISTORY / CRITICAL DATES

November 29, 1894 – Dedication ceremony

1906 – Pioneer Monument survives the Earthquake and Fire, while City Hall is destroyed

1978 – San Francisco Civic Center Historic District listed on State Registry (N679)

1984 - Civic Center Historic District added to the National Register, naming the Pioneer Monument as a historic item of significance. (United States Department of the Interior, National Park Service)

1990-1993 – Extensive outcry and public discussion regarding the request by the Library Commission to relocate the monument to make way for the New Main Library. Testimony against moving the monument consisted of the historians who did not want the monument moved from its original location that marked the site of the original San Francisco City Hall. Native American constituents came forward as a part of this process requesting the monument be removed completely, as the whole monument and the specific sculptural grouping "Early Days" is seen as a symbolization of the degradation and genocide of Native Americans. A large number of public meetings ensued, including resolutions of support for the move from the Library Commission and the Planning Commission, and ultimately the Arts Commission which came with a stipulation that plaques contextualizing the monument, its history and its imagery be included with the reinstallation.

Excerpt from, SFAC Staff Memo, February 1995:

"When the Arts Commission agreed to permit the Library to move the monument to make room for the new Library Building, we agreed to the move with the stipulation that a new bronze plaque be added to the monument. The plaque is intended to provide the public with a perspective of the devastating effect that establishing the Missions had on the resident Native Americans. The Commission believes that we need to use the sculpture in a positive way as an educational tool to inform our citizens about the darker aspects of this period in California history."

June 20, 1990 – Visual Arts Committee hears testimony regarding moving the monument.

August 1992 – Original plaque text written and then subsequently approved by the Arts Commission, for inclusion in the construction project specifications.

July 10, 1993 – Pioneer Monument moved from its location at Hyde, Grove and Market Streets to clear the way for construction of the New Main Library.

October 1993 – Pioneer Monument re-installed on Fulton Street, between Hyde and Larkin. Total relocation project cost was \$1 Million.

March 1996 – Plaque text for “Early Days” is disputed, with objections raised by Consul General of Spain and San Francisco Archbishop of the Catholic Church. The Arts Commission called together an advisory panel made up of the Consul General of Spain, the Consul general of Mexico, the San Francisco Archbishop, a representative of the Order of Franciscans, three Historians, two representatives from the Indian Center of All Nations, an Arts Commissioner, the Chairwoman for the Ohlone Muwekma Tribe, a member of the American Indian Movement, and a facilitator in Arts Arbitration from California Lawyers for the Arts, to come to agreement and revise the plaque text. The plaque language was then debated extensively and amended via Arts Commission meeting in August 1996.

1996 - Contextualization plaque fabricated and installed.

OTHER JURISDICTIONS

Historic Preservation Commission – Certificate of Appropriateness process is required for alteration of the monument per Planning Code, because the monument is a historic item of significance inventoried as a part of the landmarked Civic Center Historic District.

“Section 1002(a)(2) states that the Historic Preservation Commission (“HPC”) shall review and decide on applications for construction, alteration, demolition and other applications pertaining to landmark sites and districts regulated under Article 10 of the Planning Code.

A Certificate of Appropriateness is the entitlement required to alter an individual landmark and any property within a landmark district. A Certificate of Appropriateness is required for any construction, addition, major alteration, relocation, removal, or demolition of a structure, object or feature, on a designated landmark property, in a landmark district, or a designated landmark interior. Depending on the scope of a project, some require a hearing before the Historic Preservation Commission. For those that don’t, they’re called Administrative Certificates of Appropriateness and are approved by Planning Department Preservation staff.”

PRELIMINARY COST ANALYSIS

(The proposal fee estimates are based on assumed tasks – a number of unknowns exist and would certainly affect final project cost)

Scenario: Removal of the east statue (Early Days) to storage. (Leaving pedestal)

The staff estimate of **\$160,000 - \$200,000** includes:

- Investigation (\$5,000)
- Sculpture Conservation Specialist (\$10,000)
- Scaffolding (\$8,000)
- Rigging/Crane/Transport (\$35,000)
- Supports/crating (\$5,000)
- Documentation (\$8,000)
- Ten years off site unregulated storage (\$60,000)
- Contingency at 20% (\$26,200)

Estimate excludes permitting, site accommodations, required approvals and fees by other city agencies, and Arts Commission staff administration.

SUPPORTING DATA

Please see attached additional documentation which includes position statements from other agencies and organizations, historical documents from the commission, staff reports, public comment, news articles and academia.

Excerpt from, Americans for the Arts, Statement on the Intersection of the Arts, History, and Community Dialogue:

"All public artwork, whether controversial or not, is at its most impactful when it is being considered *honestly*. Context, origin, and the feelings of the community must be part of an open dialogue and, ultimately, a community choice. The illegal removal of these monuments or the quashing of dialogue by government edict, or by violence, disempowers the community and dampens the innate power of public art to spark dialogue, change, and community healing."

ENCLOSED:

1. San Francisco Municipal Reports for the Fiscal Year 1893-94, Ending June 30, 1894. Published by Order of the Board of Supervisors. The Lick Monument and Statuary on the City Hall Grounds.
2. Guidelines, Newsletter for San Francisco City Guides. James Lick, by Gail MacGowan.
3. San Francisco Arts Commission Staff Memo, March 29, 1996. History of Pioneer Monument Plaques.
4. Letter from Martina O'Dea, American Indian Movement Confederation, January 1995.
5. Newsweek, April 29, 1996. No Such Thing as an Easy Move.
6. Minutes of the San Francisco Art Commission Regular Monthly Meeting, Monday May 6, 1996.
7. The New York Times, May 7, 1996. Century-Old Monument Feels the Clash of History by Michael J. Ybarra.
8. Excerpt from the Minutes of the San Francisco Arts Commission Regular Monthly Meeting, Monday June 6, 1996.
9. Pioneer Monument Plaque Meeting Participants, July 12, 1996.
10. The New York Times, June 9, 1996. Limitations of Statues in the Light of Today: California place names are indelibly bound up with cruelty during the Spanish conquest and Gold Rush by Michael J. Ibarra.
11. Excerpt from the Minutes of the San Francisco Arts Commission Regular Monthly Meeting, Monday August 5, 1996.
12. Harvard Design Magazine, Fall 1999. The Struggle of Dawning Intelligence: On Monuments and Native Americans by Rebecca Solnit.
13. Arts for the City, San Francisco: Civic Art and Urban Change, 1932-2012 by Susan Wels; The Art of Making a Place in Time Introduction by Jeannene Przyblyski.
14. Excerpt from Discrimination by Omission: Issues of Concern for Native Americans in San Francisco, A Report of the San Francisco Human Rights Commission, August 23, 2007; Images of Conquest – Public Art.
15. Americans for the Arts, August 2017: Statement on the Intersection of the Arts, History, and Community Dialogue.
16. American Institute for Conservation of Historic and Artistic Works, Position Paper, September 2017: AIC Position Statement On Confederate and Other Historic Public Monuments.
17. Excerpt from the Policies and Guidelines for the Civic Art Collection: Collections Management.

Recd. 12/1/70
T. J. [unclear]
[unclear]

SAN FRANCISCO MUNICIPAL REPORTS

FOR THE

FISCAL YEAR 1893-94, ENDING JUNE 30, 1894

PUBLISHED BY ORDER OF THE

BOARD OF SUPERVISORS.



SAN FRANCISCO

JAS. H. BARRY, PRINTER, 429 MONTGOMERY ST.

1894

FIRST WARD



M. GOODWIN

MAYOR

THIRD WARD



JAMES I. STANTON

FIFTH WARD



SANDS W. FORMAN

SIXTH WARD



CHRISTIAN REIS

SECOND WARD



DANIEL ROGERS

FOURTH WARD



P.J. KENNEDY

SEVENTH WARD



JAMES RYAN

CLERK

NINTH WARD



P.F. DUNDON

ELEVENTH WARD



JEFFERSON G. JAMES

TWELFTH WARD



JAMES DENMAN

EIGHTH WARD



ROBERT DAY

TENTH WARD



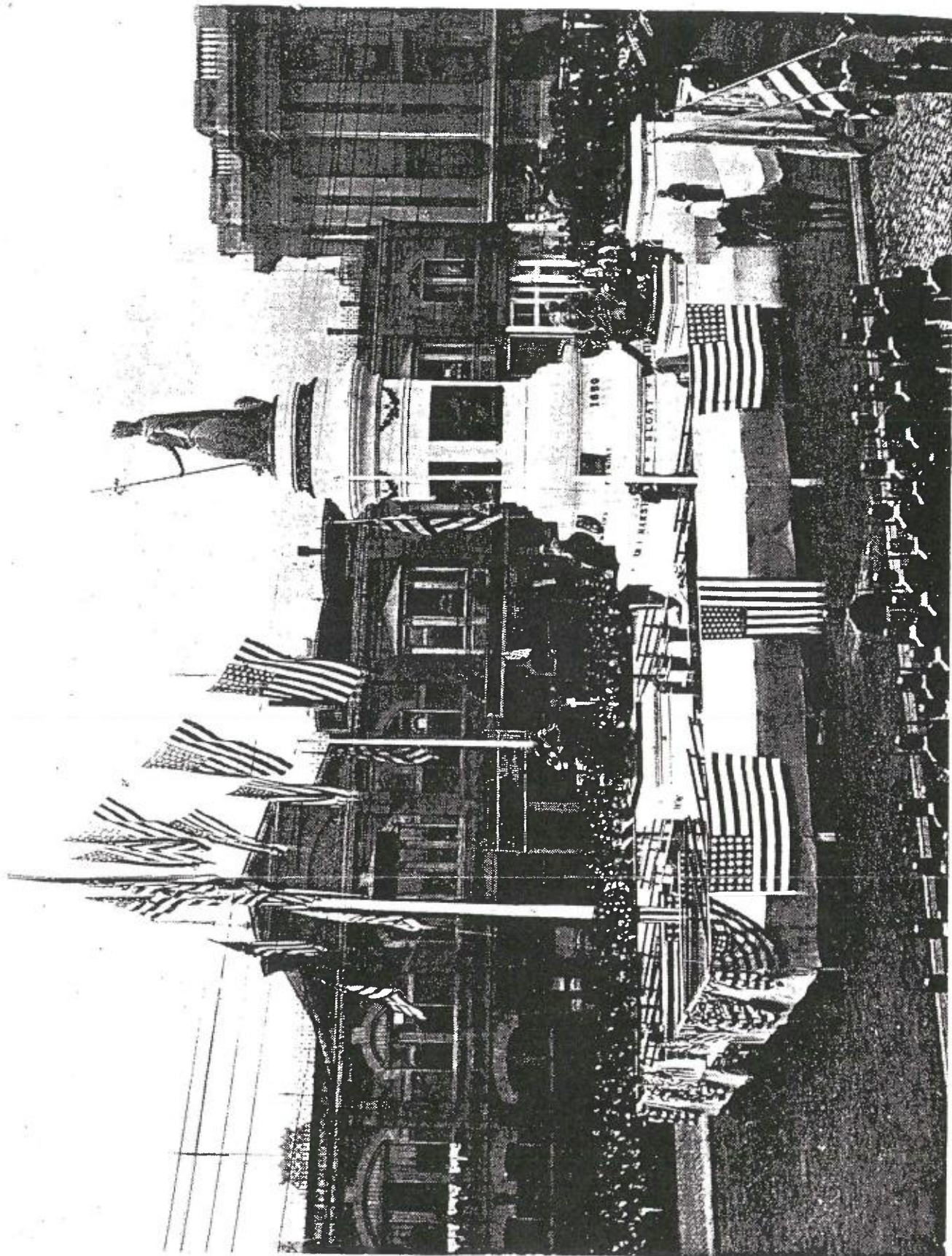
WM. M. HINTON

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ORMAN



THE LICK MONUMENT AND STATUARY

ON THE CITY HALL GROUNDS.

The thirteenth bequest made by the late James Lick (who died October 1, 1876), as set forth in the deed of trust executed by him on September 21, 1875, in which his property was conveyed to Trustees for philanthropic, beneficent and charitable purposes, provided for the erection of a group of bronze statuary worth \$100,000, representing the history of California from the earliest settlement of the Missions to January 1, 1874.

At the request of the Board of Trustees, the Board of Supervisors, in 1886, dedicated and set apart a strip of land in the center of City Hall avenue, seventy-six feet in width, extending from Market street to Park avenue, for the site of the Lick statuary. The following is a copy of the Order passed by the Board and approved by the Mayor, making the dedication, to-wit:

ORDER No. 1854.

DEDICATING A CERTAIN PORTION OF CITY HALL AVENUE FROM MARKET STREET TO PARK AVENUE AS A SITE FOR THE ERECTION BY THE TRUSTEES OF THE JAMES LICK TRUST, OF A GROUP OF BRONZE STATUARY, ILLUSTRATIVE OF THE HISTORY OF CALIFORNIA, FROM THE EARLY SETTLEMENT OF THE MISSIONS TILL THE YEAR 1874.

The People of the City and County of San Francisco do ordain as follows:

SECTION 1. That portion of City Hall avenue, consisting of a strip of land in the center thereof, of a uniform width of seventy-six feet, and extending from Market street to Park avenue, be and is hereby dedicated and set apart as the site upon which the Trustees of the James Lick Trust may erect the group of bronze statuary described in the thirteenth clause of the trust deed of James Lick, which is recorded in the office of the Recorder of the City and County of San Francisco, in Liber 810 of Deeds, at page 26, to-wit:

A group of bronze statuary, well worth one hundred thousand dollars (\$100,000), which shall represent by appropriate designs and figures the history of California; first, from the earliest settlement of the Missions to the acquisition of California by the United States; second, from such acquisition by the United States to the time when agriculture became the leading interest of the State; third, from the last named period to the 1st day of January, 1874.

In Board of Supervisors, San Francisco, May 3, 1886.

After having been published five successive days, according to law, taken up and passed by the following vote:

Ayes—Supervisors Gates, Roy, Kunkler, Abbott, Farwell, Pond, Williamson, Farnsworth, Heyer, Gilleran, McMillan, Valleau.

JNO. A. RUSSELL, Clerk.

Approved, San Francisco May 5, 1886.

WASHINGTON BARTLETT,

Mayor and ex-officio President Board of Supervisors.

In accordance with the bequest, the "Trustees of the James Lick Trust," in order to carry out the trust, in the beginning of the year 1887 invited sculptors and architects to enter into competition and submit designs for the statuary, which resulted in the submission of twenty-four designs in the latter part of that year. The Trustees, in the year 1890, desiring that models should be presented, selected and requested Messrs. Frank Happersberger, F. Seregrie, James Hochholzer and Messrs. Wright & Sanders to prepare and submit models of their designs, the Board of Trustees to pay to each the sum of \$750 for the models, irrespective of whether or not any one of the designs were approved and finally accepted.

The models were submitted, and the Board of Trustees approved and selected the model submitted by Frank Happersberger, with some modifications, and on September 12, 1890, awarded to the sculptor the contract to erect the statuary and complete the entire work for the sum of \$100,000, who at once commenced the work.

The following communication from the Board of Trustees, announcing the fact that they were ready to proceed with laying the foundation for the statuary, was received on May 21, 1894, to wit:

SAN FRANCISCO, May 21, 1894.

To the Honorable the Mayor and Board of Supervisors

Of the City and County of San Francisco—

GENTLEMEN: Referring to Order No. 1854, passed by the Board of Supervisors of the City and County of San Francisco on May 3, 1886, and approved by the Mayor on May 5, 1886, dedicating a certain portion of City Hall avenue as a site for the erection, by the Trustees of the James Lick Trust, of a group of bronze statuary, as recited in said Order—

I am now authorized and directed by the Trustees of the James Lick Trust to make this communication for the purpose of informing you that Mr. Frank Happersberger, the contracting artist of the work, is now ready to proceed with laying the foundations for the group of statues, and the Trustees desire to be authorized to occupy the site, to enable the contractor to make the necessary excavations for foundations and for the erection of the monumental structures in their permanent position.

Therefore, will you be pleased to make an Order authorizing the occupation of said site for the purposes aforesaid?

I have the honor to be, very respectfully,

H. E. MATHEWS,

Secretary of the Trustees of the James Lick Trust.

The Board of Trustees, all preliminary steps having been taken and the foundations constructed, proceeded to lay the corner-stone on Monday, the 10th day of September, 1894, being the forty-fourth anniversary of the admission of California into the Union. The site selected is the most conspicuous and appropriate locality which could have been chosen.

The laying of the corner-stone was performed under the auspices of the Society of California Pioneers, by invitation of the Lick Trustees, and a delegation from that society, consisting of ex-Presidents Willard B. Farwell, Colonel A. W. Von Schmidt, Henry L. Dodge, Arthur M. Ebbets and J. F. E. Kruse, were present as the representatives of that organization. The proceedings were opened by E. B. Mastick, Esq., Chairman of the Board of Trustees of the Lick Trust, who spoke as follows:

This anniversary of the day of admission of the State of California into the Union is observed as an occasion for the ceremonial of laying the corner-stone of the historical bronze statues, as one of the preliminary steps in observing the memory of the great philanthropist and benefactor James Lick.

A committee from the Society of California Pioneers has been invited and is present to-day to assist in laying the corner-stone of this monument.

This is the thirteenth trust of James Lick. He was a lover of art and science, and above all he was a lover of humanity. It was he who gave to the people of California the great telescope on Mount Hamilton, which is yielding excellent results to science. He gave liberally to the Protestant Orphan Asylum of San Francisco, provided for the Ladies' Relief Society, the Society for the Prevention of Cruelty to Animals, the Mechanics' Institute and others. He gave us the Old Ladies' Home, the Key Monument, the Free Baths, and the School of Mechanical Arts, which will be finished and ready for pupils within ninety days from now. He gave us this monument, which will be historical of the early times in California, and every Pioneer, every Native Son and citizen, should appreciate the works of the great benefactor, James Lick.

After these trusts are provided for and completed the residue of the estate is to be divided between the society of California Pioneers and the California Academy of Sciences, each of which will get about half a million dollars.

I take pleasure in now introducing to you Mr. Willard B. Farwell of the Society of California Pioneers, who will address you on behalf of the Society and in the interest of the occasion.

ADDRESS OF WILLARD B. FARWELL.

Gentlemen of the Lick Trust and Fellow-Citizens:

No association of men can feel a more sincere interest in the ceremony taking place here to-day than those who constitute the Society of California Pioneers.

On their behalf I stand here to-day to express to you the deep gratification which we feel at having been called upon to participate in this ceremony, and for the opportunity which it affords us to pay our humble tribute of respect to the memory of our departed friend and associate, great-hearted James Lick.

The occasion suggests a vein of thought that might well be elaborated into an extended dissertation upon the economy of human affairs, but which may not with propriety be indulged in here. It suggests one theme, however, which I may be permitted to take as the text for the very brief remarks which I shall offer, and that is this:

What are the apparent aims and purposes of most of those whose lives are devoted to the accumulation of colossal wealth, and what ought to be the aims and purposes of those who are successful in this line of endeavor?

To the first half of this question the answer is apparent on every hand. Some silent but empty palaces upon your hilltops, some equally silent but tenanted palaces that adorn your cemeteries, attest its scope and tenor. For these, in most instances, are the only public evidences that the men who builded them have left behind them to perpetuate their memories or to command the respect and gratitude of posterity.

These epitomize the story of lives that exemplify alone the words of the preacher—"vanity of vanities, all is vanity"—as their only legacy for mankind to profit by.

To the second half of this question the imposing ceremony of to-day gives effective answer. But not alone is the answer found in this ceremony. It is inscribed over the portals of that blessed mansion that adorns your southern hillsides, the "Lick Old Ladies' Home." It is written above the entrance to that edifice but a few blocks away from where we stand to-day, endowed and erected to give practical illustration to the great truth that "cleanliness is next to godliness," the "Lick Public Baths." It is symbolized by that work of art that graces your great public park, the "Lick Monument" to the memory of the

LICK MONUMENT AND STATUARY.

author of our beloved national ode, "The Star-Spangled Banner." It is manifested in those two noble monuments that embellish two of your great thoroughfares, "The Academy of Sciences" and the "Hall of the Society of California Pioneers." It is published to the world in that institution destined to confer unlimited good upon present and future generations, "The School of Mechanical Arts." It is found in the rich and impartial endowments that have secured such lasting benefits to the fatherless and motherless little ones who are sheltered, nourished and cared for in the blessed orphan asylums of the land. Above all, it is written in the sublimest text against the sky upon one of your most imposing mountain tops, in the outline of the great Lick Observatory at the summit of Mount Hamilton—the grandest institution ever erected for the promotion of the study of the grandest of all the sciences. Whose influence is destined to widen the scope of human knowledge. Whose mission it is to unfold, night by night, a wider and deeper reverence and awe for the unseen, unknowable and unthinkable power that holds the innumerable universes in the hollow of his hand; that can alone "bind the sweet influences of Pleiades or loose the belts of Orion."

Others there have been, who, out of their vast accumulations of wealth, have left such munificent endowments for the benefit of those who were to come after them as to entitle them to generous and grateful remembrance. I can recall no instance, however, that is fraught with such comprehensive beneficence, that confers such widespread good upon mankind, and from an equal share in whose benefits poverty furnishes no ban and incurs no excluding discrimination, as is found in these generous benefactions of James Lick, whose name best typifies the thought of the poet of the one who, best loving his fellow-men, in the book of the recording angel leads all the rest, for the lasting legacy of good which he has conferred upon them.

The occasion is one that calls for reference to another topic which bears so close a relation to the ceremonies in which we are participating as to render it my duty to devote a moment to its consideration. The participation in this event by California Pioneers and by Native Sons of California justifies some rebuke at this time and place for the unjust and cruel slanders that the public journals of this morning report as having been uttered from one of the pulpits of this city no longer ago than yesterday.

In this report it is stated, substantially, that the Rev. Dr. Dille had, with sweeping dictum, denounced the Native Sons of the Golden West in terms that admitted of but one interpretation, and that is, that they were the degenerate descendants of unworthy sires; that they were Sabbath-breakers and hoodlums.

Of the Pioneers he is reported to have spoken in even more disparaging terms.

It is a difficult, and possibly it would be a barren task, to attempt to fathom the motive that could inspire such utterances as these. Where ignorance of the truth and facts of history is so closely interwoven with what I may justly term malignant bigotry, reason and justice may not enter, for the mind that can be controlled by such impulses is too narrow to comprehend their meaning, much less to realize the enormity of the cruel wrong which it inflicts under the exemption from human responsibility with which its evangelical garb surrounds it.

On the part of the old Pioneers who founded this great State, these gratuitous slanders are best answered by their works.

On the part of the Native Sons of California, who have thus been maligned, the object lesson of the laying the corner-stone of this monument to-day, and the beautiful and emblematical proportions which it will wear when completed, will furnish sufficient answer to this cruel slander, and carries with it sufficient rebuke to him that gave utterance to it. For this grand conception, so full of allegorical lesson, so imposing and

instructive, so ennobling in artistic worth, is the work of Mr. Frank Happersberger, a Native Son of California, belonging to the class which the voice of this preacher of the gospel of vilification practically proclaims from the pulpit as made up of Sabbath-breaking hoodlums. Such work as this best refutes the too frequent diatribes that are uttered from the pulpit against the social order of things in this community. It best illustrates by the comparison which it offers, the narrowness of thought that religious bigotry too commonly inspires, and points the moral of the scriptural aphorism that "the fool is known by his folly."

This monument shall lend luster to the memories of the founders of this commonwealth, and give lasting renown to the name of the Native Son who designed it, long ages after the name of this clerical slanderer shall have passed into the forgetfulness of oblivion.

And now, gentlemen of the Lick Trust, on behalf of the association which we represent here upon this occasion, I desire to express to you some words of our appreciation of the manner in which you have discharged your duty under the responsibilities that have devolved upon you as the trusted representatives of our departed generous friend. It is not a fit occasion, nor is there need to indulge in flattery in addressing you in this connection.

In sincere frankness, and in the simple vindication of truth and justice, let me say, then, that the manner in which you have met and fulfilled the sacred obligations which were thus conferred upon you cannot fail to meet the approbation of your fellowmen, as it most certainly meets the sincere commendation of the members of the Society of California Pioneers, as whose representative I stand before you. Watching closely as we have the manner in which you have discharged your duties through all the long years that this responsible trust has rested upon you, we render our verdict of well done, good and faithful servants.

You have been governed alone by an integrity of purpose that commands in largest measure the commendation and respect of this community, by a service of right and duty toward all whose interests were intrusted to your charge; and, gentlemen, in the language of another let me say in closing, that "right and duty are always magnificent ideas. They march—an invisible guard—in the van of all true progress. They nerve the arm of the warrior. They kindle the soul of the statesman and the imagination of the poet. They sweeten every reward; they console every defeat. Sir, they are the invisible chain that binds feeble, erring humanity to the eternal throne of God."

Console yourselves, then, gentlemen, with the thought that in the performance of the sacred and responsible obligations that have so long rested upon you, you have, in largest measure, followed the strict line of "right and duty," and thereby earned your reward in the enduring gratitude of those whose interests you have stood watch and guard over, and in the lasting esteem and respect of your fellow-citizens.

The contents of the copper box for the corner-stone, which was furnished by Mr. Frank Happersberger, designer of the Historical Statues, contains the following articles placed therein by H. E. Mathews, Secretary of the James Lick Trust, viz :

Furnished by University of California:

Deed of Trust of James Lick.

1. Formal Recognition of the Transfer of Lick Observatory to the Board of Regents of the University of California (pamphlet).

2. Register of the University for the year 1893-94.

3. Report of the Secretary of the Board of Regents, June 30, 1893.

4. Report of the President of the University, on behalf of the Regents, to the Governor of the State, June 30, 1893.

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Furnished by the Society of California Pioneers:

Constitution and By-Laws, Annual Report, 1894.

List of members, 1888.

Account of Celebration Forty-third Anniversary, 1893.

Marshall's Discovery of Gold—Lecture by John S. Hittell.

Gold badge of Society of California Pioneers.

Furnished from Lick Trust Office:

Photo portraits of James Lick.

Photo portrait of Capt. R. S. Floyd, late President Trustees.

Copy of James Lick Deed of Trust.

Publications Lick Observatory, Vols. I and II.

Pamphlet of formal transfer of Lick Observatory to the Regents of the University of California

Furnished by H. E. Mathews:

Two dozen photographic views of Lick Observatory, the site, buildings, instruments and surrounding scenery.

Vol. I, Encyclopædia Britannica.

Daily newspapers of September 9th and 10th, 1894.

Folio views of Columbian Exposition (Chicago World's Fair).

Card, California Commandery, Knights Templar.

Furnished by Charles M. Plum:

Family portraits.

Chas. M. Plum & Co. Upholstery Company Exhibits.

Frank Happersberger deposited his card in the box.

The box having been soldered and delivered at the corner-stone, was taken in charge by Mr. Charles M. Plum, Trustee, and at time of depositing in the corner-stone, Mr. Plum raised the box to view of the audience and made the following remarks:

In this box is placed the history of the James Lick Trust and its beneficiaries, as well as many souvenirs of this occasion.

I place this in the corner-stone of this monument, hoping that in a future age it may be found by some "California Hoodlum," who will learn from its contents a history of the people of our day, and our reason for erecting this grand monument to Art and Progress.

The placing of the corner-stone closed the ceremonies of the occasion.

The monument was completed in November, 1894, and it was decided by the Trustees of the James Lick Trust to have appropriate ceremonies commemorative of the occasion of its completion and acceptance by the city. The following is a copy of the programme:

1. Introduction of Hon. Irving M. Scott (Chairman of Literary Exercises) by Christian Reis (President of the Society of California Pioneers).
2. Overture—"Jubel" (C. M. Weber), by Ritzau's Band.
3. Song—"America," by the children of the Public Schools.
J. H. Budd introduced by Chairman.
4. Address by E. B. Mastick, Esq., (a member of the James Lick Trust), reciting a synopsis of the History of the Trust, its benefits and results.
5. Introduction of Mr. Frank Happersberger, a Native Son, the designer and builder of

6. Unveiling of the monument and music by the Band—Selection of American National Airs.
7. Address by Hon. Willard B. Farwell (Orator of the Society of California Pioneers).
8. Poem by Pioneer Dr. Washington Ayer.
9. Music—"American Patrol" (Tobani), by the Band.
10. Presentation of the monument to the city authorities by George Schonewald (President of Trustees of the James Lick Trust).
11. Acceptance of the monument by the Mayor and city authorities.
12. Music—Operatic selection, "Robin Hood" (De Koven), by the Band.
13. Song—"Star-Spangled Banner," by children of the Public Schools; chorus by the audience.
14. Benediction by Rev. S. H. Willey (Chaplain of the Society of California Pioneers).

The Trustees of the James Lick Trust, the Society of California Pioneers, His Honor L. R. Ellert, Mayor, the members of the Board of Supervisors and other invited guests assembled in the chambers of the Board of Supervisors and in procession marched out to McAllister and Larkin streets and were escorted to City Hall avenue, by the First Regiment of the California Guard, the Naval Battalion, and the Native Sons of the Golden West, where in their presence the statue was unveiled at 11 o'clock A. M., the band playing patriotic airs. The procession then proceeded to Odd Fellows' Hall, in which the remaining ceremonies took place.

The President of the Society of California Pioneers, Christian Reis, Esq., made the opening address, as follows:

Gentlemen of the Lick Trust, California Pioneers, and Ladies and Gentlemen:

We are met together to-day to receive one of the most noteworthy benefactions of James Lick, the illustrious benefactor of our society, of the city, of the people, of science, and through science of the world at large. A profound wisdom, a deliberate consideration of aims and results, are displayed by him and his advisers in all his great gifts; but it may be believed that in this instance he wrought even better than he knew. He created an enduring memorial to himself as well as a perpetual ornament to the city, and in pursuance of that spirit of deep and enlightened patriotism which has found more than one expression in his munificent plans, he has provided a fountain at which succeeding generations will renew the inspiration of State pride. It is a pleasing reflection, and in accordance with the fitness of things, that the person who designed this beautiful composition is himself one of the sons of the soil who were to be inspired by it.

Mr. Lick found our young city wanting in works of art, and has enriched us with two. One to kindle national ardor, and the other to engender affection for our California.

I will now introduce to you one who has himself done mighty work in the field of industrial construction; who built the first cruiser built on this coast, and has followed it up with similar work of such merit as to add to the standing of our State and to the dignity of the nation in the eyes of the world—Mr. Irving M. Scott.

Mr. Irving M. Scott, on taking the chair, paid a very eloquent tribute to James Lick for his many beneficent gifts to the people of this city and county and the State, and the labors, well performed, of the Trustees of the James Lick Trust. He complimented in the highest terms Mr. Frank Happersberger, the designer and builder of the monument, on the success of the work.

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The following address was delivered by E. B. Mastick, Esq., giving a synopsis of the history of the Trust, its benefits and results:

Gentlemen of the California Pioneers, of the Lick Trust, Ladies and Gentlemen:

On the 16th day of July, 1874, James Lick made a deed of trust to Thomas H. Selby, D. O. Mills, Henry M. Newhall, William Alvord, George H. Howard, James Otis and John O. Earl by which he conveyed to them all of his property, real and personal. Under this deed the grantees performed certain work in the line of the provisions of the trust. On the 27th of March, 1875, this deed was revoked by Mr. Lick, and on the 21st day of September, 1875, he made a new deed, in pursuance of a decree of the District Court of the Nineteenth Judicial District, by which he conveyed all of the said property to Richard S. Floyd, F. D. Atherton, Bernard D. Murphy, John H. Fick and John Nightingale. The terms of that trust deed have ever since remained in full force, and under its terms the trusts have been executed.

On the 2d day of September, 1876, the present board, consisting of R. L. Floyd, William Sherman, C. M. Plum, George Schonewald and E. B. Mastick, was appointed by Mr. Lick, and the members of the second board resigned in their favor. A good deal of work was performed by the second board in preparing for the execution of the trusts. After the appointment of the present board Mr. Lick became apprehensive that his deed of trust would be attacked upon the ground that his mental condition was such that he could not dispose of his property according to the terms of his deed of trust, and thereupon he had a commission appointed of physicians to examine him as to his mental condition, and after such examination the physicians made a report to the effect that he was fully competent to make such a deed. This report was placed in such way as that it should be considered as authority in case it should be required.

Mr. Lick was born in Fredericksburg, Pa., on the 25th of August, 1816. Soon after James Lick died his son, John H. Lick, claimed that the deed of trust was invalid, on the ground anticipated by James Lick. He took out letters of administration upon his father's estate, and was about to commence a suit to set aside the deed when, after considerable negotiation, a compromise was agreed upon between the Trustees and John H. Lick, and thereafter the same was submitted to the Court and the Court was asked to confirm the agreement. The sum to be paid was \$535,000. The matter was reported to the Court for approval, and on the 9th of March, 1878, the compromise was ratified by Judge E. D. Wheeler. It was not until that time known that the trust was valid, and from thence on the Trustees proceeded to execute the various trusts provided for.

The first in order was the construction of the great telescope. D. O. Mills, while Trustee, had visited Europe and made certain investigations in respect to it, and had purchased an astronomical library. Captain Floyd, after his appointment, also visited all of the important observatories in the world and gathered as much information as possible in relation to observatories and the construction of telescopes. He wrote over five thousand letters of and concerning the observatory, and gathered into the office here all the knowledge then existing concerning the establishment and equipment of observatories. Besides, he consulted personally with the most eminent astronomers both in America and Europe, receiving their advice and adopting as far as applicable the suggestions made by them.

It was at that time doubted whether so large an objective could be constructed as that of thirty-six inches in diameter, clear aperture. Alvin Clark & Son had just constructed the Russian Pulkowa objective, which was of a diameter of thirty inches. The Clarks doubted very much whether so large an objective as thirty-six inches in diameter could be obtained, or whether the same would not yield by flexure when placed in the tube.

The making of the disks was the most important step in the production of the largest telescope. Consultations were had with optical-glass makers in England and France, the two principal being Fiel & Sons of Paris and Chance Bros. & Co. of Birmingham, England. The latter were unwilling to undertake to make the disks. Fiel & Sons entered into a contract for that purpose with the Messrs. Clark.

After nineteen trials and a lapse of about two years Fiel & Sons not having produced the disks, Mr. Clark visited Paris, and they then proceeded to make further efforts and were successful, and made the great objective. In October, 1887, they reported that the glasses were made, and immediately thereafter the same were placed in a Pullman passenger car specially prepared for that purpose, and with the greatest care they were transported across the continent to Mount Hamilton. Warner & Swazey of Cleveland, Ohio, made the mounting machinery, and the Union Iron Works made the steel floor and great dome.

The observatory building was then finished, and in June, 1888, the same, with all the instruments and equipments, was turned over to the Regents of the University. The sum appropriated by Mr. Lick was \$1,000,000. The cost was \$710,000, and \$90,000 in cash was turned over to the Regents at the same time.

The site for the observatory was selected by Mr. Lick. The Government of the United States donated 2030 acres, the State of California 320 acres, R. F. Morrow 40 acres and Mr. Lick purchased 149 acres, making a total of 2539 acres on the top and slopes of Mount Hamilton, the place on which the great observatory was erected. The buildings stand at an elevation of 4209 feet above the sea. The roadway to the top of the mountain was constructed by the county of Santa Clara in the year 1876 at a cost of \$78,000. The floor of the building is elevated and depressed and the dome turned with water motors. The water is pumped from a spring 600 feet below the summit of the east peak to the top of the east peak at an elevation of about 90 feet above the observatory, and from the east peak it flows to the motors, operates them, flows back into a reservoir and is caught up by a pump operated by a windmill and sent back to the east peak. Thus it is kept in continual motion operating the motors.

In May, 1884, the Trustees distributed in cash under the trusts, to beneficiaries as follows:

To the Trustees of the Protestant Orphan Asylum of San Francisco, \$25,000.

To the city of San Jose for the purpose of building and supporting an orphan asylum, free to all orphans, \$25,000.

To the Trustees of the Ladies' Protective and Relief Society of San Francisco, \$25,000.

To the Mechanics' Institute of San Francisco for the purchase of scientific and mechanical works, \$10,000.

To the Trustees of the Society for the Prevention of Cruelty to Animals of San Francisco \$10,000.

A family monument was erected at Fredericksburg, Pa., by the second Board of Trustees in 1876 at a cost of \$20,000.

The tenth trust, which provides for the foundation of an institution to be called the "Old Ladies' Home," was completed in 1884. The Trustees for that institution were named by Mr. Lick as follows: A. B. Forbes, J. B. Roberts, Ira P. Rankin, Robert McElroy and Henry M. Newhall; and they now have the control and management of the same, except so far as some may have resigned or died.

The eleventh trust provided for the expenditure of \$150,000 under the direction of H. M. Newhall, Ira P. Rankin, Dr. J. D. B. Stillman and John O. Earl in the erection and maintaining in the city of San Francisco of free baths. The site for the same was selected by the per-

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sons named and the funds were provided by the Trustees for the purchase of the same and the erection of the baths; all of which was accomplished, and the baths went into use on the 1st of November, 1890.

The twelfth trust provided for the Key monument. That was obtained and unveiled July 4, 1888, and stands in Golden Gate Park.

The thirteenth trust has been completed this day. The unveiling of the statuary has been in your presence and you are now able to pass judgment on the same.

The fourteenth trust is almost completed. The building will be finished during the next month and it is expected that the same will be open for use on the 7th of January next. The Trustees named by Mr. Lick, who should direct and accomplish that trust, were: Dr. J. D. B. Stillman, Horace Davis, A. S. Hallidie, John Oscar Eldridge, John O. Earl and Lorenzo Sawyer. Three of the Trustees have died. The vacancies have been filled by the Rev. Horatio Stebbins, John H. Boalt and James Spiers. This trust is one of the most important named in the trust. The deed provides that it is to be called the California School of Mechanical Arts, the object and purpose of which shall be to educate males and females in the practical arts of life, such as workers in wood, brick and stone, or any of the metals, and in whatever industry intelligent mechanical skill now is or can hereafter be applied, such institution to be open to all youths born in California.

The fifteenth trust provided for the payment of the debts and liabilities of James H. Lick, all of which have been paid.

The sixteenth trust provided for the payment to John H. Lick of \$150,000. This was settled in the compromise made with him.

The seventeenth trust provided for the reservation of certain personal property for the term of the natural life of the said James Lick to his use, and at his death the Trustees were to deliver over the same, share and share alike, to the California Academy of Sciences and the Society of California Pioneers, and the property has been so delivered.

The eighteenth trust provided that: "After discharging the trusts and making the payments hereinbefore mentioned, in the order hereinbefore stated, the said Trustees are to make over and transfer the residue or the proceeds of the property transferred and conveyed by said deed, and intended to be, in equal proportions to the California Academy of Sciences and the Society of California Pioneers, to be expended by them respectively in the erection of the buildings mentioned in the said deed to said societies respectively, dated October 3, 1873, and in the purchase after the erection of such buildings of a suitable library, natural specimens, chemical and philosophical apparatus, rare and curious things useful in the advancement of science, and generally in the carrying out of the objects and purposes for which said societies were respectively established."

This trust is now in a condition to be satisfied, and will be so as soon as the fourteenth trust has been accomplished.

The total of the sums to be paid under the deed was \$1,941,000. As nearly as can be ascertained, the value of the property at the time the deed of trust was made was estimated at about two and a half millions. A larger part of the property was in land. There was paid, other than the sums mentioned in the deed of trust, \$100,000 to John B. Felton; old claims and expenses, \$49,496.21; compromise with John H. Lick, including \$150,000 mentioned in the deed, \$533,000; expense of compromise suit, \$60,008.98; making a total of \$742,504.19.

It is now estimated that including interest upon moneys loaned to the California Pioneers and the Academy of Sciences the surplus to go to those societies under the eighteenth trust will be \$1,170,000, and that the whole of the property consists of money, notes and mortgages.

In the management of the property from the date of the first deed to the present time no losses have been sustained except by fire in the Lick House, amounting to \$13,000, and some small amounts of rent from time to time, which have not been paid. Accurate books of accounts have been kept, showing all the transactions of the three Boards of Trustees, and vouchers exist for every dollar of money that was ever expended in carrying out the provision of the trust, and these accounts have from time to time been examined by experts and under the orders of court and by the Academy of Sciences and the California Pioneers. The latter two societies have at all times had access to the books and vouchers of the trust. The last accounting approved by the court was up to September 6, 1889.

Captain R. S. Floyd died October 17, 1890. He was the President of the Board of Trustees from the time of appointment of the second Board until his death. He was an able and wise man, and the services which he rendered in the construction and equipment of the observatory entitle him to the thanks of all who prize that noble institution. William Sherman died September 12, 1884. He was Vice-President of the trust and had the special care of the real estate. He was an active and zealous worker, entitled to the highest praise for his services.

In the production of this historical statuary, the effort has been made to produce the same by California artists and workmen, and as soon as Mr. Happersberger's design was accepted, negotiations were had Messrs. Whyte and De Rome to make the bronze figures, and they agreed to do the work. They procured skilled workmen and made the figures.

The trustees believe that Messrs. Whyte and De Rome have produced work equal to the very best, and are entitled to great credit in their success. The granite was procured in Rocklin in this State, and the same was cut there. The excellence of the stone and work will meet your approval. The design of the monument as a whole and as it stands before you is for your judgment. But it will be proper to say that Mr. Happersberger has devoted all his time, skill and energy in this historical work, and the trustees, as far as they are able to judge the work, are satisfied.

The thirteenth trust provides that there shall be erected "at the City Hall in the City and County of San Francisco, a group of statuary, well worth \$100,000, which shall represent by appropriate designs and figures the history of California from the early settlement of the missions to the acquisition of California by the United States; second, from such acquisition by the United States to the time when agriculture became the leading interest of the State; third, from the last-named period to the 1st day of January, 1874."

The group of three figures fronting the City Hall consists of a native Indian reclining, over whom bends a Catholic priest, endeavoring to convey to the Indian some religious knowledge. On his face you may see the struggle of dawning intelligence. Standing as one of the group is a vacquero, in the act of throwing his lasso. This is the first period.

The second period is represented by a group of miners, fronting on Market street.

The third period is represented by the female figure on the western pedestal, commerce on the eastern.

The four panels represent: One, a family of immigrants crossing the Sierras; one, a company of traders trading with the Indians; one, lassoing a steer, and one, California under Mexican rule and under American rule.

Near the face of the main pedestal appear the names of Spanish Governors—Vallejo, Castro, Portales, and Cabrillo; also the Americans—Commodore Stockton, T. O. Larkin, Commodore J. D. Sloat, and James W. Marshall, the discoverer of gold at Sutter's Mill.

Next above appears in bronze the heads and faces of James Lick, Serra, Drake and Fremont.

Next above the panels is a relief of fruits and flowers.

High above all California is represented in the figure of a woman holding a shield ready for protection, with a spear for defense, and by her side is the great grizzly bear.

Each and all of the trusts have been approved by all the people in a way to bring out in strong and bright relief the real character of Mr. Lick. Though in his general intercourse with people he may have seemed to be rough, yet his heart held the loftiest patriotism and the greatest love of his country. Witness the Key monument and the historical monument. Also, his love for animals is shown by the fact of his giving \$10,000 to the Society for the prevention of Cruelty to Animals, accompanied with the hope expressed by him that the Trustees of said society may organize such a system as will result in establishing similar societies in every city and town in California, to the end that the rising generations may not witness or be impressed with such scenes of cruelty and brutality as constantly occur in this State.

For the young and helpless he gives to three orphan asylums \$25,000 each.

For the aged and needy ladies who are unable to support themselves and who have no resources of their own, he founds an institution to be called the Old Ladies' Home, with \$100,000.

For the health and comfort of the people he causes to be expended \$150,000 for the erection and maintenance of free baths in the city of San Francisco, the same to be forever maintained for the free use of the public.

To educate boys and girls in the practical arts of life he founds and endows the School of Mechanical Arts, at a cost of \$540,000, the school to be open to all of the youths born in California.

For the benefit of all of the people of the world he causes to be expended \$700,000 in the construction of a powerful telescope, superior to and more powerful than any telescope ever yet made, with all the machinery appertaining thereto or appropriately connected therewith, suitable to a telescope more powerful than any yet constructed. To make this great instrument and all its appliances permanent and enduring, he caused it to be conveyed to the Regents of the University of California.

And finally, that which is left shall be divided equally between the California Pioneers and the Academy of Sciences, showing his regard for his comrades, the early Pioneers, and his love and regard for the sciences.

All of these are living and permanent trusts. He embraced within the scope of his benefactions all that tends to protect, to preserve, to promote happiness, to elevate and to benefit his country and mankind.

Noble and grand were his purposes, and we, his countrymen, should see that his purposes are accomplished.

The Hon. Willard B. Farwell was introduced, and delivered the following eloquent oration :

Gentlemen of the Lick Trust, of the Society of California Pioneers, Ladies and Gentlemen :

Sometimes in the journey along the highway of life a public benefaction from some great-hearted philanthropist salutes us, in grateful relief to the hard and selfish greed that too often characterizes the attitude and relation of men toward each other. Whether it takes the form of some blessed public charity, or is embodied in monumental emblems intended to kindle and keep alive the spirit of love and devotion to country, such examples of public philanthropy and patriotism appeal to the better side of our natures. They foster

and enlarge among men respect and esteem for each other, and relieve the aspect of cold selfishness which would perhaps otherwise be the dominant characteristic of human existence. If a single public benefaction inspires such grateful sentiments in the hearts of mankind, what shall we say of or how shall we pay adequate homage to the name and memory of James Lick, whose generous heart conceived and carried into effect so wide and varied a scheme of public benefaction, of which the imposing ceremony of to-day is to constitute almost the closing chapter!

Living the life of a recluse and a cynic, seemingly with the single ambition of acquiring and accumulating wealth, misunderstood and perhaps misrepresented by his fellow-men, he closed an eccentric career by acts of public beneficence so varied and far-reaching in the aggregate of good which they are destined to exert upon the present and future welfare of this community as to be literally above and beyond compare. It detracts nothing from what others have done, or what others may do in the future in the way of public benefactions, to claim for the name and memory of James Lick the foremost place in the hearts of the people among all who have preceded him, and possibly among all who may come after him; for none have thus far covered so wide a field of usefulness, none have conceived and carried into effect so grand a scheme of philanthropy, from which there are none so poor that they may not reap substantial gratification and benefit, literally "without money and without price."

Upon the occasion of the laying of the corner-stone of this great monument some weeks ago it fell to my lot to allude to and to summarize briefly the leading public benefactions of this great-hearted man. If I again refer to them upon the present occasion it is because it is necessary to the proper observance of the ceremony of today, and because repetition of such meritorious acts but fairly illustrate the truth of the aphorism that we can "never weary in well-doing." The benefactions of James Lick were not of a posthumous character. There was no indication of a desire to accumulate for the sake of accumulation alone, and to cling with greedy purpose and tenacity to the last dollar gained, until the heart had ceased its pulsations and the last breath been drawn, before yielding it up for the good of others. On the contrary, he provided for the distribution of his wealth while living, although he was not spared to witness the benefit he desired to confer upon those for whose good it was to be given.

There was no room for cavil then over the manner of his giving. He fulfilled in its broadest measure, the injunction of the aphorism, "He gives well who gives quickly."

The first bequest contained in his deed of trust, was that of \$700,000 for the erection of the Observatory at the summit of Mount Hamilton, and its equipment with the largest and most powerful telescope in the world.

Second. Twenty-five thousand dollars to the Protestant Orphan Asylum of San Francisco.

Third. Twenty-five thousand dollars for the building and support of an Orphan Asylum in San Jose, "free to all orphans without regard to creed or religion of parents."

Fourth. Twenty-five thousand dollars to the Ladies' Protection and Relief Society of San Francisco.

Fifth. Ten thousand dollars to the Mechanics' Institute of San Francisco, "to be applied to the purchase of scientific and mechanical works for such Institute."

Sixth. Ten thousand dollars to the Trustees of the Society for the Prevention of Cruelty to Animals, of San Francisco.

Seventh. One hundred thousand dollars "to found an institution to be called 'The Old Ladies' Home.'"

LICK MONUMENT AND STATUARY

Eighth. One hundred and fifty thousand dollars for the erection and maintenance of Free Public Baths.

Ninth. Sixty thousand dollars for the erection of a monument to be placed in Golden Gate Park "to the memory of Francis Scott Key, the author of 'The Star Spangled Banner.'"

Tenth. Five hundred and forty thousand dollars to found and endow an Institution to be called "The California School of Mechanical Arts," "to be open to all youths born in California."

Making the California Academy of Sciences and the Society of California Pioneers his residuary legatees, after all his public and private bequests had been fulfilled, which, by the careful and faithful discharge of their duties on the part of the Trustees of this great estate, will doubtless amount to half a million dollars for each of these institutions, we come to the public gift of one hundred thousand dollars for the construction and erection of a Monument to appropriately commemorate the early history of California. First, from the early settlement of the Missions to its acquisition by the United States; second, that shall tell in imperishable granite and bronze, the romantic story of its marvelous transformation into a populous, powerful and prosperous American State.

Surely, the impulse that inspired this magnificent gift to this great metropolis was born of love for the State of his adoption, and an honorable pride in the part which he had played as one of its founders. By no other method could the importance of the act of planting American civilization in California and transforming it into an American State be so strikingly illustrated as by this symbolical contrast of the country as it was during its somnolent Mission period, and as it had come to be in the closing years of his active and useful life.

The story that this noble monument relates, then, is of a country which, less than half a century ago, was a remote and isolated land of pastoral peace and quietude. The Missions, scattered here and there in sequestered nooks and fertile valleys, were places of spiritual and temporal repose. Her broad hillsides, rank with luxurious grasses, pastured countless herds, sources of wealth and livelihood to a sparse and unprogressive population. The homes of the rancheros were veritable "castles of indolence." Nature was so lavish of her gifts from the soil, and of health and comfort from climate, that life was easy of maintenance and poverty practically unknown. It was indeed another "Happy Valley of Rasselas." From these peaceful conditions to the discovery of gold, the influx of a strange population, the years of excitement and the marvelous production of gold which followed, the transition was wide indeed, and brought to the average "old Californian" as much discontent and bitterness of spirit as that which the Abyssinian prince himself experienced under like conditions of transition and exchange from the quiet delights of the "Happy Valley" to the rough usages of the outer world.

It tells also, how that land was transformed as if by the wave of a magician's wand into a great and populous empire of abounding wealth and unlimited possibilities. With what would seem to be a manifest appropriateness, the members of the Society of California Pioneers, who were contemporaries of James Lick during this last-named transition period, and who yet remain upon the scene of their early labors, have been called upon to take a prominent part in the conduct of the ceremonies of this important occasion. Speaking on their behalf, let me say, that these men, now far advanced in years, and whose days are indeed now "numbered by the shortest span," can look with honest exultation upon the work which this monument commemorates, "all of which they saw, and part of which they were." They rejoice, that, as the end approaches, their successors are to enjoy so fair

an inheritance of stable government, and of civil and religious liberty, as that which has grown from the seed which they planted in the wilderness as they found it, and which has found fruition in the State of the American Union which they created out of that wilderness.

Fortune may not, Fortune has not smiled graciously upon all Pioneers alike; but Fortune, however fickle or however unkind she may be, has deprived none of them of the honor and the glory which attaches to them for the work which they achieved and which this monument symbolizes.

The testimony of proud edifices, broad avenues thronged with ever-moving multitudes of men, endless processions of passing vehicles, of crowded railway carriages, with clanging bells, giving constant warning of their ceaseless movements along these populous thoroughfares; hills covered with splendid mansions, and the streets that traverse them thronged with luxurious equipages, the never-ceasing clatter of "busy hammers closing rivets up," and the smoke from hundreds of manufacturing establishments enveloping half of this great hive of industrial traffic, are all in striking contrast with the scene that first saluted our vision when, nearly half a century ago, we first set foot upon the sand beach that then outlined the cove of Yerba Buena.

If these remarkable evidences of transformation bear witness to the material progress that has followed the acquisition and settlement of California by the American people, equally striking is the evidence embodied in yonder monument that art has kept pace with the material progress of prosperous human existence.

For here the deft hand and the genius of a son of the soil has not only created this imposing work of art, but here, from down among the grimy foundries of the manufacturing district, have come forth these noble groups of bronze, marking as wonderful an advance in art manufactures as the great works, which owe their largest development to the energy and ability of the honored citizen who presides over these ceremonies to-day, exemplify by their mighty accomplishments in material progress.

In the vestibule of the hall of the Society of California Pioneers stands the first great iron hammer that drove the first pile used in wharf construction in San Francisco. Unique and ingenious in its mode of construction, a conglomeration of scraps and rivets, it represents the acme of triumph in mechanical skill at that day, with the means that were then at hand for that purpose. From such rude beginning the great Union Works have since developed, under your master mind, Mr. Chairman, and it furnishes an instructive contrast to the leviathans of war that, one by one, have been launched upon the great waters from your colossal works, and to the thousands of more peaceful devices that your forges and machine shops are constantly creating for the promotion of the industrial resources of this prosperous State.

So, too, it is in striking contrast to these great triumphs of manufacturing art that have been unfolded to our vision to-day, which found form and substance down amid the smoke and grime and dust of these mechanical industries which are the pride of this metropolis, in the foundry of Whyte & De Rome. These master mechanics have thus demonstrated to a critical world that art has at last found a firm foothold here, and neither Munich, nor any other European art center, need any longer claim the palm of excellence in artistic mechanical accomplishments.

In the performance of the duty devolving upon me as the representative of the men who, from this humble beginning, have witnessed this marvelous progress, something must be said which neither the time nor the occasion will justify me in leaving unsaid. For if the epoch in the early history of California which this imposing monument symbolizes is worthy of commemoration—if the men who made that early history are worthy of remem-

brance and commendation—if there be a public propriety in the part in which the Society of California Pioneers is so conspicuously engaged at the present moment—then recent attacks upon and criticisms of California Pioneers and their descendants, from the pulpit of San Francisco ought to be met and refuted here and now; because, also, if these attacks and criticisms from the pulpit were in the smallest degree justifiable, then it might well be regarded as an insult to this community that this monument should have been erected for the purposes which it symbolizes, and that the Pioneers should stand forward to conduct the ceremonies of its dedication to these purposes.

From the point of view, then, of justice to this great community as well as to ourselves, I conceive it to be my duty to meet this issue, and, in so far as may be, to set the current of public opinion right touching the character of the men who founded this great State and the influences they have exerted upon the morals of their descendants and the community which has grown up around them.

As a further prelude to what I desire to say upon this subject, let it be borne in mind that this magnificent monument which we dedicate here to-day is not only a gift to this great metropolis by a California Pioneer, but that it typifies the work of Pioneers, and is destined to stand for ages as an object lesson for posterity that shall command unceasing veneration and respect for California pioneers through long lines of generations yet to come—so long, even, as time leaves one stone upon another of any structure that human hands may rear. If its erection and acceptance for these purposes by this municipality be a commendable act, then is a rebuke to the pulpit of San Francisco for its unchristianlike and cruel aspersions upon the names of the living and the memories of the dead Pioneers more than justified.

Let me bring to your attention now some of the pulpit utterances that have led up to these remarks. In the San Francisco Chronicle of the 29th of January last a report appeared of what purported to be a synopsis of a sermon preached on the previous Sabbath in one of the most prominent churches of this city, from which I make the following extracts: "The early settlers of this State were adventurers, gold seekers and dyspeptics. What have you got here now? Rascals, misers and hypochondriacs. * * * The children of forty-niners were worse than forty-niners themselves." This, he said, was a horrible statement to make, but he declared it was true. He insisted that nearly all the prisoners in San Quentin under twenty-five years of age were native born. "The children here were born under great disadvantages, in view of the peculiar condition of things that had preceded them and the atmospheric conditions, which were slime pits."

In the San Francisco Examiner of the 10th of September last, appeared a report of a sermon delivered by another equally prominent preacher in another equally prominent church, from which I make the following extracts. Speaking of the California Pioneers, he said: "Unlike the pilgrims, they emigrated in order to obtain freedom from worship instead of freedom of worship. They came, not for conscience, but for coin. They lacked the refining influence of women." "But their great faults were love of money, ungodliness and gambling, and these faults they have bequeathed to their descendants."

In the Chronicle of September 11th, yet another prominent reverend gentleman of San Francisco, in speaking at the annual dinner of the church club, is reported to have said: "You talk of your Pioneer, but I tell you it is a good thing his rule in California is nearly over. I do not say it reproachfully, for it was the inevitable result of the conditions which surrounded him. The honor that bound the Pioneers together in the discharge of their early functions in California was the honor that binds thieves together for protection."

The Examiner of the same date, contains another report of the remarks of this eminent divine upon this occasion as follows: "In fact the reverend gentleman had a rather poor

opinion of the Pioneers as the builders of society, and ascribed many of the evils now noticeable to the code of ethics prevailing among Pioneers. The law of honor among thieves seemed to him to be the basis of that code."

As I have already intimated, there is clearly a moral unfitness in the presence of the Society of California Pioneers here to-day if these publicly reported attacks from the pulpit are in any sense justifiable. I propose to show, however, that they are not only not justifiable, but have been made from a gross ignorance of the part which the Pioneers played in shaping social and religious organization upon these shores. I propose to show that they cruelly malign the memories of the dead Pioneers, and the good name of those who are living; that they betray an ignorance of the true facts of the social and religious history of California, so dense as to impeach the capacity and fitness of the reverend gentleman who gave utterance to them as moral and religious teachers.

Against these random and reckless pulpit utterances, I array the following incontrovertible facts. The Society of California Pioneers is composed of men who are fairly representative of the whole body of so-called "forty-niners" and yet earlier comers. I may properly resort to the records of that society, therefore, to show the utter fallacy and wrong involved in these reckless clerical utterances. These records show, that, out of a total membership of 3,023 Pioneers who arrived in California in 1849, not one was ever convicted of a crime, not one was ever imprisoned, or, so far as can be ascertained, was ever charged with criminal wrongdoing. Out of 423 junior members—the sons or male descendants of Pioneers—but one has ever been publicly charged with or convicted of a crime against the laws of the State or country.

The story of church organization in San Francisco is equally flattering to the religious side of Pioneer personality. The First Presbyterian Church, with Reverend Albert Williams as pastor, was founded on the 20th of May, 1849. The Church of the Holy Trinity, with Reverend Flavel Mines as rector, on the 22d of July, 1849. The First Baptist Church, with Reverend O. C. Wheeler as pastor, on July 24th, 1849. The Methodist Episcopal Church, with Reverend W. Taylor as pastor, and the First Congregational Church, with Reverend Dwight Hunt as pastor, on July 29th, 1849; and Grace Episcopal Church, with Reverend Dr. Ver Mehr as pastor, on September 23d, 1849. And these all were organized by the men whom one clerical authority asserts came "to obtain freedom from worship instead of freedom of worship," an assertion, which, if not fully answered already, will certainly find its quietus in the following extract from the records of the Church of the Holy Trinity of January, 1850: "Since the opening of the Church of the Holy Trinity, every seat has been occupied each Sunday, and often, many persons were turned away, not being able to obtain standing room." "Sunday afternoon, religious services were held upon ships' decks in the harbor for the benefit of the seamen of the port."

Doubtless the records of the other churches will tell a similar tale, but I need not occupy further time upon this point. I may add, however, speaking from my own personal experience as a pioneer—and doubtless I voice the experience of others who found their way hitherward by the long and wearisome Cape Horn voyage—that no Sabbath passed during the six long months at sea, whether in the halcyon days of tropic seas or the tempests of the stormy Cape, that did not witness the whole ship's company voluntarily engaged in that religious worship which, according to one reverend authority, we were seeking to obtain freedom from. Nor were the secular duties of good citizenship in any greater measure neglected. The organization of a State government was not permitted to be delayed by the excitement or attraction of gold mining. Delegates were elected to a State Convention on the 3d of June, 1849. The Convention met at Monterey on the 1st of Septem-

ber, 1849. The battle against the introduction of slavery was fought out successfully; a constitution was adopted consecrating the State to freedom forever, and one year later California was admitted into the Union—a work inaugurated by pioneers alone, against whom the voice of the pulpit is so often raised in vituperative denunciation.

The establishment of public schools followed in immediate sequence. Public education and the cultivation of public morality was the shibboleth of the hour. Liberal taxation and liberal public expenditure for these purposes met common approval. Nor from that day to this has any pioneer ever faltered in pursuance of the policy thus early adopted and which finds eloquent expression in the noble public schools that adorn these thoroughfares and embellish the hills and valleys of every county in the State. From the very beginning, under the auspices of the pioneers, amid the toil, excitement and stirring events of

“The days of old,
The days of gold,”

The golden doors of that noblest of all free American institutions, that advertises to every child in the land “reading and writing taught here,” were flung wide open for all to enter, and have never since then been closed against any. Endowed as no public schools have ever yet been endowed in any part of this fair land, they have sent forth as intelligent, well educated, broad minded and moral a body of men and women as ever were fitted for the battle of life from any of the public educational institutions of any State in the Union.

Nor was it possible that it could have been otherwise. For, taking the immigration that flowed into California as a whole, in so-called pioneer days, it is not too much, nor is it an idle boast, to say that it was the most energetic, most intelligent and most enterprising that ever gathered for colonization or other like purposes upon any land that the sun shines upon in any part of the habitable globe. In all the qualities that go to make up material for good citizenship it was unsurpassed by any new community in the history of the world.

First. Because the difficulties, dangers and hardships that had to be encountered to reach remote California at that time induced only the best, most energetic and bravest of the young men of America to come hither.

Second. Young men of education, and necessarily young men of some means, were mainly those who engaged in the adventure.

Third. Because of the average youth of these adventurers, nearly every one of whom was in the full flush of young and vigorous manhood, they were ready to meet and overcome every obstacle, and were filled with the youthful ardor and love of American institutions and American liberty that could not but assure good government and the cultivation of good morals wherever they might cast their lot in social agglomeration.

If, in the then incoming tide of humanity, the criminal element from penal settlements to some extent found its way hitherward, it was dealt with summarily, but with firmness and dignity. “The majesty of the law” as enforced by the highest judicial tribunals never found more impressive expression than that which characterized the popular tribunals of that day. Possibly their edicts were sometimes enforced against criminals convicted of capital offenses, “without the benefit of clergy”—which from the examples already alluded to may perhaps be fairly estimated as a questionable quantity—but always justly; always in the defense and protection of communal welfare, of the sacred rights of good citizenship and in the defense of good public morals.

Such a policy of American intelligence and moral firmness, ripening finally into common and patriotic impulse, obliterated for the time political prejudices and party lines, and gave to this city for a prolonged term of years, the best example of “a government by

the people, of the people and for the people," that the whole history of the world can afford—such an example of honest and economical administration of public affairs, as should bring confusion to the preacher who publicly declared that, "It is a good thing that the rule of the pioneer in California is nearly over." Contrast the conditions which then prevailed, "under the rule of the pioneers," with those that exist today, in spite of the superior enlightenment of modern days and the frequent moral and religious fulminations of modern ecclesiastics, to whom the average California Pioneer is an abomination and a reproach, and few will be found to join in thanksgiving that "the rule of the pioneer is nearly over."

Again, if the code of honor that prevailed among pioneers in the early days was "the code of honor that prevails among thieves," as one reverend gentleman defines it, then is this monument which we unveil and dedicate today, and which this municipality receives with impressive ceremony and gratitude, unworthy of the place which it occupies, and the pioneers who are before you, equally unworthy of your respect. But, the honor which then prevailed was born of an unwritten code which attached no penalty to its violation, since violation of its edicts was an act practically unknown of man. It was a code which rendered the use of bolts and bars upon the frail doors of the merchant's warehouse a needless requirement; which inspired the miner with such a sense of respect and confidence in his fellow laborers as to cause him to leave his gold in his tent unguarded, and possession of his "claim" assured and guaranteed by the presence of a pick or shovel as a title deed to the wealth that might lie hidden upon the bed-rock below. Crime of any nature or description among the great body of California pioneers was practically unknown. But summary methods and short shrift prevailed for the small percentage of professional criminals that sought these shores as a field of operations for their nefarious calling. If, under such conditions this was "the code of honor that prevails among thieves," God send that the primitive days may return again, even though the modern pulpit may "resound with blows ecclesiastic" against the deeds of the founders of this great commonwealth, done in the days when the groves alone were God's temples, and the preachers were themselves true types of the true manhood, which listened with true devotional instinct to their sincere and enlightened teachings.

Recklessness of statement in regard to the influences of Pioneers upon the moral atmosphere of this community in these pulpit utterances goes hand in hand with misrepresentation and vilification of society in general in California. One preacher is reported as saying that "nearly all the prisoners in San Quentin under twenty-five years of age are native born." If this sweeping assertion were true, it would indicate a depth of moral degradation in California such as no other community has sounded. It has been heralded to the world, through the columns of the public press of the city, as having been publicly asserted in the pulpit of one of our leading churches by the pastor of that church; and neither in the public press, nor from the pulpit, has any denial of such utterance ever yet been made, so far as I am aware. False as it is, the public injury that has been done by its proclamation from such a conspicuous source is irreparable.

The report of the Board of State Prison Directors for the fiscal year ending June 30, 1894, shows that out of a total number of prisoners at San Quentin of 1351, only 303—young and old—or 22.97 per cent., were natives of California. Of the sum total of prisoners 419 were under twenty-five years of age, or 116 more than there were native-born prisoners—young and old—all put together. The assertion, therefore, thus proclaimed from the San Francisco pulpit that "nearly all the prisoners in San Quentin under twenty-five years of age were native-born Californians" is clearly a wanton public wrong—a naked and glaring untruth. But the enormity of this untruth is not yet fully told. Desirous of showing the exact facts

in this matter—to make the refutation of this wanton public slander complete and unanswerable—I communicated some days ago with the Warden of the State Prison at San Quentin, asking for an official statement of the number of prisoners in that institution under twenty-five years of age who were natives of California. To that communication the following is a reply:

SAN QUENTIN, November 20, 1894.

W. B. Farwell, Esq., 112 Montgomery Street, S. F.—

DEAR SIR: At your verbal request and also request in your letter of the 19th inst., I beg to inform you that the statement made by some clergymen is entirely erroneous, as there are only sixty-two prisoners now confined in this institution, twenty-five years of age and under, who are native sons of this State. Trusting that this information may be satisfactory, I remain,

Yours, very truly,

W. E. HALE, Warden.

Now, the report of the Board of State Prison Directors shows that at the close of the fiscal year 1894 there were 477 prisoners at San Quentin twenty-five years of age and under. Of these it now appears that 62 only are natives of California, or 13 per cent. of the whole number, instead of "nearly all," as proclaimed from the pulpit by this reckless preacher. And, let me add, that search as you may among this 62, you will not find one son of a Pioneer or one descendant of a Pioneer.

He, therefore, who from the pulpit, the rostrum or through the columns of the public press attempts to show a degraded state of public morals in California by such statements as these, and endeavors with equally misdirected zeal to attribute such a condition of things to the immoral practice of the early pioneers, and asserts that such immoralities have been inherited by their descendants in a yet larger degree, is guilty of a public wrong that a whole lifetime of contrition cannot condone.

I stand appalled at the audacity that could have inspired this reckless misstatement of the truth, upon a question of such vital importance to this whole community. Nothing can now undo the evil thus sent forth into the world, to hold California and Californians up to the pity, if not to the contempt of mankind. Even if the journal which published it as the public utterance of a San Francisco clergyman did not report him fairly or correctly, the fact that he permitted the wicked libel to go uncontradicted from the pulpit in which it was purported to have been uttered, is as serious a wrong as the original statement itself. It is therefore without excuse, without palliation. Another reverend gentleman whose words I have heretofore quoted, says that the great faults of the Pioneers were: "Love of money, ungodliness and gambling, and these faults they have bequeathed to their descendants."

I will not trespass upon your patience by extended comment upon this equally reckless perversion of the truth. "Love of money" is an inherent quality among men in equal distribution in all communities alike; but, if the early experiences of the Pioneers in California taught them any unfortunate lesson at all, it was to disregard the value of money and to acquire habits of open-handed generosity, that has left an extraordinary large percentage of them poor indeed, in the closing years of their lives. It would be unkind, perhaps, but not unjust to ask, what brought the preacher who made this misstatement to these shores to pursue his calling, except a larger salary than that which he was receiving or could receive elsewhere for like services? Wherein then, shall the "love of money" find the limit of its justification, if it is within the moral right of the preacher of the Gospel to be governed by its impulses, and is to be proscribed and condemned on the part of the early California Pioneer?

Again, the same reverend authority couples the "love of gambling" with the love of money as another of the attributes of the average Pioneer. As modestly as I may, and in no spirit of egotism, let me give this assertion its quietus by a statement which involves a personal reference to myself in this connection, and that is this: In the early fifties, as a member of the Legislature of California, I introduced and succeeded in carrying through a bill prohibiting gambling, which closed up every public gambling house in every important city or town in the State. It was an act made as gratifying to me by reason of the widespread approval which I received from my fellow-Pioneers, as by the common good which it conferred upon the people of that day, and those who were to come after them. If this is not a sufficient answer that the Pioneers were lovers of gambling, and have bequeathed that quality to their descendants, I know not how to frame an answer, or to defend the good name of my companions around me to-day.

These are the facts of early California history. This in brief and imperfect outline, is a true story of the work of California Pioneers, which the imposing monument that we dedicate to-day is erected to symbolize and perpetuate in the minds of posterity. The malignant pen of the so-called historian of California may distort and misrepresent these facts, may willfully malign the memories of the dead and the good names of the living. The cry thus raised may find frequent iteration from the bigoted and sensational pulpit. Such utterances however, unjust, unwise and cruel as they are, when weighed against the true facts of Pioneer days in California, must "kick the beam." For, as against these facts, as against the truth of history, they are as light as the thistle down that floats across our vision upon every breath of summer air, and is lost in the infinitude of space beyond. If the historian or the preacher, inspired by some incomprehensible quality of his nature, must give utterance to such utterances as those which have called forth these remarks, he might better, in the cause of human justice and common decency, go out and write it upon the sands of the sea shore, and let the first incoming tide wash it out forever.

For, apart from the rank and cruel injustice thus done to the Pioneers, what is the effect of such pulpit utterances upon the welfare of this community? It is a policy that libelously advertises to all the world that California is rank with the growth and spread of irreligious tendencies and immorality, due alone to the lack of religious principles and morality on the part of the early Pioneers who have left this unhappy condition of things as a legacy to those who are succeeding them.

No more unjust and bigoted preachings ever were uttered from the Christian pulpit. The stigma, thus put upon the dead and the living, is false in its premises and false in its deductions. Human nature is in no sense worse perverted—from a moral and religious standpoint—here than elsewhere, the sensational pulpit to the contrary notwithstanding. And, when that sensational pulpit proclaims such scandalous libels upon an intelligent community to a censorious world, it is a crime which the written law has only left without a penalty attached to it, because the makers of the written law have never conceived the thought that such public libels could ever be uttered from the Christian pulpit.

I have shown how cruelly false the libel has been as against the Pioneers and their descendants, and how gross are the instances of clerical tergiversation. No narrow and puritanical church dogma can justify or condone it, no possible public good can have been accomplished by it. It is a line of pulpit teaching that not alone results in irreparable injury to the community thus maligned, but degrades the profession of the reverend gentlemen whose office it is to endeavor to save human souls, since, as they deviate so widely from the path of truth in dealing with secular affairs, they become blind and dangerous guides for men to follow along the "straight and narrow way that leads to eternal life."

I would not be understood as placing myself or the society which I represent, in a position of antagonism to the pulpit and its mission. We are not here for such purposes as these. We have no quarrel with church or creed. We do not hesitate, however, to deny the right of any so-called minister of the gospel to recklessly assert the existence of innumerable public evils which prevail in the community around him, and their causes, when he fails to show that such evils *do* exist, and goes out of his way to attribute them to causes which do not, and never have existed.

The clergyman who is guilty of this flagrant wrong, is, and must be, open to as severe a criticism as one in any other calling in life should be under like conditions and circumstances. He is worthy indeed of more severe and unsparing criticism than would be meted out to one whose life is devoted wholly to secular affairs; for, the presumably sacred office of the clergyman is one that is bedraggled in the mire of baseness that falls not short of willful criminality and sin against every precept of true religion and morality, when it is made the medium of slander and vilification. He is, or ought to be, above and beyond such acts as these, or else he is unfit to be a spiritual adviser and should seek some other calling less open to observance and criticism for deeds done in the secular flesh.

If immorality is a more than usually conspicuous feature in this community—which we do not for a moment admit—why should the clergy lay the fault at the door of the Pioneer? Who are the true moral and religious guides of any Christian community, if it be not the clergy? Whose offices, whose teachings, whose precepts ought to be more potential for good than are those of the clergy? Who, in the presumable sincerity of religious conviction, assert the efficacy of prayer to set all things right—except it be in the case of the prayers of the wicked—in mundane affairs, and yet, according to their own public preaching, admit that their prayers avail not? Then, meanly turning upon the gray-haired men that you see before you to-day, they seek to make them the scapegoat of their own shortcomings. It is a degradation of religion, when such a state of affairs exists in the public churches, more deplorable than any degree of immorality which this community has reached, and which should bring confusion to the preacher who lays himself open to such an expose of his insincerity, not to say his unscrupulous hypocrisy. Against such pulpit teachings the Pioneer holds himself, and the work which he has accomplished, in open and searching contrast. He is satisfied to submit his cause to the verdict of his fellow-citizens, in the simple belief that "the voice of the people" is more nearly "the voice of God," than ever finds expression through the voice of the preacher who lends himself to such shameful purposes as those which have called forth this commentary.

I have spoken at some length upon this subject, but only in the interest of truth and justice. Life, with all of us who remain among you to-day as California Pioneers, is drawing too near its close to be disturbed by animosities or resentments, or to engage in controversy with any class of our fellow-citizens. In no spirit of egotism, however, it is our right to say that we have too well earned the respect and gratitude of the generations which surround us, and of that posterity which is to follow, to bear with silent patience contumely and misrepresentation without, in the calm dignity of self-respect, resenting the wrong thus gratuitously put upon us; without so vindicating ourselves before the community in which we have lived so long as to command their verdict of approval of the duty which has been assigned to us upon this important occasion; without availing ourselves of the opportunity to historically record that vindication for our children and our children's children to recall hereafter, whenever they may gaze upon this masterwork of the sculptor—this masterwork which perpetuates the noble aspirations of the generous old pioneer to whose beneficence it is due, and which is destined to commemorate through the ravages of centuries the most important and interesting epoch in the history of the land that he loved so well.

Neither the younger generations nor the later comers to California realize, possibly they do not care to realize, the difficulties and dangers that were encountered by the early Pioneers, nor the privations and hardships that were endured long after reaching this promised land, before its transformation into even a partial state of civilization, was accomplished.

The sculptor has graphically depicted in the *bas-reliefs* that are imbedded in the granite panels before us some scenes of trial and suffering endured by Pioneers who were seeking new homes in this distant land, and they will serve to keep alive a generous recollection of those adventurous but perilous days. They do not record, nor is it possible that they could record, the story in detail of the lives of the thousands who joined in this memorable pilgrimage, each individual one of which, almost without exception, could furnish material for romance as absorbing as any that has ever yet been utilized by the most renowned writer in the master works of fiction. Nor would the imaginative faculty be drawn upon to any marked extent to accomplish such a result, since a simple relation of each man's plain, unvarnished tale would be in itself a plot so well rounded out and finished as to need neither elaboration nor embellishment to perfect the attractiveness of the narrative. Let me not be misunderstood. I mean the story of the individual Pioneer, covering not only all there was of adventure and hardship in reaching this then remote and almost unknown territory, but all there was in the part which he played as an individual factor in the making of an important era in American history.

Let me instance the case of James Lick. Here was a man whose origin and whose life indicated nothing of the remarkable experiences through which he was to pass, and the great, nay, the immortal purposes which he was destined to achieve. True it is that such benefits as he conferred upon his fellow-men it was not given to any other one of his fellow-Pioneers to accomplish; but equally true it is, that in some one degree nearly every Pioneer has, in his career, passed through vicissitudes and experiences equally interesting in their way, even though the story that might thus be related may never be told, and the name of its hero may be destined to pass into obscurity and oblivion. One fact, however, stands out in clear and gratifying relief, and that is, that by far the greater part of those who will be remembered, with Lick, as public benefactors in California, are and were Pioneers, and few who have come after them can be mentioned in the same category.

I can recall the names of Stanford, of Wilmerding, of Montgomery, of Robinson, of Cogswell, of Gibbs, of Hastings, of Mills—all of whom were or are members of The Society of California Pioneers—all of whom have made large public benefactions, and the aggregate of whose gifts swell the millions of Lick into many other millions yet. But I cannot recall any names of many later comers whose individual or aggregate public gifts furnish any example worthy of comparison with these.

I can recall the names of many men of vast wealth yet living, who have so far lived and will perhaps die and make no sign in the way of public benefaction, but to whom we may perhaps yet apply the adage that "while there is life there is hope" that they will do something to make their names and memories worthy of perpetual remembrance.

God knows there is human want and suffering enough yet to be alleviated, and that he who, in his greed for accumulation, piles up his millions only to leave them behind him, without having made them productive of great good to his fellow-beings, lives a life worthy of the pity if not the contempt of mankind.

A public journal of this city contained, but a day or two ago, a pathetic and touching description of the everyday scenes that transpire in that blessed institution out among our western hills, "The Children's Hospital." It told not only what good it is accomplishing—what suffering it is alleviating—but also what suffering it is compelled to turn away from

its doors because of its financial inability to receive and alleviate it. I read in that description a pitiful tale, touchingly told, of a broken-hearted mother and her poor boy Jimmy, who, by reason of an accident when he was a baby and subsequent sickness, poverty, poor food, neglect and at last despair, was in the later stages of hopeless invalidism. I read of the piteous pleading of the mother that he might be taken in and properly cared for—of the imploring yearning of the poor, suffering boy that he might receive the attention and medical help he so much needed—of the kind words of the worthy and sympathetic doctor, who explained how impossible it was for her to accede to their request by reason of the want of both room and money to meet the existing needs of the hospital and the suffering little ones then within its walls. And when I read the closing words of the kind-hearted doctor as she was telling the story as she said, "I wish I could forget the look in that boy's face when his mother said, 'Come, Jim, we will go back again; nobody wants us,'" it seemed to me that if I were rich and were still consecrating my days to the accumulation of yet greater riches—as many a man's life in this community is consecrated—I could sleep no more if I read of such instances of human suffering as this and still permitted the noble institution where it might be relieved to remain one day longer insufficiently endowed to grant that relief.

The example of James Lick and other Pioneers might at least shame the rich men of the present day into charitable deeds somewhat approximating their noble benefactions, even if no attempt were made to vie with them in the vast scope and extent of their liberality. May we not hope that, until some sign is made in this direction, the pulpit will at least abstain from classing the pioneers as a whole as "misers, gamblers and hypochondriacs?" May we not hope that they will direct some share of their criticism to modern Dives, who is deaf to the appeals of the suffering and who takes no share in such grand public memorial structure as that which we unveil to-day as an object lesson for posterity or as a testimonial to the eloquence of art?

Far be it from me to utter one word here that may possibly be construed into a reflection upon this community because of its uncharitableness. I can bear testimony, through many long years of experience in their midst, that no more great-hearted, generous community exists than that of San Francisco. The many noble charitable institutions here give practical illustration of this fact, while the frequent appeals that are made in behalf of the poor and suffering that are never made in vain, put that question outside the pale of discussion or controversy. I doubt if history records one single example of communal generosity through all the years of the existence of organized society here that can furnish even a half way parallel to the magnificent generosity of San Francisco at all times and upon all occasions when she has ever been appealed to for aid in a just cause.

My criticism applies, alone, to the multi-millionaires who sit enthroned upon their money bags as the embodiment of avarice, whose greed would never be satisfied with any lesser gain than a title deed from the Creator to all the realty upon the planet above high water mark, even if they did not yet seek an exclusive franchise to the right to navigate the seas and monopolize the fresh air of heaven. It is to such that I point the example of the noble beneficence of such men as James Lick, in the hope that they too may yet come to realize that the memory which he has left behind him is better than riches—that good deeds toward their fellow-men will bring greater and more enduring reward than can ever be found in the harassing cares which the possession of millions brings without the solace of something accomplished in the promotion of the public good.

The traveler, as he approaches that most magnificent and marvelous structure, the Palace of Versailles, sees inscribed above the entrance the words: "To all the glories of

France." Wandering through its galleries, viewing the innumerable historical works of the great masters which adorn the walls, each of which commemorates some great event in the history of France, he stands enthralled with admiration and awe at the "glories" with which he finds himself surrounded. So, from this day forth, we dedicate this monument "to all the glories of California," as they have passed thus far before our vision during the long vista of years which we look back upon, and to all those that are to come in the radiant future that lies before her.

If our prayers would avail to stay the ravages of time that always eventually obliterates the most enduring handiwork of man, our supplication would be that, so long as the hills "rock-ribbed and ancient as the sun," that surround and look down upon it shall endure, so long as the constant tides flow into and ebb from the majestic bay that lies yonder before us, may it continue to symbolize the romantic story of the early days, and the boundless possibilities of this great empire of peace and prosperity.

And now, Mr. Mayor and fellow-citizens, in memory of those of their comrades who have passed "over the divide," in the name of those who yet remain and are moving on toward that undiscovered country, the Pioneers of California hail and salute you on their passing way.

They leave you and your posterity to carry forward the work, which, in the full consciousness of a duty fulfilled as well as it was given them to know that duty, they have so far faithfully performed. They will give place to the younger generations who are destined to succeed them, in the full conviction that they will ever labor, as we have tried to do, for the highest possible development of public morals and public education and intelligence, as the surest guarantees of permanent public prosperity.

Hither, when the last gray-bearded man of those that gather here to-day has gone—hither, when you, who in the flush of manhood join with them in these imposing rites, you youths and maidens who, from the threshold of life gaze into the future where the sunshine of happiness to your confiding hearts it seems will always linger—hither, long after you too shall have joined "the innumerable caravan" and gone out "into that mysterious realm" where the impenetrable shadows lie, will come yet other pilgrimages of men to fill your places and confirm your trust.

Still from their granite thrones these groups of bronze shall tell the story of the age of gold. Though "men may come and men may go," yet, through the cunning of the sculptor's art these voiceless lips shall in their dumb silence move all hearts alike, and pass—from age to age—the legends of the mission days, and of that wonderful tale—more strange indeed than fiction ever told—the story of the Argonauts.

The padre, fired with zeal and love of holy Church, lifting with tender care the savage from his low estate to walk the pathway of the Christian faith—the dreamy life of pastoral peace and ease that marked the epoch of ranchero days; the miner, who made hill and gulch and stream yield up their golden wealth, and, out into the staid and sluggish flow of trade poured such a flow of gold as changed the welfare of the whole wide world to the full flush of new born human thrift; the hardy throng—the tillers of the soil—that bade the fields to bud and bloom with plenitude of harvest, with fruits, with fragrant flowers and radiant pastures fair, covered with countless herds and flocks to minister to all the wants of man; the sails of commerce whitening all the seas that wash the borders of this bounteous land; great cities, thriving towns and countless homes, pulsing with radiant, prosperous social life; all this, these bronzes stand, defying storm and stress of rolling years, to tell to generations yet unborn how came into the world this Golden State.

Above them all—majestic in her faith, serene, sublime—fair California stands thus born: Minerva-like, full-grown, armed *cap-a-pie*, with shield and spear, her ally of the forest at

her feet. Faithful forever be their watch and ward over the welfare of the endless flow of future generations as they come and go.

Dr. Washington Ayer read the following poem :

We sing all the praise of one here to-day
And tell of his deeds, that will live for aye,
In Science, and Art, and Learning of man,
Through all of creation's limitless span.

* * * * *

On Yerba Buena's erstwhile hallowed ground,
Within the restless ocean's murmuring sound,
Are gathered to-day the old and the young
To sing once more the songs the bards have sung.

Eureka! the goddess of our fair land
"Of sunshine and flowers," forever shall stand
Unveiled — the mentor of history's page,
In full memory of the Golden Age.

The granite shall throb in its ancient bed
While sculptured shafts pay tribute to the dead,
And beautiful forms invite the keen eye
To gaze upon all beneath the blue sky.

The world 's looking through the grand telescope
To scintillating stars, with a conscious hope
Of revelations new to the longing eye,
And Science lifts her still unanswered cry.

Like evening dew on the thirsty field,
That give fresh promise of a bounteous yield,
The princely gifts, bestowed by generous hand,
Are benefactions made to all the land.

When shadows of life steal o'er us at last
And visions grow dim to all in the past,
Here hovers fore'er the spirit of one
Whose life-deeds live, while his life-work is done.

With patriotism his heart ever was fired :
The artist's cunning touch now is admired
And eyes, all eager, now gaze on the form
There standing, serene in sunshine and storm.

The youth of our land forever shall sing
The "Star-Spangled Banner"; that will bring
To their hearts a love of country and home,
To live through all of the ages to come.

Voices unheard from the granite will rise
And echo the tidings far to the skies
And, breathing through all of the works here given,
His praises, now sung, will be echoed in heaven.

Mortality rests where Science abides ;
The mountain the place that Nature provides ;
The noble in spirit ever shall rest
With planets and stars — companions most blest.

Mount Hamilton talks with Venus and Mars ;
The world's great lens makes captive the stars
And brings from the Sun good news to the Earth —
The offering of faith, which Science gave birth.

These monuments tell the story of life
More priceless than gems — more worthy of strife.
Here will they stand till the mountain decays —
The benedictions of love and his praise.

In each silent niche fond memory dwells
And many a wondrous story tells
Of olden times and pioneer days,
And brings to the mind the sweetest of lays.

Soft breezes of summer sing requiems o'er
The grand mausoleum, as sung of yore,
And pilgrims their homage will pay to the dead
While rivers by streams from the mountains are fed.

The story, in rhythmical verse, will be told
Of blessings that flow from the glittering gold
To fill the glad heart with a joy supreme,
Like music that's heard in a silent dream

When nature is hushed to stillness around —
A stillness that echoes never a sound,
But, sleeping or waking, ever the same
Will hymn to the world his glorious fame.

Benignant the heart and grateful the year
When lyric bards sing of the old pioneer
In sweetest of strains the poet's fond lays,
Recalling the scenes of his youthful days.

In memoriam. The work is now done —
Standing unique in the bright morning sun,
Whose symbols will live the story to tell
To ages unborn — his praises to swell.

- 3 -

In generous mood he framed his grand will
And made his bequests with wisdom and skill.
As science and learning made the request,
The world now honors the place of his rest.

And while the late rains will cheer and delight
The heart of the yeoman as his fields grow bright,
The sun and the moon and the stars above
Look down upon all with a smile of love.

After the reading of the poem, George Schonewald, Esq., President of the Lick Trust, made a formal presentation of the monument to the city. The Hon. L. R. Ellert, Mayor, in accepting, responded on behalf of the city and county, after which the band played, the children and audience sang "The Star-Spangled Banner," and after the benediction by the chaplain, the Rev. S. H. Willey, the ceremonies were concluded.

GUIDELINES

NEWSLETTER FOR SAN FRANCISCO CITY GUIDES AND SPONSORS

James Lick, Miser and Philanthropist

by Gail MacGowan

Miserly, selfish, reclusive, "touched in the head," – but absolutely honest and an astute business-man. This is what James Lick's contemporaries thought of the eccentric, disagreeable Gold Rush pioneer who, at the end of his long life, astonished them by using his millions to benefit his adopted state.

Lick's Beginnings

Born in rural Pennsylvania in 1796, James Lick learned fine cabinetmaking from his father, and from his mother inherited a passion for gardening. He fell in love with the daughter of the local miller, and when she became pregnant with his child he sought her hand in marriage. The rude rebuff he received from her father would mark Lick for life: the wealthy miller ridiculed him, saying that only when Lick owned a mill as large and costly as his could he consider the marriage.

His dreams dashed, the furious Lick relocated to Baltimore, where he learned to build pianos, then in 1821 moved to South America to start his own piano manufacturing business. Lick remained there for twenty-seven years, living first in Buenos Aires, Argentina, then in Valparaiso, Chile, and finally in Lima, Peru. In 1832, after making his first fortune, he returned briefly to Pennsylvania to claim his bride and 14-year-old son, only to learn that she had married another. James Lick never married.

Onward to California

He was already in his 50s when, believing California would soon become part of the United States, he sold his considerable South American assets and boarded a ship north. He arrived in San Francisco on January 7, 1848 – 17 days before James Marshall discovered gold at Sutter's Mill. Lick brought with him his cabinetmaking workbench and tools, 600 pounds of chocolate made by his former neighbor in Lima,

Domingo Ghirardelli, and \$30,000 in gold coins from selling his piano business. (The chocolate sold so well that Lick convinced Ghirardelli to relocate to San Francisco.)

Upon his arrival in the village of San Francisco, Lick set about buying land. In three months, he spent \$7,000 to buy 50 San Francisco lots, most of which he kept for the rest of his life. One notable exception was the lot at Montgomery and Jackson that he bought for \$3,000; in 1853 he sold it for \$32,000 to William Tecumseh Sherman to build a new bank.

Lick also bought large tracts in Santa Clara County as well as parcels near Lake Tahoe, in Napa County, in Virginia City, Nevada, and in present-day Griffith Park in Los Angeles. He also acquired Catalina Island.

He himself lived very austere in the South Bay for most of his twenty-eight years in California. There he planted imported plum, apricot, and pear trees and pioneered new horticultural techniques. Tales are told of the rail-thin Lick, dressed in shabby old clothes, coming to town and traveling from restaurant to restaurant to collect their old bones to grind into fertilizer for his orchards. He also built a garret for 1,000 pigeons so he could fertilize with their manure.

It was in Santa Clara County, too, that Lick sought his revenge on the now-dead Pennsylvania miller who so long ago had rudely shunned the enamored young suitor's request for his daughter's hand. Lick spared no expense in building a mill of cedar and exotic woods costing the unheard of sum of over \$200,000. Lick ultimately gave the mill to Baltimore's Paine Memorial Society, which made him furious when they sold it for only \$18,000. The "Mahogany Mill" was destroyed by fire in 1882.

In 1855, at Lick's request, his son John, then 37, came from Pennsylvania to live with the father he had never known. Near the mill Lick built the beautiful 24-room Lick Mansion, but lived there only briefly before abandoning its opulence to construct a less pretentious home. John Lick had a difficult time with his cantankerous father and returned to Pennsylvania in 1863. The Lick Mansion and grounds were preserved and today are open to the public.

Despite his disdain for luxurious accommodations, in 1862 Lick opened the opulent Lick House, a three-

- Andrew Hallidie and Horses

- Fireproof in SF

- Carleton Watkins - Photographing Early California

- Henry Wager Halleck

- Why is it called Chinatown?

- Japanese Tea Garden

- Kezar Pavilion - An Ongoing Legend

- The Cobweb Palace

- Norton I, Famous for Being Well-Known

- Jesse Benton Fremont

- The Parallel Crashes by the Cliff House

- San Francisco Tunnel History and Miscellany

- Researching History

- The Castro: One Neighborhood, Many Names

- Art (and History) on Trial: Historic Murals of Rincon Center

- Golden Gate Bridge

- Katrina Cottages and SF Earthquake Cottages

- Grauman's Theaters

- The Fairmont Hotel Celebrates 100

- Craftsman Building on S. Van Ness Avenue

- Murphy In-a-Dor Beds

- Railways of San Francisco

story luxury hotel on Montgomery between Post and Sutter. Its magnificent dining room, a copy of one Lick had seen at the Palace of Versailles on his one trip to Europe, became the meeting place of San Francisco's elite. The Lick House was destroyed in the 1906 fire. From Miser to Philanthropist

At age 77, James Lick was disabled by a stroke. The next year he announced he was setting up a trust to distribute his fortune, which at his death two years later totaled \$2,930,654. He specified the following gifts:

- Lick Observatory: Lick gave \$700,000 to fulfill his obsession to build the world's largest telescope. He initially wanted it built on his land at 4th and Montgomery, then at Lake Tahoe, but was finally convinced to purchase Mount Hamilton in Santa Clara County.
- California School of Mechanical Arts: \$540,000 built Lick School, which is today Lick-Willmerding High School. For many years the carpentry workbench Lick brought from South America in 1848 sat in the school's entrance hall.
- Public Baths: \$150,000 was used to construct free public baths for San Francisco's poor. They opened in 1890 at 10th and Howard and operated until 1919.
- Pioneer Monument: \$100,000 was ear-marked for this historical statue erected at Grove and Hyde in 1894, and now located between the New Main Library and the Asian Art Museum.
- Old Ladies Home: \$100,000 built the home on University Mound in southern San Francisco.
- Protestant Orphan Asylum, Ladies Protestant Relief Society, and San Jose Orphans: Each received \$25,000. The Protes-tant Orphan Asylum was never built.
- Mechanics Institute and SPCA: \$10,000 contributions went to each.
- Francis Scott Key Monument: \$60,000 was set aside to honor the author of the "Star Spangled Banner."
- Family Monument (in Pennsylvania): Lick gave \$46,000 for a monument to his grandfather, who had fought under George Washington.
- Son John Lick and collateral heirs: \$535,000

Sharing the estate's remaining \$604,656 were:

- Society of California Pioneers: Founding member Lick had donated land at Montgomery and Gold in 1859 for its first building. He was the Society's president at the time of his death.
- California Academy of Sciences: Lick had previously given them land on Market Street between 4th and 5th. They used the estate funds to build a public museum. It was destroyed in 1906.

James Lick died October 1, 1876. His remains are interred under the dome of the Lick Observatory.

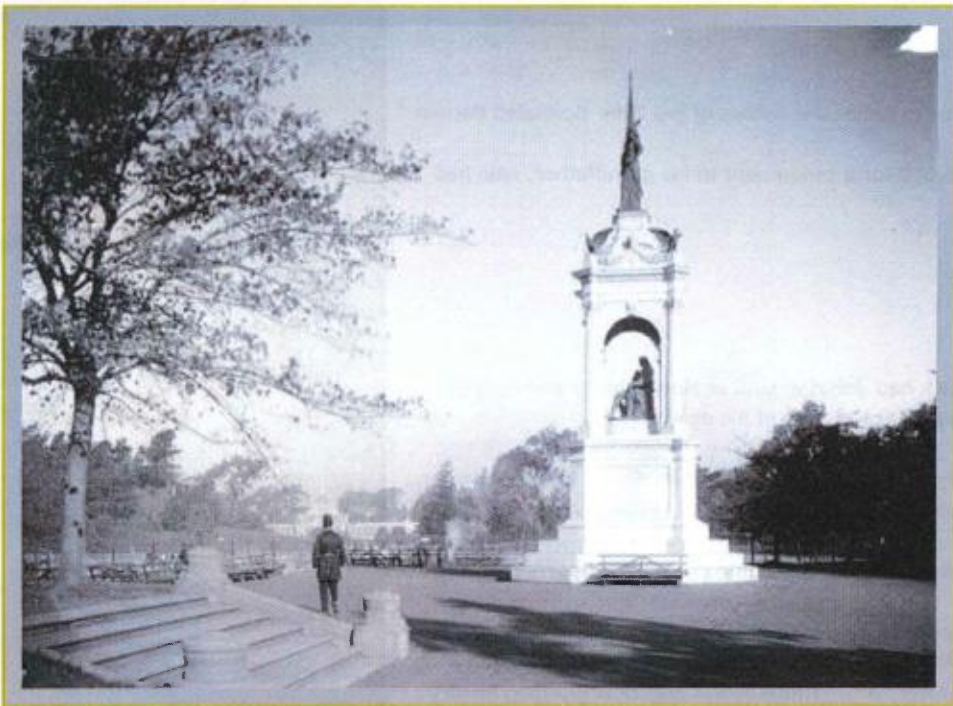
Sources: Block, Eugene: The Immortal San Franciscans; Finson, Bruce: "The Legacy of James Lick," SF Examiner/Chronicle California Living Section, 3/6/1977; Lick, Rosemary: The Generous Miser; Worrilow, Wm. H.: James Lick, 1796-1876, Pioneer and Adventurer; http://mthamilton.ucolick.org/public/history/James_Lick.html; James Lick file, SF History Room, SF Public Library.

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- San Francisco's Le Petit Trianon
- The Saga of Sutro Library
- James Lick, Miser and Philanthropist
- Sigmund Stern Grove: The Jewel of the Sunset
- The Monastery Stones – Final Chapter
- Levi Strauss and His Company
- Lighthouses Around San Francisco Bay
- Vermont Street - Is it the Crookedest?
- Treat for Coit Tower Guides
- Fleishacker Pool
- Tom Maguire: A Colorful Character in SF's Theatrical Past
- Old Vedanta Temple
- Adolph Sutro Travels to California (Part 1)
- Land's End in San Francisco
- San Francisco's West of Twin Peaks
- USS Hornet: the Grey Ghost in Alameda
- The Rancheria Act of 1958
- Yerba Buena Island, Almost the Rail Destination
- Who Knows About 650 Geary?
- San Francisco's Shanghai Kelly
- Isadora Duncan's San Francisco
- San Francisco Mural Month of May
- West side known as city's playground
- Salvation Army's Help in 1906 Earthquake

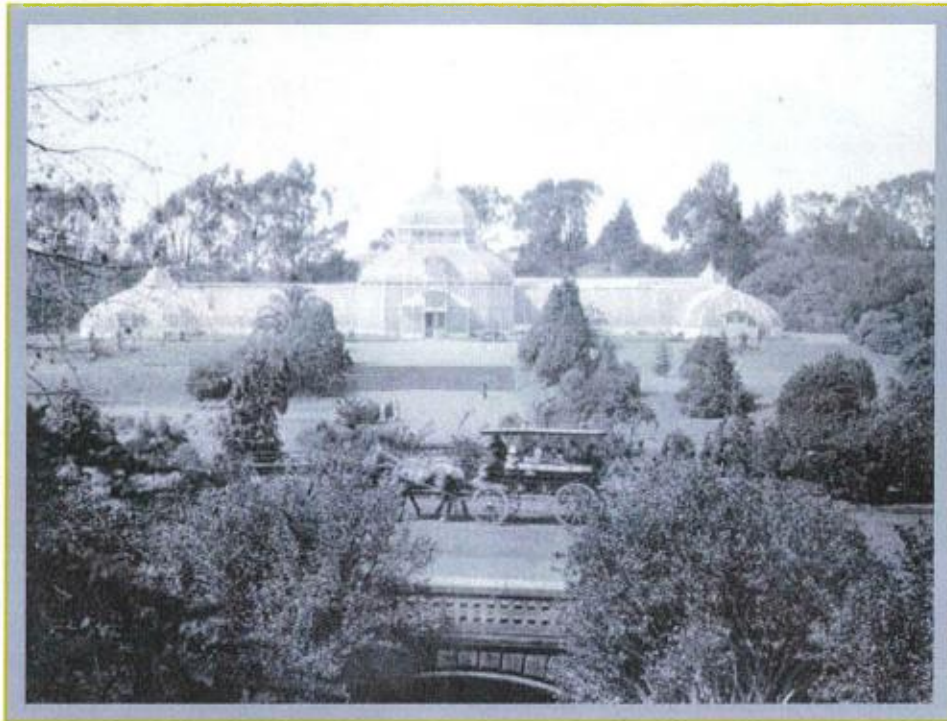


An undated drawing of James Lick



Lick's gift of a monument to Francis Scott Key was unveiled in Golden Gate Park in 1888. Key's "Star Spangled Banner," published in 1814 when Lick was 18, was the most popular song of its day.

- San Francisco's Old Clam House on the Lost Waterfront
- Where Was the Valencia Hotel?
- ALBA Bay Area Connection
- Eureka Benevolent Society and Henry Mauser in San Francisco
- Philo Farnsworth and Green Street
- In Case of Fire, Look to Twin Peaks
- Douglas Tilden
- Adolph Sutro in Panama (Part 2)
- Chagres Travelers
- Landmarks Versus National Historic Places
- Hollywood Stars Visit San Francisco's Chinatown
- SF Theater Quiz
- Chicken Tetrassini
- Falling for Vertigo's Madeleine
- Wayside Chapel of St Francis
- Castro Movie Makeover: Glimpses of the Castro from 30 Years Ago
- Sparkletack.com
- Adolph Sutro Slogs Through Panama (Part 3)
- ALBA Monument
- SF's First World's Fair
- San Francisco Baseball Giants
- Adolph Sutro Arrives in SF (Part 4)
- San Francisco's Divas of the Past
- Baroness von Schroeder, Rambling Bits of History
- Crystal Palace Market



After ordering a copy of London's Kew Gardens for his San Jose property, Lick changed his mind. His heirs donated it to San Francisco, whose citizens raised the funds for its construction in Golden Gate Park.



The opulent dining room of The Lick House hotel on Montgomery at Sutter seated 400 and boasted walls and floors of exotic woods and three crystal chandeliers imported from Venice.

- Mark Twain at the Bancroft
- Swensen's Ice Cream: Looking Back at a Neighborhood
- Albion Castle – San Franciscans, their Beers, and the Story of One Brewery
- Honest Harry Meiggs
- Talbot Green and His Green Street
- Cappuccino in San Francisco
- The SF Chronicle Building Restored
- Goats on Goat Island in San Francisco
- Old Mt. Sutro, Reborn!
- PPFE: San Francisco's Finest World's Fair (Part 1)
- San Francisco's Birthday
- San Francisco and the UN
- Diana Statue in Sutro Heights Park
- Graffiti in San Francisco
- Lola Montez and Lotta Crabtree in San Francisco
- Jack Kerouac Alley Mural
- Secret Places to Go in San Francisco
- Black Bart and Clean Handkerchiefs
- Kurt Herbert Adler - San Francisco Legend
- San Francisco Armory in the Mission
- PPFE: San Francisco's Finest World's Fair (Part 2)
- Links to the Past
- The Irish in San Francisco
- Robert Louis Stevenson - One Visit....and So Many Memorials
- Thomas Baldwin Jumping in Golden Gate Park



Lick School at 16th and Utah merged with Willmerding School of Industrial Arts in 1915 and moved to Ocean Avenue in 1956.



The Lick Old Ladies' Home, later renamed the University Mound Old Ladies' Home, is shown here in 1930 before it moved to a new building in 1932.

Send comments and questions to guidelines@sfcityguides.org

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- The Flowers and Fruits of Chinese New Year
- Presidents in San Francisco
- San Francisco State Normal School -1903- A Personal History
- Ella Castelhun - A Lesser Known Woman Architect
- The Russian Connection in San Francisco
- San Francisco Coffee Roasters
- Big Onion Walking
- San Francisco Emporium Rooftop Holiday Tradition
- The San Francisco Ferry Building Clock
- Visitacion Valley
- The 1909 Portolá Festival
- Art Deco in San Francisco's Downtown
- Yerba Buena Lane: San Francisco's Newest Street
- Archbishop's Mansion in San Francisco
- San Francisco's Mount Davidson
- Emporium Dome Celebrates 100
- Golden Gate International Exposition: SF's Final World's Fair - Part 1
- Court of Appeals and Old Main Post Office Building
- Golden Gate International Exposition: SF's Final World's Fair - Part II
- Foch and Jorre visit San Francisco
- The Call Building of San Francisco
- The Old Mint Building in San Francisco
- Guide Profile: Annie Reasoner

March 29, 1996

TO: Richard Newirth, Director of Cultural Affairs

FOR: Commissioner Stanlee Gatti

FROM: Debra Lehane, Civic Art Collection Manager *dnl*

RE: History of Pioneer Monument Plaques

The San Francisco Library Commission approached the Art Commission in 1991 for permission to relocate the Pioneer Monument. Many public hearings were held and the Art Commission listened to both the pros and cons of moving the monument. People in favor of moving the monument wanted the additional space for the Library. Art Commission staff was in favor of moving the monument because it would be a better installation for the large sculpture which needed to be seen in the open from a distance.

Testimony against moving the monument consisted of the historians who did not want the monument moved from its original location which held a historical reference to the City Hall destroyed in the 1906 earthquake even though the urban context from the original site had changed dramatically.

A third segment of the community consisted of the Native Americans who wanted the monument removed completely. They were and continue to be offended by the sculptural grouping of Early Days which they felt best explained in their own words in a letter requesting that the monument be removed. "... the monument symbolizes the humiliation, degradation, genocide, and sorrow inflicted upon this country's indigenous people by a foreign invader, through religious persecution and ethnic prejudice" (letter dated Jan. 30, 1995 from Martina O'Dea, American Indian Movement Confederation).

The Art Commission gave the Library Commission permission to relocate the Pioneer Monument to the Fulton Street Mall, but as a mitigation, the Art Commission requested that the project install three plaques to respond to the concerns of the community. The first plaque which is to be placed on the library building at the corner of Hyde and Grove Streets identifies the location of Old City Hall, The Sand Lots and Marshall Square. The second plaque gives more information about the Pioneer monument and its relocation. The third plaque is to explain in a factual way what happened to the Native American Population during the period known as the "Settling of the Missions".

To research this period, the Art Commission wrote to the State Library in Sacramento. We were provided excerpts from James D. Hart A Companion to California (cf 859 H33 1987). It was from this source that the text for the plaque was written.

All three plaques were written in 1992 and approved by the Art Commission. The plaque text was then forwarded to the Russ Able, Bureau of Architecture, Anthony Bernheim for SMWM Architects and Kathy Page, Project Manager for the Library Project for inclusion in the project specifications. Correspondence in our files indicate the date of August 2, 1992.

We received no other responses concerning the plaques until recently (March 1996), when comments were made by Jim Haas of Civic Pride concerning the grammar in the Old City Hall and Pioneer Monument plaques. The grammar was reviewed by the Art Commission and corrected where necessary.

We heard that the Library Commission was concerned about the content of "Early Days". Both Rich Newirth and Nancy Gonchar tried to reach Steve Coulter, but we were never able to hear specifically about the concern.

Attached: Plaque text
Research material
Letter from Martina O'Dea

JAN 30 1995

Petition and plea in refference to the "Pioneer Monument", located at the San Francisco Main Library, Civic Center, Larkin and Mcalister Streets, San Francisco, California.

On behalf of the American Indian Movement Confederation, and the Native American and Indigenous people of the San Francisco Bay area, we hereby petition for the removal of a statue known as the "Pioneer Monument", for the following reasons.

During the era when this monument was erected, (1894), individual, social, and political knowledge and consciousness of the Native American culture was virtually non-existent, due to the on-going conflicts between Native Americans, settlers, and the United States government, coupled with the insatiable greed for land and gold; all factors which precluded any compassion or justice towards the native people from the invaders.

This was a time of the removal of the native people from the land upon which they had lived for thousands of years, and which was held in a sacred trust. It was a time of re-location to reservations, where countless died in transit, and more upon their small allotments of land that could not support them with enough food and shelter. For many tribes, it was deliberate annihilation by the government; for all, it was cultural annihilation; as tribe after tribe died via starvation, disease, and through the deliberate obliteration of their spiritual traditions and ceremonies through forced conversion to an alien religion....christianity.

This conversion was accomplished with unspeakable sorrow and pain beyond description to the Native American people. Thousands of years of tradition, of living in total harmony with our Mother earth, of peaceful coexistence between the vast majority of nations, of exquisite art and deeply significant spiritual practices were vanquished by gun, sword, and the horrendous atrocities committed against our people in the name of christianity and greed. No where in the history of this country, have a single group of people been so heartlessly and savagely abused; so consistantly maligned, and repeatedly suffered the results of lie after lie, and broken treaty after broken treaty.

As only a fraction of the pain inflicted in this conversion to a religion they did not want or choose, Native Americans were forbidden to practice their spiritual ceremonies, often upon the threat of death. Their beloved children were forceably taken from them, and placed in the infamous "Indian schools", where their hair was cut short, the wearing of their native clothing forbidden; and the speaking of their native languages disallowed. Violation of these christian rules resulted in being incarcerated in tiny, cold, unsanitary cells, resulting in severe disease and death; always resulting in humiliation and degradation.

A once free, proud, wise, and gentle people fell. Hundreds of tribes became extinct; native languages faded away, and were lost forever; entire cultures, thousands of years of knowledge and beauty were replaced with imprisonment, confinement to reservations, where conditions made it impossible to live. Poverty, disease, starvation, and an overwhelming sense of hopelessness and despair replaced the beauty, known and lived before. An entire people cried until the earth was covered with an ocean of sorrow....and still, we cry.

Today, the results of this "christian mission", are all too evident in the socio-economic shame in which the vast majority of Native Americans must live, both on, and off, the reservations. It manifests itself in a deep pride, now lost; in dignity discarded; in substance abuse; the highest unemployment levels of any ethnic group in this country; and in the loss of individual and cultural identity and confidence. Our children have been forcibly assimilated into a nameless, lost mass....a people forgotten; indoctrinated with the belief that they are unworthy, non-entities. Brilliant minds lie dormant; talented artists never create; and a giving, loving member of this earth remains motionless, caught in an inexorable web they did not weave. In the end? Resentment, rage, despair, heart-breaking sorrow....often incarcerated for crimes they did not commit; imprisoned for only asking for the right to live with the same dignity and opportunity others in this society expect.

Native Americans have been portrayed consistently as a savage, pagan, inept culture....one has only to watch the majority of films, or read the so-called history books version of the history of Native Americans....a version created upon deceptions and ignorance; a version fabricated by those guilty of such dispicable crimes against a people that they must hide the truth.

We do not ask you to relinquish your God, or your traditions; only that you allow us to have ours. We do not ask you to give up your culture; only to allow ours to live. We do not wish to wound your dignity and pride; only that you do not wound ours.

Many immigrated to this country to escape religious and ethnic persecution....would you immortalize the Spanish priests who so cruelly and inhumanely persecuted the native people of this country for the same reasons? Would you place such a monument in front of this city's library....a place which symbolizes knowledge, tollerance, and progress?

For all of these reasons, and so many more, we request that the city of San Francisco, removes from public viewing, a monument which is symbolic of the destruction and atrocities committed upon the Native Americans by the Spanish priests and religious zealots.

We request the removal of a monument which symbolizes the humiliation, degradation, genocide, and sorrow inflicted upon this country's indigenous people by a foreign invader, through religious persecution and ethnic prejudice.

We request that you understand our feelings; that you may find compassion, wisdom, and justice within yourselves, that these qualities shall be expressed in the just and worthy execution of the duties of your office.

The horrible injustices cannot be undone; but the present and the future must not continue upon the path of injustice, humiliation, and persecution of an entire culture. We must not be forced, daily, to look upon a monument which so blatantly reminds us of a past steeped in so many wrongs. We must move forward, accorded the same rights and respect as all others. Help us to walk into a better future; for the path upon which we travel, is also the road upon which you must walk.

Sincerely,

Martina O'Dea

Martina O'Dea

American Indian Movement Confederation

GERMANY

Rocky Road for Raccoons

GERMANS ARE LEARNING what U.S. suburbanites have known for years: raccoons may be cute, but they're major pests. A passel of the masked interlopers are living in the town of Buckow's hollowed trees, eating birds' eggs, raiding farmers' fields and biting when provoked. The 1,000 or so animals are descendants of a handful of imported U.S. raccoons that escaped from a German fur farm in World War II. Town officials and zoologists want to cull the raccoons to protect native wildlife. But some locals have grown fond of the critters: Biergarten owners are convinced that the animals lure customers, so they've begun feeding them. Better treatment than they'd get in Hackensack.



Fuzzy foreigner: Raccoon

MOVIES

No Guts, No Glory in Santa Rosa

IT'S OFFICIAL: THERE WILL BE no disembowelment at California's Santa Rosa High School—not even for the movies. The school's campus was supposed to be a backdrop for Wes Craven's new thriller, "Scary Movie," starring Drew Barrymore and Courteney Cox. Then some locals heard about the script and cringed. So last week, after a contentious citizen debate, the city's board of education voted to disinvite the film crew, forgoing a \$30,000 fee for use. A spokesperson for



Putting history in its place: The Pioneer Monument statue

P.C. WATCH

No Such Thing as an Easy Move

HOW MANY PUBLIC HEARINGS DOES IT TAKE TO RELOCATE A monument? In San Francisco, about 80. To keep from crowding the city's new library, officials have moved Pioneer Monument a block from its perch at the corner of Hyde and Grove. Historians, however, wanted the statue to stay right where it was. Native Americans wanted it junked altogether, since it depicts a supplicating Indian with a victorious cowboy and a Franciscan missionary. And now local friars are upset, too. They object to the city Art Commission's proposed compromise plan to mount a plaque on the relocated statue that blames pioneering missionaries for wiping out half of California's Indians. Enter Mayor Willie Brown, who's expected to join the scuffle at the next Art Commission meeting May 6. Make that 81 public hearings ...



No hall pass: Barrymore, Cox

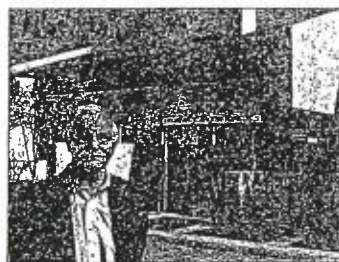
the film says she doesn't know where they'll shoot the school scenes. But Santa Rosa residents aren't losing sleep: the film is still expected to pump \$2.5 million into town during the three-month shoot there.

LUCY HOWARD and CARLA KOEHL
with bureau reports

TEXAS

Hold the Bullets, Please

IF YOU MISSED THE FOUR books, the headlines, the mini-series starring Heather Locklear, then here's your big chance: dine at Ft. Worth's \$6 million Stonegate Mansion, where oilman Cullen Davis allegedly tried to kill his wife. In 1976, with her divorce pending, Priscilla Davis and her beau asked restaurateur Walter Kaufmann back for a drink. He declined. On arriving home, Priscilla was shot and her lover



Chez Scandal: Stonegate

killed. Cullen was acquitted of murder and later abandoned the mansion in bankruptcy. Now Kaufmann and his partners have made the home a restaurant, with seating in the old conversation pit and "playroom." Next: poolside brunch.

CONVENTIONAL WISDOM WATCH	
Grumpy Old Men Edition	
When Matt Damon's character (and his father) and the other characters (and their fathers) are in the same room, they're in the same room. (Morton, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 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SAN FRANCISCO ART COMMISSION

PROGRAMS

CIVIC ART COLLECTION
CIVIC DESIGN REVIEW
COMMUNITY ARTS
& EDUCATION
CULTURAL EQUITY GRANTS
SFS SYMPHONY CONCERTS
PUBLIC ART

STREET ARTISTS LICENSES
SUITE 70
415.252.2581

COMMISSION GALLERY
401 VAN NESS AVENUE
415.554.6080

MINUTES

06 May, Monday, 1996

ART COMMISSION REGULAR MONTHLY MEETING

Commission Meeting Room - Suite 70 - 25 Van Ness Avenue
3:00 PM

The meeting was called to order at 3:05 p.m.

I. ROLL CALL

Commissioners Present

Willis Kirk
Stanlee Gatti
Rod Freebairn-Smith
Nery Gotico
Andrew Lisac
William Meyer
Janice Mirikitani
Emery Rogers
Anthony Turney

Commissioners Absent

Armando Rascon
Barbara Sklar
Maria Martinez

Ex Officio Present

Mayor Willie L. Brown, Jr.

Ex Officio Absent

Steven A. Coulter
Jack Immendorf
Richard W. Goss, II
Susan E. Lowenberg

II. APPROVAL OF MINUTES

The following Resolution was Moved by Commissioner Gatti,
Seconded, and unanimously Adopted:

RESOLUTION NO. 0506-96-266: APPROVAL OF MINUTES ADOPTED
RESOLVED, that this Commission does hereby approve the Minutes
of the Monthly Meeting of 01 April, 1996.

III. PRESIDENT'S REPORT

Commission President Stanlee Gatti welcomed members of the audience. He announced that the Commission would consider the topic of the Pioneer Monument plaque immediately after voting on the Consent Calendar. He emphasized the Commission concern for preserving the integrity of both history and public art.



CITY AND COUNTY OF
SAN FRANCISCO

IV. DIRECTOR'S REPORT

Director of Cultural Affairs Rich Newirth reported on two recent applications to the NEA. One was for an Asian American Planning Grant. The other was for the Cultural Tourism Initiative, a collaboration between the San Francisco Art Commission, the corresponding commissions in Los Angeles and San Diego, the Visitors Bureaus in all three cities, The California Arts Council, and the State Office of Tourism, for the purpose of establishing a statewide tourism plan. The Art Commission has also applied to AmeriCorps for the purpose of continuing WritersCorps.

Mr. Newirth thanked staff members Jill Manton, Susan Pontious and Eleanor Beaton for their work on the commissioning of the new art works for the New Main Library, and on the successful April 20 panel of artists and architects.

He announced that the Pops Concert series will begin on June 30 with a free concert in Stern Grove. A plan to hold special concerts at the cultural centers is also under way.

He reported on the successful May 1 community workshop regarding a monument to Harvey Milk. The Art Commission will continue to work with Castro Area Planning and Action, a group focusing on developing a vision for the neighborhood. Artists will be selected to participate in upcoming CAPA workshops.

V. CONSENT CALENDAR

RESOLUTION NO. 0506-96-267: Consent Calendar ADOPTED
Approval: RESOLVED, that this Commission does
hereby adopt the following items on the amended
Consent Calendar and their related Resolutions.

("A" = Adopted; "D" = Disapproved) Disposition

Approval of Committee Minutes

1. RESOLUTION NO. 0506-96-268: Motion to approve the A
Community Arts and Education Committee Meeting Minutes of April
9, 1996.
2. RESOLUTION NO. 0506-96-269: Motion to approve the Visual A
Arts Committee Meeting Minutes of April 24, 1996.
3. RESOLUTION NO. 0506-96-270: Motion to approve the A
Civic Design Review Committee Meeting Minutes of April 15, 1996.
4. RESOLUTION NO. 0506-96-271: Motion to approve the Street A
Artists Program Committee Meeting Minutes of April 10, 1996.
5. RESOLUTION NO. 0506-96-272: Motion to approve the A
Executive Committee Meeting Minutes of April 23, 1996.

Civic Design Committee Recommendations (4/15/96)

6. RESOLUTION NO. 0506-96-273: Motion to approve Hallidie Plaza Access Elevator Phase I, II. A
7. RESOLUTION NO. 0506-96-274: Motion to remove contingency for Beach Chalet project. A
8. RESOLUTION NO. 0506-96-275: Motion to approve SFIA Airport/Main Executive Terminal/Hangars/Vehicle Maintenance Building Landscape Design Phase I, II. A
9. RESOLUTION NO. 0506-96-276: Motion to approve Stanyan Meadow Entry Design Phase I. A
10. RESOLUTION NO. 0506-96-277: Motion to approve Fulton Street A Mall Design Guidelines Draft with corrections. A
11. RESOLUTION NO. 0506-96-278: Motion to approve SFIA Airport Contract Nos. 5828 & 5831 Emergency Response Facilities Phase I. A
12. RESOLUTION NO. 0506-96-279: Motion to approve Dobbs International Flight Kitchen Phase II. A

Community Arts and Education Committee Recommendations (4/9/96)

13. RESOLUTION NO. 0506-96-280: Motion to congratulate San Francisco high school students on their acceptance into the California State Summer School for the Arts and to salute them as 1996 California Art Scholars. A
14. RESOLUTION NO. 0506-96-281: Motion to approve a \$3,000 grant to California State Summer School for the Arts for student scholarships. A

Executive Committee Recommendations (4/23/96)

15. RESOLUTION NO. 0506-96-282: Motion to approve the following individuals to the Cultural Equity Grants panel pool: Francisco Garcia, Deann Borshay A
16. RESOLUTION NO. 0506-96-283: Motion to approve the following grant recommendations of the Creative Space panel: A

EXITTheatre	\$20,000
Jon Sims Center for the Performing Arts	\$ 3,919
San Francisco Camerawork	\$20,000
San Francisco Craft and Folk Art Museum	\$ 1,000
The Jewish Museum of San Francisco	\$15,000
Climate Theatre	\$ 8,000
Theatre Rhinoceros	\$ 5,700
Theater Artaud, Inc.	\$12,000
Tenderloin Neighborhood Development Corp.	\$18,000
San Francisco Women's Centers/The Women's Building	\$13,500
Bayview Opera House, Inc.	\$18,000

Street Artists Program Committee Recommendations (4/10/96)

17. RESOLUTION NO. 0506-96-284: Motion to approve request to A
Board of Supervisors for six-month redesignation of three (3)
selling spaces on Stockton Street, west side, at O'Farrell
Street, as previously designated in Board of Supervisors
Resolution No. 871-95.
18. RESOLUTION NO. 0506-96-285: Motion to approve request to A
Board of Supervisors for permanent designation of four (4) former
temporary holiday spaces on Market Street, south side, 2nd to 1st
Streets, and designation for one year of three (3) former
temporary holiday spaces on Sutter Street, south side, at Market
Street subject to review.
19. RESOLUTION NO. 0506-96-286: Motion to approve request to A
Board of Supervisors for four-month designation of six (6)
temporary selling spaces on Hyde Street, east side, Beach to
Jefferson Streets, subject to exemption from the provisions of
Section 2405(c) (6) and (5), Ordinance 41-83.
20. RESOLUTION NO. 0506-96-287: Motion to approve request by A
former certificate-holder for priority in issuance of certificate
with waiver of rescreening of wares: Daniel Ladron De Guevara.

Visual Arts Committee Recommendations (4/23/96)

21. RESOLUTION NO. 0506-96-288: Motion to approve mural A
design by Ann Sherry for the Golden Gate Elementary School
sponsored by the Mural Resource Center.
22. RESOLUTION NO. 0506-96-289: Motion to authorize A
reimbursement to Vito Acconci for reasonable travel costs
incurred in developing preliminary design concept for Mid-
Embarcadero Promenade Ribbon, said amount not to exceed \$5,000.
23. RESOLUTION NO. 0506-96-290: Motion to authorize travel A
expenses for Bill Maxwell and Buster Simpson incurred in
developing preliminary design and art concept for mid-Embarcadero
Open Space Project, said amount not to exceed \$2,500.
24. RESOLUTION NO. 0506-96-291: Motion to approve James A
Lambertus' commission for a poster project in lieu of a banner
project for the Market Street Art in Transit Program, and to
approve an honorarium of \$3,000 for the creation of 6 camera-
ready artworks, and production expenses of up to \$3800 for 24
posters.
25. RESOLUTION NO. 0506-96-292: Motion to authorize final A
payment to Ann Chamberlain on design contract #2820008 for design
of artwork for the San Francisco General Hospital Parking Garage.

26. RESOLUTION NO. 0506-96-293: Motion to approve the selection panel recommendations for proposals submitted by Mildred Howard and the teams of Juana Alicia and Emmanuel Montoya, and Larry Sultan and Mike Mandel for the SFIA concourse gateroom walls pending approval of the Airport Art Steering Committee, A
27. RESOLUTION NO. 0506-96-294: Motion to approve payment to Mildred Howard and the teams of Juana Alicia and Emmanuel Montoya, and Larry Sultan and Mike Mandel, \$5,000 each for further design development of their proposals for the Gateroom walls at SFIA pending approval of the Airport Art Steering Committee, A
28. RESOLUTION NO. 0506-96-295: Motion to invite Rigo, Squeak Carnwaith, Kent Roberts, and Oliver Jackson to submit proposals for the concourse gateroom walls at SFIA, and to pay each an honorarium of \$1,000. A
29. RESOLUTION NO. 0506-96-296: Motion to authorize the Director of Cultural Affairs to enter into an Agreement for up to \$28,110 with Ann Preston for design development of her proposal for the sterile corridor in Concourse A at SFIA. A
30. RESOLUTION NO. 0506-96-297: Motion to approve Susan Schwartzenberg's publication "Tour Journal" for the Market Street Art in Transit program. A
31. RESOLUTION NO. 0506-96-298: Motion to approve John Ammirati's artwork design for the Hallidie Plaza Elevator doors. A
32. RESOLUTION NO. 0506-96-299: Motion to approve design of tile work by Fresco on the Jose Coronado Playground recreation building. A
33. RESOLUTION NO. 0506-96-300: Motion to approve final design of sculpture by Elizabeth Saltos for Fire Station #44. A
34. RESOLUTION NO. 0506-96-301: Motion to approve the guidelines and budget for incorporation of public art into the renovated playground at Jackson Park, and authorization for the Director of Cultural Affairs to enter into contract with an artist to implement the project for an amount not to exceed \$6,000. A
35. RESOLUTION NO. 0506-96-302: Motion to approve proposed gallery exhibition of contemporary Vietnamese-American Bay Area artists, to be co-curated by Duc Nguyen and Rupert Jenkins. A
36. RESOLUTION NO. 0506-96-303: Motion to approve guidelines for Market Street Art in Transit Program Cycle 5. A

37. RESOLUTION NO. 0506-96-304: Motion to authorize the A Director of Cultural Affairs to enter into preliminary design contract for Mid Embarcadero for a fee of \$7,000 each with each of the following: Vito Acconci, Stanley Saitowitz, Barbara Stauffacher Solomon.

END OF CONSENT CALENDAR

VI. COMMITTEE REPORTS

1 Search Committee - Armando Rascon

- a. Final report from Search Committee.
- b. RESOLUTION NO. 0506-96-305: Motion to discontinue the A search process for the Director of Cultural Affairs and disband the Search Committee.
- c. RESOLUTION NO. 0506-96-306: Motion to reaffirm and A officially acknowledge the appointment of Richard Newirth to the position of Director of Cultural Affairs.

2. Visual Arts Committee - Armando Rascon, Chair

- a. Report from Chair of Visual Arts Committee regarding activities of the Committee and the Program.

President Gatti initiated consideration of the Pioneer Monument Plaque, intended for installation in front of the 1894 statue by Frank Happersberger, depicting a missionary, a vaquero and a Native American. He welcomed and introduced Mayor Willie L. Brown, Jr.

The Mayor thanked the Commissioners for accepting the responsibility of providing guidance and leadership in the arts for San Francisco. He said that he envisioned the Pioneer Monument as the center of a civic center complex that he expected to be the most interesting in the nation. He said that San Francisco had always been a site of controversy between cultures. He said that the monument itself was an artist's interpretation of the events of that time, that the plaque had been an attempt to address what had actually happened, and that the wording had raised questions.

In summarizing the history of the recruitment of Native Americans by the Franciscans, he said that the Franciscans did indeed come to convert, that an initial view of the Native Americans as subhuman had been acknowledged and rejected, and that the serious damage done to that culture could not be attributed to any one collection of people. He suggested that U.S. government conduct had done more harm to Native Americans than the missionaries. He also said that the Native American experience between 1769 and 1834 could not be corrected by a single plaque.

He said that the Art Commission role was not to rewrite history but to foster communication, understanding and mutual appreciation of all cultures. He asked the Commissioners to create an environment that would allow different cultures to live, flourish, and enjoy a high quality of life unmatched by any other urban center.

The Mayor departed at 3:35 p.m.

In public testimony, Luis S. Ponce de Leon said that the plaque was historically inaccurate in its implication that only Spaniards and Franciscans had inflicted harm on the Native Americans. He said that much of the tribe destruction had taken place after 1845, after the departure of the Franciscan missionaries, and that all people of European descent were to blame. Bobby Castillo, American Indian Movement, said the statue itself should be removed. If it was not, the wording should remain though it was a whitewash of the truth. George Wesalek, Archdiocese of San Francisco, urged compromise and said the wording should reflect the complicated variety of issues. He suggested the insertion, at the beginning of the last sentence, of the words "As a result of European colonization, . . ." He emphasized the necessity of not focusing blame on the Franciscans and cited the good the Fathers had consistently done for the city. Jeffrey Burns, Archdiocese archivist, said that the Fathers had tried to protect the Indians from the military and other groups. Dr. Albert Shumate, president emeritus of the California Historical Society, said that not all Native American deaths had occurred in the missions. He said that many had fled to the interior valleys, and he cited a historical report of a Sacramento Valley epidemic between 1830-34 that had killed 75% of that population. George Brady, Society of California Pioneers, emphasized that the Franciscan settlement had been confined to the coastal strip, rather than the valleys. He said that the Spanish regime had been the most benign, protecting the Indians and establishing hospitals and schools. Kevin Starr, a California historian affiliated with the State Library, said that the real problem was the statue itself, depicting a patronizing attitude toward the Native Americans. He said that it was impossible to rewrite the statue to make it less insulting. He cited the impact of disease, violence and cultural trauma on the Native Americans and reiterated the fact that the Franciscans had no responsibility for the disease that had inflicted most of the damage. Wayne Hughan, Catholics for Truth and Justice, also cited the impact of disease in the valleys. Kelly Cullen, Franciscan, said he would like to see the statue removed. He asked for plaque wording that would honor both cultures.

After closing of public testimony, President Gatti suggested the possibility, if no consensus could be reached, of the formulation of an arbitrating committee consisting of Bobby Castillo, American Indian Movement, and George Wesalek of the Archdiocese of San Francisco. He said that the issue was restricted to the plaque and did not extend to removal of the monument.

The Commissioners discussed the Archbishop's proposal for new wording and alternate phrasing. The final consensus was to amend the motion by inserting at the beginning of the last sentence the words "As a result of colonial occupation. . ."

The Commissioners discussed the fact that the statue is an 1894 work reflective of that time rather than today. They discussed the importance of exploring proposals to reflect today's cultural diversity. They expressed their interest in the possibility of an art piece expressing the contemporary Native American view.

- b. RESOLUTION NO. 0506-96-307: Motion to approve A
revised wording for the Pioneer Monument Plaque "Early
Days," by deleting the phrase "...and 150,000 dead. . . ."
and adding the phrase "As a result of colonial
occupation. . . ."
- c. RESOLUTION NO. 0506-96-308: Motion to approve A
additional funding of up to \$4,500 for Susan Schwartzenberg
to cover costs of increased publication from 1,000 books to
3,000 books, and to provide for additional production costs.
- d. RESOLUTION NO. 0506-96-309: Motion to approve the A
following pool of potential panelists for Market Street Art
in Transit Program Cycle 5: Teresita Romo, Stephanie
Johnson, Arnold Kemp, Hilda Shum, Pamela Z., Young Kim,
Francis Wong, Brian Tripp, Dean Beck Stewart, Sara Bates,
Joanna Haigood, Chris Komater, Jeannie Weiffenbach, Victor
Zaballa, Susan Leibovitz Steinman, Laura Brun, Genny Lim.
- e. RESOLUTION NO. 0506-96-310: Motion to authorize the A
Director of Cultural Affairs to approve final payment of
\$1,078.00 to Ray Beldner on Contract #POAR96000051 for
installation of "Playland Revisited" contingent upon final
inspection.
- f. RESOLUTION NO. 0506-96-311: Motion to authorize the A
Director of Cultural Affairs to make final payment to
Fiberstars for completion of all fiber optic cable
installation in the North and South Embarcadero Promenade
Ribbon sculpture.
- g. RESOLUTION NO. 0506-96-312: Motion to authorize the A
Director of Cultural Affairs to pay General Graphics the sum
of \$750 for repair of five porcelain enamel pylons on the
South Embarcadero.

In response to a question about the preceding item, VI-2-g, Jill Manton explained that repair was necessary because skateboarders had chipped the porcelain enamel pylons, exposing them to rust. The artist will take the skateboard problem into consideration in the design for the mid-Embarcadero strip.

- h. RESOLUTION NO. 0506-96-313: Motion to authorize the A
Director of Cultural Affairs to make final payment of \$600
to Ann Chamberlain on contract #2820008 for design of
artwork at S.F. General Hospital parking garage.

3. Executive Committee - Stanlee Gatti, Chair

- a. Report from Chair of Executive Committee regarding activities of the Committee and the Program.

President Gatti reported that the Committee had discussed agency public relations needs. He has been speaking to reporters about potential articles about the Art Commission.

4. Community Arts and Education - Willis Kirk, Chair

- a. Report from Chair of Community Arts and Education Committee regarding activities of the Committee and the Program.

Commissioner Kirk reported that Joel Hernandez, 12, a participant in a WritersCorps class, had read two of his poems before First Lady Hillary Rodham Clinton at the White House. He referred the Commissioners to recent press articles on the event and the program.

He suggested a tour of the cultural centers. The Commissioners settled on the afternoon of Tuesday, July 23 for the tour. Commissioner Kirk also said that all commissioners were welcome to attend CAE committee meetings.

5. Street Artists Committee - Emery Rogers, Chair

- a. Report from Chair of Street Artists Program Committee regarding activities of the Committee and the Program.

Program Director Howard Lazar announced that next year would be the 25th anniversary of the program. The subject will be discussed at the next meeting.

- b. RESOLUTION NO. 0506-96-314: Motion to approve A requests by former certificate-holders for priority issuance of certificate of waiver of re-screening: Frank Berumen, Keke Zhang, Marvin Kirkland.

6. Civic Design Committee - Emery Rogers, Chair

- a. Report from Chair of Civic Design Committee regarding activities of the Committee and the Program.

It was announced that the Mid-Market strategic plan and the Market Street benches would be considered at the next Committee meeting.

VII. OLD BUSINESS

Commissioner Meyer reported on the outcome of an auction, held last year to benefit artists who were victims of the Kobe, Japan earthquake. The auction, which was endorsed by the Art Commission, raised \$16,000, which was presented to a foundation in Kobe last month for distribution to affected artists.

Mr. Newirth reported on the recent positive press coverage of the Embarcadero Ribbon. Since Jill Manton has successfully raised federal funds for the project, the sculpture has been fabricated and installed at little cost to the city. He also said that some of the newly appointed Port Commissioners were not fully informed about the Ribbon or its funding. He encouraged the Art Commissioners to talk about the Ribbon with Port Commissioners who they know.

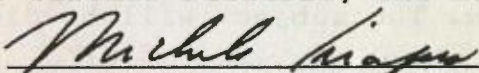
VIII. NEW BUSINESS

The Commissioners discussed the possibilities for a Native American monument. Points raised included potential funding sources, the number of other Native American needs also requiring funding, the necessity of the Commission not assuming a reactive position in advocacy of a monument, and the fact that the San Francisco area was once Ohlone land. The Commissioners agreed that it was not the role of the Commission to instigate the project, but to provide access and establish dialog with representatives of the community. President Gatti suggested that Commissioner Lisac might want to work with the Native American community. He expressed his own interest in participating in the project. It was agreed that interested Commissioners would begin dialog as private individuals rather than official Commissioners, though their presence as Commissioners would have impact. The plan is to assess community response before officially adopting a potential project as a Commission responsibility. It was also decided to refer the issue to the Visual Arts Committee for further discussion.

IX. ADJOURNMENT

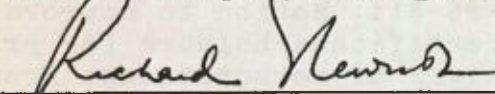
There being no further business, the meeting adjourned at 5:45 p.m.

Submitted by:



Michele Liapes, Acting Commission Secretary

Approved:



Richard Newirth, Director

Date

5/24/95

Century-Old Monument Feels the Clash of History

By MICHAEL J. YBARRA

SAN FRANCISCO, May 6 — In 1906 a great earthquake destroyed much of this city, and the terrible fire that followed finished off most of what was left. Defying nature's fury in front of the rubble of City Hall was the 800-ton Pioneer Monument, a sculptural marker commemorating the history and settlement of California, a tower of civic pride that stood even taller in the wake of tragedy.

But 90 years later, what disaster could not destroy has become a 47-foot lightning rod for criticism and controversy, a symbol of swirling debate over history, heritage and ethnic sensibilities.

The huge granite pedestal topped by a bronze statue has four life-sized groups of sculpture around the base, including one that shows an Indian on the ground, with a friar standing over him who is pointing to heaven and a Spanish vaquero raising a hand in triumph.

Some American Indians call the monument an offensive tribute to the genocidal conquest of the West. Many historians call it a period piece, perhaps insensitive by contemporary standards but still only an artifact from the past.

To Stanlee Gatti, whose two months as the president of the San Francisco Art Commission has been dominated by the brouhaha, the monument is a 1.6-million-pound headache. "There's no easy way out of something like this," he said. "There's no way to make everybody happy."

This afternoon Mayor Willie L. Brown Jr., who has been inundated with criticism from outraged residents, the Roman Catholic Church and even the Government of Spain, made a rare appearance before the Art Commission to urge the different groups to find a compromise in the five-year-old dispute.

"I'm glad I don't have to vote," the Mayor said at the meeting, which brought a compromise on the wording of a plaque for the monument that may or may not quiet things.

A century ago things were sim-



Images of the conquest of America on the Pioneer Monument in San Francisco have landed the century-old work in a modern-day dispute involving Indians, Roman Catholics and the Spanish Government.

A landmark gets new, sometimes hostile scrutiny.

pler: a man named James Lick left the city \$100,000 to build a monument, which was designed by Frank Happersberger and dedicated in 1894 in front of City Hall, at the juncture of Grove, Hyde and Market streets. By 1991, when the city decided to move the monument to make way for a new public library, it overlooked a parking lot and abutted the pornographic theaters and fast-food joints of a seedy stretch of Market Street.

The plan called for using 20 heavy-duty steel carrying beams on hydraulic dollies to drag the bronze bemoaned one block and place it in the middle of Fulton Street, between the old and new libraries and across a park from the new City Hall. That turned out to be the easy part.

Preservationists objected to moving the statue at all; Indians wanted

it junked. Before the move, protesters encircled the granite base, gallons of red paint were splashed on the sculpture and rocks were lobbed at the statue.

The memorial, wrote Martina O'Dea of the American Indian Movement Confederation, "symbolizes the humiliation, degradation, genocide and sorrow inflicted upon this country's indigenous people by a foreign invader, through religious persecution and ethnic prejudice."

The Art Commission finally decided on a compromise: it would install a brass plaque to explain the misfortunes suffered by the indigenous population.

"With their efforts over in 1834, the missionaries left behind about 58,000 converts — and 150,000 dead," the proposed inscription read. "Half the original Native American population had perished during this time from disease, armed attacks and mistreatment."

The plaque was still at the foundry when controversy flared again, shortly before its scheduled installation on the monument last month.

Archbishop William J. Levada of the Archdiocese of San Francisco wrote to Mayor Brown that the wording was an insult to the church and that the introduction of devastating diseases to the continent was an unexpected consequence of European exploration and certainly not a deliberate effort to kill off the Indians, as he said the plaque intimated. The Spanish consul general echoed his sentiments.

But in letters to the Art Commission, others insisted that the inscription was not tough enough on the church. One suggested quoting, in Latin, from the letters of a priest who wrote that Indians were not human. "The Indians have all gone to heaven," another letter writer said, "but rest assured the Christian missionaries have all gone to hell!"

On the other hand, Jeffrey Burns, the archdiocesan archivist, said that the Indians fared better under the missions than they did under either the Mexican or the United States Government. Others pointed out that Bishop Bartolome de las Casas dedicated his life to fighting for Indians.

No one denies that the Indians were mistreated, but many scholars take exception to fixing any direct blame. John Schlegel, the president of the University of San Francisco, and Kevin Starr, the state librarian and an expert in state history, called the wording "a horrible and hateful distortion of the truth" in a letter to the commission.

Mr. Gatti heard from virtually everyone at today's meeting. Although Mr. Gatti favored leaving the monument with no plaque, he recommended deleting three words from the current version: "and 150,000 dead." The commission agreed, and also added a phrase attributing the decline of the Indian population to European contact, taking the onus off the church.

The commission also discussed soliciting an additional monument giving the Indian point of view.

Whether today's actions will satisfy everyone, or anyone, remains to be seen. "Retribution for Native Americans is not going to be granted by a plaque," Mr. Gatti said.

- b. RESOLUTION NO. 0603-96-359: Motion to approve Mission Street pedestrian lighting phase III. A

VII. OLD BUSINESS

President Gatti announced that the issue of the Pioneer Monument Plaque wording will come before the Commission again because of correspondence from the Consul-General of Spain, historians and other interested parties.

The Commissioners discussed the advisability of bringing the players together to draft the wording. It was decided that Debra Lehane would set up a meeting, and the report will go before the Visual Arts Committee. Commissioner Rascon will attend that meeting.

Commissioner Freebairn-Smith reported on the May 10 opening of the Mental Health Rehabilitation Facility. He said the art for the facility had been favorably received.

VIII. NEW BUSINESS

IX. ADJOURNMENT

There being no further business, the meeting adjourned at 5:45 p.m.

Submitted by: Michele Liapes
Michele Liapes, Acting Commission Secretary

Approved: Richard Newirth Date 6-19-96
Richard Newirth, Director

Pioneer Monument Plaque Meeting

Invited Participants: In Attendance July 12, 1996

Camilo Alonso-Vega, Consul General of Spain

Cesar Lajud, Consul General of Mexico

Archbishop William Levada, Archdiocese of San Francisco
George Wesalek

Father Floyd Lotito, Order of Franciscans or representative

Elizabeth Martinez, Historian/Writer, Cal State Hayward

Randy Burns and Johnson Livingston, Indian Center of All Nations

Armando Rascon, Commissioner San Francisco Art Commission

Debra Lehane, Civic Art Collection Manager, San Francisco Art Commission

Anne Smith, Facilitator Arts Arbitration through California Lawyers for the Arts

Confirmed attendance, but was absent from meeting:

Rosemary Cambra, Chairwoman for the Ohlone Muwekma Tribe
Narma Sanchez

Unable to attend or unconfirmed:

Bobby Castillo, American Indian Movement (unable to attend)

Edward Castillo, Historian, Sonoma State University
(unconfirmed)

Elizabeth Parent, Native American Studies, San Francisco State University (unconfirmed attendance)

Ideas & Trends

Limitations of Statues In the Light of Today

By MICHAEL J. YBARRA

ON June 14, 1846, a small band of American adventurers declared California a republic — just before the United States gobbled it up along with the northern half of Mexico as the spoils of its quick war with its southern neighbor. A hundred years later the centennial of California's declaration of independence, known as the Bear Flag rebellion, was an occasion of great pomp and much pride.

This week, however, the 150th anniversary of the Bear Flag uprising is seen by some as an occasion for shame. Students and human rights organizations are denigrating the white man's "occupation" as a disaster for California's native peoples.

"Why honor people who created genocide?" asks Bobby Castillo, a member of the American Indian Movement.

In a sense, such a question is too late.

California's very identity and most of its names are

California place names are indelibly bound up with cruelty during the Spanish conquest and Gold Rush.

indelibly bound up with Spanish conquest and Gold Rush daring. From San Diego to Sonoma, the Spanish missionary outposts have become the names for the state's great cities. A thousand places bear melodious Spanish titles. And sports teams honor the Padres and the Forty-Niners. The towns are crisscrossed with streets named for victorious settlers and fortune seekers. The literal apotheosis of California's popular image is the current drive to make Junipero Serra, the founding friar of the California missions, a saint.

Now, though, some Californians are beginning to wonder whether they are honoring the wrong people.

Junipero Serra at best ran roughshod over Indian culture in his zeal to convert the Indians. At worst he was complicit in their beatings and deaths. In any case, he is responsible for setting up the mission system in California. When the first mission was built in 1769 there were about 300,000 Indians in what is now California; but within one hundred years the Indian population had been cut in half by disease and malnutrition.

Visitors from other European countries were shocked by the cruelty of the Franciscans. Many compared the condition of the Indians to that of slaves. One observer wrote about an Indian so desperate to escape Spanish shackles that he sliced off his heels. The friars, anthropologist Alfred Louis Kroeber wrote, "were saving souls only at the inevitable cost of lives."

So how did the missionaries come to be honored?

The Spanish past was almost forgotten in the early 19th century. The missions had fallen into the decay and Father Serra's unmarked grave at Carmel was covered in garbage and adobe ruins.

By the end of the 19th century, though, the Spanish past came to be enveloped in mists of nostalgia. Mission Revival became the state's signature style, a blend of arches and towers and tiles that graced every sort of building from school to train station. Spanish California enjoyed an edenic glow; textbooks celebrated the advent of the padres as great humanitarians who lifted the Indians up from ignorance and superstition.

"The missions were portrayed as havens of happiness and the Indians as beneficiaries of a superior civilization," wrote the historian James J. Rawls. "The Mission Myth embodied values desperately needed by Californians in an age of rapid social and economic change, values of stability and antiquity, harmony and hierarchy."

This triumphal reading of the past wasn't seriously doubted until the 1980s, when Pope John Paul II beatified Serra, whose image and name abound in California.



William Merrell McLeod for The New York Times
Another bit of California history raises eyebrows.



Darcy Phillips for The New York Times
The Pioneer monument (1894) shows a triumphant friar and a vacquero towering over a supine Indian.

Junipero Serra is not the only monumental figure at stake. Bitter objections also greeted San Francisco's decision in 1991 to relocate the Pioneer Monument (originally unveiled in 1894) to a more prominent spot in the civic center to make way for a new library. The monument — an 80-ton granite and bronze behemoth honoring the founding of California — is an array of reliefs and statues, including the figures of a triumphant friar and a vacquero towering over a supine Indian.

Native Americans wanted the whole thing destroyed. If the Indians were subjugated today like they were during the colonization of the West, Mr. Castillo said at a public hearing, we would be talking about a war crimes tribunal, not a monument.

Geronimo Street

The alternative suggestions poured in: One artist offered to donate a different monument, several tons of stone block quarried from a concentration camp crushing an Indian figure. One American Indian suggested naming a street after Geronimo. Another person asked that the name of San Francisco be changed to disassociate the city from the Franciscans.

The city instead agreed to install a plaque that would give the Indian side of the story, suggesting that the missionaries were responsible for the deaths of 150,000 Indians. But before the plaque's scheduled installation last April the Catholic Church, historians and the Spanish consul general all complained that the inscription distorted the facts.

"The problem is you have a demeaning statue," said

Kevin Starr, the state librarian and a well-known California historian. "But you can't rewrite history. The Franciscans didn't have the cultural insights of the 1990's."

Historians also have pointed out that the Forty-Niners were even more destructive than the Spanish and the missionaries. In the 25 years after gold was discovered near Sacramento in 1848, the Indian population plummeted from 150,000 to about 30,000. Authorities offered bounties for the heads of Indians and the state spent about \$1 million to reimburse individuals for the bullets used to shoot them.

All of which raises more questions about California's names and monuments. One of the benevolent-looking statues on the Pioneer Monument depicts men panning for gold. A major street running through downtown San Francisco is named after John Sutter, the man who set off the rush. And there is, of course, the local football team. All those names arguably, if inadvertently, commemorate a decidedly bloody period. The issue is not likely to go away considering that the sesquicentennial of the discovery of gold on the American River is less than two years away.

Something of a truce, however, was declared last month when the San Francisco Art Commission voted to delete the reference that held the church responsible for 150,000 Indian deaths and add a line blaming the European colonization for the misfortunes of the Indians. Not everybody was happy, of course.

"How many people are going to take the time to read the plaque?" asked Mr. Castillo. "They're going to see history as it has always been portrayed, with the Indian as a subservient, heathen savage."

Tomas Nakada up to \$6800 for the creation of six camera-ready artworks and a 24 poster kiosk display for a project which investigates the role that pigeons play in the ecology of the city.

Frederick Hayes/Carrie Scoville up to \$6800 for the creation of six camera-ready artworks and a 24 poster kiosk display for a series of images of Market Street's independent vendors.

Chris Komater for 6 vintage movie posters in which characters in old films set in SF will be replaced by or joined by contemporary gay San Franciscans.

Andre Kreft up to \$6800 for the creation of six camera-ready artworks and a 24 poster kiosk display for a project which uses photographic images and text to describe persons, events or places significant to the history of Market Street.

Reanne Estrada/Mail Order Brides up to \$6800 for the creation of six camera-ready artworks and a 24 poster kiosk display for "Home is where the heart is....and I left my heart in San Francisco."

Street Artists Program Committee Recommendations (7/10/96)

21. RESOLUTION NO. 0805-96-425: Motion to approve City Attorney A draft legislation providing for \$25 non-refundable application fee for applicants for street artist certification and for former certificate-holders requesting priority issuance of certification.
22. RESOLUTION NO. 0805-96-426: Motion to approve agreement A between Street Artists Program and Film and Video Arts Commission for film companies and photographers to compensate Street Artists Program \$200 per day per street artist space used or adversely affected by filming/photographing activity.
23. RESOLUTION NO. 0805-96-427: Motion to approve Commissioner A Anthony Turney for appointment as Chair of the Subcommittee to Plan the 25th Anniversary Celebration of the Street Artists Program.

END OF CONSENT CALENDAR

VI. COMMITTEE REPORTS

1. Visual Arts Committee - Armando Rascon, Chair

President Gatti introduced the topic of the Pioneer Monument Plaque. He said that the wording to be voted on had been reviewed closely by a task force of representatives from the Spanish Consulate, the Mexican consulate, the Archdiocese of San Francisco, the Franciscan Order, and the Indian Center of All Nations.

Commissioner Lisac thanked and commended the task force members for their work.

Endorsing the final wording in public testimony were Luis S. Ponce de Leon, Emeritus Professor, California State University, George T. Brady, Society of California Pioneers, Randy T. Burns, Indian Center of All Nations, and Camilo A. Vega, Consulate of Spain.

President Gatti commented on the problems involved in attempting to explain someone else's work of art from another era. He expressed his enthusiasm for the future commission of a contemporary Native American work.

In reference to the phrase "the three cultures of early California," Commissioner Mirikitani expressed her concern about possible cultural exclusivity.

- A. RESOLUTION NO. 0805-96-428: Motion to approve the following A text for the Pioneer Monument plaque.

CALIFORNIA NATIVE AMERICANS

The Pioneer Monument, created in 1894, represents a conventional attitude of the 19th Century. It commemorates the settlement of California by "western civilization". This plaque, added in 1996, seeks to acknowledge the effect of this settlement on the California Native Americans. The three figures of "Early Days", a Native American, a missionary, and a vaquero, represent the three cultures of early California. At least 300,000 Native people--and perhaps far more--lived in California at the time of first European settlement in 1769. During contact with colonizers from Europe and the United States, the Native population of California was devastated by disease, malnutrition and armed attacks. The most dramatic decline of the Native population occurred in the years following the discovery of gold in 1848. By 1900, according to the US census, California's Native American population had been reduced to 15,377. In the twentieth century, California's Indian population steadily rebounded, reaching 236,078 in 1990.

- B. Report from Chair of Visual Arts Committee regarding activities of the Committee and the Program.

Commissioner Rascon announced that the committee was considering the concept of a distinctive sculpture at the airport. He also said that the SFIA master plan was currently under revision.

- C. RESOLUTION NO. 0805-96-429: Motion to establish \$5,000 A contingency for Ann Preston's contract for Civic Center Court House, bringing total contract amount to \$68,500.
- D. RESOLUTION NO. 0805-96-430: Motion to approve payment of A up to \$7,500 to Seyed Alavi for his services in developing and overseeing the implementation of an integrated art concept for the Richmond Recreation Center.



The Struggle of Dawning Intelligence

On Monuments and Native Americans, by **Rebecca Solnit**

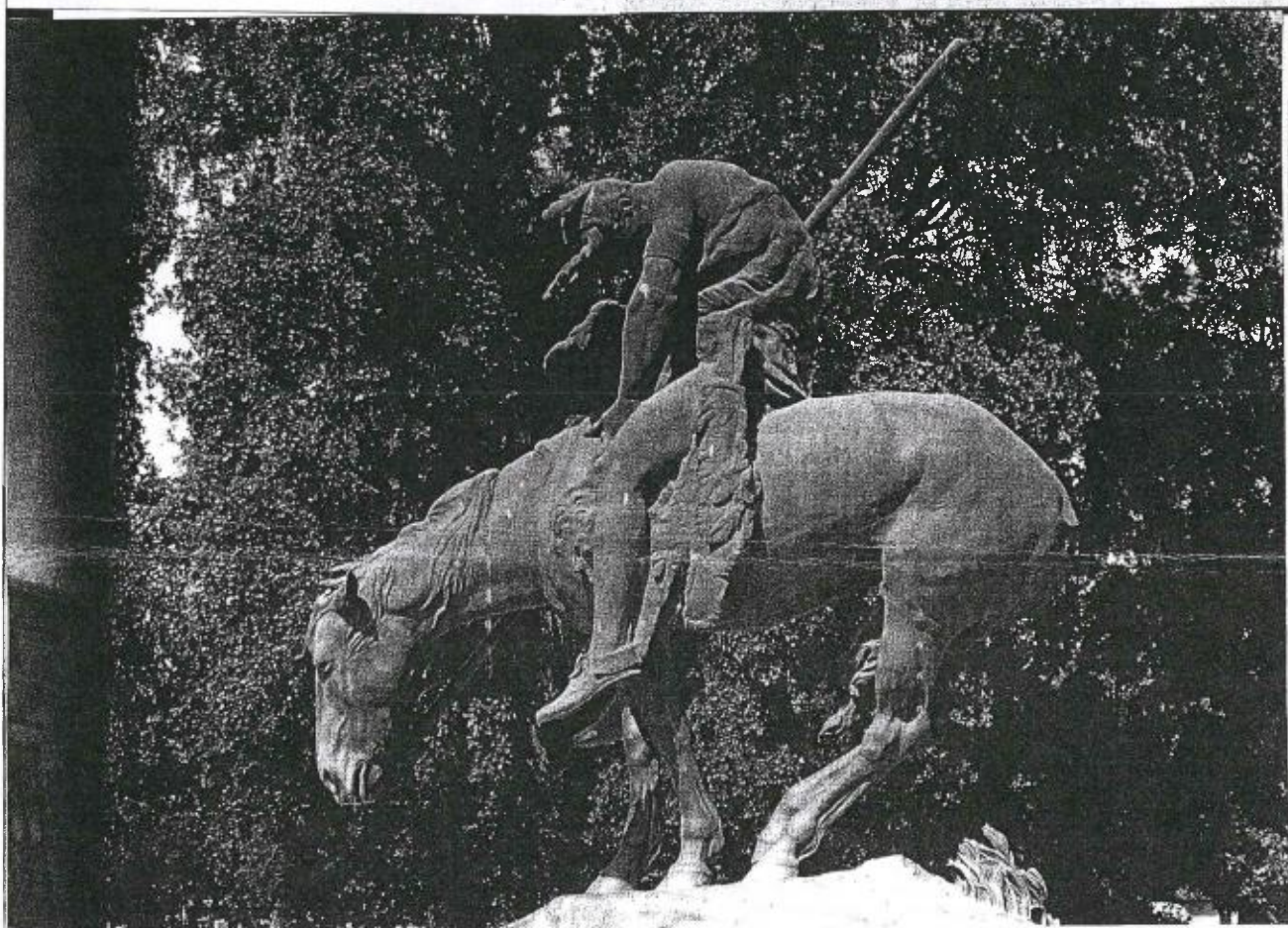
"THE CELEBRATION OF the past can easily be made to play politics, and monuments are linchpins of this process,"¹ writes Lucy Lippard, and nowhere is this more true than with monuments involving Native Americans. European Americans have long been fascinated with Native Americans, but not with their history, which often and uncomfortably implicates early emigrants and undermines the heroic versions of history preserved in popular songs and school lessons—and in monuments. Although in recent years that history has been told more accurately and more audibly, and with often turbulent results, in earlier versions Native Americans were either cast as

adversaries in a manifest-destiny version of events or were seen as outside history altogether, as timeless and infinitely cooptable totemic figures, signifying something large and vague, like "the spirit of the land." Almost all Native American monuments commemorate Indian-European interaction rather than autonomous indigenous history, and only a few helpful or nonadversarial Indians—Squanto and Sacagawea, for instance—are remembered by name in public monuments. Coming to terms with this complicated and controversial history has generated a new era of Indian wars, only this time around the weapons are words and iconography.

Earlier monuments are often merely evasive. On the coast of northernmost California, there is a national historic landmark plaque whose text names "Indian/Gunther Island" and asserts "[t]his site possesses national significance in commemorating the history of the United States of America."² What the plaque fails to mention is the nature of that significance: on this island, formerly known as Tolowot, settlers axed to death all the women, children, old, and infirm of the Indian village while the men were out hunting. Other monuments, equally reticent about actual events, celebrate the "us" in the old "us/them" model of Euro-American/Native American history.

Photo: Heather Morgan; Pioneer Monument, San Francisco, 1894. Photo: Robert Dawson

James Frazer, "End of the Trail," Visalia, California. Photo: Robert Dawson



Frank Happersberger, Pioneer Monument, San Francisco, 1894. Photo: Robert Dawson

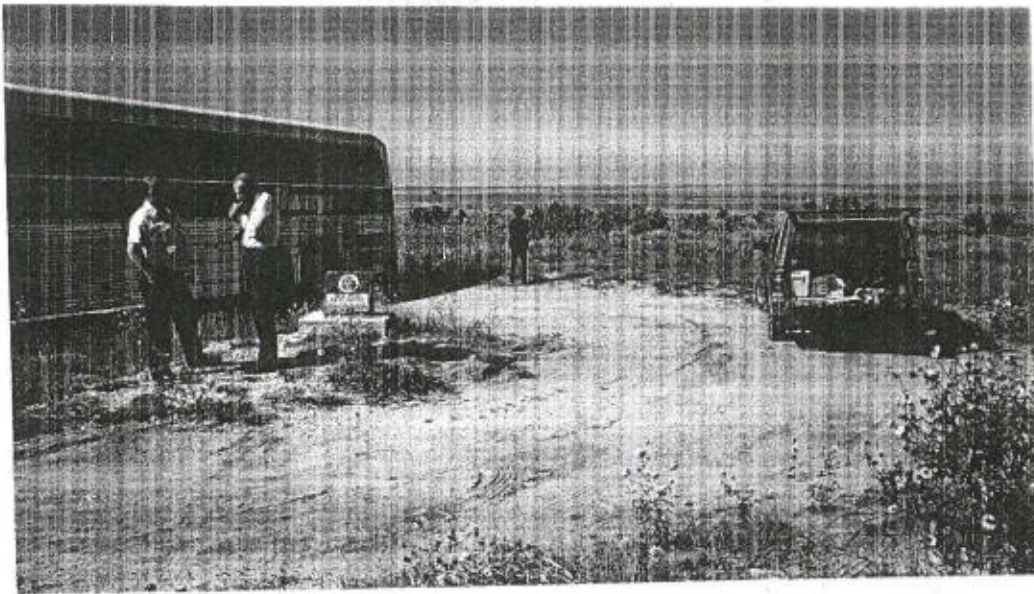
James Frazier, "End of the Trail," Visalia, California. Photo: Robert Dawson

The central plaza of Santa Fe, New Mexico, features a monument to those who died fighting "savage Indians" (although someone has chiseled off "savage"); in front of one of its civic buildings is an obelisk commemorating Kit Carson, although it doesn't mention whether he's being commemorated as an expansionist scout or the scourge of the Navajo. This kind of commemoration is consistent with the history—and movie westerns—I grew up on in the 1960s and '70s; in the movies the Indians were extras or generic adversaries, always vanishing down the end of the trail, in flight from history, presumably absent from any present conversation. Such monuments are predicated on an obsolete idea of who comprises the "public"; more and more Americans come from neither side of the historic "us" and "them"; and if "us" now means the mainstream rather than any ethnic group, most Native Americans are to varying degrees part of that new "us."

San Francisco generated a great deal of conflict when officials, responding to some of these new realities, tried to revise one of the city's most prominent monuments. The Pioneer Monument in San Francisco's Civic

Center was dedicated on Thanksgiving Day, 1894, less than half a century after California became part of the United States. The 800-ton piece, which served as a position statement on the Americanization of California, is a massive hunk of iconography, with thirty-seven bronze elements on five granite pedestals, including a forty-seven-foot-high central figure, four sculpture groupings on lower, surrounding pedestals, commemorative names, bas reliefs of representative events, medallions, and captions. Women, like Natives, have more often appeared as emblems than as individuals in public sculpture, and the Athena-like figure of Eureka standing atop the central structure alongside a California grizzly is no exception. Two of the subsidiary sculpture groupings, allegories of commerce and agriculture represented as women, are standard-issue too; although the artist, Frank Happersberger, was born in California, he learned his academic-classical clichés during years of study in Munich. The other two groupings are more specific and more interesting. One, captioned "In '49," shows a trio of miners kneeling with picks and pans. The other grouping started the trouble.

Captioned "Early Days," it is meant to represent the peoples who lived in California before the Yankees. In the rear is a dashing *vaquero*; in the middle, a figure wearing a monk's habit leans over the figure of a prone Indian in front. While the Spaniard and the cleric have upraised hands—the *vaquero* is energetically twirling a now-vanished lariat, the priest is chastising with upraised finger—the Indian's arms are draped resignedly across his body, as if to suggest that his space is contracting as that of the others is expanding. Viewed from left of center, the *vaquero* and the priest seem to be raising up invisible whips to lash the Indian. With his two feathers, braids, lanky body, and Roman nose, this representative Indian looks more like the Last of the Mohicans than like most Native Californians, and he is clearly an older cousin of James Frazier's *The End of the Trail*, the famous sculpture of the downcast warrior slumped on his drooping horse that was first exhibited at San Francisco's Panama-Pacific International Exposition of 1916 and now sits in Visalia in central California. Happersberger's grouping represents the Spanish and Mexican eras, during which the Franciscan missions were built to convert—



into Christians and laborers—the indigenous inhabitants of the coast. According to the San Francisco Municipal Report of 1893-94, "The group of figures fronting the City Hall consists of a native over whom bends a Catholic priest, endeavoring to convey to the Indian some religious knowledge. On his face you may see the struggle of dawning intelligence."³

The 1906 earthquake destroyed the City Hall that this first version faced, but the monument survived unmoved until a few years ago. It was slated to be relocated to accommodate the new public library when the San Francisco Arts Commission received a letter from Martine O'Dea, "on behalf of the American Indian Movement Confederation and the Native American and Indigenous people of the San Francisco Bay Area," early in 1995: "We request," O'Dea wrote, "the removal of a monument which symbolizes the humiliation, degradation, genocide and sorrow inflicted upon this country's indigenous people by a foreign invader, through religious persecution and ethnic prejudice."⁴ The Arts Commission, which administers such civic sculptures, decided instead to attach a plaque providing a contemporary interpretation of the grouping. An early draft of the wording for this plaque attempted the revision: "In 1769, the missionaries first came to California with the intent of converting the state's 300,000 Native Americans to Christianity. With their efforts over in 1834, the missionaries left behind about 56,000 converts—and 150,000 dead. Half of the original Native American population had perished during this time from the white's diseases, armed attacks, and mistreatment."⁵

Although the text was intended to redress the biases of the statue, it actually reinforced its message by relegating both indigenous and

Spanish/Mexican history to the "Early Days," as if the Spanish and the Mexicans had superseded the Indians before fading away themselves. Clearly neither group was imagined as part of the audience Happersberger addressed, the audience that identified with westward migration and a romanticized version of the Gold Rush. In representing the domination of Indians by the Spanish, the sculpture pitted against each other, then and now, two peoples who had both suffered in the Americanization of California; the sculpture also presumed that neither would be part of its audience, although, in the 1990s, both are. The proposed text prompted both the local Spanish Consul and the Catholic Archbishop to write indignant letters to the mayor. Each argued that the most brutal treatment and precipitous population decline of Native Californians came with the Gold Rush, not the mission era (although being less brutal than the '49ers is a dubious distinction). Should the text appear, said Consul General Camilo Alonso-Vega, "many of us, including myself, would feel discriminated against and indelibly unwelcome at the very core of this city founded by Spaniards."⁶ Alonso-Vega missed the point that the statue had for a century made indigenous Americans feel those very things.

Archbishop William J. Levada even suggested another interpretation of the grouping: "a Franciscan missionary directs the attention of a native American and a vaquero heavenward."⁷ Most of us who are not archbishops distrust authority more than did the citizens of 1894; an image of one man asserting such intensely bodily authority over another would appear ominous to many viewers even without historical contextualization. Some suggested that the Pioneer Monument be replaced with

other monuments, whose premise would be that the oppression of Native Americans was not sufficiently obvious in earlier memorials and that the wrongs done to indigenous peoples *should* be represented even more explicitly. One proposal called for a forty-ton stone block crushing an Indian, another for a Promethean figure chained to a rock. O'Dea's original complaint was that the sculpture grouping commemorated "the crimes committed against indigenous Americans," though she may have meant that the monument celebrates or sanitizes those crimes. She didn't want them forgotten, but rather remembered differently.

The whole ruckus was decried by local newspaper columnists and by State Librarian and historian Kevin Starr as a case of "political correctness." The latter wrote, "How can San Francisco, or any city for that matter, hope to address its pressing problems, hope to achieve community, when an agency of government—for whatever perverse and distorted reasons—stigmatizes a culture and a religion with horrific charges of genocidal intent?"⁸ It is surprising that Starr ignored the many historic statements—albeit by Protestants—demonstrating genocidal desires and expectations. For instance, in 1851 Governor Burnett of California issued a declaration to the new state legislature "that a war of extermination would continue to be waged until the Indian race would should become extinct, and that it was beyond the power or wisdom of men to avert the inevitable destiny";⁹ like many similar statements, this suggested that the war and the extinction were mysteriously inevitable and even more mysteriously unlinked. Believing that Indians were vanishing, yesterday and today, seems to have been wishful thinking, a wish for the circumstances under which



Mystic Massacre Site, Mystic, Connecticut, 1991

monuments such as the Pioneer Monument could survive ideologically intact for a unified "us" untroubled and unenlarged by a "them" safely relegated to the ahistorical realm of the emblematic. As emblems, they would be national ancestor-spirits rather than the ancestors of particular men and women with sometimes inconvenient political demands. It is this conveniently vague fading away, a disappearance for which no one can be held responsible, that is represented in the Pioneer Monument, as well as in such ideologically similar works as *The End of the Trail* and Edward Curtis's reconfigured photographs.

The text of the bronze plaque eventually placed in front of "Early Days" reads, in part: "At least 300,000 Native people—and perhaps far more—lived in California at the time of the first settlement in 1769. During contact with colonizers from Europe and the United States, the Native population of California was devastated by disease, malnutrition, and armed attacks. The most dramatic decline of the Native population occurred in the years following the discovery of gold in 1848."¹⁰ From a text that commented on the grouping, it has become a text that draws attention away from the figures, toward the '49ers on the opposite side of the monument, and that also underscores the congratulatory tone of the whole ensemble. It concludes with the statement that, in 1990, the indigenous American population of the state was 236,078 (though it failed to say that many of those are not Native Californians). Having weathered the protests, the Arts Commission has permanently reoriented the meaning of the sculpture, making it an artifact rather than an expression of public sentiment.

The Pioneer Monument pitted two relatively disenfranchised groups against each

other; the controversies that surround Native American memorials more often involve clashes between indigenous and dominant-culture values and interpretations. This is certainly the case with the recently built memorial to the Indians killed at the Battle of Little Bighorn in the summer of 1876. The history of this Montana site reflects changing federal attitudes: established in 1879 as a national cemetery for the soldiers of the U.S. Seventh Cavalry who died and were buried there, it became Custer Battlefield National Monument in 1940; and, in 1991, was renamed Little Bighorn National Battlefield; this last was accomplished by a law signed by President Bush that also called for an additional monument at the site, a granite obelisk bearing the names of General Custer and his fallen troops having been erected long ago. As the official Little Bighorn Battlefield statement puts it, "The law also stated that the [new] memorial should provide visitors with a better understanding of the events leading up

a monument to the Mexicans killed at the Alamo."¹¹ The winning design, by Philadelphia architects John R. Collins and Alison J. Towers, is an earthwork, a circular berm with a northern aperture through which can be seen a grouping of three larger-than life mounted Indians. It's an odd mix of contemporary site-works, à la Maya Lin and Nancy Holt, and old-fashioned heroic representation. The new monument provides both a place to gather and to think and something to look at—something for everyone except those still fighting the Indians. Here, as in San Francisco, the government seems to have become more progressive than some of the governed.

In his 1995 book of photographs, *Sweet Medicine: Sites of Indian Massacres, Battlefields, and Treaties*, Drex Brooks portrays places important to indigenous history and culture across the continental United States. What is most startling is how many of these places are un-

European Americans have long been fascinated with Native Americans, but not with their history, which often and uncomfortably implicates early emigrants and undermines the heroic versions of history preserved in popular songs and school lessons—and in monuments.

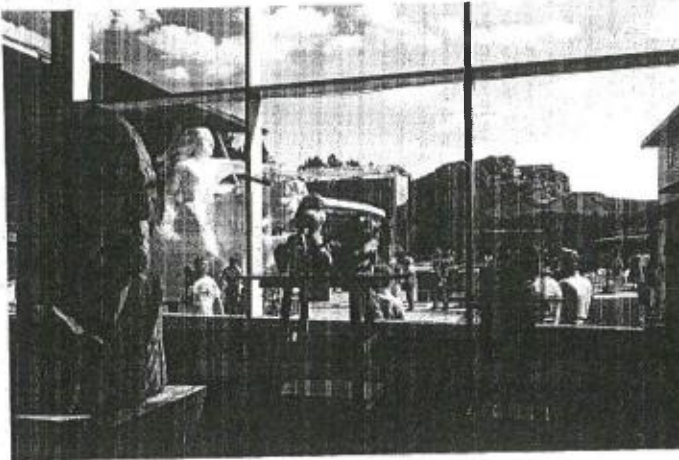
to the battle and encourage peace among people of all races."¹² An advisory committee was formed and a public competition was held; and a debate ensued. In 1997 the *Times* of London reported that "enraged critics say that erecting an Indian monument at Little Bighorn is akin to 'handing the Vietnam War memorial over to the Vietnamese.'" Another unnamed traditionalist told the Western-states progressive newspaper *High Country News*, "It's like erecting

marked. The site where King Phillip and his Massasoit warriors were massacred in Bristol County, Rhode Island, in 1675, for example, is only a stream in a thicket of young branches, and many others are likewise unaltered, unmarked landscapes. A massacre site in Mystic, Connecticut, is built up, but uncommemorated: the bland buildings and signs constitute an erasure of the past. Monuments are a form of memento mori, reminders that something

important happened somewhere, and interpretations of its significance. The premise of monuments—that without such markers the history of a place would be lost—may be true for cultures whose memory is preserved in material forms and whose members do not remain long in one place—that is, for cultures such as that of the settlers and contemporary Euro-Americans. Leslie Marmon Silko writes of the web of stories woven around everyday life in her Laguna Pueblo community, stories that “carefully described key landmarks and locations of fresh water. Thus a deer-hunt story might also serve as a map. Lost travelers and lost pinon-nut gatherers have been saved by sighting a rock formation they recognize only because they once heard a hunting story describing this rock formation.”¹⁴ She continues, “Indeed, stories are most frequently recalled as people are passing by a specific geographical feature or the exact location where a story took place. It is impossible to determine which came first, the incident or the geographical feature that begs to be brought alive in a story. . . .”¹⁵

Anthropologist Keith Basso describes a similar relationship between place and story in the culture of the Western Apache, for whom natural places call forth stories so that the landscape provides a practical and moral guide to the culture.¹⁶ Even allowing for the profound differences between tribes, the many accounts like this suggest a worldview in which oral tradition continually generates a network of stories that map and make intimately familiar a landscape in which, as Silko puts it, “The precise date of the incident is often less important than the place. . . .”¹⁷ All of which suggests that bronze sculptures and granite obelisks with their inscriptions and emphases on dates might be alien or gratuitous to such a tradition. In her essay in *Sweet Medicine*, however, historian Patricia Nelson Limerick argues that “Americans ought to know what acts of violence bought them their right to own land, build homes, use resources, and travel freely in North America. Americans ought to know what happened on the ground they stand on; they surely have some obligation to know where they are.”¹⁸ Knowledge of such past violence, she says later, might save Americans from nostalgia for “a prettier time in the past.”¹⁹ For Limerick, such monuments would speak most powerfully to the nonindigenous population. In this view, creating monuments is as significant a project as revising those that exist.

One European-style monument to insurgent indigenous history has long been in the works: the giant equestrian figure of Crazy Horse being carved into a mountain near Mount Rushmore. The brainchild of Boston-raised Korczac Ziolkowski, who assisted Guston Borglum in the carving of Mount Rushmore, the Crazy Horse memorial was begun half a century ago and, according to its website, when completed will be the biggest sculpture in the world. It could be argued, however, that the European sculptural tradition



Crazy Horse Mountain, Black Hills, Custer County, South Dakota, 1989

within which this work fits and the massive blasting of the mountainside it requires celebrate the artist and the technology more than the dead leader—a leader, moreover, who refused to be photographed.

It is important not only to create and revise monuments but also to recognize them. The continent is densely populated with monuments—that is, sites of significance—recognized because of oral traditions, which means that those outside of the traditions are often unable and/or unwilling to see them. A case in point is Devil's Tower National Monument in northeastern Wyoming, where conflicting interpretations or at least interests led recently to a lawsuit. A steep and startling granite butte standing alone in the landscape, with ridges sweeping up to its flat crown, Devil's Tower was designated in 1906 as the first National Monument (a national park named by Presidential order rather than act of Congress). The site has been mainly a recreation destination during most of its subsequent history, but long before its absorption into the terrain of scenic tourism, Devil's Tower was a sacred place for several tribes in the region, including the Lakota and the Kiowa, who call it Bear's Lodge. (This is a reference to the tribal story in which seven sisters fled their brother, who had become a bear; the sisters were saved by a giant tree stump that rose from the ground and carried them with it. The butte we see today is scored by the bear's clawmarks, and the sisters became seven bright stars in the night sky.) Lakota leader Charlotte Black Elk recalls, “I grew up going to Devil's Tower. As a kid with my family, we would pass ourselves off as tourists, initially. Back then, the park wasn't a high traffic place.”²⁰ The butte appeared in *Close Encounters of the Third Kind* as the site where the aliens landed, which, says Black Elk, caused tourism to increase significantly. So too did the growing popularity of rock climbing. In 1973, 312 climbers visited Devil's Tower;

now about 6,000 do so every year. Because of the popularity of rock climbing and the growing respect for Native American religious beliefs and rights, monument superintendent Deborah Liggett has called for a voluntary moratorium on climbing every June, when Native Americans conduct ceremonies at Devil's Mountain. The number of June climbers dropped dramatically when the ban was instituted in 1995. Since then, however, the owner of a climbing guide service, Andy Petefish, sued to have the ban declared illegal.

Petefish and the Mountain States Legal Foundation, which represented him, argued that the voluntary ban was a violation of the First Amendment—that protecting Native American religious practices amounted to establishing a religion. Petefish, whose real motives seemed to be economic, asserted, “Climbing on Devil's Tower is a religious experience for me. But when the rock gets crowded, I don't ask for my peace and quiet to be regulated. I just want equal treatment on public land.”²¹ Since he wasn't prevented from climbing or guiding clients on the butte, he seemed to be suing to protest the very idea that climbing might at any time be considered inappropriate. (In the spring of 1999, a circuit court upheld the Park Service's moratorium.) The same attitude has prevailed at many other sacred sites across the West, where protecting indigenous rights or respecting non-Western religious beliefs by limiting access to the land has been attacked as reverse discrimination by non-Natives, who assert that the pleasure of outdoor recreation and scenic views is a form of spiritual observance equal to that of Native American tradition.

Some of the friction of these clashes is due to the fact that many contested sites are federal land; another problem is that natural sites are not visibly tied to specific cultural practices as are, say, churches. An interpretation dependent upon oral tradition is less distinct than one

embodied in architecture and sculpture—it changes how people look rather than what people see. Similar cultural clashes have arisen at Rainbow Bridge in Utah (sacred to Dine [Navajo] people and already damaged by the flooding of nearby springs and petroglyphs caused by the Glen Canyon Dam); at Cave Rock in south Lake Tahoe (sacred to the Washoe and popular with climbers); and at the Western Shoshone sacred site at Rock Creek in northern Nevada's Landers County, whose officials wanted to create a recreational reservoir that would put the site underwater (after much effort by activists, this county measure was recently defeated). As Native California historian Malcolm Margolin said, when discussing a sacred spring in the San Joaquin Valley that was threatened, "I began to realize that for them the religion, the religious experience was rooted in that particular place, in the power and the beauty of that particular place, and if you destroy the place, you destroy the religion."²²

The artist Edgar Heap of Birds has worked as a public artist for more than a dozen years. All his public works have been temporary or permanent monuments to the erased or invisible indigenous history of the chosen site. The pieces most often consist of short texts placed on objects from the existing vocabulary of public space—billboards, bus signs, enameled metal signs like those used for traffic; this gives them a neutral, official aesthetic. In the late 1980s, he completed *Native Hosts* for a public art project at City Hall Park

projects were billboards commemorating the centennial of the 1889 Oklahoma land rush from which the "Sooner State" took its name. One had the text "Sooners run over Indian Nations, Apartheid?" with the word "Sooners" written backwards. In 1992, Heap of Birds recalled, "All of the state of Oklahoma is Indian Territory. They changed the treaties and took the land away and gave it to the settlers and that's why they had the land run. So every April they have an incredible reenactment which goes throughout all the school system. All the grade school kids come to school and they have a little red wagon and they dress up like pioneers and they bring their sack lunch and they run across the school yard and put a stake in the ground and take away Indian land. . . . So I made a series of billboards that just try and turn the Sooners away and run them [in] the other direction . . . and just try to remark about this kind of practice of racism really. So we had the billboards up and then I made some t-shirts and then people started wearing them and then the day was coming when the city was going to have its big celebration, and then everyone said, 'Well let's have a protest march. So we made more t-shirts and then people marched from the Native American Center in Oklahoma City to the State Capitol and had a forum on the steps of the Capitol and followed the path of the billboards. So it was a very, very positive kind of way to bring people together and focus people on this other part of the history.'²⁴ You could call Heap of Birds's work counter-

Arts Commission.

6. Letter of May 24, 1996, from the archives of the San Francisco Arts Commission.
7. Letter of April 17, 1996, from the archives of the San Francisco Arts Commission.
8. Fax from Kevin Starr and John P. Schlegel (president of the Jesuit University of San Francisco) to the San Francisco Arts Commission, April 30, 1996, from the archives of the San Francisco Arts Commission.
9. Governor Burnett, "Message to the California State Legislature," January 7, 1851, *California State Senate Journal*, 1851, quoted in Albert L. Hurtado, *Indian Survival on the California Frontier* (New Haven: Yale University Press, 1988), and in my own *Savage Dreams: A Journey into the Landscape Wars of the American West* (San Francisco: Sierra Club Books, 1994).
10. Text from the monument itself and from the archives of the San Francisco Arts Commission.
11. Wording taken from the Little Bighorn National Battlefield official website.
12. *The Times* of London, August 26, 1997.
13. "The sacred and profane collide in the West," by Chris Smith and Elizabeth Manning, *High Country News*, May 26, 1997, vol. 29, no. 10.
14. Leslie Marmon Silko, "Interior and Exterior Landscapes: The Pueblo Migration Stories," *Yellow Woman and a Beauty of the Spirit: Essays on Native American Life Today* (New York: Simon and Schuster, 1996), 32.
15. *Ibid.*, 33.
16. Keith Basso, "Stalking with Stories: Names, Places, and Moral Narratives among the Western Apaches," *Anteus* 57 ("Nature" issue, Autumn 1986).
17. Silko, 33.
18. Patricia Nelson Limerick, in Drex Brooks and Patricia Nelson Limerick, *Sweet Medicine: Sites of Indian Massacre, Battlefields, and Treaties* (Albuquerque: University of New Mexico Press, 1995), 125.
19. *Ibid.*, 151.
20. Charlotte Black Elk, recollections in *High Country News*, sidebar/editorial, May 26, 1997. In another attempt to prevent cultural appropriation and desecration, the Lakota Nation formally declared war on the New Age movement. The declaration is reprinted in Ward Churchill's "Indians Are Us?" (Toronto: Between the Lines, 1994).
21. *High Country News*, April 27, 1998.
22. Malcolm Margolin, "Where Holiness Resides" panel, April 11, 1992, at the Headlands Center for the Arts in Sausalito, California, in a series organized by Ann Chamberlain; quoted from *Headlands Journal* (1992). He was speaking of the proposed capping of the San Joaquin Valley's Coso Springs for geothermal energy production, because "in that spring dwells a particular god, one of the gods that created the world. Frog, one of the gods, dwells in that spring, and if you cap that spring, what is going to happen to that god?"
23. See Lippard, 86.
24. Edgar Heap of Birds, speaking on May 9, 1992, at the Headlands Center for the Arts in Sausalito, California, in a series organized by Ann Chamberlain; transcript courtesy of the HCA.

Protecting indigenous rights or respecting non-Western religious beliefs by limiting access to the land has been attacked as reverse discrimination by non-Natives, who assert that the pleasure of outdoor recreation and scenic views is a form of spiritual observance equal to that of Native American tradition.

in New York. This work consisted of twelve signs made by the city's Traffic Department, each of which said, "New York, today your host is _____" and named one of the tribes that had lived or still lives in the region. A few years later, in Seattle, he paid tribute to the city's original inhabitants and the homeless Indians now on the streets with an enameled metal sign in Pioneer Square, next to and addressing the existing statue of Chief Seattle. One side of *Day Night*, decorated with crosses and dollar signs, said "Chief Seattle the streets are our home"; the other, decorated with leafy splotches, said, "Far away brothers and sisters we still remember you." Both these projects spoke to the presence of displaced native people in urban spaces. So did a third project in San Jose, California, that used bus posters to critique the effects of the mission system—and, inevitably, offended the Catholic Church. "Who owns history?" another project asked, point blank, at a Pittsburgh monument already commemorating "Anglo-Saxon supremacy in the United States."²³

Among Heap of Birds's more controversial

monuments. They speak to excluded people of erased history; they revise, but they don't reconcile or conciliate.

The gestures of conciliation and recognition are due elsewhere. Those who have fought and who are now fighting to deny recognition of the presence of Native Americans and the atrocities they have endured are cultural Custers, caught up in a doomed assault on truth, justice, and even awakening government bureaucrats. These contemporary traditionalists are, I believe, doomed; but the conflicts they are stirring up are not yet over.

Notes

1. Lucy Lippard, *The Lure of the Local* (New York: New Press, 1997), 107.
2. Gray Brechin and Robert Dawson, *Farewell Promised Land: Waking Up from the California Dream* (Berkeley: University of California Press, 1999), 17.
3. City of San Francisco *Municipal Report of 1893-94*, from the archives of the San Francisco Arts Commission.
4. Letter of January 30, 1995, in files of San Francisco Arts Commission.
5. Draft document from the archives of the San Francisco

Rebecca Solnit is the author of *Savage Dreams: A Journey into the Landscape Wars of the American West*, which investigates the social construction of American nature and the politics of representation and nonrepresentation of Yosemite National Park's indigenous inhabitants.



San Francisco David Best's 40-foot-tall temple was temporarily installed as Patricia's Grain in Hayes Valley in 2005, in partnership with the Black Rock Arts Foundation.

Version *Architect (Three Dancing Figures)*, Version 4, Edition 2/7, 1989, by Kalle Harding. The artwork, a permanent acquisition by the City of San Francisco, stands at Howard and Third streets.

INTRODUCTION

The Art of Making a Place in Time

BY JEANNENE PRZYBLYSKI

What do people ask of the art that shares their space in the city? How do they live with and around it, even "dream" through it? How is the relationship between artist and artwork, and site and public, to be powerful and consequential, rather than merely ornamental or "harmless," at best?

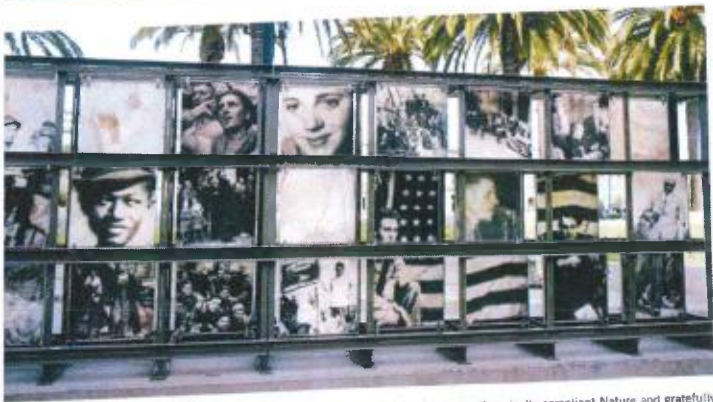
When I was chair of the Visual Arts Committee of the San Francisco Arts Commission (2004–2009), I tried to think hard about these questions and to listen carefully anytime an answer was proposed—whether by an artist or art expert, by the citizen art lover or even art hatet, or by the art itself. I did, and still do, spend a lot of time looking carefully at art in the city—whether art that we were in the process of undertaking during my tenure on the commission or art that has been entrusted to the city's stewardship as part of the Civic Art Collection or another initiative. I continue to try to imagine how all of this art might look in the future by attending carefully to the city itself as a constantly evolving ecology of hopes, desires, communities, and neighborhoods. It may seem otherwise in the heat of the moment, but neither the art nor the city, no matter how much faith we put in the permanence and durability of the built environment, stays the same forever. What makes me think this? Just look at a few of the monuments of the past that we continue to live with today.

Take Frank Happersberger's Pioneer Monument (1894), which resulted from a gift by James Lick for "statuary emblematic of the significant epochs of California history." The bronze sculptures aspire to be a sort of three-dimensional picture book, but it's a book that has come to be read differently over time. It was conceived during a period when San Francisco was largely ruled by self-made men whose fortunes stemmed from mining and real estate, when San Francisco's Spanish colonial heritage was being rewritten under the romantic and rosy boosterism of the Mission Revival movement, and when notions of Manifest Destiny still governed history textbooks. Happersberger built the monument to last. It survived the 1906 earthquake and fire that razed nearby City Hall, as well as many of the ways of thinking that had inspired its imagery. Its now uncomfortable celebration

"What?" I asked you, "is harmless about a dinner, and what," I asked you, "is harmless about the love of the people?"

—KALLE HARDING, *Architect (Three Dancing Figures)*





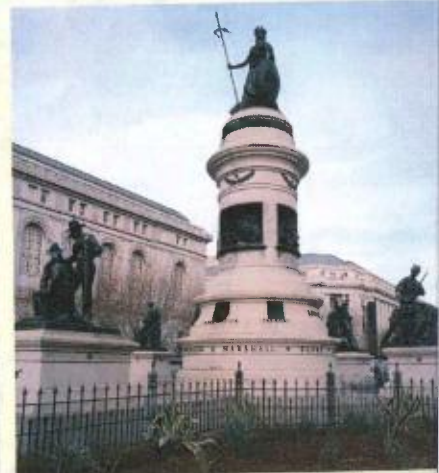
188. *Abraham Lincoln Brigade Monument*, 1988, by Ann Chamberlain and Walter Hood. The artwork honors the memory of freedom fighters, many from San Francisco, who volunteered to fight in the Spanish Civil War.

189. *Abraham Lincoln Monument*, 1895, by August Tilden. The monument now stands at the corner of Market and Bush streets.

of paternalistic heroes—who stand over an allegorically compliant Nature and gratefully submissive indigenous peoples with equal authority and pretend benevolence—demands another look. When the monument was moved to its current location in 1993 (to make way for the construction of the new Main Library), the Arts Commission provided a new interpretive plaque attempting to address these other perspectives—and the plaque itself became a new source of controversy. But this is controversy worth having: nowadays the Pioneer Monument memorializes nothing so much as how profoundly social justice and equity remain unfinished business, and just how long it might take for even the famously tolerant city of St. Francis to make things right.

Or consider the fortunes of Julian Martinez's *Juan Bautista de Anza*, a magnificent equestrian bronze given to the city by Mexico in honor of the U.S. bicentennial in 1976. De Anza led the first overland expedition from Sonora, Mexico, to San Francisco in 1776, founding Mission Dolores and the Presidio. The expedition also opened up a route for settlement and commerce that would ultimately lead to a ring of military installations around the bay (many of them now being returned to open space and natural preserves), the 280 freeway (where workers in the high-tech industries now perform a reverse migration from their homes and apartments in San Francisco to the new gold country of Silicon Valley), and today's sprawling metropolitan region. *De Anza* has been moved two times. The Loma Prieta earthquake forced its removal from the original location on the Embarcadero for many years, at the Ocean Beach Pump Station. It finally came to rest at Lake Merced (one of the original de Anza expedition's campsites). The layover at Ocean Beach came about when a proposal to resite the monument on the median strip in front of Mission Dolores coincided with the escalating gentrification of the Mission District during the dot-com boom of the late twentieth century. While both the Arts Commission and the historians of Mission Dolores felt the monument would provide the opportunity for a teachable moment about the complicated story of European contact in the New World (when one culture's version of "progress" entailed the near total destruction of another culture's way of life), antidevelopment activists saw de Anza as a forerunner of unchecked

BALE PHOTOGRAPHY: ARTS FOR THE CITY



CLOCKWISE FROM TOP LEFT: Granite scale, part of a series of eight animal sculptures by Dominga Bifano, was installed at Valencia Gardens; Pioneer Monument, by P. H. Happersberger, was dedicated to the city in 1894; Harvey Milk City Hall Memorial Sculpture, 2008, by Duoh, Firmin, and Hendrickson; *Juan Bautista de Anza*, 1976, by Julian Martinez; *Big Peace PC*, by Tony Lobat (temporarily installed on Patricia's Green in 2009); and *Glendon/Transcopia*, 2002, by Pa Sui Wang—the installation of twelve "transcopes" along Fulton Boulevard enables museum-fabricated mirrors and lenses to form a kaleidoscopic vision of the viewer's immediate surroundings.

INTRODUCTION: THE ART OF MAKING A PLACE IN TIME



Spider, 2003, by Louise Bourgeois. Originally installed at Pier 14 from 2007 to 2011. The 9-foot-tall artwork spanned

real estate speculation and the destruction of established neighborhoods. Then Supervisor Chris Daly went so far as to suggest that the best location for the statue was at the bottom of San Francisco Bay. Fortunately, history is not so easily discarded—nor should it be. The difficulty of finding respectful ways of remembering should not be used as an excuse for simply forgetting the past.

The sense of San Francisco as a contested landscape, where the ostensibly forward momentum of city life constantly demands new terms of understanding and new ways of advocating for the mutual recognition of all its citizens, is the framework in which I continue to read art in the city. It is an ongoing story, written and overwritten in real time. Here are few of my favorite installments.

Douglas Tilden, *Mechanics Monument* (1899): Located at the corner of Market and Bush streets, Tilden's grouping of heroic bronze figures honors the achievements of Peter Donahue, founder of United Iron Works in San Francisco. Drawing upon a lexicon of the classical male nude that he learned while studying in Paris, Tilden never could have dreamed, when he was creating his monument to labor and industry, that San Francisco would become a mecca for men with oiled hard bodies and a desire to hang out with one another while naked, but it did, and the rest is history.

Benjamin Bufano, *Animals* (ca. 1930s): Bufano's miscellaneous menagerie of a granite cat and mouse, seals, bears, and a butterfly were originally projects of the Works Progress Administration (WPA) during the Great Depression. When the WPA began to close down

shop in local communities in the 1940s, it transferred ownership of the sculptures to the city. The San Francisco Board of Supervisors voted to install them in new housing for returning veterans of World War II at the William Wooster-designed Valencia Gardens. Valencia Gardens didn't wear well over time and was demolished and rebuilt by the San Francisco Housing Authority in 2004–2007. During the reconstruction, the animals were put out to pasture at the Randall Museum on Corona Heights, where they were a big hit with visiting families. But to me, it always seemed important to honor that original impulse to enliven public housing with art. I was glad when Bufano's animals found their way back home.

Ann Chamberlain and Walter Hood, *Abraham Lincoln Brigade Memorial* (2008): Evidence of San Francisco's labor history gets harder to find as the city's formerly working waterfront gives itself over to tourism, technology, and taste buds (with the Ferry Building reincarnated as a temple to sustainable gastronomy). This postmodern monument of photo-screened onyx and steel stands across from the Ferry Building on the Embarcadero and pays tribute to the 2,600 Americans from all walks of life who shipped out to fight against fascism during the Spanish Civil War (1936–1939). To tell the truth, some of my affection for this monument has little to do with what can be seen on the facets of it. Ann Chamberlain and Walter Hood were brilliantly paired to design this particular three-dimensional history book, and they firmly rooted its formal vocabulary in the utilitarian and everyday rather than the ornamental and allegorical (think of it in pointed dialectic to Happersberger's Pioneer Monument). Chamberlain and Hood are commanding examples of artists with a profound respect for human stories and lived experience—the kind of people you want as public artists. It's worth looking up the video documentation of Chamberlain as she sits around a kitchen table with Lincoln Brigade survivors, listening to their stories.

Daub, Firmin, and Hendrickson, *Harvey Milk City Hall Memorial Sculpture* (2008): On May 22, 2008, Harvey Milk took his rightful place in the gallery of portrait busts that grace City Hall. Supervisor Milk was larger than life and is still very much alive in memory to so many people. The challenge was to find a way to express that largeness of spirit without lapsing into caricature (there was already an excellent example in that vein—Robert Arneson's notorious ceramic bust of Mayor Moscone, Dan White's other victim, with *Wickie*-emblazoned pedestal). Whenever I visit City Hall and see people standing to have their picture taken with "Harvey," I know that Daub, Firmin, and Hendrickson succeeded.

Po Shu Wang, *Ghinlon/Transcope* (2005): Wang's twelve kaleidoscopic lenses, mounted on graceful curving posts along Octavia Boulevard in Hayes Valley, celebrate the pedestrian's experience on a site where the Central Freeway used to rule. They are a human-scaled portal to the spectacle of urban life and an instance of permanent artwork that smartly responds to the constant flux of the urban environment.



TRUTH, 2002, by Rigo 23. This privately commissioned mural is on Market Street, near the Civic Center.



A Rending of Tim Shaskan's, untitled sculptor. The artwork, estimated to be completed in 2017, was commissioned to reside outside the downtown Transbay Transit Center on Mission Street.



icles, 2012, by Mark Enrie and Jane
st. The permanent public art installation
the Volcan Valley Branch Library.

David Best, *Temple* (2005); Tony Labat, *Big Peace IV* (2009); Louise Bourgeois, *Crouching Spider* (2007-2009); Bill Fontana, *Spiraling Echoes* (2009): You can't see (or hear) them anymore, but these and other projects on Patricia's Green in Hayes Valley, near the Ferry Building on the northern waterfront, and at Civic Center Plaza and City Hall opened the way to a renewed commitment to temporary public art on the part of city government, neighborhood groups, and arts philanthropists. Produced by the Arts Commission with the help of gracious donors and volunteers, temporary projects, at their best, cause you to take a second look at a familiar place, to navigate it perhaps a bit differently, and to linger just a little bit longer. And part of the benefit of being a San Francisco resident is that you know they are only temporary.

Tim Hawkinson, *untitled sculpture (estimated completion 2017)*: Tim Hawkinson was one of five artists commissioned for Phase I of the Transit Center Program as a joint project of the Transbay Joint Powers Authority and the San Francisco Arts

Commission. This was among the last artist selection panels on which I served as commissioner. Hawkinson has proposed a monumental "guardian figure" made of materials recycled from the old Transbay Terminal, including reinforced concrete, Jersey barriers, and a streetlight pole. I love that it's big. I love that it will be a Transformer-like figure, rising from the rubble of old transit paradigms. I think some people will hate it. But I predict that, like the Picasso in Chicago's Daley Plaza, Hawkinson's "guardian" will one day be a beloved icon of San Francisco.

Rigo 23. *TRUTH* (2002): Rigo painted this mural in honor of Robert H. King, the only one of the Angola 3 to have been released from prison (to this day). Although not strictly speaking a part of the Civic Art Collection, it provides a wonderful closing example of how public artworks modify one another as elements in a larger urban context, irrespective of jurisdictional boundaries. The economical eloquence of Rigo's murals is as much a function of where they are as what they say. Sited on a visual axis that runs through

the Civic Center over the heads of the patriarchs of the Pioneer Monument to face off against City Hall itself, *TRUTH* will continue to speak to power as long as it's necessary.

This is the crux of site-specific work in an urban context: that the site may be specific enough but is not unchanging and that the meaning of public artwork is as much a function of time as materials and form. It is over time, through the interplay of both consent and dissent, that an always-emergent common vocabulary of community, identity, and memory is produced. In that spirit of a long view, I offer these wishes in celebration of the next eighty years of public art and place making in San Francisco.

- 1 That the city be brave and thoughtful about the dynamic between controversy and consensus that commonly polarizes debates about public art. Neither extreme is very productive in the end, but if I had to choose one, I'd choose controversy.
- 2 That the city be tenacious in making a case for ongoing civic investment in public culture. Whether in boom times or bust, art that is not confined within the wall of the museum speaks to a city's generosity of spirit, its breadth of common experience, and its commitment to stewardship for the future.
- 3 That the city be conscientious and resourceful in caring for the works of both aesthetic and historical value that are entrusted to its care. These artworks are as much a part of the city's infrastructure as water mains and trolley lines.
- 4 That the city be entrepreneurial and inventive in finding new ways to stimulate temporary projects through public-private partnerships. Temporary art is such a wonderful way to ask a question in a particular place. It can be as seasonal as springtime flowers or as ephemeral as the fog that creeps in and out the Golden Gate.
- 5 That the city be visionary enough to extend the benefits of ambitious public art and its many and evolving civic languages from downtown and the wealthy neighborhoods of the northeast to the entire city. The paths and picnic lands around Lake Merced could be the next Millennium Park. McLaren Park is just waiting to be the next jewel in the city's crown. And those are just places to start...

*And my dream will be a pageant, a mosque
in which old meanings will be remembered
and possibly new ones discovered ...*

—TENNESSEE WILLIAMS, *CAMINO REAL*



C. IMAGES OF CONQUEST – PUBLIC ART

Many of the images are depicting scenes of conquest. Some of the images glorify the subjugation of Native American people, while others romanticize the conquest or visages of the indigenous people of the Americas. Some of the images are disturbing because they illustrate violence perpetrated against Native Americans, and other depictions are offensive because the Native American subjects are portrayed in the nude (which is not a culturally appropriate artistic value when applied to Native American subjects, as nudity in art is not a Native American standard), or they are fetishized or romanticized, historically and culturally inaccurate images.



Christopher Columbus
(Coit Tower)



Padre Junipero Serra
(Golden Gate Park)



Don Juan Bautista De Anza
(Lake Merced)

Created the Mission system and Presidio in San Francisco.



“The Winning of The West”

238 light poles along Market Street and surrounding the Legion of Honor

The image is a Plains Indian, not Californian. The subject is nude and riding a horse, which is historically inaccurate. In addition, nudity is not a Native American standard in art and its use in depictions of Native Americans is a European-based concept in art and is considered to be disrespectful by many Native American people. It also perpetrates the misconception that all Native Americans resemble Plains people and culture.



King Carlos III of Spain
(Lake Merced)

Established the Catholic Missions in San Francisco.

The Pioneer Monument (Civic Center Plaza)



In the original rendition of this statue, the Vaquero (rancher), was brandishing a gun. It was removed when the statue was relocated to its current location in 1993.

The image (above) shows a Catholic priest gesturing to heaven with one hand while motioning to the Native American person to stay down on the ground. Although this is a statue that glorifies the conquest of California, the Native American person is a Plains Indian (when considering the feathers and hair style) and not a California Indian, which reinforces the notion that all Native Americans look like Plains Indians. The Native American person is naked (except for a blanket), is barefoot, and is in an inferior, helpless position on the ground with the conquerors standing in a superior position over him.



The close-up (above) is of one of the bas-relief panels that encircle the pillar of this monument. The Native American people are all naked and barefooted, and the woman's breast is exposed. The central figure of a European trader is in a superior position to the Native American subjects, one of whom is kneeling at the feet of the trader.

The plaque (left) gives a history of the origin of the statue as well the different locations where it has been erected. It neither offers an explanation of the historical context of the images, nor does it extend any apology for the subjugation and near-annihilation of Native American people.





“Marriage of the Artistic Expression of the North and South of this Continent”
(City College)

“[This image is intended to convey] Pan American unity representing the United States, Canada, and Mexico. Coatlicue, the ancient Aztec Goddess of earth and death dominates the center of the design. Figures present in the mural are the artist, Frida Kahlo, various actors, Dudley Carter, Emmy Lou Packard. The mural was originally created [by Diego Rivera] for the 1939 World’s Fair [in New York].” (SF Arts Commission Website)

While the mural seems to exalt Native American people and culture, it is viewed by many to be cultural assimilation and fetishization of the indigenous people of the area known as Mexico. Additionally, nudity in art is not a Native American standard and is often seen as offensive and inappropriate as the representations depict what many Native Americans see as their ancestors. In this context, nude depictions of what are essentially grandmothers and grandfathers are deemed offensive when viewed through most indigenous values.



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ARTS MOBILIZATION CENTER

Americans for the Arts is committed to providing information on top issues affecting the arts today.

Thank you for supporting the arts. Below you will find tools, resources, and information to help make your case for the arts and arts education as well as ways you can take action today.

You are not alone. Americans for the Arts stands with you alongside millions of artists, local and state arts agency leaders, teachers, community leaders, business people, elected officials, funders, and other arts professionals.

Statement on the Intersection of the Arts, History, and Community Dialogue

On August 12, 2017, the fate of a public art piece—a monument to Confederate general Robert E. Lee—became the focal point for a violent and racism-fueled clash in Charlottesville, VA. In the wake of those events, many communities across the United States are grappling with the existence and legacy of divisive monuments, and local, state, and federal policymakers, including President Trump, are weighing in on the fate of these monuments.

Americans for the Arts strongly supports diversity, equity, and inclusion, and stands against racism, bigotry, and hatred.

Our nation's public art is complex and it is powerful—we must be mindful of that power. Public art reflects the stories and histories we most want to tell ourselves, the lessons we want to learn, the pride we collectively hold, and the memories and priorities with which we craft our communities' futures. The presence (and the absence of) people and events in the sculptures, murals, music, and imagery with which we commemorate history create the narrative we tell our communities.

For nearly 60 years, Americans for the Arts, with its member organizations, has been a fierce advocate for public art and how it can help transform, inspire, and educate communities. Americans for the Arts stands with community members who are

coming together to have civil and just dialogues, and to meaningfully and honestly assess the value of their existing public art pieces, monuments, and memorials in telling the narratives that their communities desire and deserve today. Americans for the Arts stands in opposition to any form of violence, intimidation, or illegal activity that cuts short such community dialogue.

The Challenge of Confederate Monuments and Memorials

According to the Southern Poverty Law Center, there are over 1,500 Confederate monuments and memorials in 31 states across the United States, including areas that were not part of the Confederacy. Over 700 of these monuments are on government-owned sites. The existence of these monuments, and their locations, creates a narrative of value and official support that can be problematic.

Art on the public square carries great meaning. Such sculptures often represent the culture of a community and are seen as vessels for what we choose to honor and make permanent. To many, Confederate monuments glorify inequality, white supremacy, racial discrimination, and bigotry. To others, they reflect a conservative desire for the reinstatement of white nationalism, which they feel has been nullified by demographic and policy change.

Most of these monuments were commissioned long after the end of the Civil War as part of an ongoing so-called “Lost Cause” movement to re-write history, and nearly 200 Confederate monuments in the United States were commissioned on or after 1960, arguably in reaction to the black civil rights movements of the early- and mid-20th century. In fact, as many as 35 of these monuments have been commissioned since 2010.

All public artwork, whether controversial or not, is at its most impactful when it is being considered *honestly*. Context, origin, and the feelings of the community must be part of an open dialogue and, ultimately, a community choice. The illegal removal of these monuments or the quashing of dialogue by government edict, or by violence, disempowers the community and dampens the innate power of public art to spark dialogue, change, and community healing.

What Can Be Done

The choice of what to do with these sculptures—and the schools, parks, courthouses, university campuses, and public squares they are often part of—must emerge from an informed community in dialogue with itself. And there is a wide spectrum of actions that communities have taken.

- In New Orleans, LA, after community dialogue, four Confederate monuments throughout the city were removed and Mayor Mitch Landrieu gave a landmark speech that outlines many of the reasons. The city is in the process of handing off the monuments to other cultural institutions for viewing in other spaces with contextualization.
- In Birmingham, AL, the community transformed Kelly Ingram Park, site of the famous confrontation between Public Safety Commissioner “Bull” Connor and civil rights protestors, into “a place of revolution and reconciliation” and installed a variety of sculptures depicting scenes from the civil rights movement.
- In Annapolis, MD, the site of a slave market was turned into a public art sculpture of *Roots* author Alex Haley reading to children of multiple races. A statue of the Supreme Court justice who wrote the *Dred Scott* decision was removed under cover of night from the grounds of the state capitol after a committee vote.
- In Louisville, KY, a Confederate statue was removed and relocated to a Civil War battle site where it could be viewed in an educational context.
- In Baltimore, MD, in the aftermath of the terrorist attack in Charlottesville, four Confederate monuments recently removed are being offered to two cemeteries dedicated specifically to housing the Confederate dead. On the pedestal of a former Robert E. Lee statue a new, unofficial public sculpture, *Madre Luz*, depicting a pregnant woman carrying a child and raising a golden fist in triumph and hope, was briefly installed before being toppled by vandals.
- In Minneapolis, MN, a controversial sculpture depicting the gallows from which Native Americans were hung was destroyed in a special ceremony after the commissioning museum, under community pressure, engaged in deep dialogue with Native American elders.
- In Macon, GA, a plaque for the Baconsfield Park that dedicated it to the “benefit and enjoyment of the white women, white girls, white boys, and white children...” was removed and relocated to the Harriet Tubman Museum, where context and interpretation allowed it to be a learning mechanism.

There are international examples as well:

- Following the fall of the Iron Curtain, Budapest chose to leave vestiges of Communist iconography that had been re-mixed in public spaces including the boots of a statue of Stalin on its original pedestal and old street signs with communist names crossed out in red and new street signs beside. In other areas, Communist statues have been gathered in

confined parks for viewing and scholarly study.

- In Paraguay, a statue of dictator Alfredo Stroessner was deconstructed and then reconstituted into a new piece in which the former statue appeared crushed between stones.
- In Germany, the remnants of the Nazi regime have been treated differently in different cases: the Haus der Kunst, site of major Nazi-sanctioned art exhibits, now commits most of its funds to displaying art that would have been banned by the regime. Sites of atrocities, such as the *Bebelplatz*, where thousands of books were burned and Nazi marches were held, have installed public art pieces to engage with that history through a lens of learning and reconciliation. Certain sites such as Hitler's final bunker, after dialogue, were deliberately obscured to keep them from becoming shrines for neo-Nazis.

These choices were determined by members of these communities and/or by elected leadership, driven by a shared belief in a new narrative, and an understanding of what role these art pieces would play. Regardless of the direction a community takes when addressing a publicly placed artwork, there should be a strong community engagement component that allows for dialogue.

Americans for the Arts is encouraged by the growing number of U.S. cities that have been engaging in dialogues like this already. Community dialogues have been conducted, or are starting, in New Orleans, LA; Baltimore, MD; Louisville, KY; Gainesville, FL, and elsewhere. The mayor of Lexington, KY, in the aftermath of Charlottesville, has reversed himself and recommended removal of two Confederate statues on the site of a former slave market. Elected officials from both major parties in states including Minnesota, North Carolina, Texas and Maryland are asking support for similar dialogues to begin.

Un-Erasing Narrative through Public Art

This is, however, a *beginning* for truth and reconciliation, not an end.

These monuments, and their long tenure in the public square, are symptoms of larger issues of systemic racism and white privilege that pervade far beyond these statues; public art reflects and makes permanent our deepest beliefs, both good and bad. Confederate names adorn many Southern schools, a quarter of which are majority-African-American. The Confederate flag is an integrated part of the design of the state flag of Mississippi, and maintains a publicly supported presence in at least six states. Racially-charged melodies, stories, and traditions intertwine visibly and invisibly into place names, state anthems, songs, bedtime stories, and more.

Moreover, there is a resounding absence of narratives about slavery, segregation, discrimination, emancipation, and the ongoing fight for civil rights. There are currently three times as many monuments to the Confederacy in the U.S. Capitol as there are monuments to African-Americans. There are artistic commemorations of many of the leading Segregationists throughout the South, but the first such large-scale monument to the many black men and women lynched during that period will not open until 2018.

Our communities use public monuments as artistic commemorations of what we deem important. Americans for the Arts believes that, as more communities enter dialogue about what these divisive public artworks say about their residents and their beliefs, these art pieces can help facilitate positive community transformation.

Americans for the Arts supports ongoing community dialogue around truth, reconciliation, and removal and replacement of the various artistic and cultural vestiges of white supremacy and racism in the United States, and the installation of monuments commemorating narratives of emancipation, shared strength, and equity. We recommend that local arts agencies and other arts institutions join these dialogues in concert with affected communities.

To support a full creative life for all, Americans for the Arts commits to championing policies and practices of cultural equity that empower a just, inclusive, equitable nation.

Resources for You and Your Community

- NEXT TUESDAY, August 22nd at 3pm, Americans for the Arts will hold a special [members-only briefing \(https://artsu.americansforthearts.org/products/special-edition-member-briefing-arts-history-and-community-dialogue\)](https://artsu.americansforthearts.org/products/special-edition-member-briefing-arts-history-and-community-dialogue) to discuss the issues outlined in this position statement, as well as next steps. After the 30-minute briefing, there will be an opportunity for public art administrators and others to engage in conversation with each other, led by a member of the Public Art Network Council.
- We also want to hear from you – share your stories of what is happening in your communities by emailing membership@artsusa.org (<mailto:membership@artsusa.org>).

- The [Public Art Resource Center \(http://www.americansforthearts.org/parc\)](http://www.americansforthearts.org/parc) offers information and tools on community engagement, public art maintenance and conservation, and sample documents and policies.
- [San Francisco Arts Commission Policies and Guidelines for the Civic Art Collection \(http://www.americansforthearts.org/by-program/reports-and-data/legislation-policy/naappd/policies-and-guidelines-for-the-civic-art-collection-of-the-city-and-county-of-san-francisco-under\)](http://www.americansforthearts.org/by-program/reports-and-data/legislation-policy/naappd/policies-and-guidelines-for-the-civic-art-collection-of-the-city-and-county-of-san-francisco-under) includes the deaccession policy (starts on page 25).
- [American Institute of Conservation of Historic and Artistic Works \(http://www.conservation-us.org/\)](http://www.conservation-us.org/) highlights conservators and other professional resources to help care for an artwork.
- "It's Not Forever": Temporary Works and Deaccessioning (<http://blog.americansforthearts.org/2014/02/05/%E2%80%9Cits-not-forever%E2%80%9D-temporary-works-and-deaccessioning>) blog posts outlines some of the current questions and thoughts around longevity and permanence of public artworks.
- [Florida's Art in State Buildings Program Deaccession Policy \(http://www.americansforthearts.org/sites/default/files/pdf/2013/by_program/networks_and_councils/public_art_network/DeaccessionPolicy_Sample.pdf\)](http://www.americansforthearts.org/sites/default/files/pdf/2013/by_program/networks_and_councils/public_art_network/DeaccessionPolicy_Sample.pdf) is a sample deaccession policy for public art programs.

Community Engagement

- [Planning & Designing Arts-Based Civic Engagement Projects \(http://animatingdemocracy.org/sites/default/files/Imagine_Define_Design.pdf\)](http://animatingdemocracy.org/sites/default/files/Imagine_Define_Design.pdf) includes worksheets to help you design your community engagement process.
- [Participatory Action Research Approach to Planning, Reflection and Documentation \(http://animatingdemocracy.org/sites/default/files/documents/resources/tools/participatory_action_research.pdf\)](http://animatingdemocracy.org/sites/default/files/documents/resources/tools/participatory_action_research.pdf) offers an approach to research and learning that uses different methods to address issues or possibilities identified and defined by a community to create new ways of working, interacting, and knowing.
- [The 8 R's of Talking About Race: How to Have Meaningful Conversations \(https://www.netimpact.org/blog/the-8-r%E2%80%99s-of-talking-about-race-how-to-have-meaningful-conversations\)](https://www.netimpact.org/blog/the-8-r%E2%80%99s-of-talking-about-race-how-to-have-meaningful-conversations) helps identify and manage your speaking about race.
- [The Controversy Conundrum: Public Art Advocacy and Communication Strategies to Keep Your Program Thriving \(https://artsu.americansforthearts.org/products/the-controversy-conundrum-public-art-advocacy-and-communication-strategies-to-keep-your-program-thriving\)](https://artsu.americansforthearts.org/products/the-controversy-conundrum-public-art-advocacy-and-communication-strategies-to-keep-your-program-thriving) is a webinar that reviews case studies and practices when dealing with controversial issues and your public art collection.

Contextualization/Education

- The Equal Justice Initiative provides resources for understanding [racial justice \(https://www.eji.org/racial-justice\)](https://www.eji.org/racial-justice) from slavery to the civil rights movement.
- Americans for the Arts' [Animating Democracy \(http://www.animatingdemocracy.org\)](http://www.animatingdemocracy.org) has a variety of case studies and tools for engaging in difficult civic dialogues, including about public artworks whose meaning and narrative have shifted over time.
- [Who's Heritage? Public Symbols of the Confederate \(https://www.splcenter.org/20160421/whose-heritage-public-symbols-confederacy\)](https://www.splcenter.org/20160421/whose-heritage-public-symbols-confederacy) by the Southern Poverty Law Center provides a history of the development of Confederate imagery and symbols.
- [A Monumental Problem \(http://the1a.org/shows/2017-08-16/a-monumental-problem\)](http://the1a.org/shows/2017-08-16/a-monumental-problem) podcast from NPR's 1A provides multiple perspectives and context to Confederate monuments and memorials.

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Who We Are

Americans for the Arts serves, advances, and leads the network of organizations and individuals who cultivate, promote, sustain, and support the arts in America. Founded in 1960, Americans for the Arts is the nation's leading nonprofit organization for advancing the arts and arts education.

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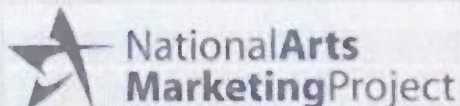
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AMERICAN
INSTITUTE FOR
CONSERVATION
OF HISTORIC AND
ARTISTIC WORKS

POSITION PAPER

American Institute for Conservation of Historic and Artistic Works

September 2017

AIC Position Statement On Confederate and Other Historic Public Monuments

In the past few weeks in response to events in Charlottesville, Virginia, Confederate statues have been destroyed in protest or hurriedly dismantled. These and other historic public memorials fall at the intersection of conflicting social and political views. In this regard, the AIC Board appreciates the insight of our organization's Equity and Inclusion Working Group.

The American Institute for Conservation of Historic & Artistic Works (AIC) is dedicated to the preservation of the material evidence of our past so that we can learn from it today and understand it in the future. Paragraph III of the AIC Code of Ethics states, "While recognizing the right of society to make appropriate and respectful use of cultural property, the conservation professional shall serve as an advocate for the preservation of cultural property." Therefore, AIC cannot condone the vandalism or outright destruction of Confederate or other historic public memorials.

We recognize that preservation planning for these monuments is an emotionally difficult process and requires the active engagement of all stakeholders. We recommend that those who undertake such deliberations be conscientious, open to a wide range of preservation outcomes, and accountable for their decisions.

Conservation professionals can provide valuable advice to custodial communities and their elected officials when evaluating a wide range of preservation options for controversial public monuments. Preservation outcomes can include maintenance and interpretation in-situ or dismantling and relocation. If it is determined that a work is to be reconfigured or moved, AIC recommends thorough documentation, safe and systematic dismantling, and storage or exhibit in appropriate, sustainable conditions. The role of conservators in furtherance of these decisions must be respected; no AIC members should be endangered or harassed in carrying out their professional duties.

The AIC Board of Directors

POLICIES and GUIDELINES for the CIVIC ART COLLECTION of the CITY and COUNTY of SAN FRANCISCO UNDER THE JURISDICTION OF THE SAN FRANCISCO ARTS COMMISSION

[Excerpt specifically detailing care of the Civic Art Collection and deaccession policies]

6. COLLECTIONS MANAGEMENT: ROLES AND RESPONSIBILITIES

- 6.1 Arts Commission:** In accordance with the CCSF Administrative Code Sec. 2A.150.1, the Arts Commission provides for the additional responsibilities for the care of the City's Collection.
- 6.1.1 Cataloging, Care and Maintenance of Public Art Media:** The cataloging, care and maintenance of all sculptures, statues, murals, paintings and other art media belonging to the City and County of San Francisco, other than and excepting those located on properties under the jurisdiction and control the San Francisco Unified School District, the M.H. de Young Memorial Museum, the Asian Art Museum, the California Palace of the Legion of Honor, the California Academy of Sciences and the Recreation and Park Commission, shall be under the jurisdiction of the Arts Commission.
- 6.1.2 Agreement with Recreation and Park Commission:** The Arts Commission shall be authorized to enter into agreement with the Recreation and Park Commission, upon such terms as may be mutually agreed, for the cataloging, care and maintenance of any or all of the above media located on properties under the jurisdiction of the Recreation and Park Commission.
- 6.1.3 Authorization of the Sale or Exchange of Works of Art:** The Arts Commission by a 2/3 vote is authorized to sell or exchange works of art under its jurisdiction under the terms specified under Sec. 2A.150.1, described here under Section 7.3, Deaccessioning.
- 6.1.4 Reproductions or Adaptations:** The Arts Commission may license the making of reproductions or adaptations of works of art under its jurisdiction. Note: While the Administrative Code allows the Arts Commission to license the making of reproductions, the Arts Commission must confirm that it has license from the artist who holds the copyright to make reproductions or adaptations of a work of art.
- 6.2 Visual Arts Committee:** The Visual Arts Committee reviews Collections issues and makes recommendations to the full Arts Commission relative to all aspects of the management of the Collection that require Commission Resolution, including, but not limited to the approval to deaccession artwork through sale or exchange, or authorize the removal, alteration, or destruction of any artwork under the Commission's jurisdiction.
- 6.3 Senior Registrar:** The Senior Registrar shall coordinate the care and maintenance of the Collection, including:
- Developing and maintaining an inventory of the Collection maintenance needs
 - Identifying funds for maintenance and conservation needs and applying for grants
 - Contracting for and managing maintenance and conservation contracts
 - Maintaining an inventory of the City's collection
- 6.4 Director of Cultural Affairs:** The Director of Cultural Affairs may authorize the emergency removal, alteration or destruction of an artwork without Commission approval under the conditions specified under Section 7.2.1. The Director of Cultural Affairs is also given authority under Arts Commission Resolution 0507-12-142 to approve *contracts, purchase orders, or direct payment vouchers up to \$500,000 with conservators, art technicians, or other qualified contractors for the purpose of performing conservation, maintenance and repair on works of art in the City's art collection; approve contracts, purchase orders, or direct payment vouchers up to*

\$500,000 with art service providers for transportation, storage, installation, de-installation of artwork, construction cases, vitrines and framing, and other similar work related to the care and maintenance of the City's collection that does not require design approval from the Commission.

7. COLLECTIONS MANAGEMENT: DEACCESSION, REMOVAL, ALTERATION, AND DESTRUCTION POLICIES AND PROCEDURES

7.1 Overview of Collection's Policy: It is the objective of the Commission to acquire works of art of the highest quality. Acquisition by the City and County of San Francisco implies a commitment to the preservation, protection and display of the artwork for the public benefit. Acquisition implies permanency within the collection, as long as the work maintains its physical integrity, identity and authenticity, and as long as it remains useful to the purposes of the people of the City and County of San Francisco. When any of these conditions no longer prevail, the Arts Commission may consider removal from public display and/or deaccessioning.

7.2 Removal from Public Display: If the artwork is removed from public display, the Arts Commission may consider the following options:

- **Relocation of Public Display:** If the Commission decides that an artwork must be removed from its original site, and if its condition is such that it could be re-installed, the Commission will attempt to identify another appropriate site. If the artwork was designed for a specific site, the Art Commission will attempt to relocate the work to a new site consistent with the artist's intention. If possible, the artist's assistance will be requested to help make this determination.
- **Store object until a new site has been identified or the Commission decides to deaccession the artwork.**
- **Sale or Trade of Object after deaccession.**

7.2.1 Provisions for Emergency Removal: In the event that the structural integrity or condition of an artwork is such that, in the opinion of the Art Commission's Director of Cultural Affairs, the artwork presents an imminent threat to public safety, the Director may authorize its immediate removal, without Commission action or the artist's consent, by declaring a State of Emergency, and have the work placed in temporary storage. The artist and the Arts Commissioners must be notified of this action within 30 days. The Commission will then consider options for disposition: repair, reinstallation, maintenance provisions or deaccessioning. In the event that the artwork cannot be removed without being altered, modified, or destroyed, and if the Artist's Agreement with the City and County has not waived his/her rights under the California Art Preservation Act and the 1990 Visual Artists' Protection Act, the Director must attempt to gain such written permission before proceeding. In the event that this cannot be accomplished before action is required in order to protect the public health and safety, the Director shall proceed according to the advice of the City Attorney.

7.3 Deaccessioning:

7.3.1 Statement of General Policy: In general, works of art will not be deaccessioned within 10 years after acquisition. The Arts Commission shall deaccession and dispose of works of art in its collections only in the public interest and as a means of improving the quality of the collections.

7.3.2 Consideration of Alternatives for Disposition of a Work of Art: In considering various alternatives for the disposition of deaccessioned objects, the Arts Commission should be concerned that:

- The manner of disposition is in the best interests of the Arts Commission and the public it serves.

- Preference should be given to retaining works that are a part of the historical, cultural, or scientific heritage of San Francisco and California.
- Consideration should be given to placing the art objects, through gift, exchange, or sale, in another tax-exempt public institution wherein they may serve the purpose for which they were acquired initially by the Arts Commission.
- Objects may not be given or sold privately to City employees, officers, members of the governing authority, or to their representatives, except as specified below.

7.3.3 Conditions: A work of art may be considered for removal from public display and/or deaccessioning if one or more of the following conditions apply:

- The work does not fit within the Arts Commission's mission, goals, or guidelines for the Civic Art Collection.
- The work presents a threat to public safety.
- Condition or security of the work cannot be guaranteed, or the Arts Commission cannot properly care for or store the work.
- The work requires excessive or unreasonable maintenance, or has faults in design or workmanship.
- The condition of the work requires restoration in gross excess of its aesthetic value, or is in such a deteriorated state that restoration would prove either unfeasible, impractical or misleading.
- No suitable site for the work is available, or significant changes in the use or character of design of the site affect the integrity of the work.
- The work interferes with the operations of the client agency.
- Significant adverse public reaction over an extended period of time (5 years or more).
- The work is judged to have little or no aesthetic and/or historical or cultural value.
- The Arts Commission wishes to replace a work with a more appropriate work by the same artist.
- The work can be sold to finance, or can be traded for, a work of greater importance.
- Written request from the artist has been received to remove the work from public display.
- The work is duplicative in a large holding of work of that type or of that artist.
- The work is fraudulent or not authentic.
- The work is rarely or never displayed.

7.3.4 Process: The following steps shall be followed for works being considered for deaccessioning:

7.3.4.1 Absence of Restrictions: Before disposing of any objects from the collections, reasonable efforts shall be made to ascertain that the Commission is legally free to do so. Where restrictions are found to apply, the Arts Commission shall comply with the following:

- Mandatory restrictions shall be observed unless deviation from their terms is authorized by a court of competent jurisdiction.
- Objects to which restrictions apply should not be disposed of until reasonable efforts are made to comply with the restrictive conditions. If practical and reasonable to do so, considering the value of the objects in question, the Commission should notify the donor if it intends to dispose of such objects within ten years of receiving the gift or within the donor's lifetime, whichever is less. If there is any question as to the intent of force of restrictions, the Commission shall seek the advice of the City Attorney.

7.3.4.2 Arts Commission Staff Report: The Arts Commission staff shall prepare a report which includes a staff evaluation and recommendation along with the following information:

- City Attorney's Opinion: The City Attorney shall be consulted regarding any restrictions that may apply to a specific work.
- Rationale: An analysis of the reasons for deaccessioning and its impact on the Collection and the artist, and an evaluation of the artwork.
- Community Opinion: If pertinent, public and agency feedback on the dispensation of work in question.
- Independent Appraisal or other documentation of the value of the artwork: Prior to disposition of any object having a value of \$10,000 or more, Arts Commission staff should obtain an independent professional appraisal, or an estimate of the value of the work based on recent documentation of gallery and auction sales.
- Related Professional Opinions: In cases of where deaccessioning or removal is recommended due to deterioration, threat to public safety, ongoing controversy, or lack of artistic quality, it is recommended that the Commission seek the opinions of independent professionals qualified to comment on the concern prompting review (conservators, engineers, architects, critics, safety experts etc.).
- History:
 - Provide written correspondence, press and other evidence of public debate.
 - Original Acquisition method and purchase price.
 - Options for Disposition.
 - Replacement Costs.

7.3.5 Visual Arts Committee Hearing: The recommendation to deaccession a work of art will be considered by the Visual Arts Committee as part of the Committee's regular or special meeting. The Committee shall make its recommendation to the full Arts Commission.

7.3.6 Arts Commission Hearing and Resolution: The Commission must approve by Resolution the Visual Arts Committee's recommendation that a work of art under its jurisdiction should be deaccessioned through sale or exchange.

7.4 Sale or Exchange of Artwork: In accordance with Sec. 2A.150.1 of the San Francisco Administrative code, when the Commission determines that it would be advantageous to the City and County, a work of art under its jurisdiction may be sold or exchanged as follows:

7.4.1 Exchange: The Arts Commission may exchange a work of art on such terms as the Arts Commission, by a 2/3 vote of the members of the Commission determines appropriate, provided that any exchange is subject to the approval of the Purchaser.

7.4.2 Sale at Public Auction: A work of art under the jurisdiction of the Commission may be sold at public auction to the highest and best bidder and the Commission may contract with a licensed auctioneer for the purpose of conducting the sale or sales. The contract shall specify the compensation to be paid for the auctioneer's services and set forth the terms and conditions under which the sale or sales are to be conducted. Each such contract shall be approved by the Purchaser.

7.4.3 Private Sale: If the work is offered at public auction and no bids are received, or if the bids are rejected, or if the Arts Commission determines, by a 2/3 vote of the members that the work may be sold on terms more advantageous to the City if sold through private sale. Any contract for the private sale of a work of art is subject to the approval of the Purchaser. A work of art on which bids have been rejected shall not thereafter be sold through private sale for less than the amount of the highest bid received.

7.4.4 Proceeds from Sale of Artwork: In accordance with Section 10.100.30 of the San Francisco Administrative Code, all proceeds from any sale or auction, less any payment due the artist under the California Resale Royalties Act, shall be credited to the Public Arts Fund, and the monies contributed to the fund from the sale, exchange or exhibition of a work of art under the jurisdiction of the Arts Commission shall be expended exclusively for the purpose of acquiring or maintaining works of art for the same public structure for which the original work of art was acquired.

- **Adequate Records:** An adequate record of the conditions and circumstances under which objects are deaccessioned and disposed of should be made and retained as part of the Collections Management records.
- **California Resale Royalties Act:** The Commission shall abide by the California Resale Royalties Act (Civil Code section 986) with respect to notification of the sale of any work of art which is sold for more than \$1,000, and payment of 5% of the sale price for any work of art which is sold for more than the Commission paid for the artwork provided that the artist can be located by reasonable means. If the artist cannot be found, the Resale Royalty will revert to the California Arts Council in accordance with state law.

7.5 Alteration, Modification, or Destruction of Artwork: It is the primary responsibility of the Art Commission to preserve and protect the art collections under its management for the people of the City and County of San Francisco. However, under certain conditions, and in accordance with the constraints of the California Art Preservation Act (Civil Code 987), known as CAPA, and the Visual Artists Rights Act of 1990 (17 U.S.C. 106A and 113 (d), known as VARA, or in the case where the Artist has waived his/her rights under CAPA and VARA, in accordance with the City's contractual agreement with the artist, the Commission may authorize actions that would alter, modify or destroy an artwork.

7.5.1 Conditions: Removal and disposal, destruction, alteration or modification of an artwork may be considered under the following circumstances:

- The work has faults of design or workmanship, or is damaged so that repair or remedy is impractical, unfeasible or an unjustifiable allocation of resources.

- The work poses a threat to public safety, or in some other way poses a potential liability for the City and County of San Francisco. In the event that the condition of the artwork represents an eminent safety hazard, and cannot be removed without risk of damage or destruction, the Director of Cultural Affairs will proceed in accordance with the provisions specified under "Emergency Removal."
- The Commission deems it necessary in order for the City and County to exercise its responsibilities in regard to public works and improvements, or in furtherance of the City's operations, or for any other good cause.

7.5.2 Options: If, for any of the above reasons, the City and County of San Francisco finds it necessary to pursue plans that would modify, remove, destroy or in any way alter an artwork, and the Arts Commission approves such action, then the Arts Commission shall make a reasonable effort to notify the artist by registered mail of the City's intent and outline possible options, which include, but are not limited to the following:

- Transfer of Title to the Artist: The artist will be given the first option of having the title to the artwork transferred to him/her. If the artist elects to pursue title transfer, he/she is responsible for the object's removal and all associated costs.
- Disclaim Authorship: In the case where the City contemplates action which would compromise the integrity of the artwork, the artist shall be given the opportunity to disclaim authorship and request that his/her name not be used in connection with the given work.
- Alteration, Modification or Destruction: If alteration, modification, or destruction is of an artwork protected under the California Art Preservation Act, or the Visual Artists Rights Act of 1990 is contemplated, the Commission must secure a written waiver of the artist's rights under this section. In the case of an emergency removal that may result in destruction or irreparable damage, the Director will act in accordance with the advice of the City Attorney.