

H. R. 5419

Original Language

“For Historical Background and Information Purposes Only”

IN THE HOUSE OF REPRESENTATIVES

May 18, 2006

Mr. Lungren of California introduced
a shorter version of the
State Admissions Day Act of 2006;
which was referred to the
Committee on House Administration.

A BILL

Honoring the day each State was admitted into the Union.

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

3 **Section 1. Short Title.**

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

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

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

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

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

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

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

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

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

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

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

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

13

14 Additional accounts were provided by the San Francisco

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

16

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

17

18

19

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

26

27

President Thanked

28

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

32

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

1 **Accepts State Emblem**

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

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

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

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

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

27
28 **Section 6. History of Delevan Bowley & Family**

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

32 Captain Bowley was the only son of Julia & Jesse Bowley and
33 received a commission as 1st Lieutenant of the 30th United States
34 Colored Troops in May of 1864 at the age of 18 shortly after his father

1 returned home suffering from ill health after the Battle of Gettysburg.
2 He was captured during the siege of Petersburg on July 30, 1864 in
3 what became known as the “Battle of the Crater” and was one of only
4 two survivors from his Company. He was released in a prisoner
5 exchange on February 28, 1865 after 7 months in several Confederate
6 Military Prisons.

7 His memoirs were originally published in 1906 as, A Boy
8 Lieutenant by the Henry Altemus Co. of Philadelphia and were
9 reprinted in 1987 by Ronald R. Seagrave of Sargent Kirkland Press as,
10 A Boy Lieutenant: Memoirs of Freeman S. Bowley-30th United States
11 Colored Troops Officer in honor of his cousin Captain William H.
12 Seagrave who died from wounds suffered during the “Battle of the
13 Crater”.

14 Delevan was named after his father’s commanding officer,
15 Colonel Delevan Bates who was appointed Bvt. Brigadier General
16 and awarded the Congressional Medal of Honor after being shot in the
17 face while leading the 30th USCT during “The Battle of the Crater”.

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

21 While Delevan did not join the military, two of his brothers,
22 Colonel Freeman W. Bowley and Lieutenant General Albert J. Bowley

1 graduated from West Point and served with distinction for many years
2 with Albert J. Bowley becoming Commander of the Ninth Army.

3 However, Delevan did not shirk from his duty, but followed in
4 the family footsteps serving in the Patriotic Societies working his way
5 up to Commander of the Loyal Legion of California (MOLLUS) in
6 1924, Commander-in-Chief of the Sons of the Union Veterans of the
7 Civil War (SUVCW) in 1928-1929 and President of the Federated
8 Patriotic Societies of California in 1935-1936.

9 It was following his trip to Boston for the Grand Encampment in
10 1924 that he met with President Coolidge, and presented the Bear Flag.

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

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

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

21 In addition to his many patriotic memberships, Delevan was a

1 member of the Native Sons of the Golden West, Mission Parlor # 38,
2 and a Master Mason , Seaport Lodge #550, both of San Francisco.

3 Captain Bowley, who's father was wounded at Gettysburg,
4 enlisted at the age of 17 and met President Lincoln at the Executive
5 Mansion in a twist of fate while visiting Washington in hopes of
6 receiving a commission with the 30th US Colored Troops.

7 11 months later, he met Mr. Lincoln again, but this time as an
8 escort standing directly opposite the President's Funeral Car in front of
9 the White House.

10 In addition, his mother knew Mr. Lincoln quite well, frequently
11 recalling many first hand incidents during the stirring times of 1861-
12 1865.

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

16 **Rough Diamonds.**

17
18 God sends great souls into the world
19 Clothed oftentimes in curious attire.
20 And one misses much good fellowship
21 Who thinks that from what men seem to be
22 He can determine what they are.

1 Delevan's great nephew, Colonel A. John Bowley has kept alive
2 the family tradition of military service and is currently Commander,
3 College for Enlisted Professional Military Education, United States Air
4 Force, Maxell Air Force Base, Alabama.

5 Colonel Bowley has been very supportive and has made many
6 significant contributions to the Bill by editing the contents and providing
7 long lost family history.

8 Colonel Bowley's father, Major General Albert J. Bowley,
9 USAF, and grandfather, Colonel Freeman W. Bowley, USA, Delevan's
10 younger brother, both graduated from West Point, Class of 1943 and
11 1911 respectively. General Bowley's last assignment was as Deputy
12 Chief of Staff, Military Assistance Command in Vietnam and Colonel
13 Bowley was a Tactical Officer and Artillery Instructor at the Academy.
14 In all there were 5 Bowley's to graduate from West Point.

15 **Section 7. Congressional Oversight**

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

1 **Fetes to Mark Admission Day**
2 **Coolidge Will Fly Bear Flag from White House**
3 **White House to Fly State Flag**
4

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

10
11 The request was made last week by an ardent Coolidge supporter
12 in California. It was pointed out that since California is one the States
13 which never was a territory-having passed directly from the status of
14 republic to State-the granting of the request would not establish a
15 precedent which would have to be followed on the occasion of the
16 anniversary of each States Admission.

17
18 Prior to his service in Washington, Congressman Fredericks
19 was District Attorney for Los Angeles County (1902-1914) and
20 according to his "Official Los Angeles County Bio" reminded many
21 observers of Abraham Lincoln.

22 Congressman Frederick's grandson, John D. Fredericks III, an
23 attorney in San Francisco is also supportive of this measure and has
24 contributed valuable family history.

25 **Section 8. Responsibility for Action.**

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

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

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

6 Accordingly, Mr. Conmy states:

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

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

23
24 On July 11, 1875, a new organization, the Native Sons of the
25 Golden West was born. This society was dedicated to the perpetuation
26 of the historic past of California and as its first project observed the
27 twenty fifth anniversary of California’s admission to the Union on
28 September 9, 1875. This was a very credible celebration.

29
30 The organization continued to observe Admission Day and public
31 interest and support grew greater each succeeding year. In 1879 that the
32 State of California ought to give official notice to the day was
33 recognized by Governor Irwin who by proclamation declared September
34 9, 1879 the twenty-ninth anniversary, a holiday. This was followed by
35 similar action each year by succeeding governors down to and through
36 1888. The last governor to proclaim a holiday on Admission Day was
37 Hon. Robert Waterman. In his message delivered to the legislature in
38 January 1889 he recommended that action be taken to make Admission
39 Day a statutory holiday. Governor Waterman wrote as follows,

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

10

11 Senator Anthony Caminetti introduced Bills relating to
12 Admission Day in the legislature early in January 1889. These were
13 known as Senate Bills Nos. 171, 172 and 173. They passed both houses
14 speedily and were approved by Governor Waterman on March 1st.
15 Senate Bill No 171 amended the *Code of Civil Procedure* by adding
16 September 9th to the holidays listed in Section 10 thereof. Similarly Senate
17 Bills Nos. 172 and 173, respectively, added Admission Day to the day to
18 be observed in the Civil Code, Sec. 7, and the *Political Code*, Sec. 10.

19

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

26

27 “The present year has witnessed the accomplishment of two
28 results of utmost importance to our Order-the enactment of a law making
29 Admission Day a legal holiday, and the completion of the General Winn
30 monument. Earlier in the year I became convinced, because of the
31 precarious nature of the tenure by which we hold Admission Day as a
32 holiday, that some legislation was necessary, not so much on account of a
33 past action of Governors of the State, because it has been our good
34 fortune to have active assistance and presence of the Governor of
35 California at every celebration held thus far..., but because there might
36 come a time when circumstances would not be so satisfactory. As the
37 best means to this end, I assumed the right and appointed a committee to
38 take charge of the matter of which Brother R.P. Hammond was chairman,
39 and of which all members of both the House of Legislature, who
40 belonged to the Order, were honorary members. As a result of their
41 labors I am happy to report to you that upon the Statute Books of the
42 State of California stands the law that on the anniversary of our
43 admission to the Union the factory and the laborer shall be at rest, and the
44 people be free to follow the dictates of their own will.

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

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

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

11 In this regard, it seems altogether fitting that this act was initiated by
12 Charline Buckley, Past Grand President of the Native Daughters of the
13 Golden West in conjunction with The Lincoln Highway National Museum
14 and Archives and her husband, Harold “Buck” Buckley, a member of
15 Amador Parlor # 17, Native Sons of the Golden West. The Buckley’s live
16 in Amador County, California near the home of Anthony Caminetti,
17 California State Senator and sponsor of the 1889 California Admission Day
18 Bill and the first Native Son to be a member of Congress, 1891-1895,
19 California’s 2nd Congressional District.

20 The Lincoln Highway was the Nation’s first Transcontinental
21 Highway, dedicated in 1913 “Binding the Nation Together” in honor of
22 Abraham Lincoln.

1 In this regard, it is interesting to note, on September 9, 1924, the same
2 day President Coolidge flew the California Bear Flag over the White House,
3 The Coolidge-Dawes Lincoln Tour left the President’s birthplace in
4 Plymouth, VT via automobile caravan on a 5000 mile journey across the
5 continent on the Lincoln Highway.

6 It was the First Presidential Campaign Tour on the Lincoln Highway
7 with over 100,000 automobiles joining the caravan during the 2 month tour
8 with processions from 5 to 10 miles long.

9 The highlight of the trip came at the end of each stop, when Lincoln
10 Voters were called forward to sign “The Great Lincoln Register” which was
11 to be displayed in the US Capitol and then given to the President.

12 **Section 11. Designated Annual Meeting .**

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

18 **Section 12. California First State.**

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

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

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

6 **Section 14. Proclamation for State Admission Days.**

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

11 **Section 15. Flags to be provided by the States.**

12 The Congress requests the Governor of each State to annually provide
13 an appropriate State Flag for presentation to the President and display over
14 The White House.

15 **Section 16. First State Flag for Presentation.**

16 The Congress requests the first State Flag, The California Bear, be
17 presented to Charline Buckley for presentation to the Native Sons of the
18 Golden West in honor of Abraham Lincoln and Delevan B.Bowley and
19 family.

1 **Section 17. Congress to Join the President**

2 Acting in harmony with this measure, Congress directs the Architect
3 of the Capitol to fly the State Flag of each State on the Main Flag Pole over
4 the Capitol each year on the Anniversary of the date of the State's Admission
5 to the Union beginning on September 9, 2006, in honor of California
6 Admission Day.

7 **Section 18. Admission Day for the 50 States.**

8 Admission Day for the 50 states are as follows:

9 (1) California-September 9, 1850;(2) Nevada-October 31, 1864; (3) North
10 Dakota-November 2, 1889; (4) South Dakota-November 2, 1889;
11 (5) Montana-November 8, 1889; (6) Washington-November 11, 1889; (7)
12 Oklahoma-November 16, 1907; (8) North Carolina-November 21, 1789; (9)
13 Illinois-December 1818; (10) Delaware-December 7,1787; (11) Mississippi-
14 December 10, 1817; (12) Indiana-December 11, 1817; (13) Pennsylvania-
15 December 12, 1787; (14) Alabama- December 14, 1819; (15) New Jersey-
16 December 18, 1787; (16) Iowa-December 28, 1846; (17) Texas-December 29,
17 1845; (18) Georgia-January 2, 1788; (19) Alaska-January 3, 1959; (20) Utah-
18 January 4, 1896; (21) New Mexico-January 6, 1912; (22) Connecticut-
19 January 9, 1788; (23) Michigan-January 26, 1837; (24) Kansas-January 29,

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