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**Law & Laundry:**

**White laundresses, Chinese laundrymen, and the origins of *Muller v. Oregon***

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### ABSTRACT

This article uses the historian's method of micro-history to rethink the significance of the Supreme Court decision *Muller v. Oregon* (1908). Typically considered a labor law decision permitting the regulation of women's work hours, the article argues that through particular attention to the specific context in which the labor dispute took place—the laundry industry in Portland, Oregon—the *Muller* decision and underlying conflict should be understood as not only about sex-based labor rights but also about how the labor of laundry specifically involved race-based discrimination. The article investigates the most important conflicts behind the *Muller* decision, namely the entangled histories of white laundresses' labor and labor activism in Portland, as well as the labor of their competitors—Chinese laundrymen. In so doing, the article offers an intersectional reading of *Muller* that incorporates regulations on Chinese laundries and places the decision in conversation with a long line of anti-Chinese laundry legislation on the West Coast, including that at issue in *Yick Wo v. Hopkins* (1886).

**Keywords:** labor activism, women's rights, racial discrimination, legal history, Fourteenth Amendment

Emma Gotcher might never have existed, although a “Mrs. E. Gotcher” most certainly did. We know almost nothing about the woman who became known as Emma Gotcher to early twentieth-century reformers and twenty-first century scholars alike—not even whether the initial E marked her or her husband’s name. We do know, however, that she worked in the Grand Laundry in Portland, Oregon, in 1905, because the legal decision, *Muller v. Oregon* (1908), tells us so.

All legal opinions are imperfect archives of history and conflict. This article, however, applies the historian’s tool of micro-history to a single Supreme Court decision. To this special issue exploring how law understands the past, this article contributes an exploration of how one legal opinion, *Muller*, failed as a technology for preserving the memory of its underlying conflict.<sup>1</sup> It compares the history preserved in the Supreme Court decision resolving the *Muller* litigation with the social history of the conflict that ultimately spurred the litigation. The comparison reveals that the opinion preserved the memory of just one aspect of the original conflict. The more complicated relationships between capital and labor and between race and gender apparent in the social history force a reconsideration of the decision.

The *Muller* litigation, which spurred the first “Brandeis Brief,” is a particularly apt site for this type of methodological exploration because the litigation and resulting decision erased the intersection of race and gender at the heart of the labor conflict. As a result, thus far the decision has only been analyzed for its purported effort to protect white women laundresses from labor exploitation while the decision’s failure to address racial discrimination against Chinese laundrymen has gone unexplored. Thus, this article argues that *Muller* should be understood as not only a decision about protective labor legislation and women’s rights, but also about anti-Chinese animus.

This article first introduces the opinion and outlines the limited history archived within it. It then summarizes the traditional historical narrative of the lawsuit, focusing on the lawyers and appeal to the U.S. Supreme Court. The article then presents a series of different histories of the case found in census records, newspapers, and city directories. The article builds on the work of *Muller* scholars like Nancy Woloch and Elaine Gale Zahnd Johnson to explore the perspectives of not just those whose names are recorded in the legal opinion—defendant Hans Curt Muller and laundress Mrs. E. Gotcher, but also those who played an important role in shaping the conflict at the heart of the litigation, including Portland’s labor unions and Chinese laundrymen.

The narratives highlight how the legislation at issue in *Muller* was part of a larger labor struggle that tangled together women’s rights advocacy, union activism, and anti-Chinese discrimination. In addition to emphasizing how women’s labor union activism in part spurred the ultimate conflict over the hours legislation in *Muller*, I argue that tensions between Chinese laundrymen and white steam laundry owners also partially motivated the litigation. I posit that *Muller* can be read in conversation with other attempts to regulate Chinese laundries, like the one at issue in *Yick Wo v. Hopkins* (1886). In short, looking at this specific conflict at the scale of individuals in a particular city forces an intersectional reconceptualization of the place of *Muller* in scholarship and textbooks.

#### *MULLER v. OREGON*

The U.S. Supreme Court opinion in *Muller v. Oregon* (1908) is short. The opinion begins with a succinct summary of the history of the case. In early 1903, the Oregon legislature passed an act prohibiting female employees in factories and laundries from working more than ten hours in a single day (House Bill 39, 1903, pp. 148-149). Violations of the act were misdemeanors

subject to fines between \$10-25. A lone but lengthy sentence in the opinion records the events giving rise to the litigation:

On September 18, 1905, an informant was filed in the circuit court of the state for the county of Multnomah, charging that the defendant “on the 4th day of September, A.D. 1905, in the county of Multnomah and state of Oregon, then and there being the owner of a laundry, known as the Grand Laundry, in the city of Portland, and the employer of females therein, did then and there unlawfully permit and suffer one Joe Haselbock, he, the said Joe Haselbock, then and there being an overseer, superintendent, and agent of said Curt Muller, in the said Grand Laundry, to require a female, to wit, one Mrs. E. Gotcher, to work more than ten hours in said laundry on said 4th day of September, A.D. 1905, contrary to the statutes in such cases made and provided and against the peace and dignity of the state of Oregon.” (*Muller v. Oregon*, 1908, p. 417).

On September 4, 1905, the foreman of the Grand Laundry in Portland, Oregon, required Mrs. E. Gotcher to work longer than the ten-hour limit. A case was filed in state court, and ultimately, a trial resulted in a guilty verdict, which the Oregon Supreme Court affirmed. Curt Muller, the owner of the laundry was fined \$10. The question before the U.S. Supreme Court, then, was whether the Oregon maximum-hours law violated the Fourteenth Amendment (*Muller v. Oregon*, 1908, pp. 417-418). The Court had no trouble affirming the state supreme court and upheld the hours regulation for women workers in Oregon (*Muller v. Oregon*, 1908, p. 423).

The silences in the opinion are telling. The decision does not refer to Mrs. E. Gotcher (or Mr. Muller) again. The opinion does consider generally the danger to women of working long hours, but observes in a footnote that

“The reasons for the reduction of the working day to ten hours—(a). the physical organization of women, (b). her maternal functions, (c). the rearing and education of children, (d). the maintenance of the home—are all so important and so far-reaching that the need for such reduction need hardly be discussed” (*Muller v. Oregon*, 1908, p. 420).

Mrs. E. Gotcher’s individual experience, and the labor experiences of her co-workers, were irrelevant to the decision before the court and accordingly not considered.

This is the history the opinion preserves.

Yet, the *Muller* opinion is not still taught in law schools for the history it records, but for other reasons. First, at the time, it was an important follow-up to *Lochner v. New York* (1905)—another battle between capital and labor (Woloch, 1996, pp. 18-20). Local laundrymen opposed the Oregon state law in part because it singled out the laundry industry in its coverage and enforcement (Johnson, 1982; Johnston, 2003, pp. 18-28). Nationally, business interests feared that protective labor legislation for women’s hours would later be used to extend to protective labor legislation for men’s hours and wages, thus upsetting the *Lochner* decision that struck down hours restrictions for bakers in New York as unconstitutional (Leeson, 1998, pp. 75-76; Woloch, 1996, p. 22).

Second, *Muller* is the origin of the “Brandeis Brief” (Cushman, 2001, p. 17; Leeson, 1998, p. 75; Woloch, 2015, pp. 54-84). Louis Brandeis, later Justice Brandeis, was the lawyer who argued the case to the Supreme Court for Oregon (Woloch, 2015, pp. 61-70). The brief compiled

voluminous social science materials to supplement and support his legal arguments (Woloch, 1996, pp. 28-33). In short, science demanded that women workers be protected. Since then, the social science based legal brief has become a much-emulated model of legal advocacy, most famous for its use in civil rights cases like *Brown v. Board of Education* (1954).<sup>2</sup>

Third, *Muller* has found itself entrenched in histories of women's rights as an early win for some women's rights advocates, like those in the National Consumers' League, and as a setback for women's equality in the eyes of many early twentieth-century and second-wave feminists (Cushman, 2001, pp. 18-19; Woloch, 1996, vii-viii). Josephine Goldmark and Florence Kelly conducted the research and prepared the materials that would later be known under the name of Goldmark's brother-in-law, Brandeis (Cushman, 2001, pp. 17-19, 22; Woloch, 1996, p. 28). Many Progressive era women's advocates, like Goldmark and Kelley, supported protective labor legislation for women workers and rallied to the cause of the poor urban factory girls who worked long hours under the worst conditions. However, as lawyers tackled sex discrimination in the 1960s and 1970s, the doctrine in *Muller* that distinguished women for their reproductive capacity became understood more widely as limiting women's rights. Women lawyers of the 1960s and 1970s understood protective legislation for women as damaging to women who sought equal rights under the Equal Protection Clause because it enabled discrimination against women based on sex (Harrison, 1988; Mayeri, 2011; Strebeigh, 2009).

The familiar history of *Muller* focuses on national elites in a larger debate over labor standards. This narrative has been explored fully elsewhere, and thus a detailed retelling of it here is unnecessary (Woloch, 1996; Woloch, 2015, pp. 54-84).<sup>3</sup> A quick recapitulation is sufficient to throw the more nuanced account of the conflict in Portland that follows in sharp relief.



Most historians believe that the suit was brought as a test case to challenge the constitutionality of the Oregon statute. Prominent Portland laundrymen, including John Tait and L.T. Gilliland, paid Muller's bond and legal fees (Transcript of Record, 1908; Woloch, 1996, p. 21; Woloch, 2015, p. 60). Tait would later serve as the president of the National Laundry Owners Association and in Portland's city government ("Laundrymen in Session," 1905). Gilliland was infamous in the *Portland Labor Press* for the slurs he used for picketing laundresses ("Laundryworkers on a Strike," 1902; "Will Start Laundries," 1903; "Laundrymen End Meet," 1916). William Fenton represented Muller. Fenton was also general counsel for the Southern Pacific Railroad and frequently litigated labor disputes with the Oregon labor commissioner. Surely in the back of his mind during the *Muller* appeals was the Oregon labor commissioner's recent recommendation for new limits on the hours of male railroad workers (Woloch, 1996, p. 21).

From the very beginning, Fenton challenged the unconstitutionality of the law, requesting dismissal of all charges on constitutional grounds. A trial was held three days after the charges were filed, and the judge ordered Muller to pay a fine of \$10. The decision was appealed immediately, and less than six months later, the Oregon Supreme Court affirmed the judgment against Muller and upheld the state labor law as constitutional (Transcript of Record, 1908). The choice to appeal the Oregon Supreme Court decision signaled the larger stakes in the continued enforcement of the law. The fine was ten dollars; the cost of appealing to the United States Supreme Court was far more.

When Fenton appealed the decision to the U.S. Supreme Court, the local Consumers' League of Oregon notified the New York office of the National Consumers' League (Woloch, 1996, p. 25). Florence Kelley and Josephine Goldmark were the League's national leaders and quickly

went to work supporting the state statute. They first sought a lawyer to argue the case on behalf of the state of Oregon to the Supreme Court in Washington, D.C., but rejected the leading New York lawyer at the time, Joseph H. Choate (Woloch, 1996, p. 25). He could not fathom why “a great husky Irish woman” should not work “more than ten hours in one day, if her employer wished her to do so” (Collins & Friesen, 1983a, p. 296). Kelley and Goldmark then turned to Louis Brandeis, a prominent Boston lawyer at the time and future U.S. Supreme Court justice. He also happened to be Goldmark’s brother-in-law (Collins & Friesen, 1983a, p. 296; Woloch, 1996, p. 25).

Brandeis took the case free of charge and directed Kelley and Goldmark to gather all of the facts they could about the working conditions of laundresses and other working women (Collins & Friesen, 1983a, p. 296; Woloch, 1996, pp. 26-29). With the aid of the women, Brandeis assembled a brief that would become a model for civil rights litigation in the twentieth century. Brandeis did not rely on precedent alone—indeed *Lochner* had not set a favorable stage in that regard. Compiled quickly, the brief spanned over one-hundred pages and largely consisted of a series of encyclopedic entries on female labor. The document remains a remarkable statement on the general conditions of American (and European) working women at the turn of the century.

The Brandeis Brief today might strike the twenty-first century reader as sexist. For example, the brief argued that the “dangers of long hours for women arise from their special physical organization taken in connection with the strain incident to factory and similar work” (Brandeis Brief, 1908, p. 18). While many of the dangers and health concerns outlined in the brief could apply to both male and female workers, the brief implies that the dangers to childbirth and the morality of women workers made this law a matter of public interest (Brandeis Brief, 1907, p. 45). The brief’s argument that “the children of married working-women... are injured by

inevitable neglect,” and that the “overwork of future mothers thus directly attacks the welfare of the nation,” could have just as easily come from a Phyllis Schlafly pamphlet (Brandeis Brief, 1907, p. 47).

On the other hand, Fenton’s brief mobilized none of the social science research of Kelley and Goldmark. It instead focused on traditional legal arguments and struck a tone that might remind today’s reader of an ACLU brief written by Ruth Bader Ginsburg. Fenton maintained that men and women were equal under the Fourteenth Amendment, often using rhetorical questions to make important points. “What conditions of employment,” he asked the Court, “exist in a laundry that endanger a healthy woman that do not apply alike to a healthy man?” (Brief for Defendant, 1908, p. 20). He pushed the court to consider the consequences of Brandeis’s argument that women were uniquely worthy of the state’s protection. He argued that there was no legal theory to support the proposition that the state could become the female worker’s “[g]uardian and interfere with her freedom of contract and the right of her employer to contract with her freely and voluntarily” (Brief for Defendant, 1908, p. 13).

Fenton even anticipated the type of racial analogies drawn by later feminists like Pauli Murray in the 1960s (Harrison, 1989, p. 127).

“[I]f the statute had forbidden employment for more than ten hours, of all persons of white color, the statute would have had application to all of that class, and yet no one would contend that the classification was reasonable or one that could be sustained” (Brief for Defendant, 1908, p. 14).

Women, Fenton argued, had been “hampered and handicapped by centuries of tutelage” in their ability to contract for employment. “Social customs [had narrowed] the field of her endeavor”

(Brief for Defendant, 1908, p. 31). In sum, the statute was “ostensibly framed in her interests” but intended “to limit and restrict her employment” (Brief for Defendant, 1908, p. 31).

Fenton’s arguments were almost certainly made out of legal necessity and a larger legal strategy as a lawyer representing business interests.<sup>4</sup> Yet, the feminist ideals that undergirded the brief set forth the modern feminist legal argument for equality under the Fourteenth Amendment. The brief also reflected, intentionally or unintentionally, the views of women’s advocates who sought rights—particularly suffrage rights—on the same terms as men. The National Women’s Party (NWP), for example, formed just a few years after the *Muller* decision around principles of equality between the sexes. The NWP believed protective labor laws, like the one upheld in *Muller*, were harmful to women’s interests and inconsistent with sex equality (Cott, 1987, pp. 53-81). In short, while Fenton might not have had Mrs. E. Gotcher’s best interests in mind, some women’s advocates at the time unquestionably would have agreed with him (Woloch, 1996, pp. 34-35).

Women’s historians of the period have explored tensions among women’s advocates in the early twentieth century (Cott, 1987; Kessler-Harris, 2007). In short, the “woman movement” of the late nineteenth century and early twentieth century “had a see-saw quality” to it (Cott, 1987, p. 19). On one side, women fought to end sex-specific limitations and achieve equality with men. On the other side, women sought to recognize “female” qualities and habits—as distinct from male qualities—in order to protect the public realm that they had defined for themselves. In the hour restrictions at issue in *Muller*, this tension came to a head. Given that women are biologically different than men because of their reproductive capacity, women like Goldmark and Kelly stressed the difference between men and women in order to obtain labor regulations. That meant that those other women who emphasized equality rather than difference between men

and women were more closely aligned with the anti-labor capitalists who fought Oregon's sex-based hours restriction (Cott, 1987, pp. 16-20, 67).

In the end, Muller and the laundrymen of Oregon lost the appeal. With little explanation, the Court dispelled with the idea that its recent decision in *Lochner* controlled the outcome. Instead, it found Brandeis's brief persuasive. In a lengthy footnote, the opinion summarized the contents of the Brandeis Brief. The bulk of the opinion discussed women's "obvious" disadvantages of physical structure and resulting lack of strength, which in turn, had historically resulted in woman's dependence on man (*Muller*, 1908, p. 421). Thrice the opinion emphasized the importance of, and public interest in, protecting women as mothers "in order to preserve the strength and vigor" and "future well-being of the race" (*Muller*, 1908, p. 421-422).

Observing that while limitations upon a woman's personal and contractual rights could be, and in some cases had been, removed by legislation, the Court also found

"there is that in her disposition and habits of life which will operate against a full assertion of those rights. She will be where some legislation to protect her seems necessary to secure a real equality of right" (*Muller*, 1908, p. 422).

In sum, "she is properly placed in a class by herself," and thus legislation for women's protection and the public good could and would be sustained, even if identical legislation for men would be struck down (*Muller*, 1908, p. 422).

The *Muller* decision's importance as part of the struggle over freedom of contract and women's rights or as the origin of an important cause lawyering tactic cannot be understated. Woloch and Johnston are correct when arguing that *Muller* was a battle "between two contingents of the middle class": upper-middle-class reformers in support of the law and lower-

middle-class businessmen (i.e., Muller) who opposed it (Johnston, 2003; Woloch, 2015, p. 61).<sup>5</sup> Still, *Muller* was about more than that. The doctrinal history of the opinion—as a result of the adversarial process—excludes Mrs. E. Gotcher’s life, her co-workers’ labor and union activism, and the Chinese laundrymen who labored in competition with steam laundries. A historical focus on how the case affected doctrine and legal advocacy on a national level obscures the power of women’s labor unions and the nuanced racial antagonism that shaped the wage and hours conflict. A bottom-up history that looks beyond the lawyers and legal doctrine is best suited to capture the conflict that was only partially recorded in the legal records, and thus imbues the decision with new meaning and implications. Accordingly, before returning with fresh eyes to the legal battle and doctrine, the article next looks to union labor activism and Chinese immigrant labor.

#### LABOR UNIONS & STEAM LAUNDRIES

The social and economic conflict that produced *Muller* began long before there was even a Grand Laundry where Mrs. E. Gotcher could work. A good place to start is not with Brandeis’s litigation strategy in Washington, D.C., but with the laundry industry in Portland, Oregon, where the first years of the twentieth century saw rapid expansion of unionization.<sup>6</sup> During the peak of union strength in 1902, Portland experienced seventeen strikes, four of which involved predominantly female occupations, including laundry (Johnson, 1982, pp. 81, 92, 331).

Laundry was, and continues to be, a largely female chore (Mohun, 1999; Malcolmson, 1986). Before steam laundries, laundry cleaned in the home could take two to five days and was the most dreaded responsibility of women (Davidson, 1982). It was such arduous work that laundry was performed by a servant if at all possible, or sent out to a laundress (Cowan, 1983, pp. 105-107; Davidson, 1982, p. 160; Strausser, 1982, pp. 109-124). Certainly, no legislature looked to

limit the hours of labor women performed washing laundry in their own home or as washerwomen or servants in the homes of others, even as it took longer than ten hours per day.

Not just dreaded and exhausting work, laundry was (and is) laden with social and cultural meanings (Brown, 2008). By 1900, frequent bathing and clean clothes were emphasized for hygienic living. Because staying clean required time and money, it also became a marker of social and class standing. Middle-class Progressives “continually confused the inability to get clean with the unwillingness to do so” (Mohun, 1999, p. 34). Commercial steam laundries set out to make it easier to get clean—even some of the poorest could utilize steam laundries (Mohun, 1999, pp. 32-34).

Portland’s ten steam laundries employed around 500 women in 1902—more women than any other industry except garment factories (Johnson, 1982, pp. 93, 235, 303). The male owners of steam laundries worked to industrialize laundry work: they created laundries where hours were definite, labor was supervised, and the entire process was made more efficient by dividing it into individual tasks. Laundrymen emphasized that with the aid of foremen and machines, they could provide their customers with a middle-class standard of cleanliness, no matter who worked inside (Mohun, 1999, pp. 43-44; Strausser, 1982, pp. 113-114).

Those women, and men, who worked inside faced grueling conditions. Generally, workers spent about ten hours a day under these conditions, but laundries were part of a seasonal industry with booming summer months and slack winters. Thus, additional hours were demanded in the hot summer months and hours were cut during the winter off-season (Johnson, 1982, pp. 304, 318). Although the Brandeis Brief did not describe the specific conditions under which Mrs. E. Gotcher worked in the Grand Laundry, the brief’s general description of steam laundry work as back-breaking, ankle-swelling, and deadly dangerous was accurate.

Portland's newspapers reported a militant labor strike in 1902 ("Laundryworkers on a Strike," 1902). Amidst a wave of unionization across Portland in the early 1900s, perhaps as many as three-fifths of laundresses won union recognition as a result of that strike (Johnson, 1982, pp. 92-98; Johnston, 2003, p. 94). In April 1902, the women had demanded a guaranteed six-day work week, union recognition, and closed shops ("Laundryworkers on a Strike," 1902). By early May, arbitration had failed, and the laundry workers went on strike (Johnson, 1982, pp. 92-98, 341). During that spring, the Shirt, Waist, and Laundryworkers' Union Local No. 90 peaked with almost 400 members (Johnson, 1982, pp. 303, 330). By June, essentially all of Portland's laundry workers were unionized, and the union members elected an "E. Gotcher" to the board of trustees (Johnson, 1982, p. 239; "Laundry Workers Union," 1902; "Laundry Workers," 1902).

The workers were able to secure a contract for the remainder of the year with the promise of contract renegotiations scheduled for early 1903 (Johnson, 1982, pp. 302-344). At the same time, an hours bill for all workers was being debated in the Oregon legislature, which eventually became the women's hours law at issue in *Muller* (Woloch, 2015, pp. 56-57). The law's origins as a sex-neutral regulation of hours is important in part because it signals that the women laundresses did not necessarily initially seek a law rooted in difference between female and male laborers, but a labor law based on that difference was all that may have been politically feasible. Also important were the limited resources that forced the Laundry Owners' Association to choose between lobbying the state legislature for exceptions to the new ten-hour workday bill or busting the local laundry workers' union. They chose union busting (Johnson, 1982, pp. 108-110, 342).



When it was time for renegotiations, the union was demanding the opposite of what it had demanded just a year before. Now, the union hoped for fewer hours and was even willing to agree to lower wages in order to achieve the goal (Johnson, 1982, pp. 109-110). But the laundry owners, led by John Tait (one of the men who later paid Muller's legal bills), would not compromise ("Laundry Workers Union," 1903; "To Open Laundry," 1903). With advance planning, the laundry owners were able to underscore their message with a lockout. They did not "want the unions to tell us how to run our business" (as cited in Johnson, 1982, p. 343). The laundry owners prevented a potential strike arising from the contract negotiations by demanding extra hours from employees leading up to the May negotiations, then scheduling maintenance on laundry machinery for mid-May 1903 ("Other Troubles," 1903). The reason given for the lockout: "The new state law which prohibits a woman from working more than ten hours per day in laundries cuts off all chance of working any overtime and will necessitate an increased expenditure for labor and machinery to take care of the trade" ("Will Start Laundries," 1903). Portland's newspaper, the *Oregonian*, estimated that 350 workers had been laid-off at a cost of \$5000 in wages ("Will Start Laundries," 1903).

Only one steam laundry was running in the city ("Laundry Workers Union," 1903). But the steam laundries' competitors—Chinese hand laundries—continued to operate. There, Chinese *men* did the traditionally female labor of laundry. Not only were the Chinese laundry workers not unionized, they were utterly unaffected by the new state law prohibiting women from working longer than ten-hour days in laundries. In reference to the 1902 strike, the *Oregonian* reported that the "Chinese laundrymen are jubilant over the situation, and it is understood they are getting extra recruits from various towns in order to be ready to take care of the extra wash" ("To Go on

Strike Monday,” 1902). It seems reasonable to expect they were similarly jubilant over the 1903 lockout.

While Portlanders were patronizing the white laundrymen’s competitors, the Laundryworkers’ Union refused the Laundry Owners’ Association’s offer of a ten-hour day—not much of a concession given that the new state legislation would soon go into effect. And with that, several of the steam laundries opened with non-union labor (“Will Start Laundries,” 1903; “Another Chance,” 1903). In May and June, many union members went back to work for their former employers without a single demand being met (“Spent Its Force,” 1903). On July 17, the remaining union holdouts voted to return to work (“Return to Work,” 1903).

The 1903 lockout revealed gendered tensions among white laundry workers. The Laundry Drivers’ Union—whose members were men—sided with the Laundry Owners’ Association. The largest number of union members who broke the union line and returned to work before the union vote were also men (“To Open Laundry,” 1903). The *Portland Labor Press* reported that the white male laundry workers had deserted the laundresses and undermined union power, and in response to the Laundry Drivers’ Union’s actions, the Federated Trades Council revoked its charter (“Around Town,” 1903; “Support Laundry Workers,” 1903).

In addition to sanctioning the men, Portland’s unions attempted to help the laundresses more directly. As a consequence of the 1903 lockout, the Portland Federated Trades Council created a cooperative laundry with union working conditions (“To Open Laundry,” 1903). After six months of effort, the Federated Trades Laundry Company opened for business in January 1904 (“Wheels Started,” 1904). From the beginning, the cooperative had an uphill battle. For example, the Laundry Owners’ Association had been successful in using boycott methods to prevent the cooperative from obtaining the necessary machinery, even as far away as Chicago (“Boycotted,”

1903; “The New Laundry,” 1903). The cooperative was never able to find success and was forced to sell the laundry to two brothers who renamed it the Columbia Laundry (“Still a Union Laundry,” 1905). The Columbia continued on as a union shop, but by 1905 the Shirt, Waist, and Laundryworkers’ Union was all but defunct (Johnson, 1982, p. 344).

#### THE GRAND LAUNDRY

In September 1905, when the statute violation at issue in *Muller* occurred, Hans Curt Muller had only recently become the owner of the Grand Laundry in Portland where Mrs. E. Gotcher worked as a laundress. Muller bought the Columbia Laundry (originally the Federated Trades Laundry Company, formed by the Shirt, Waist, and Laundry Workers’ Union) in April 1905, and renamed it the Grand. Many of the former union workers remained employed at the Grand, and the *Portland Labor Press* reported that the Grand hired union labor (“Grand Landry,” 1905; “Portland,” 1905; Johnston, 2003, p. 19).

When the *Muller* litigation began, Muller had been in the U.S. for less than five years and was not yet an American citizen. He grew up the son of a bookbinder in Germany, completed an apprenticeship at a Bohemian sulfur spring at the age of 17, traveled Europe, and served two years of compulsory military service before leaving for New York City at the age of 25 in 1903 (Hazen, 1932). Muller, not yet 30, was not a poor immigrant. Months after arriving in the United States, Muller was able to purchase a linen concession at the 1904 St. Louis World’s Fair for \$5000 (Hazen, 1932). The concession was lucrative, and furnished Muller not just with capital, but also with experience in the laundry industry and a new business partner. When the World’s Fair drew to a close, Muller and his business partner, Alexander Orth, traveled to the next big fair: Portland’s Lewis and Clark Centennial Exposition (“Grand Laundry,” 1905; Johnston, 2003, p. 19).

The *Portland Labor Press*, detailing Portland's progressive businessmen and their stores, observed that "the Grand Laundry of the city of Portland is one of the largest and best-known laundries in the city, if not on the coast" and was "patronized very largely by our best people" ("Portland," 1905). And yet, even under the best conditions, a Portland journalist later correctly observed that despite "its pretentious name, the Portland Grand Laundry was a hot and humid place in which to toil" (Neuberger, 1934). All laundries were hot and humid places to toil.

Take in Map 1.

#### HELP WANTED: LAUNDRESSES IN PORTLAND

Help wanted advertisements in the *Oregonian* for the Grand enticed workers with the "coolest irons to operate; highest wages" ("Classifieds," 1905). Mrs. E. Gotcher was one of those women who responded to the help wanted advertisement and secured work at the Grand Laundry. "Mrs. E. Gotcher" appears in the legal records as the woman who worked in excess of ten hours. But for all that has been written about *Muller v. Oregon*, there is remarkably little known about the woman that many accounts of the case call Emma (Woloch, 2015). Josephine Goldmark did not even find Mrs. E. Gotcher worthy to mention in her written account of *Muller* (Goldmark, 1953). In some historical accounts, she is a victim of her cruel employer (Neuberger, 1934; Collins & Friesen, 1983a; Collins & Friesen, 1983b). In at least one account, she was (probably incorrectly) identified as the "E. Gotcher" listed in the *Portland Labor Press* who was elected to the union's board of trustees (Johnson, 1982, pp. 236, 239; Johnston, 2003, p. 19; Woloch, 2015, p. 58).

In truth, it is unlikely that Mrs. E. Gotcher was either a powerless victim or a member of her union's board of trustees. Recovery, however incomplete, of Mrs. E. Gotcher's identity would do more than acknowledge that the conditions of her work deserve "to be described and to be better known" (Thompson, 1966, p. 286). This section of the article examines just what is knowable about Mrs. E. Gotcher and her co-workers in extant archives beyond the legal opinion. It also explores the daily work routines of the laundresses—work routines that were absent from the Brandeis Brief and work routines that provide insight into the actual labor conflict, including the multiple forms of women's advocacy, at the center of *Muller*.

Who was Mrs. E. Gotcher? Historians have called her Emma, but Emma might not have been her given name—there is no extant record in the census, in the city directory, or in local newspapers of Emma Gotcher near the time that the violation occurred (Woloch, 1996, 2015). Yet, the Gotchers of Portland were many. Seven were listed in the Portland City Directory in 1905, and they are relatively easy to track through census records. Four brothers were part of a larger farming family outside the city. Their parents had moved to Oregon from the Midwest (Census Entry for William Gotcher, 1880; Census Entry for Erzey Gotcha, 1900; Census Entry for Elmer E. Gotcher, 1910). Almost all of the Portland Gotchers worked in the laundries, and Edward Elmer Gotcher was more likely the "E. Gotcher" elected to the union board of trustees (Portland City Directory, 1905).<sup>7</sup>

Census records, city directories, and marriage records provide tantalizing but confusing clues about who Emma might have been. Several women who married into the Gotcher family may have been the elusive Mrs. E. Gotcher. William T. Gotcher, it appears, married twice, and both of William's wives used the "E" initial. He first married Emma Krueger in 1885 (Multnomah County Marriage Index, 1885). She bore at least two children with him, Edna and Floyd (Edna

Gotcher Birth Certificate, 1942; Floyd Gotcher Births and Christenings Entry). Floyd later worked at the Grand Laundry as a marker (Portland City Directory, 1905). Multnomah County (which includes Portland) then recorded William's marriage to Ercey Belle Yerian in 1897 (Multnomah County Marriage Index, 1897; Portland City Directory, 1905). She would have been in her thirties at the time of the lawsuit in 1905, but not yet a teenager when Floyd was born. She must have helped raise them, however, because the children are listed in the census as living with Ercey and William (Census Entry for W. Gotcher, 1910). Intriguingly, one crowdsourced genealogical website temptingly notes Ercey's nickname as "Emma."<sup>8</sup>

John Gotcher's wife, Rose Bell(e) Swearingen is another, if less likely, candidate for Emma. The couple wed in 1905 (Census Entry for J. Gotcher, 1910). Rose Bell is the only Mrs. Gotcher for whom her occupation is readily identifiable in the archives, and the only Mrs. Gotcher who certainly worked in a steam laundry. She is listed in the 1901 Portland City Directory as a starcher and in the 1905 edition as an ironer at Star Laundry, while her husband John was a washer at the U.S. Laundry in 1905. Although John and Rose Bell worked in laundries, neither bears the "E" initial.

Yet another, and perhaps more plausible, Mrs. E. Gotcher could be Lenna Lee LeSieur, who was the first wife of Edward Elmer Gotcher. They were married in 1904 and still residing together in 1910 (Census Entry for E. Gotcher, 1910; Multnomah County Marriage Index, 1904). No apparent record survives of her occupation, but her connection with Edward, perhaps a union member and certainly an employee at the Grand, suggests that 20-year-old Lenna may have been the Mrs. E[dward] Gotcher listed in the legal records (Portland City Directory, 1905; Census Entry for E. Gotcher, 1910). A final but rather impossible Mrs. E. Gotcher is Edward's second wife, Emma. But in 1905, Emma Brunkow was not yet Emma Gotcher—she was just 15 and

living in Minnesota with her parents (Census Entry for Brunkow, 1900; Census Entry for E. Gotcher, 1920).

It might never be possible to completely untangle the many Emma Gotchers, but four of her coworkers are more easily found in the archive. Legal records reveal the names of four other women who responded to the Grand's help wanted advertisement. The district attorney called six women as witnesses, at least four of whom were Mrs. E. Gotcher's co-workers (Transcript of Record, 1908).<sup>9</sup> Only their names survive in the legal records; the trial transcript does not, if one ever did. Still, census records and city directories help to piece together their lives. Helen Peterson was an ironer and perhaps worked alongside Mrs. Bell Gotcher, also an ironer (Portland City Directory, 1905). Esther Brookes was 23 and had already been working as a laundress for at least five years (Census Entry for Brooks, 1900). Eunice McLeod was a 26-year-old starcher at the Grand (Census Entry for Rutherford, 1930; Portland City Directory, 1905). Bertha Gehrke was about 20, the daughter of German immigrants, and had traveled with her father from Wisconsin to Portland. She was a folder at the Grand (Portland City Directory, 1905; Census Entry for Gerhke, 1900).

The women responded to the Grand's help wanted advertisement during a period of cyclical unemployment, lagging real wages, and some of the highest sickness, accident, and death rates for workers (Goldin, 1993; Kessler-Harris, 2007, pp. 107-109, 123). A few were able to leave laundry work once they married, and the older married women who remained held specialized and better paid positions as ironers. The laundresses' options for employment were circumscribed but plentiful.<sup>10</sup> Available to working-class women were jobs as domestics, jobs in the service sector and factories, and even in the commercial sex market. Service sector jobs like waitressing earned women higher wages but came at the cost of social censure. Factory work

provided higher social standing than domestic work, but legislation regulated which factory jobs were open to women, and it was dirty work. Family relationships, ethnic networks, and urban geography all influenced where women worked (Kessler-Harris, 2007).

The Grand's workforce shows these forces in action. The Gotcher family likely used its network to obtain work for male and female family members alike during periods of cyclical unemployment. The women who testified at the trial were, like Mrs. E. Gotcher, American. Many were born further east and had traveled with their parents from the Midwest to Portland. Several of the men employed at the Grand were first or second generation German immigrants like Muller (Census Entry for Hesselbrock, 1910). Many laundry workers at the Grand lived nearby; some even boarded with Muller above the laundry (Census Entry for Muller, 1910).

The Brandeis Brief compiled over one-hundred pages of materials describing and quantifying the working conditions of laundresses and working women in America and Europe. Yet, the brief did not include one word describing the specific working conditions of the Grand. Historians of laundry have provided more intimate accounts of laundry work that, together with what is known about Muller's employees from newspapers and census records, enable us to imagine the ten-hour work day inside the Grand Laundry (Mohun, 1999; Malcolmson, 1986). If it is the labor of women inside the Grand Laundry at issue in *Muller*, we should attempt a better understanding of it. Mohun's work on steam laundries allows us to follow the female *and male* labor required to move a dirty piece of clothing through a steam laundry until it was clean and back in the hands of the customer (1999).

First to arrive at the steam laundry, Mohun tells us, would be the foreman, in this case Joseph Hesselbrock, the son German immigrants and the foreman who demanded extra hours from Mrs. E. Gotcher (*Muller*, 1908; Census Entry for Hesselbrock, 1910; Portland City Directory, 1905).



When the laundresses arrived, if they were like other laundry workers that historians know about, they hung up their coats, slipped off their shoes, and slipped on larger ones to allow for the swelling that would inevitably result from a day standing in a hot humid laundry (Mohun, 1999, p. 74).<sup>11</sup>

Once Mrs. Gotcher and the other women like Helen, Esther, Eunice, and Bertha, took their places, customers arrived in the lobby to drop off laundry. If Muller was like other laundry owners and was aiming to keep his customers, the lobby was likely decorated with a paneled ceiling or carpeted floor, maybe even stained glass. Interactions with patrons were then, like they remain now, important, and a clean and neat front room concealing the odors of the back rooms was essential. Mostly women and bachelors dropped off bags, baskets, and boxes of clothes for cleaning throughout the week, expecting them to be returned to them by Saturday in order to wear their Sunday best—their cleanest—the next day. The women who dropped off their clothes in the tidy front room would not have seen the toil of the women who washed and ironed them (Mohun, 1999, pp. 75-76).

As the clothes were dropped off, either by customers or by Edward Gotcher who likely ran the pick-up service, a checker filled out laundry lists for customers to be compared later to outgoing bundles (Portland City Directory, 1905). A checker was a very high position for a woman, but was most often filled by a man (Mohun, 1999, pp. 75-76). Floyd Gotcher held the position of marker (Portland City Directory, 1905). For some reformers that visited laundries, it was the chemical smell that overwhelmed them, but for others it was the foul odor emanating from the piles of dirty garments in the sorting room. This is why the marker worked in a room far from the front lobby. With ink or a patented marking system, a marker like Floyd Gotcher would carefully mark the customers' initials in a hidden spot on the garments. He would then sort the

clothing just as housewives and laundresses had done before commercial laundries, by color, type, and fabric (Mohun, 1999, pp. 78-80).

From the sorting room, the clothes went to the washers, which were typically in the basement or lowest floor of the building. John Gotcher was a washer (Portland City Directory, 1905). When the laundresses arrived at the laundry and put on bigger shoes, the Grand's washers put on waterproof boots that protected them from the sloshing water that leaked from the machines and puddled on the floors. The probability of those daily puddles rotting floorboards and collapsing ceilings is why the washers were always on the bottom floor. The steam that emanated from the wash water carried the smell of fetid chemicals throughout the entire building, but that was probably not the worst of the washer's job (Mohun, 1999, pp. 81-84).

Because washers hefted large baskets of sorted laundry, they were primarily men. They would dump the clothes, some water, and a slush of soap made from the house recipe into a huge cylindrical machine. After agitating the garments for up to an hour, they would be rinsed in different chemical solutions to achieve that perfect (looking) clean. Afterwards the clothes had to be transferred back into the baskets to go up a floor to be dried. However, without a modern spin cycle, men would have soaked themselves from handling the sopping clothes. Pools of water and chemicals stood at their feet. By the end of the day, if not before the day had even begun, a washer, like John Gotcher, would have stripped to his undershirt, his legs ulcerated and swollen, perhaps never having dried out all day (Mohun, 1999, p. 84). Male washers were not protected by the Oregon maximum hours law, but their work in steam laundries was no less dangerous to their health than to the health of the laundresses who worked upstairs. Fenton was correct when he wrote in his brief that the "conditions of employment" that "endanger a healthy woman . . . apply alike to a healthy man" (Brief for Defendant, 1908, p. 20).

When the men's work was done, the women's work began. From the washer, the clothes went into a spinner. These dangerous machines both started the drying process and also managed to twist and knot every piece of clothing. It was the shaker's job to undo that mess—"bend, untwist, shake; bend, untwist, shake; bend, shake; bend, shake, hours unending" (as cited in Mohun, 1999, p. 85). Then came the mangler, a huge set of rollers that simultaneously dried and ironed flatwork. These were dangerous because table linens and sheets needed to be coaxed into tight spaces, catching fingers and hair. Anything that did not go through the mangler was sent to Eunice McLeod, who was a starcher and one of the women who testified at Muller's trial (Portland City Directory, 1905). McLeod would have slathered on a homemade mix of starch to most cotton garments. She had to be careful because the process provided ample opportunity for mistakes, and workers paid for damaged garments from their wages (Mohun, 1999, p. 105). Starch could easily be the wrong consistency, go bad in hot weather, or cause discoloration. McLeod would have wiped off the excess starch and slipped the clothing onto horses in a terrifically hot drying closet (Mohun, 1999, pp. 88-90).

From the drying horses, the clothing went to the ironers, one of which was perhaps Mrs. E. Gotcher. When Mrs. Gotcher entered the ironing room, she would have first tended to the irons. In the Grand, ironers used electric irons, advertised in the Grand's classified ads as "electric irons; coolest irons to operate ... come ready for work" ("Classifieds," 1905). Mrs. Gotcher would have needed to season each of the irons of varied weights and sizes with paraffin wax. She spat on the iron to test for heat, and then began her work being careful not to scorch the starch or herself (Mohun, 1999, p. 102). When a garment had been ironed, it went to an in-house seamstress if there was any damage or was immediately re-sorted and neatly wrapped back into

the patrons' baskets and bags by Bertha Gerhke, another co-worker of Mrs. E. Gotcher and trial witness (Mohun, 1999, p. 93; Portland City Directory, 1905).

Ironers tended to be older women, and because ironing required skilled labor, they could demand higher pay—as much as fifteen dollars a week and more than twice that of the lowest paid shakers. Older ironers took on younger girls as apprentices for three to six weeks at a time. During that time the new ironer might only make what the ironer paid her, while the veteran ironer received not only the starting pay for the apprentice, but also their regular pay plus a few extra dollars for teaching. It is possible that Mrs. Gotcher was an ironer. Ironers commanded respect among other workers and were able to negotiate for greater wages with their employers. They made almost as much as the men working in laundries. Reformers and inspectors at the time often observed that older ironers were resilient and independent women. The knowledge of ironing was held by women alone and could not be learned by men in the same way machines could be. Thus, ironers in steam laundries retained significant autonomy (Mohun, 1999, pp. 101-103).

In the saddest of ironies, laundry workers would still need to do laundry in their homes if they could not afford the rates at the Grand. This labor, of course, was not regulated by the state legislature. Because time was scarce, the steam laundress's ability to wash clothes in the home was limited; because money was scarce, her ability to send clothes to a laundry was limited. The clothes her family wore would rarely be freshly cleaned. Shirts might go weeks without laundering. Bodies probably were cleaned no more than once a week if not far more infrequently. Cleanliness was a sign of respectability and essential to securing a job. Although the laundress's home may have been cramped and without running water, her wages low, and the

majority of her time spent at the Grand, she would have worked hard after a day's work to keep the family's home, clothes, and bodies clean (Cowan, 1983, pp. 160-169).

Any routine or relative stability in the lives of Mrs. E. Gotcher and the Gotcher brothers would have been interrupted by a strike. If both the men and women who worked in laundries were striking, the family income must have been hit hard. Perhaps they received some relief funds from the international or sister locals in San Francisco, but with the men and women in the family out of work, the Gotchers would have struggled to scrape by in 1902 and 1903. Perhaps she took in laundry for a few months or worked for the Chinese laundries located nearby. Maybe she relied heavily on her own brothers and sisters for help. Perhaps this is when Floyd Gotcher entered the labor market to help his family as a young teenager. Generally speaking, women in unions were more militant than their male counterparts (Kessler-Harris, 2003, p. 160). Their ability to rely on extended family networks and men's incomes allowed them to hold out longer during strikes, but, given what we know about Mrs. Gotcher's particular family network, this may not have been as true for the Gotchers.<sup>12</sup>

Considering the details of Mrs. E. Gotcher's life, it might seem curious why she was listed as the lone worker who was forced to work over ten hours in the charge against Curt Muller. Perhaps—as reformers often observed of others in similar positions in similar laundries—Gotcher willfully disregarded her employer's demand to arrive on time in the morning or to stop talking during working hours; perhaps she demanded access to a bathroom while on the job or even drank beer like skilled male laborers. Indeed, the steam laundry industry was known for employing rough-natured and tough women who were resistant to industrial discipline. Laundresses often engaged in course jokes, beer drinking, and snuff—all traditionally male forms of behavior (Mohun, 1999, pp. 103-104).

On the one hand, Mrs. E. Gotcher and other laundrywomen did experience the dangerous and miserable working conditions that concerned reformers and that were detailed in the Brandeis Brief. On the other, whoever “Emma Gotcher” was, she was likely not the delicate laundress imagined by a reporter celebrating the decision’s importance during the New Deal. He wrote that she had “put in a long day and she was tired. Occasionally, she brushed back wisps of hair which tumbled into her eyes as she bent over the sinks and ironing boards.” (Neuberger, 1934).<sup>13</sup> It is likely that even the possibility of her masculine forms of resistance may have been obscured by gendered stereotypes about who does the laundry. She easily might have been a strong labor leader (even if not a union trustee) who held status in the hierarchies that mattered to her while simultaneously being exploited by her employer and experiencing poverty.

Historians have hazarded guesses as to how the lawsuit came to be. Perhaps “the suit was largely a friendly one and was brought to test the law” (as cited in Johnson, 1982, p. 240). In this scenario, Hans Muller agreed with other members of the Laundry Owners’ Association that, with the laundry workers’ union broken, it was time to attack the state law governing laundresses’ hours. Presumably, although he had been in town less than a year, his ownership of the former union cooperative made Muller the perfect litigant for a legal test case (Woloch, 2015, pp. 58-59). This narrative is supported by some evidence suggesting that on the whole, Muller and other laundry owners were observing the ten-hour law and that this violation, although not the first, was not routine (Johnson, 1982; Woloch, 2015). Moreover, prominent men from the Laundry Owners’ Association paid Muller’s legal bills.

Another version emphasizes Gotcher’s agency, her probable connections to the labor movement, and the date of the violation—Labor Day. Neither the opinion nor the archive provides a clear narrative of why Mrs. E. Gotcher was involved in the case, and it is not possible

to know what she thought about the sex-based protective labor law. As legal historians, we are left with a puzzle. Johnson has argued that the local Consumers' League in Portland hindered women's union strength and instead encouraged dependence on the state for protection (1982, pp. 334-336). She also observed that some employers even preferred protective labor legislation over unions, and in this particular instance, that is what the Portland laundryman's association seemed to have prioritized (1982, p. 340). Perhaps Gotcher worked with local reformers and actively agreed to be part of the lawsuit to enforce the law (Woloch, 2015, pp. 54-84).

Or, alternatively, perhaps Gotcher did not like the law. Plenty of women did not support it, and Johnson has even argued that the law stymied progress made by women union members (Johnson, 1982). It certainly could have caused further division between the men and women in the laundry workers' union that Mrs. E. Gotcher would have seen during the strike. At the time, not all women's advocates agreed that protective labor legislation was positive for women. In fact, one Portland advocate published an editorial against the protective labor legislation in 1906. She claimed that "it had better be left to woman's own judgment as to what is necessary and desirable. The State has no right to lay any disability upon woman as an individual. . ." (as cited in Johnston, 2003, p. 21).<sup>14</sup> This local editorial reflected the position of the National Women's Party formed just a few years after the *Muller* decision. Women in the NWP believed that protective labor laws for women did more harm than good by limiting women's ability to compete for jobs and better pay (Cushman, 2001, p. 18; Cott, 1987, pp. 53-81).

Perhaps Gotcher's experience with unions had taught her that her own negotiation power was preferable—allowing her to work longer hours when life's demands called for it. Or perhaps the opposite is true—the Oregon State Federation of Labor did endorse the law (Woloch, 2015, p. 58).<sup>15</sup> From a vantage point of over one-hundred years later, it is difficult to know because no

lawyer or reformer thought it necessary to record Gotcher's perspective—a difficulty complicated further by the fact that women in Oregon did not gain the right to vote until 1912 and thus did not elect the legislators who passed the legislation (Chin & Ormonde, 2018, p. 708). It does seem, however, that the narrative recovered here supports scholars of *Muller* who generally agree that the law and legal decision had little impact on the daily life of the laundresses at the Grand (Johnson, 1982; Woloch, 2015).

#### CHINESE HAND LAUNDRIES IN PORTLAND

A pair of historians has claimed that after the *Muller* decision was issued in 1908, Hans Muller began to employ a “Chinese crew” in an attempt to avoid the protective labor laws governing women. When the Chinese employees did not work out, according to this account, Muller hired the “deaf and dumb” (Collins & Friesen, 1983b, p. 472). These claims are, of course, possible. However, advertisements in the local paper that span the next several decades indicate that Muller also continued to hire white female laundresses (“Help Wanted-Female,” 1912). And yet, the reference to Chinese laundrymen in a steam laundry is another provocative archival clue to pursue further.

To those who study Chinese immigration or the American West, the relationship between American women and Chinese men in the laundry industry comes as no surprise (Bottoms, 2013, pp. 141-142). The scholarship of Joan Wang in particular has demonstrated how the combination of racism and sexism “entrenched Chinese men in a traditionally female occupation”—that is, laundry work (Wang, 2002; Wang, 2004). Although the legal history of Chinese laundrymen has been told almost exclusively from the vantage point of San Francisco, the historians who wrote of Muller's “Chinese crew” found traces of a very real set of racial tensions in Portland's laundry industry.



In fact, Chinese laundrymen on the West Coast had a long experience with both social and legal discrimination (Almaguer, 1994, pp. 153-182; Chin & Ormonde, 2018, pp. 687-688). There may be no room for that history in the *Muller* decision, but the social and legal history of Chinese laundries cannot be separated from a more complete understanding of the conflict between laundresses and laundry owners. In Portland specifically, by 1905 the laundry industry was divided into steam laundries and Chinese hand laundries. Muller ran, and Mrs. E. Gotcher worked in, a steam laundry with commercial machinery. Chinese men ran laundries that, for the most part, laundered clothes by hand. Thus, when the Oregon state legislature limited the hours that women laundresses, who worked almost exclusively in steam laundries, to ten hours a day but did not address the hours of male laundry workers, the state legislature created a disadvantage for steam laundries in times of high volume. Chinese laundries could, and often did, work around the clock by rotating two male crews (Bernstein, 1999, p. 232; Stevens, 2003, p. 41). This tension likely, at least in part, motivated the laundry owners' desire to overturn the state law. Even ten years after the decision in *Muller*, the Portland Laundrymen's Association lobbied Congress for Chinese exclusion during World War I as a response to the "Oriental" laundry problem ("Laundrymen to Ask Chinese Exclusion," 1915).

Chinese men disproportionately worked in the laundry industry as a result of racial and gender stereotypes about Chinese immigrants in the late nineteenth century (Bottoms, 2013, p. 142; Siu, 1987, pp. 44-49). To understand, we must start with the nineteenth-century West, where there were no women. Or, rather, there were few women, and their absence meant that at least some men had to do women's work, i.e., laundry (Wang, 2002, p. 56). At the same time, U.S. immigration laws severely constrained the number of Chinese women immigrants and thus set apart Chinese men from even other Asian immigrants (Wang, 2004, p. 58). Non-citizen

status, prohibitions against Chinese men in some trades, combined with a shortage of women of all races in the West during this period resulted in Chinese men taking traditionally female domestic work, where they learned how to cook and wash, and also speak English (Stevens, 2003, p. 186; Wang, 2002, p. 57; Wang, 2004, p. 60). Anglo Americans found this pattern of labor distressing in part because Chinese men did not conform with traditional gender norms (Johnson, 2000, p. 126; Wang, 2004, p. 75).

It is within this context that commercial hand laundries proliferated because they had low start-up costs, provided self-employment to the new immigrants, and required little English language skills (Bottoms, 2013, pp. 142-143; Stevens, 2003, pp. 27-28; Wang, 2004, p. 58). Still, gender and racism worked in tandem to limit Chinese laborers' economic prospects (Wang, 2004, p. 58). For example, the number of Chinese laundries in a given area was related to the male-to-female ratio of the population (Wang, 2002, p. 57; Wang, 2004, p. 63). Almost one-third of Oregon's laundries were Chinese hand laundries, but their value was only two percent of their competitors' steam laundries, which used expensive machinery that Chinese hand laundries did not ("Laundries of State Listed," 1914). Although Chinese laundrymen reported a lower daily wage (\$1.37) than their female counterparts (\$1.56), Chinese laundry workers were generally provided room and board as well ("Laundries of State Listed," 1914).

Compared to laundresses in the Grand Laundry who worked ten-hour days, Chinese laundrymen worked up to eighteen hours each day (Ban Seng Hoe, 2003, p. 22). Chinese men used hand machines to launder clothes just as a washerwoman who took in clothes might in her home. That meant that days were divided into different tasks, Sunday might be for sorting, Monday and Tuesday for washing, Wednesday for drying, and so forth (Siu, 1987, pp. 71-73). Just like in steam laundries, some jobs required more skilled labor, especially ironing. But day in

and day out, work mimicked the same “sorting, soaking, boiling, washing, scrubbing, rinsing, rubbing, starching, drying, ironing, pressing, folding, packaging, collecting and delivering” that had exhausted American women in their capacities as housewives, servants, and washerwomen for centuries (Ban Seng Hoe, 2003, p. 19).

The layout of the hand laundry was not unlike that of steam laundries. A red sign often hung outside for good luck. Once inside, the front section greeted customers. A drying room would take up a large portion of the middle of the house or building, and in the very rear were the washing machines, sinks, boilers, and a lavatory. But, in addition to these sections of the hand laundry, there would be small sleeping quarters tucked behind the front lobby (Siu, 2003, p. 58). While the interior of the hand laundry may have been laid out similarly, the lack of modern technology was observed by white steam laundry owners. According to white laundrymen, machinery was what set them apart and established their masculinity and racial superiority (Wang, 2002, p. 59).<sup>16</sup> Wang argues that even the language of “hand laundries” versus “steam-power laundries” was used by white laundry owners to distinguish work that relied on muscle versus work that relied on intelligence (Wang, 2002, p. 62).

Crossing into the domain of women’s work brought Chinese laundrymen into direct contact with laundresses. Chinese laundries could out-price laundresses in private homes by working more efficiently (Wang, 2004, p. 77). Most importantly, they were also able to exploit tensions between union laundresses and steam laundry owners. Elsewhere in the country, union laundresses on strike encouraged customers to patronize Chinese hand laundries over steam laundries working on scab labor (Wang, 2004, pp. 80-81). While Portland’s Chinese laundrymen cheered when the laundresses’ union went on strike in 1902, the union was not so pleased once the strike was over. The union passed a resolution to boycott Chinese laundries because union

workers who patronized Chinese hand laundries were “depriving white people of their work” (“Big Fine for Union,” 1902).<sup>17</sup> One Portlander’s remark was telling: “if the strike of laundry employes [sic] continued for any length of time the ‘Chines’ [sic] would be getting back the laundry business, of which they used to have a monopoly” (“Laundry Strike On,” 1902). Generally, Asians were barred from union membership (Chin & Ormonde, 2018, p. 691). Thus, Chinese laundrymen and American laundresses failed to form class solidarity and remained constant competitors with only limited intermissions of alliance.<sup>18</sup>

A comparison between the rhetoric of the Brandeis Brief concerning steam laundries and the rhetoric of steam laundry owners and municipal inspectors concerning Chinese hand laundries is telling. The rhetoric aligned when concerning laundry sanitation. White laundry owners, presumably because of their own first-hand experience, told customers that while the lobbies of Chinese hand laundries may appear clean, the back workrooms were unsanitary (Wang, 2002, p. 64). Similarly, the Brandeis Brief described the laundry’s “atmosphere [as] often laden with particles of soda, ammonia, and other chemicals” which had “a remarkably thirst-inducing effect” (Brandeis Brief, 1908, p. 46). It also cited a report from London’s factories about how industrial labor, presumably like that performed by white laundresses in steam laundries, were “scenes of overwork, overcrowding, dirt and disorder” (Brandeis Brief, 1908, p. 99).

The rhetoric of the Brandeis Brief and critics of Chinese hand laundries was elsewhere antithetical to one another. Take, for example, steam laundry owners and municipal inspectors alike who described Chinese hand laundries as dirty disease-ridden places because the spaces where laundry was washed was open to both a cooking area, which according to inspectors was “always more or less filthy,” and also open to an adjoining “space at the end of this cooking range—if we may call it so—[which was] used as a urinal” (quoted in Bottoms, 2013, p. 159).

White labor advocates of the late nineteenth century suggested that Chinese domestic servants created a “network of contagion” and were “infectious” handlers of the clothes worn by their white employers (Shah, 2001, p. 63).

In contrast to describing the space and workers as disease ridden, the Brandeis’s brief repeatedly described long work hours in a steam laundry as *causing* disease in women workers. Brandeis quoted one British report as concluding that long hours of laundry work “has its natural result in the form of disease to which laundry workers are extremely liable” (Brandeis Brief, 1908, p. 106). Worse, the labor of women could “indirectly affect the more perfect growth of the child in utero, and dispose it when born more easily to become diseased” (Brandeis Brief, 1908, p. 38).

The interior space of the Chinese hand laundry was of particular concern to whites because Chinese laundrymen lived and worked in the laundry shop (Shah, 2001, pp. 64, 68). There, public and private space merged into one, where Chinese laundrymen might, some experts worried, use customers’ “clothes for bed linens and pillows” (as cited in Shah, 2001, p. 68). Anglos warned that Chinese-washed clothes might spread consumption, syphilis, or other skin diseases (Shah, 2001, p. 68). One of the most prominent examples used by whites to demonstrate the likelihood of Chinese laundrymen spreading contagion was the “blow can” used to iron clothes (Shah, 2001, p. 68). Even while white female ironers in Muller’s laundry spit on the irons to test the heat, Chinese laundrymen were criticized for their use of a device that was operated by blowing into a mouthpiece that forced water—not spit!—out in the form of a spray to dampen clothes while ironing (Bottoms, 2013, p. 159; Wang, 2002, p. 64).

The rhetoric describing the Chinese hand laundries was rooted in longstanding derisive stereotypes of Chinese men on the West coast (Almaguer, 1994, p. 158).<sup>19</sup> The reverse of that

rhetoric, found in the Brandeis Brief describing women's labor, was rooted in longstanding stereotypes that women, as compared to men, lacked "opportunity, strength, and capacity" and required laws for their "guard and protect[ion]" (Brandeis Brief, 1908, p. 14). Clearly the labor took its toll on whoever performed the labor of laundry—whether it be the men at the bottom of the steam laundry with ulcerated legs, the women whose heads were scalped in the laundry machines upstairs, or the Chinese laundrymen who literally ate, slept, and breathed laundry work around the clock. But the locus of that harm shifted depending on one's gender and race.

The similarities in health and safety concerns manifested in distinctly gendered and racial ways: white laundresses were the *victims* of unsafe and unsanitary conditions and thus were to be protected; Chinese laundrymen were the *cause* of unsafe and unsanitary conditions and were to be put out of business. The two forms of regulation—hours restrictions for women workers and restrictions on Chinese laundries—were two sides of the same coin, both acts of regulating non-white male bodies. Generally, laundry and textiles have been "women's work," and laundry has always been, and remains, laden with gendered social and cultural meaning. While the American laundresses of Portland were often considered course and masculine, their Chinese male counterparts were considered feminine and likewise failing to conform to proper gender roles. In short, white laundresses were social goods to be protected, and Chinese laundrymen were social hazards. To understand the *Muller* decision and underlying conflict as only about women's labor rights and reproductive capacity is to misunderstand the way in which the location of the conflict on the West Coast influenced how the labor of laundry specifically entangled issues of gender with race.

*MULLER & YICK WO*

Like *Muller, Yick Wo v. Hopkins* (1886) is one of those canonical opinions of constitutional law. Both Fourteenth Amendment cases—*Muller* and *Yick Wo*—are read by first year law students, but rarely are they read in conversation because they rely on different doctrine. Still, they might have something to say to each other. In *Yick Wo*, the U.S. Supreme Court struck down a San Francisco city ordinance that required owners of laundries in wooden buildings to seek a permit with the Board of Supervisors. The *Yick Wo* laundry in San Francisco, like all Chinese laundries in the city, was made of wood and required a permit from the city, which the city denied. Indeed, out of all laundries subject to the law, all but one of the white laundrymen received permits while all of the Chinese laundrymen were denied permits (*Yick Wo*, 1886, pp. 358-359; McClain, 1994a, p. 145). *Wo* was fined \$10 for operating his laundry in violation of the ordinance, but unable or unwilling to pay the fine, he was imprisoned (McClain, 1994b, p. 115; *Yick Wo*, 1886, p. 357). The powerful Chinese laundryman's guild, the Tung Hing Tong, helped the Chinese laundryman hire well-known lawyers to bring his case to court (Bottoms, 2013, p. 148; McClain, 1994b, p. 115; McClain, 1994a, pp. 145-146). Although he lost at the state supreme court, the United States Supreme Court held that even though the law governing laundries was neutral on its face, its arbitrary administration discriminated against Chinese laundry owners and thus violated the Fourteenth Amendment (*Yick Wo*, 1886).

There are superficial similarities between the cases. Both Hans Curt Muller and *Yick Wo* were immigrants and not U.S. citizens at the time of the lawsuits—although federal law prohibited only *Yick Wo*, as a Chinese person, from ever becoming a U.S. citizen (Ngai, 2004, p. 38). Both laundry owners were fined \$10 dollars—but only *Yick Wo* was unable or unwilling to pay his fine and served time in jail (McClain, 1994b, p. 115). Both men had their legal fees paid by powerful industry organizations. Just as Mrs. E. Gotcher's true name is obscured in the legal

records, some historians have suggested that Yick Wo's real name, perhaps Lee Yick, has been lost in the legal archive as well. (Elinson and Yogi, 2009, pp. 43-45; McClain, 1994b, p. 326 n. 84; McClain, 1994a, p. 146 n.40). Beyond the trivial, however, is the most important similarity, both lawsuits are about the ability of white male laundry owners to control the laundry industry.

While the regulation at issue in *Muller* actually made the Chinese laundries in Portland more competitive, the decision also has a place in a long line of cases about discriminatory local, state, and federal laws targeting Chinese immigrants and their laundries specifically.<sup>20</sup> Federal immigration law, as noted above, prohibited Chinese women from entering the country and excluded Chinese immigrants from American citizenship (Ngai, 2004, p. 59; Wang, 2002, p. 56). The 1879 California state constitution was filled with anti-Chinese provisions that were later invalidated by federal courts (Bernstein, 1999, p. 229). Local governments in the West passed a multitude of anti-Chinese regulations and ordinances specifically governing laundries (Bernstein, 1999, p. 230). Although the Chinese Exclusion Act of 1882, and its subsequent renewals in 1892 and 1902, drastically reduced Chinese immigration by the early twentieth century, cities continued to pass anti-Chinese laundry laws through the 1930s (Bernstein, 1999, p. 230; Ngai, 2004, pp. 202-224).

These city ordinances took the shape of zoning, maximum hours, licensing, and tax regulations (Bernstein, 1999, p. 231; Chin & Ormonde, 2018, p. 687). The early maximum hours laws, unlike the law at issue in *Muller*, were sex-neutral but targeted only Chinese laundrymen in practice (McClain, 1994b, pp. 107-110). Local maximum hours regulations, like the one San Francisco passed in 1882, prohibited Chinese laundries from operating twenty-four hours a day by preventing laundries from operating at night (Bernstein, 1999, pp. 231-237). Often, two Chinese laundry owners would use the same laundry building, with two crews switching back



and forth to keep the washing going around the clock. White laundry owners brought test cases against these types of maximum hours laws in California to ensure that the regulations would be upheld (McClain, 1994b, pp. 114-115).

Importantly, scholars have observed that white-owned steam laundries and the white women who worked in them, supported these maximum hours regulations at the turn of the twentieth century (Bottoms, 2013, pp. 139, 160). Although white San Franciscan laundresses secured significant improvements in work hours through unions, including a forty-eight-hour work week in 1907, Chinese laundries did not adopt the same work week (Bernstein, 1999, p. 238). Indeed, well into the twentieth century, Chin and Ormonde have found that labor unions were key leaders in legal movements against Chinese businesses (2018, pp. 684-685, 689-691).<sup>21</sup> Thus, through their unions, white laundresses were important promoters of sex-neutral maximum hours laws, believing it gave them a competitive advantage over non-white laundries, including Chinese hand laundries (Bernstein, 1999, p. 237). Indeed, the Oregon state law at issue in *Muller* began its political life as a sex-neutral hours restriction, one that would have given white laundresses and laundry owners a competitive advantage over their Chinese competitors by curbing the ability of Chinese laundrymen to work extended hours. Other forms of laundry regulation took the shape of licensing laws, like that at issue in *Yick Wo*, and zoning laws.

While not hosting a Chinese immigrant population as large as San Francisco, Oregon had more Chinese immigrants in total number and percentage of the population than anywhere else in the Pacific Northwest (Wunder, 1983, p. 192). In the second half of the nineteenth century, the city of Portland, which housed a majority of the state's Chinese immigrants, was prolific in passing regulations of Chinese laundries (Bernstein, 1999, pp. 211, 265). For instance, the city council proposed a laundry tax on Chinese laundries (Stevens, 2003, pp. 189-190). Zoning

ordinances purported to regulate laundries and attempted to limit the Chinese population (Stevens, 2003, p. 185). The city even argued that the entire Chinese race was a nuisance and thus could be removed (Stevens, 2003, pp. 188-189). Yet still, as shown on Map 1, the Chinese business district expanded to accommodate a growing Chinese population, and Chinese laundries began to attract more white customers (Stevens, 2003, p. 191). Because consumers often preferred hand-washing over machine washing, in Portland and elsewhere in the West, cities continued to pass laundry licensing and tax laws as steam laundries grew in power (Bernstein, 1999, pp. 265-266; Stevens, 2003, p. 188).

Many of the local, state, and federal laws were struck down as discriminatory, like the licensing ordinance in *Yick Wo*, but that did not stop the proliferation of laws overtly or covertly discriminating against Chinese laundries. However, the introduction of protective labor legislation for *white women* incidentally inverted the effect of the sex-neutral maximum hours laws and affected the power of white laundry owners to control their workforce. In *Muller*, the maximum hours laws that once purported to control the social hazards of Chinese laundries were allegedly protecting the social good of white mothers or potential mothers. Where the sex-neutral maximum-hours laws regulated the allegedly diseased and infectious bodies of Chinese laundrymen, the sex-specific maximum-hours law in *Muller* regulated the allegedly insufficiently feminine bodies of working women to protect their reproductive capacity. In so doing, it lessened the control of white owners over workers in their steam laundries. In other words, *Muller* is not just about the place of protective labor legislation in feminist jurisprudence or constitutional law but also about race discrimination against Chinese laundrymen. It is about the entanglement of the two.

HANS CURT MULLER

The Grand, like its earlier incarnations, did not last long. In the laundry owner's public account of his life, he erased the September 1905 labor violation and subsequent legal battle. Muller simply recalled that after the end of the Lewis and Clark Exposition in October 1905, business slowed so he sold his laundry and took a vacation (Hazen, 1932). When he returned to Portland in 1906, he set up the Lace House Laundry (Hazen, 1932). Shortly after the *Muller* litigation concluded, Muller married Swiss immigrant Marie Snyder (Census Entry for Muller, 1910). Together the couple became naturalized citizens in 1912 and continued to operate the laundry for decades (Census Entry for Muller, 1920).

Their middle-class ascendance was signified by the Mullers' moves. They first moved out from the space above the laundry where Marie Muller tended to boarders and into residences near the laundry (Census Entry for Muller, 1920; Sanborn Fire Insurance Maps, 1908). Finally, fifteen years after Muller arrived in Portland, he moved his family into a home away from the grime of the neighborhoods where he began and where dirty businesses stood side by side with apartment buildings (Census Entry for Muller, 1930; Portland City Directory, 1914; Sanborn Fire Insurance Maps, 1908). The Mullers' daughters both embarked on a grand tour of Europe, and daughter Louise attended college before marrying ("Lincoln," 1927; University of Oregon Yearbook, 1927-1928; "Miss Lila Van Kirk to Speak," 1929). Muller's success made him a prominent Portland businessman and philanthropist in the German-American community ("Housewives Give," 1923; "Portland Gaily Greets," 1928; "Hans Curt Muller," 1950).

Later in his life, the same labor debates that fueled the *Muller* litigation returned with the New Deal. In 1933, Muller was one of thousands of Oregonian employers who publicly signed agreements to the National Recovery Administration's (NRA) reemployment program. In the front window of Lace House Laundry, a poster hung that read, in bold red letters, "NRA

MEMBER” and “WE DO OUR PART” (Untitled, 1933). The poster was a symbol of Muller’s pledge to uphold the NRA wage and hours standards.

Still, for many who knew only *Muller* and not Muller, Muller’s sole role was as a cruel employer who was defeated in *Muller v. Oregon* (Neuberger, 1934). The *Oregonian* ran a two-page spread in 1934, “Oregon’s Great Contribution to the NRA,” lauding the victors: Louis Brandeis and local leader, Father O’Hara. In it the journalist announced,

“the name of Curt Muller is familiar to every lawyer and jurist between Puget sound [sic] and Key West as the defendant in ‘Muller vs. Oregon.’ With the possible exception of the Dartmouth college [sic] case, . . . few constitutional issues in United States history are more widely known than Muller vs. Oregon. It is this national most celebrated legal controversy regarding labor” (Neuberger, 1934).

The city was proud of its role in the case that served as the “foundation” of New Deal labor reforms—the labor reforms that Muller had pledged to uphold.

### CONCLUSION

The centrality of precedent to the legal system means that legal opinions produce histories of legal conflict and doctrine. As part of this special issue about the nature of history in law, this article has sought to explore one legal conflict on the smallest scale in all its facets as an example of how legal opinions as a technology of preserving even legal history are imperfect. In short, this article has attempted to remind readers how a ground level social history of legal conflict situated in a particular place can shed new light on a key judicial opinion.

A legal opinion has “the power to define what is and what is not a serious object of research, and therefore, of mention” (Trouillot, 1995, p. 99). Many legal scholars, and historians

especially, will be familiar with Trouillot's warning: "The distribution of historical power does not necessarily replicate the inequalities . . . lived by the actors" (1995, p. 47). Thus, this article has endeavored to remind both historians and legal scholars that although law does play an important role in writing our collective history and memory, it does so in ways that can erase complexity and nuance of power hierarchies on the ground. In this case, the erasure of Mrs. E. Gotcher, women's union activism, and Chinese laundrymen entered the process of historical production when the lawyers crafted narratives about the constitutionality of wage and hours laws, when the judge drafted the opinion, and when scholars constructed the legal history of the conflict (Trouillot, 1995, p. 26). The complexity and nuance of the conflict is essential to understanding the place of the opinion in larger canons of jurisprudence, as well as to understanding the impact and importance of the opinion in the individual lives of litigants.

To understand the historical antecedents to civil rights litigation strategies in the 1950s and to understand the role of fighting protective legislation in the feminist jurisprudence of the 1960s, historians and legal scholars rightly turned their eyes to *Muller v. Oregon*. But their observations, national in scope, missed fundamental features of the conflict. Those features—daily labor experiences, union activism, and anti-Chinese discrimination—should change the way the decision is discussed, cited, and taught. Thus far, legal scholars and historians have not understood *Muller* as a case about race *and* women's labor activism, yet it is.

At the most basic level, Muller cannot be equated with *Muller*.<sup>22</sup> He bought a union laundry and hired former union members. In his later years, he did not mention it when recounting the significant events of his life. We know his name only because of the decision. Similarly, even though less is knowable about the precise contours of her life compared to that of Muller—or Brandeis or Goldmark—it is almost certain that Gotcher's day-to-day life, like Muller's, did not

hinge on the outcome of the Supreme Court decision. However, the risks of sex-based protective labor legislation for women's equality were felt first by laundresses like Gotcher when the law was upheld.

Most importantly, however, although Fenton was correct that white male washers in steam laundries did suffer ill health effects from their labor, most men who did the women's work of laundry were Chinese men. Chinese laundrymen had been the target of discriminatory legislation for more than fifty years when *Muller* was decided. Their hand laundries remained significant competitors for white-owned steam laundries. The maximum hours limits for laundresses altered the playing field and potentially gave a new advantage to hand laundries in their competition with white owners of steam laundries. Chinese men could also be competitors, or potential allies, to the union laundresses. The ability for both Chinese laundrymen and laundresses like Gotcher to make money depended on their direct and indirect relationships with each other. In sum, the tensions and competition between Chinese hand laundries and white-owned steam laundries not only helped form the playing field for the *Muller* litigation, but also shaped the lived-experience of the hours restriction.

Finally, there remains more to explore in the social history of *Muller* regarding the tensions between the goals of Brandeis, Goldmark, and Kelly and the goals of the laundresses. There is only space to gesture toward the likely dissonance between the cause lawyers and the laundry workers, but whatever dissonance is present might be found by looking to the literal distance between Portland, Oregon, and Washington, D.C. The physical distance reflects a figurative distance between the goals of local actors and the daily labor conflict in which they participated and those on the national stage. By examining the longer history of laundry labor in Portland, it becomes clear that only those actors on the East Coast achieved their goals through litigation.

Kelly, Goldmark, and Brandeis were literally and figuratively far removed from the laundresses they sought to protect. From the national perspective presented in the Supreme Court arguments and decision, the particularities of women's union power in Portland and the distinct history of racial discrimination against Chinese laundrymen on the West Coast was irrelevant and ignored. *Muller's* roots in local women's labor union activism and anti-Chinese regulations are only visible from a history that is situated in a particular place—Portland, Oregon.

### NOTES

<sup>1</sup> The article is part of a large genre of legal history writing about the social history of landmark decisions, perhaps best known through the “Law Stories” collection published by Foundation Press, including, *Women and the Law Stories* (Schneider & Wildman, 2011). Other books, like *Supreme Court Decisions and Women's Rights*, provide similar but significantly truncated versions of the history behind Supreme Court decisions (Cushman, 2001). Even *Muller v. Oregon* (1908) has its own small book, *Muller v. Oregon: A Brief History with Documents* (Woloch, 1996). Some histories, including the author's own article about *Chambers v. Mississippi* (1973), go further, attempting to shed new light on the original opinion potentially changing the way a particular case is understood by excavating the micro-history of the original conflict. That is what I try to do here.

<sup>2</sup> The *Muller* litigation is ripe for examination by scholars who study cause lawyers. The tension inherent between cause lawyer and client was likely present in that very first “Brandeis Brief.” Although this article is not that examination, it does appear that just as Derrick Bell argued that civil rights litigation for desegregation did not necessarily reflect the needs and desires of the communities the lawyers purported to represent, the social history of *Muller* reveals that the first

Brandeis Brief, and the legal victory it secured, may not have accurately reflected the lived experience, needs, or desires of those it claimed to aid (Bell, 1976).

<sup>3</sup> Nancy Woloch has given the most extended attention to the history of the litigation in *Muller* (Woloch, 1996; Woloch, 2015). Indeed, the goal of her first book is similar to this article, which builds upon it—that is, to write “so that readers can study the past as historians do.” (Woloch, 1996, p. v). For more succinct summaries of the case, see Cushman (2001) and the two articles by Collins and Friesen (1983a; 1983b). Elaine Gale Zahnd Johnson’s dissertation in sociology situates the statute and litigation in the context of labor agitation and protective labor laws (1982), and Ronald Johnston’s work on middle-class businessmen in Portland recovers Hans Muller’s role in the litigation (2003).

<sup>4</sup> In a speech, Fenton labeled “the menacing attitude of organized labor” as “one of the greatest foes to civil rights and human liberty” (Fenton, n.d.). He was however, “naturally compelled to sympathize with the laboring classes,”—just not with the “labor anarchists of the city” (ibid.).

<sup>5</sup> The work of Woloch, who has traced the *Muller* litigation specifically and the development of protective labor law doctrine more broadly, provides important insights into feminist jurisprudence (1996; 2015). The work of Johnston, who has traced Muller’s role in the litigation, provides important insights into the relevance of the decision to the creation of Portland’s middle classes (Johnston, 2003).

<sup>6</sup> Although I have independently relied on my own review of primary sources, some of which Johnson also uses, I take my cue to examine Portland’s unions from Johnson’s dissertation about union organizing in Portland, in which the *Muller* litigation and laundry workers’ union play significant roles (1982).



<sup>7</sup> Johnson likely misidentifies Mrs. E. Gotcher as an elected union trustee (1982). In the newspaper article in which “E. Gotcher” is listed as a trustee of the laundry workers’ union, many, if not all, women are listed with the title Mrs. Given the full context of the article, it is more likely that “E. Gotcher” referred to a man (“Laundry Workers,” 1902). That does not necessarily mean, however, she was not a union member.

<sup>8</sup> The genealogical website, FindAGrave.com, has an entry for Ercey Belle Gotcher, who died in 1960. With no explanation, the entry gives Ercey’s nickname as “Emma.” Retrieved from <https://www.findagrave.com/memorial/68280624/ercey-belle-gotcher/photo>.

<sup>9</sup> Woloch assumes all of the witnesses worked at the Grand; however, Mrs. Reeves and her daughter Maude were perhaps instead neighbors or other acquaintances (Woloch, 2015, pp. 59-60). Young Maude was just 8-years-old at the time of the labor law violation and an unlikely co-worker (Census Entry for Reeves, 1900).

<sup>10</sup> The number of women in the workforce was on the rise while the number of women domestic workers was on the decline. Fifteen percent of Portland’s labor force were women in 1900, a number that continued to grow through the 1920s (Johnson, 1982, pp. 92, 303).

<sup>11</sup> This section draws heavily from Mohun’s chapter, “Inside the Laundry,” in which she offers a “tour” of a steam laundry drawing on “a variety of sources, including trade literature, trade catalogs, reformers’ accounts, and British working-class autobiographies” (1999, p. 73).

<sup>12</sup> But in some locations, women were more ambivalent toward unionizing, no doubt because employers were apt to fire any known member. Kessler-Harris’s *Out to Work* (2003) suggests that some women were successful at unionizing because they were willing to be militant and had a sufficient support network when on strike. At the same time, where women’s unionizing was

unsuccessful it was because of ambivalent dispositions toward unions and conditions under which militancy was not useful.

<sup>13</sup> Even more specifically, we can be nearly certain no wisp of hair fell into her eyes. All but the vainest women pinned up their hair for work, lest their long locks be caught in a belt that could scalp them or worse (Mohun, 1999, p. 75). Safe, practical, and comfortable attire was a necessity to survive the workday.

<sup>14</sup> In her book chapter on *Muller*, Woloch identifies the author of this editorial as Clara Colby, a suffragist who exchanged letters with Florence Kelly in the 1880s (2015, p. 76).

<sup>15</sup> For more about the protective labor legislation debate, see Kessler-Harris, 2003, pp. 180-214.

<sup>16</sup> See also Mohun's article, "Laundrymen Construct Their World," in which she explores the relationship between class, gender, race, and technology at work in laundry labor (1997).

<sup>17</sup> Similar tactics were used by white unions across the country in boycotts of Chinese restaurants as a tool of eliminating competition (Chin & Ormonde, 2018).

<sup>18</sup> Tera Hunter has shown the power of collective action of black laundresses in Atlanta in the late nineteenth century, and her works suggests that African-American women in Portland may have worked in the same industry (Hunter, 1997, pp. 74-97). However, the named laundresses in *Muller* were white and largely of Irish or English descent. I have been unable to recover evidence of how the white laundresses of the Grand Laundry might have interacted with African-American women who may have resided in the city and performed domestic labor, including laundry. Portland and the state of Oregon has a long legacy of racial discrimination against African Americans, and no more than 1000 lived in Portland before World War I (Lansing, 2003, p. 342; Abbott, 2011, pp. 42, 106).

<sup>19</sup> The protection of white women was a powerful rhetorical tool mobilized in support of discriminatory legislation and regulation of Chinese businesses more broadly. For more about how similar language of depravity, immorality, and public nuisance was used to harass and target Chinese restaurants, see Chin and Ormonde's article "The War Against Chinese Restaurants" (2018). Chin and Ormonde have found that, similar to efforts supporting protective labor legislation for women, advocates and legislators declared that legislation banning women from working in and patronizing Chinese restaurants was necessary to protect white women from the immorality of Chinese men (2018, pp. 699-705, 707-713). While these laws uniformly failed as unconstitutional, emergency police authority achieved the same ends (Chin & Ormonde, 2018, pp. 713-716). For example, in Portland, in 1914, Portland police raided over sixty-five Chinese restaurants in a single night (Chin & Ormonde, 2018, p. 725).

<sup>20</sup> For more about the long line of discriminatory local, state, and federal laws targeting Chinese immigrants and their laundries, see, for example, Bottoms (2013, p. 136) and Almaguer (1994, pp. 163-64).

<sup>21</sup> Chin and Ormonde highlight the multifaceted legal tactics unions used to eliminate Chinese competition in the restaurant industry, including boycotts and violence, as well as support for discriminatory licensing, zoning, and police surveillance (2018).

<sup>22</sup> *Muller* ≠ *Muller*. One of the starkest examples of this confusion is found in the two articles by Collins and Friesen, which imagine Curt Muller as closely involved with the litigation with statements like, "In Portland, Oregon, in September, 1909, Curt Muller was not pleased." (1983b, p. 472). Or, "Muller engaged only the deaf and dumb - perhaps he felt they were less likely to complain to the labor commissioner" (Collins & Friesen, 1983b, p. 472). Similarly, but more eloquently, Johnston argues for a more prominent role of Muller in the litigation (2013).

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## REFERENCES

- (1902, April 27). To Go On Strike Monday. *Oregonian*.
- (1902, April 29). Laundry Strike On. *Oregonian*.
- (1902, July 10). Laundry Workers. *Portland Labor Press*.
- (1902, June 28). Big Fine for Union. *Oregonian*.
- (1902, June 5). Laundry Workers Union. *Portland Labor Press*.
- (1902, May 1). Laundryworkers on Strike. *Portland Labor Press*.
- (1902, May 2). Laundryworkers on a Strike. *Portland Labor Press*.
- (1903, April 17). Laundry Workers Union. *Portland Labor Press*.
- (1903, August 13). Boycotted. *Portland Labor Press*.

- (1903, August 14). The New Laundry. *Portland Labor Press*.
- (1903, July 17). Return to Work. *Portland Labor Press*.
- (1903, June 12). Spent Its Force. *Portland Labor Press*.
- (1903, June 19). To Open Laundry. *Portland Labor Press*.
- (1903, June 5). Around Town. *Portland Labor Press*.
- (1903, June 5). Support Laundry Workers. *Portland Labor Press*.
- (1903, May 18). Other Troubles. *Portland Labor Press*.
- (1903, May 24). Will Start Laundries. *Oregonian*.
- (1903, May 29). Another Chance. *Portland Labor Press*.
- (1904, February 5). Wheels Started. *Portland Labor Press*.
- (1905, April 28). Grand Laundry. *Portland Labor Press*.
- (1905, April 28). Portland. *Portland Labor Press*.
- (1905, August 12). Classifieds. *Oregonian*.
- (1905, January 13). Still a Union Laundry. *Portland Labor Press*.
- (1905, September 26). Laundrymen in Session Elect Officers and Have A Banquet. *Oregonian*.
- (1912, February 1). Help Wanted—Female. *Oregonian*.
- (1914, November 19). Laundries of State Listed. *Oregonian*.
- (1915, July 23). Laundrymen to Ask Chinese Exclusion. *Oregonian*.
- (1916, September 20). Laundrymen End Meet S. W. Lawrence and John Tait of Portland,  
Among Officers. *Oregonian*.
- (1923, November 22). Housewives Give 21,525 to Chest. *Oregonian*.
- (1927, March 27). Lincoln. *Oregonian*.

(1928, August 26). Portland Gaily Greet Own Ship, New Hamburg-American Liner Makes Maiden Trip. *Oregonian*.

(1929, January 31). Miss Lila Van Kirk to Speak. *Oregonian*.

(1933, August 22). Untitled. *Oregonian*.

(1950, February 24). Hans Curt Muller. *Oregonian*.

Abbot, C. (2011). *Portland in three centuries: The place and the people*. Corvallis, OR: Oregon State University Press.

Almaguer, T. (1994). *Racial fault lines: The historical origins of white supremacy in California*. Berkeley: University of California Press.

Bell, D. (1976). Serving two masters: Integration ideals and client interests in school desegregation litigation. *Yale Law Review*, 85 (4), 470-516.

Bernstein, D.E. (1999). Lochner, parity, and the Chinese Laundry Cases. *William and Mary Law Review*, 41 (1), 221-294.

Bottoms, D.M. (2013). *An aristocracy of color: Race and reconstruction in California and the West, 1850-1890*. Norman, OK: University of Oklahoma Press.

Brief for Defendant in Error, "Brandeis Brief," *Muller v. Oregon*, 208 U.S. 412 (1908). (No. 107). 1908 WL 27605.

Brief for Plaintiff in Error, *Muller v. Oregon*, 208 U.S. 412 (1908). (No. 107). 1908 WL 27605.  
*Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954).

Brown, K. (2008). *Foul bodies: Cleanliness in Early America*. New Haven: Yale University Press.

Chin, G. J., & Ormonde, J. (2018). The war against Chinese restuarants. *Duke Law Journal*, 67 (4), 681-741.

- Collins, R. K. L., & Friesen, J. (1983a). Looking back on Muller v. Oregon: Part I. *American Bar Association Journal*, 69, 294-298.
- Collins, R. K. L., & Friesen, J. (1983b). Looking back on Muller v. Oregon: Part II. *American Bar Association Journal*, 69, 472-477.
- Cott, N. (1987). *The grounding of modern feminism*. New Haven, CT: Yale University Press.
- Cott, N. (Ed.). (1993). *The history of the United States: Volume 7: Industrial Wage Work*. Munich: K.G. Saur.
- Cowan, R. S. (1983). *More work for Mother: The ironies of household technology from the open hearth to the microwave*. New York: Basic Books.
- Cushman, C. (Ed.). (2001). *Supreme Court decisions and women's rights*. Washington, D.C.: Congressional Quarterly.
- Davidson, C. (1982). *A woman's work is never done: A history of housework in the British Isles 1650-1950*. London: Chatto & Windus.
- De Armond, F. (1950). *The laundry industry*. New York: Harper.
- Elinson, E., & Yogi, S. (2009). *Wherever there's a fight: How runaway slaves, suffragists, immigrants, strikers, and poets shaped civil liberties in California*. Berkeley, CA: Heyday Books.
- Fenton, W. D. (n.d.). Labor Unions. (MSS 1507, Folder 2). Prose & Poetry, Oregon Historical Society, Portland, OR.
- FindAGrave.com. (1943). Birth Certificate for Edna Gotcher. Retrieved from <https://www.findagrave.com/memorial/69956184#view-photo=42533893>.
- FindAGrave.com. Entry for Ercey Belle "Emma" Yerian Gotcher. Retrieved from <https://www.findagrave.com/memorial/68280624/ercey-belle-gotcher/photo>.

- Goldin, C. (1993). The work and wages of single women, 1870 to 1920. In Cott, N. (Ed.), *The history of the United States: Volume 7: Industrial Wage Work*. Munich: K.G. Saur.
- Goldmark, J. (1953). *Impatient crusader: Florence Kelley's life story*. Urbana: University of Illinois Press.
- Harrison, C. E. (1988). *On account of sex: The politics of women's issues, 1945-1968*. Berkeley, CA: University of California Press.
- Hazen, D.W. (1932, October 18). It's the Birthday of Hans Curt Muller, Who Was Born in Saxony in 1877. *Oregonian*.
- Hoe, B. S. (2003). *Enduring hardship: the Chinese laundry in Canada*. Gatineau: Canadian Museum of Civilization.
- House Bill 39, Session Laws of Oregon. (1903). pp. 148-149.
- Hunter, Tera W. (1997). *To 'joy my freedom: Southern black women's lives and labors after the Civil War*. Cambridge: Harvard University Press.
- Johnson, E. G. Z. (1982). Protective legislation and women's work: Oregon's ten-hour law and the *Muller v. Oregon* case, 1900-1913. Dissertation, University of Oregon.
- Johnston, R. D. (2013). *The radical middle class: Populist democracy and the question of capitalism in progressive era Portland, Oregon*. Princeton, NJ: Princeton University Press.
- Kessler-Harris, A. (2003). *Out to work: A history of wage earning women in the United States, 20th anniversary edition*. New York: Oxford University Press.
- Kessler-Harris, A. (2007). *Gendering labor history*. Chicago: University of Illinois Press.
- Lansing, J. (2003). *Portland: People, politics, and power 1851-2001*. Corvallis, OR: Oregon State University Press.



- Leeson, F. (1998). *Rose City justice: A legal history of Portland, Oregon*. Portland: Oregon Historical Society Press.
- Lochner v. New York*, 198 U.S. 45 (1906).
- Malcolmson, P. E. (1986). *English laundresses: A social history 1850-1930*. Chicago: University of Illinois Press.
- Mayeri, S. (2011). *Reasoning from race: Feminism, law, and the civil rights revolution*. Cambridge, MA: Harvard University Press.
- McClain, C. J. (1994a). *Chinese immigrants and American law*. New York: Garland Pub.
- McClain, C. J. (1994b). *In search of equity: The Chinese struggle against discrimination in nineteenth-century America*. Berkeley, CA: University of California Press.
- Mohun, A. P. (1999). *Steam laundries: Gender, technology, and work in the United States and Great Britain 1880-1940*. Baltimore: John Hopkins University Press.
- Mohun, A.P. (1997). Laundrymen construct their world: Gender and the transformation of a domestic task to an industrial process. *Technology and Culture*, 38 (1), 97-120.
- Muller v. Oregon*, 208 U.S. 412 (1908).
- Multnomah County Marriage Index. (1885). Entry for William Gotcher. Retrieved from <http://gfo.org/resources/indexes/vital-records/marriage-index/1885-1889/glendening-w-r.html>.
- Multnomah County Marriage Index. (1897). Entry for William Gotcher. Retrieved from <http://gfo.org/resources/indexes/vital-records/marriage-index/1895-1899/gillespie-pearl-a.html>.

Multnomah County Marriage Index. (1904). Entry for Edward Yotcher. Retrieved from

<http://gfo.org/resources/indexes/vital-records/marriage-index/1900-1904/williams-marthe.html>.

Neuberger, R.L. (1934, August 5). Oregon's Great Contribution to the NRA: Muller vs. Oregon Case, Argued by Louis Dembitz Brandeis, Foundation for Present-Day Regulation of Hours of Labor. *Oregonian*.

Ngai, M. (2005). *Impossible subjects: Illegal aliens and the making of modern America*. Princeton, NJ: Princeton University Press.

Oregon, Births and Christenings, 1868-1929. Entry for Floyd Gotcher. Retrieved from

[https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=60106&h=58864&tid=116829095&pid=390158111190&usePUB=true&\\_phsrc=uVx429&\\_phstart=default&usePUBJs=true](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=60106&h=58864&tid=116829095&pid=390158111190&usePUB=true&_phsrc=uVx429&_phstart=default&usePUBJs=true).

Peiss, K. (1986). *Cheap amusements: Working women and leisure in turn-of-the-century New York*. Philadelphia: Temple University Press.

Portland City Directory. (1905). Retrieved from

[https://www.ancestry.com/interactive/2469/15492872?pid=995446639&backurl=https://search.ancestry.com/cgi-bin/sse.dll?indiv%3D1%26dbid%3D2469%26h%3D995446639%26tid%3D%26pid%3D%26usePUB%3Dtrue%26\\_phsrc%3DuVx421%26\\_phstart%3DsuccessSource&treeid=&personid=&hintid=&usePUB=true&\\_phsrc=uVx421&\\_phstart=successSource&usePUBJs=true#?imageId=40407\\_1821100517\\_0940-00012](https://www.ancestry.com/interactive/2469/15492872?pid=995446639&backurl=https://search.ancestry.com/cgi-bin/sse.dll?indiv%3D1%26dbid%3D2469%26h%3D995446639%26tid%3D%26pid%3D%26usePUB%3Dtrue%26_phsrc%3DuVx421%26_phstart%3DsuccessSource&treeid=&personid=&hintid=&usePUB=true&_phsrc=uVx421&_phstart=successSource&usePUBJs=true#?imageId=40407_1821100517_0940-00012).

Portland City Directory. (1914). Retrieved from

<https://www.ancestry.com/interactive/2469/14420135?pid=898937388&backurl=https://s>

[earch.ancestry.com/cgi-bin/sse.dll?indiv%3D1%26dbid%3D2469%26h%3D898937388%26tid%3D%26pid%3D%26usePUB%3Dtrue%26\\_phsrc%3DuVx423%26\\_phstart%3DsuccessSource&treeid=&personid=&hintid=&usePUB=true&\\_phsrc=uVx423&\\_phstart=successSource&usePUBJs=true](http://earch.ancestry.com/cgi-bin/sse.dll?indiv%3D1%26dbid%3D2469%26h%3D898937388%26tid%3D%26pid%3D%26usePUB%3Dtrue%26_phsrc%3DuVx423%26_phstart%3DsuccessSource&treeid=&personid=&hintid=&usePUB=true&_phsrc=uVx423&_phstart=successSource&usePUBJs=true).

Rhode, D. L. (1989). *Justice and gender: Sex discrimination and the law*. Cambridge, MA:

Harvard University Press.

Sanborn Map Company. (1908). Sanborn fire insurance maps. Portland, Oregon. Vol. 1, Sheets 27-8, 39. Retrieved from ProQuest's Digital Sanborn Maps, 1867-1970.

Sanborn Map Company. (1909). Sanborn fire insurance maps. Portland, Oregon. Vol. 1, Sheets 66; Vol. 2, Sheets 103, 105. Retrieved from ProQuest's Digital Sanborn Maps, 1867-1970.

Schneider, E.M. & Wildman, S.M. (Eds.) (2011). *Women and the law stories*. New York:

Thompson Reuters Foundation Press.

Shah, N. (2001). *Contagious divides: Epidemics and Race in San Francisco's Chinatown*.

Berkeley, CA: University of California Press.

Siu, P. C. P. (1987). *The Chinese laundryman: A study of social isolation*. New York: New York

University Press.

Stevens, T. (2003). *Brokers between worlds: Chinese merchants and legal culture in the Pacific*

Northwest 1852-1925. Dissertation, Princeton University.

Strausser, S. (1982). *Never done: A history of American housework*. New York: Pantheon Books.

Strebeigh, F. (2009). *Equal: Women reshape American law*. New York: W.W. Norton.

Thompson, E. P. (1966). *The making of the English working class*. New York: Vintage Books.

Transcript of Record, *Muller v. Oregon*, 208 U.S. 412 (1908). No. 107.

Trouillot, M. R. (1995). *Silencing the Past: Power and the Production of History*. Boston: Beacon Press.

U.S. Census Bureau. (1880). U.S. Federal Census, City of West Albany, County of Linn, OR.

Entry for William T. Gotcher. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=6742&h=14735703&tid=&pid=&usePUB=true&\\_phsrc=uVx395&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=6742&h=14735703&tid=&pid=&usePUB=true&_phsrc=uVx395&_phstart=successSource).

U.S. Census Bureau. (1900). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for Erzey Gotcha. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7602&h=68543220&tid=&pid=&usePUB=true&\\_phsrc=uVx396&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7602&h=68543220&tid=&pid=&usePUB=true&_phsrc=uVx396&_phstart=successSource).

U.S. Census Bureau. (1900). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for Esther Brooks. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7602&h=68579152&tid=&pid=&usePUB=true&\\_phsrc=uVx409&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7602&h=68579152&tid=&pid=&usePUB=true&_phsrc=uVx409&_phstart=successSource).

U.S. Census Bureau. (1900). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for Bertha Gehrke. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7602&h=45773657&tid=&pid=&usePUB=true&\\_phsrc=uVx410&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7602&h=45773657&tid=&pid=&usePUB=true&_phsrc=uVx410&_phstart=successSource).

U.S. Census Bureau. (1900). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for Eunice McLeod. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7602&h=68606651&tid=&pid=&usePUB=true&\\_phsrc=uVx418&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7602&h=68606651&tid=&pid=&usePUB=true&_phsrc=uVx418&_phstart=successSource).

U.S. Census Bureau. (1900). U.S. Federal Census. City of North Star, County of Brown, MN.

Entry for Emma Brunkow. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7602&h=27294512&tid=&pid=&usePUB=true&\\_phsrc=uVx408&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7602&h=27294512&tid=&pid=&usePUB=true&_phsrc=uVx408&_phstart=successSource).

U.S. Census Bureau. (1910). U.S. Federal Census, City of Denver, CO. Entry for Joseph C.

Hesselbrock. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7884&h=1989404&tid=&pid=&usePUB=true&\\_phsrc=uVx411&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7884&h=1989404&tid=&pid=&usePUB=true&_phsrc=uVx411&_phstart=successSource).

U.S. Census Bureau. (1910). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for Hans Curt Muller. Retrieved from <http://search.ancestrylibrary.com/cgi-bin/sse.dll?h=23382479&db=1910USCenIndex&indiv=try>.

U.S. Census Bureau. (1910). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for Elmer E. Gotcher. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7884&h=29914335&tid=&pid=&usePUB=true&\\_phsrc=uVx397&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7884&h=29914335&tid=&pid=&usePUB=true&_phsrc=uVx397&_phstart=successSource).

U.S. Census Bureau. (1910). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for William Gatcher. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7884&h=23360667&tid=&pid=&usePUB=true&\\_phsrc=uVx398&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7884&h=23360667&tid=&pid=&usePUB=true&_phsrc=uVx398&_phstart=successSource).

U.S. Census Bureau. (1910). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for John Gotcher. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7884&h=23458970&tid=&pid=&usePUB=true&\\_phsrc=uVx400&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7884&h=23458970&tid=&pid=&usePUB=true&_phsrc=uVx400&_phstart=successSource).

U.S. Census Bureau. (1910). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for Esther E. Reeves. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7884&h=170479259&tid=&pid=&usePUB=true&\\_phsrc=uVx415&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=7884&h=170479259&tid=&pid=&usePUB=true&_phsrc=uVx415&_phstart=successSource).

U.S. Census Bureau. (1920). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for Hans Curt Muller. Retrieved from <http://search.ancestrylibrary.com/cgi-bin/sse.dll?h=54751213&db=1920usfedcen&indiv=try>.

U.S. Census Bureau. (1920). U.S. Federal Census. City of McCleary, County of Grays Harbor,

WA. Entry for Edward Gotcher. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=6061&h=111362526&tid=&pid=&usePUB=true&\\_phsrc=uVx402&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=6061&h=111362526&tid=&pid=&usePUB=true&_phsrc=uVx402&_phstart=successSource).

U.S. Census Bureau. (1930). U.S. Federal Census, City of Portland, County of Multnomah, OR.

Entry for Hans Curt Muller. Retrieved from <http://search.ancestrylibrary.com/cgi-bin/sse.dll?h=109588538&db=1930usfedcen&indiv=try>.

U.S. Census Bureau. (1930). U.S. Federal Census, City of Salem, County of Marion, OR. Entry

for Eunice Rutherford. Retrieved from [https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=6224&h=109473560&tid=&pid=&usePUB=true&\\_phsrc=uVx420&\\_phstart=successSource](https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&dbid=6224&h=109473560&tid=&pid=&usePUB=true&_phsrc=uVx420&_phstart=successSource).

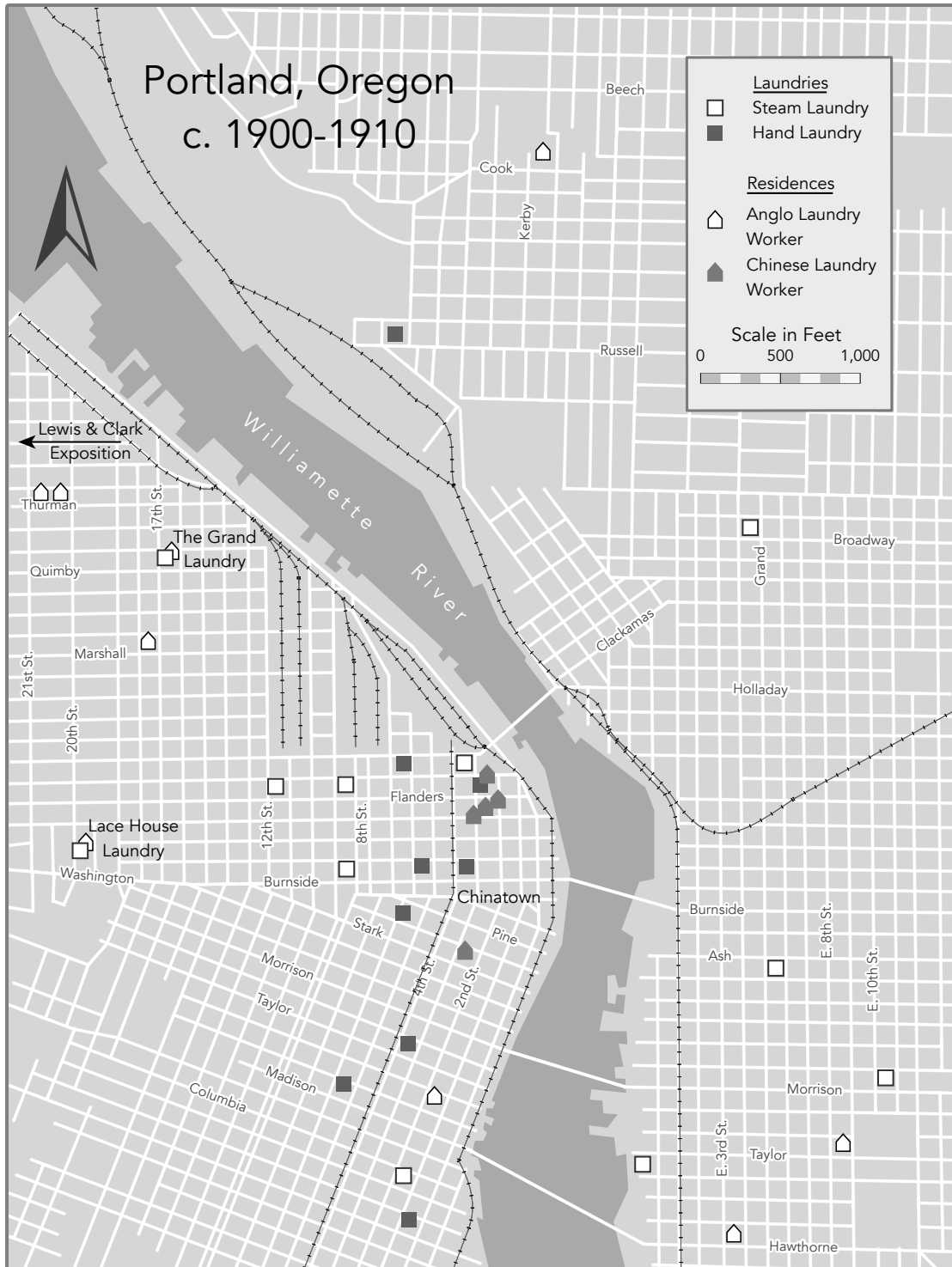
University of Oregon. (1928). *Oregana*. p. 311.

University of Oregon. (1929). *Oregana*. p. 297.

Wang, J. (2002). Gender, race and civilization: The competition between American power

laundries and Chinese steam laundries, 1870s-1920s. *American Studies International*, 40 (1), 52-73.

- Wang, J. (2004). Race, gender, and laundry Work: The roles of Chinese laundrymen and American women in the United States, 1850-1950. *Journal of American Ethnic History*, 59-99.
- Woloch, N. (1996). *Muller v. Oregon: A brief history with documents*. Boston: St. Martin's Press.
- Woloch, N. (2015). *A class by herself: Protective laws for women workers, 1890s-1990s*. Princeton: Princeton University Press.
- Wunder, J. R. (1983). The Chinese and the courts in the Pacific Northwest: Justice denied? *Pacific Historical Review*, 52 (2), 191-211.
- Yick Wo v. Hopkins*, 118 U.S. 356 (1886).



Map 1. Portland, Oregon, c. 1900-1910.