

The Life Of Ezra Decoto Jr.



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Introduction

Ezra William Decoto Junior was the son of local pioneer, Ezra Decoto, and part of the family that gave its name to the town of Decoto. Ezra Decoto Jr. served the University of California, Alameda County and the State of California from 1900 to 1948. Although forgotten now, during his days, he was a well known figure in Oakland and Alameda County.

Growing Up in Decoto

Ezra's father, Ezra Decoto Sr., came to California in 1854. He farmed in San Leandro and Mt. Eden, each time making a good profit when he sold the land. In 1867 he and his brothers, John and Adolphus, purchased three hundred and thirty four acres of land from Jonas Clark, in what is now known as Decoto (Union City). The brothers speculated that when the railroad came through Niles it would eventually go north, through their land, making the value increase. In 1871 the brothers sold two hundred and eighty-four acres to Decoto Land Company, a corporation founded to lay out the town of Decoto.

Ezra Decoto, Sr., kept his home in Decoto, to live and to farm. He married Janet Lowrie and had eight children the girls, Lizzie, Mary, Janet, and Alvena, and the boys, Charles, Peter, Ezra (Jr.) and Luis. Ezra (Jr.), the second to last child, was born in February of 1876 on the farm in Decoto.



Decoto Grammar School



Washington Union High School

Ezra grew up in Decoto, attending Decoto Grammar School and then Washington Union High School in Centerville (Fremont), the only high school in the township. While at Washington Union High School, Ezra Jr. played football, along with others like James & Jack Whipple, Billy Patterson and Jack Blacow. Leland Cutler, who came along a few classes after Ezra Jr. described football as one without any forward pass and where teams had to make 5 yards in three downs. There was also the rule that the tackled player was not down until he cried out "down." Ezra graduated in 1894, as part of the third graduating class of the high school. The class of 1894 only had 8 students. Others who graduated with Ezra were Laura Thane and James

Whipple, who later married, and Charles and Joseph Jarvis, cousins.

College & Graduate Manager

Ezra started classes at the University of California at Berkeley in the fall of 1896. In March 1899 he was selected as one of ten finalists to represent U. C. Berkeley on the intercollegiate debating team. Ezra was a member of the Psi Upsilon fraternity and the Golden Bear Senior Society. At the start of his senior year, he was nominated by the Associated Students of U. C. Berkeley to manage the school track team.



University of California at Berkeley about 1900

Ezra contributed a song to the University of California Song Book. It is sung to the tune of a ragtime song called "My Anne Elizer," by Malcolm Williams. The lyrics are:

The Guys

*Here come the Stanford guys,
We'll give them a surprise
And, open both their eyes,
Teach them football.
Blue and Gold can never fail,
You can't twist the bear's tail;
We are from California.*

While in college Ezra was still active in his home community of Decoto. He played the part of "Prosper Couramont" in the play "A Scrap of Paper", held at the Decoto grammar school. Also in the play were Zadie and Ella Whipple, and Ezra's brother, Louis.

Ezra graduated from U. C. Berkeley in the late spring of 1900 at the age of 24. He continued as the manager of the track team and led the team on a trip to the east coast for track meets. The trip took the 10 track team members, a trainer, and Ezra to track meets at Yale, Chicago and Mott Haven. The team did not do well at the meets. They felt that they were outclassed and the long travel affected their conditioning. Upon their return Ezra declared, "Fellows! I took the track team east and made a failure of it!". Despite the poor showing, the write up in the University of California press was positive about Ezra:

"The simple directness of the statement is indeed indicative of a manly spirit that defies criticism. Seeing his team goes down in defeat again and again, urging them on in hope of victory, and finally uttering this frank confession, is evidence enough that the University of California is indeed fortunate in having had a man whose interest in his team and his college was so strong that their defeat seemed his failure. Would that this spirit of kinship might permeate the whole University, and that there might be many more such failures as were made by Ezra Decoto."

While in college Ezra started dating Neva Todd Jarvis. In May, 1901, Ezra and Neva Jarvis announced their engagement. Neva was a graduate of Oakland High School and University of California. Neva is the daughter of Howard Jarvis for whom Jarvis Landing was named. Ezra went to high school with Neva's brothers, Charles and William. Charles was a common visitor to the Decoto home in Decoto.

In the fall of 1901 Ezra became the Graduate Manager of the U. C. Berkeley Bears football team. He communicated with different universities and arranged the team game schedule. The salary for the football team graduate manager was \$100 a month. The University of Oregon asked Ezra to have the Bears play in Portland on Thanksgiving day. The offer included a guarantee of the expenses of 15 team members or half the receipts for the game. Playing on the 1901 football team was Luis Decoto as backup quarterback. After football season Ezra went back to managing the track team for the spring.

In 1903 Ezra was back organizing the games for the Cal Bears football team. In early 1904 both the Colorado School of Mines at Boulder and the University of Utah both proposed hosting a game with Berkeley on Thanksgiving. The Colorado School of Mines offered \$1,000, and the University of Utah offered \$700.

In April 1904 Ezra faced competition for the position of Graduate Manager. Ezra narrowly edged out Audubon Woolsey with a vote of 417 to 409. With this vote he held the position for two more years.

In May 1904 the Glee and Mandolin Clubs of U. C. Berkeley were planning on making a trip to the St. Louis Exposition. Ezra traveled ahead as advance agent and to arrange concerts for the groups. On Thanksgiving, 1904, Ezra traveled with the U. C. Berkeley Bears football team for a game against the University of Washington in Seattle.

In December 1904 Ezra reported to the Associated Students of the University of California on the funds brought to the school by the groups that he managed. The total was \$33,436.87 with the football team accounting for \$23,262.15.

In March 1905 Ezra conferred with his counterpart at Stanford University to make arrangements for a Cal-Stanford Regatta. Ezra favored holding the race in the Oakland estuary and Stanford favored Stockton. In August 1905 Prentiss Gray, President of the Associated Students at U. C. Berkeley, appointed Ezra as a member of the Intercollegiate Agreement Committee.



Moving to the Law

While acting as graduate manager, Ezra continued as a student at the University of California. In the fall of 1900 Ezra started graduate school at the University of California Hastings Law School in San Francisco. He graduated from law school in the spring of 1902. When Ezra started the law school was located at Pioneer Hall at the corner of Montgomery and Gold Streets. In 1901 the school moved to space in the newly built San Francisco City Hall.

While in law school Ezra was appointed to the position of Superintendent of the Oakland evening schools and kept that position until 1903. In October 1902 Ezra passed the bar exam and started his own law practice in Oakland at his office at 1106 Broadway. In 1914 when John U. Calkins Jr. graduated from law school and he joined Ezra's practise.



San Francisco City Hall where the Hastings Law Schools was located

Probation Officer

By August 1903 Ezra was appointed the first probation officer in Alameda County by Judge Ellsworth. In 1903 the California legislature directed all California courts to appoint probation officers. Ezra was paid \$50 a month, and he would "visit the courts twice a week and do what he could toward securing probation in some cases." In one case he handled the probation of Albert Fourst, who pleaded guilty to stealing a bicycle because he was hungry. He was given probation and a two year suspended sentence.



In his first year Ezra reported that "113 juveniles cases had been placed in his charge and 45 cases of culprits over 16 years of age. Of these, only 5 had been unworthy of the trust reposed in them and had been sent to prison."

Alameda County Courthouse in 1905 In May 1905 Ezra took the probation case of twenty-year old Eugene Legros, who served four months in jail for stealing a bicycle. Ezra took an interest in Eugene and had him hired at the Decoto family farm in Decoto, providing him with gainful employment and away from "the temptations of crowded cities."

Frankie Conley, 13, was in the custody of the City Hall Jail for 45 days while it was determined what best to do with him. Frankie, picked up for loitering, was questioned about where he lived and said that he was an orphan and had recently lived in the "Indian Territory". He provided the address of a relative in Reno, Nevada. The police tried to contact the relative in Reno but did not hear anything back. This caused Frankie to remain in jail. The matter was then given to Ezra Decoto. Frankie was transferred to the Receiving Hospital, in the Childrens' Ward with Warden James Page, where he was put up for adoption.

Prosecuting Attorney

In November 1906 Everett J. Brown was elected as Alameda County District Attorney. He appointed four Assistant District Attorneys, including Ezra Decoto. In January 1907 Ezra was appointed as Prosecuting Attorney of Police Court No. 1. In February 1907 the work load as Probation Officer was such that it required a full time position along with a deputy. Ezra, with his work in the District Attorney's office, had to resign his position of Probation Officer.

In October 1907 Ezra prosecuted a number of Chinese men in the killing of Lee Hong. They were being represented by Fred Clift, a retired judge.

In November 1908 Ezra recommended the probation of Dorris Wickham, an 18 year old who had stolen a suit of clothes from Mrs. O. Shallenburg. She was released to the care of Miss McCall of the Catholic Ladies Aid Society.

In August 1909 Ezra requested the Oakland City Council pass an ordinance on licensing "nickelodeons and penny arcades". There were complaints about crooked games and Ezra talked about the problems that the police had with closing the Seventh Street nickelodeon. If an ordinance was passed and the nickelodeons were licensed, then there could be tighter controls on their operation.

In March 1912 Ezra framed an ordinance that makes it a misdemeanor to possess lottery tickets. The ordinance was brought before the Oakland City Council.

In August 1913 during a court session, Ezra made a statement to defense attorney Howard Harron that Harron had "the reputation of being one of the biggest crooks going in your profession." Attorney Harron took offense to the comment and filed a slander suit for \$10,000. In December of 1913, the suit came to trial, with the defense calling 30 witnesses (who have had previous dealings with Harron) including Justice Frank Kerrigan. In January 1914 Judge Arnot dismissed the case on a motion made by the attorney representing Harron.

One case that came to Ezra was that of Paul Briquet. He swore out a complaint against his landlady, Mary Phelan, who was in possession of Briquet's wooden leg. Briquet related the tale to Ezra; "When I awoke this morning I found it was gone and I know that Mrs. Phelan has taken it. I need it in my work and was unable to report today. I am lost without it and hope that you will have pity on me and get it back." Mrs. Phelan was holding the wooden leg in lieu of back rent.

In another case Ezra was in court prosecuting Thomas B. Henry, who was accused of being a swindler. Henry was represented by Attorney J. Colvin. It seems that Ezra had waved his finger a little too close to Mr. Colvin during arguments. Colvin said that he regretted that both men were not in a boxing ring, where Colvin could properly respond to what he had seen as an insult by Ezra. Judge Morimer Smith replied to Colvin's remarks by saying "This is a courtroom and there are certain rules to be followed. If this conduct is repeated the offenders will go to jail for contempt of court."

In the February 6th, 1918, edition of The Oakland Tribune a tale was told of Ezra Decoto and Attorney Lin Church. Church was the son of August Church, the first Alameda County County Clerk and years later he was a Justice of the Peace in Livermore. That tale goes as follows:

Attorney Lin S. Church is not a particularly profane man. Yet if you wish to hear a certain vehemence and originality in "cussing" it is only necessary to ask him if he knows "Antone Gomes."

Gomes is one Ezra Decoto, District Deputy Attorney and sometime Exalted Ruler of the Elks, and the possessor of a genial laugh and irrepressible humor. One day while Church was waiting to try a case in Police Judge Mortimer Smith's court, Decoto went into an adjoining room and had Church called to the telephone. Decoto is able to simulate an inimitable Portuguese accent. Here is the conversation:

"Hello...this Mist' Church? This Antone Gomes...Yes Antone Gomes, you know me, Mist' Church. Yes, I want you to make court for \$6,000 for me. Come down and see me...yes."

"Well, I'm pretty busy this afternoon, I can't come and see you now. Who did you say this was?"

"Oh Mist' Church, you know me, Antone Gomes, you Gomes...Antone Gomes..."

"Oh, yes," Church answered doubtfully, He then had to listen to a long rigmarole about a cow and a horse and a barn and \$6,000, finally ending in a request to come to see him. Church asked for directions to the place, and Decoto had a beautiful time giving these directions. It took about twenty minutes and contained minute explanation of each step of the way. Some of it follows:

“You go out other side Hayward about two miles...you know that big red house...stand near road about quarter mile off the road...you know...turn to the left and go up a little hill. You know that pig ranch up by that hill...yes...well you don't stop there, that Joe Souza place. You go right on down hill, cross little creek, turn to right and go up big hill. Way up top on hill you find little white chicken-house. That's where I live...goodbye”

When Decoto came back into the room Church was still sitting with the telephone receiver in one hand and running his other hand through his hair.

“You know me, Mist' Church,” said Decoto...”Antone Gomes.”

It was then that Decoto learned the extent of Church's vocabulary. It is only necessary to ask Church about Antone Gomes now to bring forth a new and startling line of invective.

Life outside of the Courts

In October 1908 Ezra purchased a lot in Oakland and took out a permit to construct a two-story home on the property at 340 Bellevue Avenue, north of Van Buren. The cost was estimated to be \$5,000. The San Francisco Call ran a short article about an issue that Ezra had building his home:

There was once a prosecuting attorney in Oakland, Ezra Decoto by name, and while Ezra was building him a house a thief broke in and stole his bath but, that is, his future bath tub. Ezra like Solomon, complained to the police, but he got no sympathy. If it had been his late bath tub things might have been different. Sympathy grows on tombstones, but a live prosecutor flouted by a thief packing off a porcelain tub is meat for gibes. Solomon and Ezra have lost their tubs, and neither is dead enough that we should put in mourning.

Ezra was active the community, especially in the local Elks lodge. In October 1911 Ezra played the position of first base for the baseball team of the Oakland Elks, lodge No. 171, in a game against the Elks lodge in Berkeley. Three years later he was elected Esteemed Leading Knight of the same Oakland Elks lodge. In February 1916 Ezra was the Exalted Ruler of the lodge and he led the Grand March at the seventh annual ball of the Elks Lodge.

Ezra was still remembered back in Southern Alameda County. In June 1916 Ezra gave the Commencement speech at Washington Union High School, where he had graduated 22 years earlier.

In 1916 Ezra and his wife, Neva, bought a new house just down the street from their first house. The new house was 392 Bellevue Avenue, and this house was to be his residence for the rest of his life.

District Attorney

Ezra was appointed as a prosecuting attorney by District Attorney Everett Brown, who left office in 1908. William Donahue took over the office and served until 1912. William H. L. Hines then became the District Attorney until he left office in April of 1916 before his term of office ended. Ezra Decoto Jr. was appointed to be the next District Attorney of Alameda County by the Alameda County Board of Supervisors.

In 1919 Ezra asked the State legislature for authorization for an additional deputy for his office. A number of Alameda county politicians wanted a legislative staffer, Earl Warren, to get the job. They would authorize the job only if Ezra hired Warren. Ezra already had someone in mind for the job, Wade Snook, who was already trained for the position. The politicians were firm: either hire Warren, or there would be no funding for the new position.

To break the deadlock, Earl Warren called Ezra and said that he had no part in forcing his employment on Ezra and said that he was withdrawing his name. Ezra thanked Earl and told him that he would keep him in mind if another position opened up. True to his word, when Deputy District Attorney Hamlin left the District Attorney's office in April 1920, Ezra appointed Earl Warren as Hamlin's replacement.



Earl Warren (left) and Ezra Decoto

About the same time that Earl Warren came into the office, Ezra was involved in a criminal case against a member of the Communist Labor Party. The Party had held a political convention in Oakland in late 1919. Dolsen, Snyder, Reed, Toby and Ragsdale were being prosecuted under the California Criminal Syndicate Law, a law used in the red scares in the 1920's and the 1950's. James Dolsen's trial was documented in the book "In Defense of a Revolutionist", written and published by James Dolsen. During his trial he represented himself and used the trial as a forum for discussion of the position of Communism. In the end, the jury was not able to reach a unanimous decision, and Ezra made the motion to dismiss the charges.

Since the District Attorney's position is an elected position, Ezra had to face re-election in 1922. He was running against H. L. Hagan and T. L. Christianson. Ezra did well back in his native Washington Township and County wide. In Washington Township he had 1,637 votes with 242 for Christianson and 308 for Hagan. At the County level Ezra won easily with 57,703 votes. Hagan came in a distant second with 14,681 votes and Christianson with 7,917 votes.

In January 1923 Ezra started proceedings to deal with a section of Alvarado called "Little Tiajuana", formerly known as "Chinatown". It was a row of buildings on the north side of Smith Street that was the location of illicit bars, Prohibition was still in place, and brothels. Ezra used the red light abatement law against two brothels, at 10 and 15 Smith Street, run by Ramona Aldena and Maria Valdez, respectively. The suit also named the landowner, Edward L. Farley. In the end, the abatement proceedings did not do any good and the illegal doings in Little Tiajuana kept on going for a number of years. It was Earl Warren who really finished the job in 1926.

In 1925 Ezra was appointed to the State Railroad Commission by Governor Richardson. He had to resign as District Attorney before he would take his place on the Railroad Commission. Earl Warren was appointed as District Attorney, serving the remaining 2 years of Ezra's term.

Railroad Commission

The Railroad Commission was created to put some control over the Southern Pacific Railroad and a number of smaller railroads. It later took over the duties of regulating public utilities, such as water, electric, and gas providers. With regulating the different utility companies, the Railroad Commission used the courts to sue the providers into compliance, or the utility companies sued the Railroad Commission for having too many regulations. Ezra was listed in a number of court cases due to his position on the Railroad Commission.

The Commission met in San Francisco, so it was fairly easy for Ezra to catch a ferry from Oakland to San Francisco. After two years on the Commission, he was elected as President of the State Railroad Commission. Ezra's time on the Commission was fairly short, just 6 years, as he resigned from the Commission, effective December 31, 1930, to return to his private law practice full time. Two years previously, Joseph St. Sure resigned from the District Attorney's office to join Ezra in his law practice. Joseph was the son of Adolupus St. Sure, a friend of Ezra. It was Ezra who hired Joseph into the District Attorney's office in 1925.

While serving on the Commission Ezra was active in the community. On June 16th, 1926, Ezra gave the commencement speech at Decoto Grammar School. The ceremony was also the dedication of the new Grammar school. Given his position in the community, it was only natural that he would officiate over the opening of the new Grammar school named for his family. In 1926 there were eleven students graduating from the school.

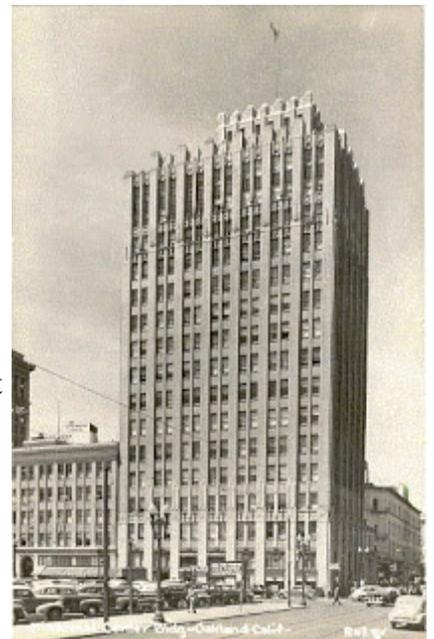
For his work with the University of California, Ezra was initiated into the "Big C" Society in January of 1926. The "Big C" Society was formed in 1908 and was made up of University of California students and alumni who had earned a varsity letter while representing the University in intercollegiate sports.

Private Practice

While on the Railroad Commission, Ezra still had his law practice with St. Sure, which continued for years. Their office was the 1400 Financial Center Building, located at 405 14th Street, Oakland. The phone number was HIgate-3131.

On February, 18, 1931, Neva Jarvis Decoto passed away from influenza, at Providence hospital. She was 55 years old. Just 7 months after the passing of his first wife, Ezra remarried. Ezra and Gladys Lorraine Girard (the former Mrs. Evan E. Grayson) were married on July 18, 1931. Gladys, age 36 at the time of the marriage, had two daughters Ezra Decoto adopted, Janet Lorraine, born in 1923, and Mary Lou, born in 1926.

While working in private practice, Ezra kept himself busy by giving talks to local groups like the Oakland Rotarian Club and the San Leandro Rotary Club. In December 1932 Ezra was elected President of the Southern Alameda County Shrine Club. He was elected President of the Kiwanis club in 1940.



Financial Center Building

In May 1934 Washington Union High School held a reunion for all graduating classes, honoring the class of 1894. Of the eight graduates, five of them, including Ezra attended.

Superior Court Judge

In October 1941 Ezra was appointed to the position of judge for the Alameda County Superior Court by Governor Earl Warren. Ezra replaced Judge Lincoln S. Church, who was retiring. On November 14, Ezra was sworn in to office by Presiding Judge T. W. Harris. Ezra served in the Juvenile division of the Superior Court. There is very few newspaper reports on the cases that he handled.

Ezra's two adopted daughters were married in the the 1940's. Janet married James Daniel Nordahl in 1943, and Mary married Webster Martin Jessup in 1945.

Ezra died on April 6, 1948, at the age of 72 and was buried with the rest of the Decotos at Cypress Cemetery in Decoto, now know as the Chapel of the Chimes Cemetery.



New Alameda County Court House

