

## El Modena Historic Context Statement

### *Introduction*

El Modena, a small enclave about three miles east of downtown Orange, evolved from a Quaker village into a citrus-farming Mexican-American barrio over the course of its nearly 120-year history (refer to Figures 1-7). In the late 19<sup>th</sup> century, the community enjoyed a brief boom as the Quaker Friends congregation settled on Chapman Avenue at Esplanade Street, near a stop on the Orange, McPherson and Modena streetcar line. When originally settled, El Modena was clustered around Chapman Avenue, Center, Esplanade, and Alameda Streets with Chapman Avenue functioning as the main commercial artery.

David Hewes, a wealthy landowner, owned a fruit packing company in El Modena, and the capitalist financed much of the area's early development. Starting in the 1910s, many Mexicans, attracted by the growing citrus industry and fearful of civil unrest in Mexico, moved to the El Modena area, and soon the busy neighborhood, isolated from downtown Orange by acres of citrus groves, took on the character of its new inhabitants. Although the working-class residents of El Modena faced economic and social challenges in the 1920s, 30s, and 40s, including a major citrus workers strike in 1936 and the forced segregation of Mexican-American and Anglo schoolchildren, the close-knit community thrived. In the late 1940s, El Modena's segregated Lincoln and Roosevelt schools, located at the intersection of Chapman Avenue and Hewes Street, served as people's Exhibit A in a landmark local segregation lawsuit. The resulting case, *Mendez v. Westminster*, eventually led to Mexican-Anglo integration of southern California schools, and served as an important precedent to the Supreme Court *Brown v. Board of Education* of 1954. As the City of Orange expanded east, eventually incorporating major parts of El Modena, many original residents moved away, and some older buildings were demolished, altered, or converted to new uses.

Today, the town has largely been incorporated into the City of Orange, although the northern portion of the original town remains unincorporated. Chapman Avenue, running east-west, continues to act as the main commercial artery with numerous mini-malls and national chain restaurants and stores. The primary north-south streets in the neighborhood include Esplanade, Hewes, Alameda, and Earham. These streets are largely commercial in the block immediately north and south of Chapman Avenue but as they move away from Chapman their residential character increases. In general, the neighborhood is predominantly residential with small lots and one- or two-story homes with a spattering of multi-unit apartment buildings. Although the residential character of the neighborhood has changed very little over the years, few of the remaining buildings attest to the rich history of El Modena for a new generation of Mexican-Americans.

### *Beginnings: 1870 – 1890*

The area now known as El Modena was originally located on the Spanish land grant of *Rancho Santiago de Santa Ana*.<sup>1</sup> Other early development in the area included the town of Orange, first platted in 1870 by Los Angeles lawyer Alfred B. Chapman,<sup>2</sup> and to the east, McPherson,

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<sup>1</sup> City of Orange historic resources survey, historic context statement for El Modena, 1982, np.

<sup>2</sup> National Register of Historic Places Inventory—Nomination Form, The Plaza Historic District, City of Orange, August 2, 1982.

developed for grape production by the McPherson brothers from New York State in 1872.<sup>3</sup> Later, land developers Oge and Bond “acquired a large area of level land on a mesa or highland between the foothills and a low escarpment that bordered the mesa on the west.”<sup>4</sup> This area would eventually become El Modena. The developers extended the new Chapman Avenue to the east and began selling parcels along its frontage for farming.<sup>5</sup> Soon they created Center Street, just north of and parallel to Chapman Avenue, and the north-south streets of Esplanade and, a quarter-mile east, Alameda (later Hewes Street). San Francisco millionaire and philanthropist David Hewes<sup>6</sup> (Figure 8) bought hundreds of acres of property in the area around 1885, settling into a new home he named Anapauma (“place of rest,” Figure 9), and beginning development of a large citrus ranch.<sup>7</sup>

Meanwhile, the cross-country expansion of the railroad system and its inexpensive fares made balmy southern California even more attractive and accessible to Americans nationwide. Many began calling southern California the “New Italy” or the “Italy of America” because of the region’s mild weather and fertile soil.<sup>8</sup> One migratory group inspired by tales of this fruitful region was a small band of Quakers, who were members of a congregation called the Society of Friends located in Thornton, Indiana.<sup>9</sup> This group, which filled an entire rail car, left Indiana on September 15, 1882 bound for southern California.<sup>10</sup> This group settled around Chapman Avenue at Alameda Street, and was soon joined by other Midwestern settlers from Kansas, Nebraska, and Missouri. By 1886, there were 400 people, many of them Quakers, in the area, along with 18 homes.<sup>11</sup>

On November 11, 1886, the new Society of Friends church incorporated under the name of Earlham Monthly Meeting of Friends, after Earlham College, a Quaker institution founded in 1847 in Richmond, Indiana.<sup>12</sup> The Friends then held a meeting to decide on a name for their new settlement. Three names were considered: Earlham, after Earlham College; Whittier, after the Quaker poet John Greenleaf Whittier; and Modena, after an Italian village<sup>13</sup> known for its description in a Samuel Rogers poem published in 1830.<sup>14</sup> William P. Brown, one of the original settlers from Indiana, favored this last name, which he had seen in Rogers’ Romantic poem *Italy*, which read in part, “Should you ever come by choice or chance to Modena,…” Brown felt

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<sup>3</sup> Meadows, Don. “A Friendly Community Near the Foothills,” (First National Bank of Orange County, 1973), np.

<sup>4</sup> Meadows np.

<sup>5</sup> Meadows np.

<sup>6</sup> David Hewes (1822-1950) was known primarily for providing the “golden spike” for the ceremony that commemorated the final east-west connection of newly-laid transcontinental railroad tracks, in what was then Utah Territory (“David Hewes Left His Mark” <<http://www.foothillcommunities.org/history/David-Hews.html>>).

<sup>7</sup> City of Orange Public Library Local History Collection <<http://localhistory.cityoforange.org>>.

<sup>8</sup> Evans, Ruth C. “A Children’s History of the Orange Unified School District Communities,” (Presented to the Faculty of California State University, Fullerton, 1984); and Evans, Ruth C. with Mr. Cole’s 6<sup>th</sup> period U.S. History class, “‘A’ Is Now OK In El Modena,” El Modena High School, 13 June 1968.

<sup>9</sup> Early residents included the families of Abel, Cyrus, and William Frazier (1883, from Indiana), W. Burnett, and Louisa Frazier (1884, from Lawrence, Kansas). Other early community members included Lloyd and Mahlon Stubbs, Henry O. Way, Curtis Way, and William P. Brown. This is information is from: Patterson, Mrs. Wright A. “History of Friends Church in El Modena is Interesting Narrative,” *Orange Daily News*, 28 November 1949.

<sup>10</sup> Seelve, Howard. “El Modena Friends to Move to New Church,” *The [?] Times*, date unknown.

<sup>11</sup> Meadows np.

<sup>12</sup> Patterson np and Seelve.

<sup>13</sup> Evans, Cole/class 1-2.

<sup>14</sup> Eberle-Sinatra, Michael. “Romanticism on the Net” <<http://users.ox.ac.uk/~scat0385/rambles.html>>.

the name appropriate because it echoed the group's perception of their new home as the "New Italy." The rest of the Friends were convinced by Browns argument and chose the name, Modena, for the new settlement. In 1887, Brown laid out the first Modena tract, and the name of the town appeared to be settled.<sup>15</sup> However, when the Friends sought official recognition of their new town name, the post office rejected it. Officials claimed it was too similar to the names of other communities in California, Modesto and Madera. The Friends had no choice but to settle on their second preference, Earlham. The Earlham, California post office opened on March 2, 1887, although residents still preferred to call their town Modena. In order to use the preferred name, in early 1888, the Friends had the idea to add the prefix "El" to the town's original name of "Modena" in order to avoid confusion with other towns. Postal officials relented, and the post office branch name was officially changed to El Modena on January 25, 1888.<sup>16</sup>

The town enjoyed a brief boom in 1887 and 1888. In December 1887, the Friends completed construction of a new meeting house, commonly called Friends Church (Figure 10). The new structure boasted an authentic Italian bell – donated by local land owner David Hewes – which had been "brought around the Horn by ship and hauled overland to [Modena] from the harbor at Newport Beach."<sup>17</sup> A scant nine days after it was installed, however, a strong Santa Ana wind, possibly aided by the significant weight of the bell, toppled the church tower.<sup>18</sup> The Friends recovered, collecting money and rebuilding the church. In 1888, shortly after the name "El Modena" was officially recognized by the U.S. Postal Service, the Orange, McPherson and Modena railroad opened (Figure 11). The local horse powered, four-wheel streetcar connected the three communities for the fare of five cents.<sup>19</sup> Also in January 1888, near the top of Tom Thumb Hill (southeast of the town center, Figure 12), entrepreneurs began construction on a grand tourist hotel, the El Modena Hotel, also known as the Hotel Blount (Figure 13).<sup>20</sup> Other new additions to bustling Modena in 1888 included a livery stable (on Center Street at Alameda, which doubled as the railroad stop), blacksmith shop (Figure 14), grammar school (on the corner of Chapman Avenue and Alameda Street, on land donated by Hewes, Figure 15), as well as general stores and residences, some elaborately constructed (Figure 16).<sup>21</sup> A newspaper, the *El Modena Record*, began printing across the street from the railroad stop in a rush to keep up with all the activity.<sup>22</sup>

As with many western towns, El Modena's boom would not last. The expected number of settlers did not materialize, and real estate values in the area dropped. Town lots either went unsold, or foreclosed. El Modena "farmers who had sub-divided their property re-possessed their holdings and returned the land to agriculture."<sup>23</sup> By November 1888, the *El Modena Record* stopped production after 31 issues, for lack of advertising.<sup>24</sup> Construction of the Hotel

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<sup>15</sup> Evans, Cole/class, 4.

<sup>16</sup> Brigandi, Phil. *Orange: The City 'Round the Plaza* (Encinitas: Heritage Media Corporation, 1997) 37-38.

<sup>17</sup> Seelve np.

<sup>18</sup> Seelve np.

<sup>19</sup> Meadows, np. The horses are said to have ridden a platform on their way downhill from the more elevated El Modena (City of Orange historic context statement, np), much like the "gravity mule car" in Ontario, on Euclid Avenue.

<sup>20</sup> Brigandi 37; City of Orange historic context statement, np; City of Orange Library Local History Collection.

<sup>21</sup> Meadows np.

<sup>22</sup> Meadows np.

<sup>23</sup> Meadows np.

<sup>24</sup> Meadows np. David Hewes stored the printing materials on his ranch.

Blount was completed, but after struggling financially for a year, the hotel burned to the ground in November 1889.<sup>25</sup> The Orange, McPherson and Modena railroad, the third and final horse-driven railway in Orange County,<sup>26</sup> ended service after a flood in January 1890 destroyed its tracks across Santiago Creek, and the trestle was never rebuilt. The nearby town of McPherson was also suffering a reversal of fortune: a mysterious disease killed almost every grape vine in the community, resulting in total failure of the 1888 crop. Unlike El Modena, McPherson failed to survive this setback and the town was eventually abandoned.<sup>27</sup>

### *Changing Character: 1890s – 1930s*

Although El Modena went from boom to bust in a few short years, the town survived, mainly through a gradual change of character and economic focus. Near the turn of the century, El Modena established itself as a fruit growing area. Land that was originally planted in grape vines, was divided into 10 and 20 acre lots where ranchers planted apricots, walnuts, lemons, and several varieties of orange trees. Eucalyptus trees were also common in the area, and soon dusty El Modena was surrounded by acres and acres of vegetation.<sup>28</sup> By 1898, David Hewes' ranch and fruit packing company set agricultural records in the area, harvesting 100 acres of prunes and processing 1,000 barrels of olives.<sup>29</sup> Hewes continued to invest in El Modena, consistently hiring residents to work at his ranch and packing plant, and creating a public park near the town center.

In 1905, the elegant Hewes Park (Figures 17 – 19), designed by Robert G. Fraser,<sup>30</sup> designer of the famous Busch Gardens in Pasadena, opened to residents of El Modena at the corner of Esplanade Avenue and La Veta Street.<sup>31</sup> The park addition no doubt bolstered El Modena's reputation as the "Pasadena of Orange County," as it was described in an early 1900s real estate placard for the town (Figure 20):

EL MODENA THE PASADENA  
OF ORANGE COUNTY  
UNSURPASSED FOR LOCATION  
CLIMATE, HEALTH & HOMES.  
THE PLACE FOR WINTER GARDENING BERRIES  
VEGETABLES, CITRUS & DELICIOUS FRUITS  
GOOD SOIL AND WATER.  
PRICES RIGHT. BUY WHILE YOU CAN.

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<sup>25</sup> Meadows np; Brigandi 37.

<sup>26</sup> City of Orange historic context statement.

<sup>27</sup> Meadows np.

<sup>28</sup> Meadows np.

<sup>29</sup> City of Orange historic context statement.

<sup>30</sup> Robert Gordon Fraser (c. 1860-1946) was a Scottish born and educated (University of Edinburgh) gardener who came to the United States in the 1880s. Fraser came to California with his wife, Alice in 1886. In his lifetime, Fraser was best known for his design of Adolphus Busch's celebrated Busch Gardens, surrounding the Midwestern beer tycoon's elaborate private home (1903, 1001 South Orange Grove Avenue, Pasadena). Fraser is credited with designing the property's complex landscape, which eventually grew to more than seven acres and included a private river. According to Anheuser-Busch corporate records, the gardens were developed at a cost of more than \$3 million, and necessitated between 30 to 50 gardeners to maintain the property. The lush landscaping of Busch Gardens was second only to nearby San Marino's Huntington Gardens in terms its massive scale and exotic plantings. In 1905, Fraser started work designing Hewes Park. (Telephone interview with Gary Cowles, local historian and noted Robert Fraser expert, by Francesca Smith, 17 November 2004.)

<sup>31</sup> City of Orange Library Local History Collection.

By backing the town financially, David Hewes helped El Modena develop and survive beyond its initial boom. Hewes Park served the community until the 1940s (when it was sold to private interests), and the grammar school existed at least until the late 1920s.<sup>32</sup> This school was replaced with the Lincoln Elementary School (Figure 21) which was constructed at the corner of Chapman Avenue and Hewes Street in 1913.<sup>33</sup>

In 1910, issues with the “El Modena” name again surfaced, as a “language purist” demanded that the town’s name be changed to “El Modeno,” so that the name would be grammatically correct.<sup>34</sup> As had been the case when the post office dubbed the town Earlham, area residents continued to refer to the town as “El Modena,” even though the official postal name was changed to “El Modeno” in February 1910.<sup>35</sup>

Two international events had a significant impact on El Modena in the 1910s: the Mexican Revolution and World War I.<sup>36</sup> The Mexican Revolution began in November of 1910, when Francisco Madero, political opponent to Mexican dictator General Porfirio Díaz Mori, organized an armed uprising against the Díaz regime. The ensuing violence would last over a decade, during which time a million Mexicans, or ten percent of the population, were killed. As violence related to the revolution intensified, many Mexican families began coming to the United States, seeking refuge from the chaos in Mexico. World War I also encouraged Mexican immigration to the United States. When the U.S. entered World War I in 1917, men across the country were drafted into the war effort, and the El Modena area was no exception. As a result, the fruit harvesting work force dwindled, providing opportunity for hundreds of Mexican immigrants. Upon their arrival in the area, many Mexicans worked for ranchers and farmers as farm laborers but soon many purchased land and started their own businesses.<sup>37</sup>

Although the Quaker presence in El Modena continued, by the 1920s the town began to take on a distinctly Mexican character, developing its own small Mexican neighborhoods. These sub-communities included “El Pirripe, north of Chapman Avenue and named after an area bakery; Hollywood, south of Chapman Avenue; and La Paloma in the hills [south of Palmyra Avenue].”<sup>38</sup> In 1916, a small chapel was built by Mexican pastors from the Methodist Church (Figure 22).<sup>39</sup> Around 1924, another small chapel was constructed on Alameda Street, the beginning of La Purisima Mission, later known as the La Purisima Catholic Church.<sup>40</sup> Around 1929, a small western false-front market was constructed by the Moreno family, one of the oldest families in El Modena. The market, called “La Morenita,” is located at the corner of Washington Avenue and Earlham Street.<sup>41</sup>

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<sup>32</sup> City of Orange Library Local History Collection.

<sup>33</sup> City of Orange Library Local History Collection lists a different elementary school, Roosevelt, as constructed in 1913 in El Modena, however cross-reference with “Mendez v. Westminster: A Look at our Latino Heritage, <[www.mendezvwestminster.com](http://www.mendezvwestminster.com)>,” reveals that Roosevelt was constructed in 1923, suggesting that Lincoln was in fact the school constructed in 1913.

<sup>34</sup> Brigandi 37-38.

<sup>35</sup> Brigandi 37-38; Evans 58; Evans, Cole/class 2. There is some discrepancy over the exact date of the name change; Evans lists the date as February 10, 1910, while Evans, Cole/class uses February 25 of the same year.

<sup>36</sup> Climaco, Clare. “Familiar Faces,” *Orange County News*, 2 October 1997: A1; Meadows np.

<sup>37</sup> Evans 57; Meadows np.

<sup>38</sup> Chin, Jit Fong. “El Modena Pride,” *Orange City News*, 23 January 2003.

<sup>39</sup> Brigandi 102.

<sup>40</sup> Tierre, E.L. “El Modena Mexicano documented by UCI team” *Orange City News*, 18 August 1982.

<sup>41</sup> Single unmarked page (87) possibly from architectural guide to Orange by Phil Brigandi.

In interviews, members of the Moreno family have recalled what life was like in “old” El Modena, from the 1920s through 1950s.<sup>42</sup> According to these interviews, many Mexican-American El Modena families worked in packing houses and orchards in the nearby neighborhoods of Villa Park, Placentia, and Orange. While some women worked in the packing houses, flatbed trucks came in the early mornings to pick up male laborers, who picked oranges for four-and-a-half cents per box, with their children – often affectionately called “ratones,” or “little rats” – sometimes picking beside them to make extra money. Groves and groves of orange, lemon, avocado, and eucalyptus trees surrounded El Modena,<sup>43</sup> making the town feel like a “vacuum,” isolated from the surrounding world.<sup>44</sup> Early housing in the area consisted of small, poorly constructed shacks, often rented for \$7-\$10 per month, that made for cramped, quickly deteriorating conditions.<sup>45</sup> Several of this type of small, wood frame residences appear to remain extant along Montgomery Place. According to a former resident, drinking water was hard to come by, as only one family supplied it from a cast-iron pipe.<sup>46</sup> Later, some of the Mexican-American farmworkers in El Modena moved into small bungalows, modeled after the somewhat larger contractor-built types located in downtown Orange. These bungalows, some of which exist in modified forms today, typically had clapboard siding, gabled roofs, and small entry porches.<sup>47</sup>

Another fact of life in El Modena was segregation. After Roosevelt Elementary School (Figure 23) was constructed in 1923, on the lot adjacent to the existing elementary school, the local school district began enrolling Anglo<sup>48</sup> students in the new school, reserving the older Lincoln Elementary for Mexican-Americans.<sup>49</sup> Roosevelt was similar in design to Lincoln, but was constructed of brick instead of wood, and included higher ceilings and two bell towers.<sup>50</sup> The new curriculum at Lincoln focused on manual and vocational training, such as needlework and home economics, and included a modified annual class schedule for children who worked in the fields through late September.<sup>51</sup> In the 1930s, concerned Anglos called for classes at Mexican-American schools to focus on personal care,<sup>52</sup> and soon general “Americanization” programs began which taught English, “home management,” and hygiene.<sup>53</sup> Segregation was not limited

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<sup>42</sup> Tierre np; Pepper, Ann. “El Modena reunion to recall gentle era,” *The Orange County Register*, 19 September 1995, B1.

<sup>43</sup> Former El Modena resident videotaped in “Remembrances of El Modena, 50/100<sup>th</sup> Celebration,” City of Orange.

<sup>44</sup> Pepper B1.

<sup>45</sup> Gonzalez, Gilbert. *Labor and Community: Mexican Citrus Worker Villages in a Southern California County, 1900-1950* (Urbana: University of Illinois Press, 1994) excerpted in Brigandi 101.

<sup>46</sup> Chin np.

<sup>47</sup> City of Orange historic context statement.

<sup>48</sup> The term “Anglo” here refers to White, or Caucasian. In some sources “Anglo” may refer to non-Hispanic people. Students at Roosevelt School often included Anglos, in addition to light-skinned Mexican-Americans and Asians.

<sup>49</sup> “El Modena Notes,” *Orange Daily News*, 19 March, 1923. Stanford Library, Special Collection, Box 2, Folder 2. Note that all references to the Stanford Library Special Collection are from <[http://www.mendezvwestminster.com/\\_wsn/page2.html](http://www.mendezvwestminster.com/_wsn/page2.html)>.

<sup>50</sup> “El Modena has new school ready for use,” *Orange Daily News*, 4 April, 1923. Stanford Library, Special Collection, Box 2, Folder 2; Figures 21 and 23; Brigandi 103.

<sup>51</sup> Quintana, Annie. Oral interview by Chris Arriola, 26 July 1991. Stanford Library, Special Collection Arriola Papers, Box 3 Folder 2; “Outlying Schools Opening Tuesday Ready for Work,” *Orange Daily News*, 8 September 1923. Stanford Library, Special Collection, Box 2, Folder 2.

<sup>52</sup> Gunther, O.E. Letter to Board of Supervisors, 29 June, 1937. Stanford Library, Special Collection, Arriola, Box 3.

<sup>53</sup> Brigandi 102.

to schooling: Mexican-American children could only use the local public pool on Mondays because it was drained on Monday night and Mexican-American baseball teams were not allowed to play in the public parks.<sup>54</sup>

### *Challenges and Triumphs: 1930s – 1950s*

Two events defined the 1930s and 1940s in El Modena: the Citrus Strike of 1936, and the *Mendez v. Westminster* court case officially ending school segregation in the area in 1946-1947. Fruit picking, the fundamental way of life for many Mexican-Americans in El Modena, was difficult work, and disagreement often broke out between picking crews and their employers, the fruit growers and packing houses. Pickers took issue with their low wages, the growers' frequent withholding of payment until after the harvest, and on-the-spot firing, which was not uncommon. By the 1930s the pickers had begun to organize, and shortly before the 1936 Valencia orange picking season, Celso Medina, an El Modena resident, was elected chief organizer for the major pickers union, the *Confederación de Campesinas y Obreros Mexicanos* (Confederation of Mexican Peasants and Workers). Medina held meetings all around Orange County in an effort to rally support for union demands. On June 11, 1936, after the growers refused to meet with union representatives, the "largest strike in the history of the citrus industry" began, as "nearly 3,000 pickers across Orange County walked out during the height of Valencia season."<sup>55</sup> The growers frantically hired replacement workers, along with armed guards to protect them. When the growers continually refused to meet with the pickers, violence broke out and over 100 strike leaders were arrested. On July 27, 1936, the strike finally ended, when the Mexican Counsel in Los Angeles helped negotiate a settlement that granted slightly higher wages and an end of withholding payment to the pickers. These successes were short-lived, however, because in the wake of the strike, growers changed their employment approach and started hiring outside picking crews, eventually leading to a system of seasonal employment for Mexican nationals rather than the Mexican-American laborers residing in Orange.<sup>56</sup> Another impact to farm laborers in El Modena was that by the late 1940s, citrus farming in the area immediately surrounding El Modena diminished. Land that had been agricultural was developed to feed the post-World War II housing boom and soon many new homes, often small single-family bungalows or bungalow courts (Figures 24 – 25), were constructed in place of the fruit groves.

In the 1940s, Mexican-Americans in Orange County rallied behind another cause, this time in protest of school segregation. Like the Citrus Strike, this fight would at times center around El Modena. As older generations of Mexican-Americans in El Modena began to send their children through local schools, many took issue with the forced segregation. While some lighter-skinned Mexican-American children "passed" for Anglo and attended Anglo schools, most Mexican-American children (some the brothers and sisters of "passing" children) were limited to the more vocational curricula of segregated schools.<sup>57</sup> In Westminster, a town about 15 miles west of El Modena, Gonzalo Mendez, a successful tenant farmer, along with a group of Mexican-American World War II Veterans, filed a lawsuit in federal court challenging school segregation in four

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<sup>54</sup> Gobbel, Marge and JD. Oral interview by Christopher Arriola, 15 August 1991. Stanford Library, Special Collection, Box 3, Folder 2.

<sup>55</sup> Brigandi 100.

<sup>56</sup> Brigandi 100-104.

<sup>57</sup> Rememberances of El Modena; Arriola, Chris. "Knocking on the Schoolhouse Door: Mendez v. Westminster, Equal Protection, Public Education, and Mexican Americans in the 1940's" *La Raza Law Journal*, Vol. 8, No.2 (Berkeley: Boalt Hall School of Law, 1995).

Orange County school districts (Westminster, Santa Ana, Garden Grove, and El Modena).<sup>58</sup> The 1945 suit, filed on behalf of 5,000 Mexican-American children<sup>59</sup> with help from the League of United Latin American Citizens (LULAC),<sup>60</sup> sought a court injunction that would order integration of schools in the Westminster, Santa Ana, Garden Grove, and El Modena school districts. While Gonzalo Mendez left his farm to work on the case and meet with attorneys, his wife Felicitas ran the farm, allowing workers to take time off to testify, and taking care of their children.<sup>61</sup>

Mendez had a strong case. Physical conditions as well as curricula in the segregated schools were clearly separate and unequal. Nowhere was this more apparent than in El Modena, where the segregated Lincoln and Roosevelt schools sat side-by-side, making an easy comparison. A short hundred yards – a few ball fields – separated Mexican-Americans at Lincoln from greater opportunity and higher quality of education and materials at Roosevelt (Figure 26).

The lawsuit maintained that Mexican-American schoolchildren were excluded from “attending, using, enjoying, and receiving the benefits of the education, health, and recreation facilities of certain schools within their respective districts and systems,” while “other schools are maintained, attended, and used exclusively and for persons and children purportedly known as White or Anglo-Saxon children.”<sup>62</sup> Federal District Judge Paul McCormick<sup>63</sup> ruled in favor of Mendez, asserting that segregation “foster[s] antagonisms in the children and suggest[s] inferiority among them where none exists.”<sup>64</sup> The decision was quickly appealed, and the case moved to the 9<sup>th</sup> Circuit Court of Appeals in San Francisco. Recognizing the possibility of the case reaching the Supreme Court and yielding results on a national scale, several minority groups came out in support of Mendez, penning *amicus curiae* or “friend of the court” briefs. Authors of these briefs included Thurgood Marshall for the National Association for the Advancement of Colored People (NAACP), American Jewish Congress, American Civil Liberties Union, National Lawyers Guild, Japanese-American Citizens League, and California Attorney General Robert W. Kenny.<sup>65</sup> The briefs strengthened Mendez’s case, and on April 14, 1947, the circuit court ruled that “school districts could not segregate on the basis of national origin.”<sup>66</sup>

Just before the decision, an article in *The Nation* declared that “[o]nly a refusal by the school districts to an appeal from an adverse decision by the Ninth Circuit Court or an extremely narrow interpretation of the issues in the Supreme Court can prevent this case from making judicial and social history.”<sup>67</sup> However, *Mendez v. Westminster* would never reach the Supreme Court because the school system did not appeal the circuit court’s decision. In addition, the 9<sup>th</sup> Circuit upheld the District Court opinion on the grounds that the students’ 14<sup>th</sup> Amendment right to equal protection under the law had been violated because of class discrimination, as opposed

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<sup>58</sup> Arriola, Christopher J. “A Landmark Little Noted – Until Today,” *Los Angeles Times*, 14 April 14 1997.

<sup>59</sup> Lozano, Mimi, editor. “Somos Primos: Dedicated to Hispanic Heritage and Diversity Issues” (October 2002, <[www.somosprimos.com/spoct02.htm](http://www.somosprimos.com/spoct02.htm)>)

<sup>60</sup> Cooke, W. Henry. “The Segregation of Mexican-American School Children in Southern California,” *School and Society*, Volume 67, Number 1745, (Claremont (Calif.) Graduate School, 5 June 1948).

<sup>61</sup> Lozano.

<sup>62</sup> Cooke 421.

<sup>63</sup> Arriola (*La Raza*) 185.

<sup>64</sup> Brigandi 104.

<sup>65</sup> McWilliams, Carey. “Is Your Name Gonzalez?” *The Nation* 164: 302-4, 15 March 1947, 302; Butler, Bill. “El Modena ruling changed school segregation policy,” *Orange City News*, 27 June 1984.

<sup>66</sup> Arriola (*Los Angeles Times*).

<sup>67</sup> McWilliams 302.



to racial.<sup>68</sup> This eschewing of the race issue may have prevented the case from obtaining wider recognition. The case did have far-reaching effects in and around California, however, setting a national precedent by ending legal segregation of Mexican-Americans in the Southwest.<sup>69</sup> And in the wake of *Mendez*, California Governor Earl Warren – who would go on to write the decision in *Brown v. Board of Education* in 1954 as Chief Justice of the Supreme Court – pushed the state legislature to repeal laws segregating Asian and Native American schoolchildren.<sup>70</sup> The case also affected El Modena’s ethnic makeup. As integration slowly commenced, many disgruntled Anglo families moved away, settling in newly drawn school districts that were often “re”-segregated.<sup>71</sup>

### *Recent Past: 1960s – Present*

In the early 1960s, El Modena residents, citing lack of earthquake safety, petitioned to have both the Lincoln and Roosevelt schools demolished. By 1965, both schools were destroyed.<sup>72</sup> In 1967, the original Friends congregation of El Modena moved to the corner of Rancho Santiago Boulevard and Bond Avenue, about a mile north of the Friends Church on Chapman Avenue.<sup>73</sup> Later, the Moreno family, who continue to own La Morenita market at 4304 Washington Avenue, converted the old Friends church into a Mexican restaurant and bakery called *Moreno’s*.

The question of the town’s name came up again in 1970. The local telephone directory identified the community as El Modena, while the postal branch used El Modeno. The issue was resolved after a dedicated group of students at El Modena High School (opened in 1966, north of Chapman Avenue near Esplanade) provided the post office with grammatical proof that “El” and “Modena” could indeed go together.<sup>74</sup> Yet again, the post office relented, and restored the town’s official name to “El Modena.”<sup>75</sup>

In 2000, in the tradition of *Mendez*, another group of students from El Modena High School were involved in a 14<sup>th</sup> Amendment court case. After the Orange Unified School District prevented members of a student group called the Gay-Straight Alliance from meeting on school grounds, the students protested, and a U.S. District Court judge ruled in their favor.<sup>76</sup>

### *Conclusion*

In the 1960s and 1970s, the ever-growing City of Orange annexed areas surrounding El Modena, but the original town proper, north of Chapman Avenue, continues to this day as an unincorporated part of Orange County. Over the years, El Modena grew with Orange. New stores and restaurants were added to Chapman Avenue, and new homes, including small bungalows and bungalow courts, were constructed over all the original fruit groves. A number of relatively unaltered, small, wood-framed bungalows are scattered throughout the

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<sup>68</sup> Arriola (*La Raza*) 198.

<sup>69</sup> Arriola (*La Raza*) 207.

<sup>70</sup> Arriola (*Los Angeles Times*).

<sup>71</sup> Arriola (*La Raza*) 200-201.

<sup>72</sup> Arriola (*La Raza*) 204; McCann, Tom. “The El Modena Story: How ‘Safe’ Are ‘Unsafe’ School Buildings?” *Orange Daily News*, 10 September 1962.

<sup>73</sup> Brigandi 37.

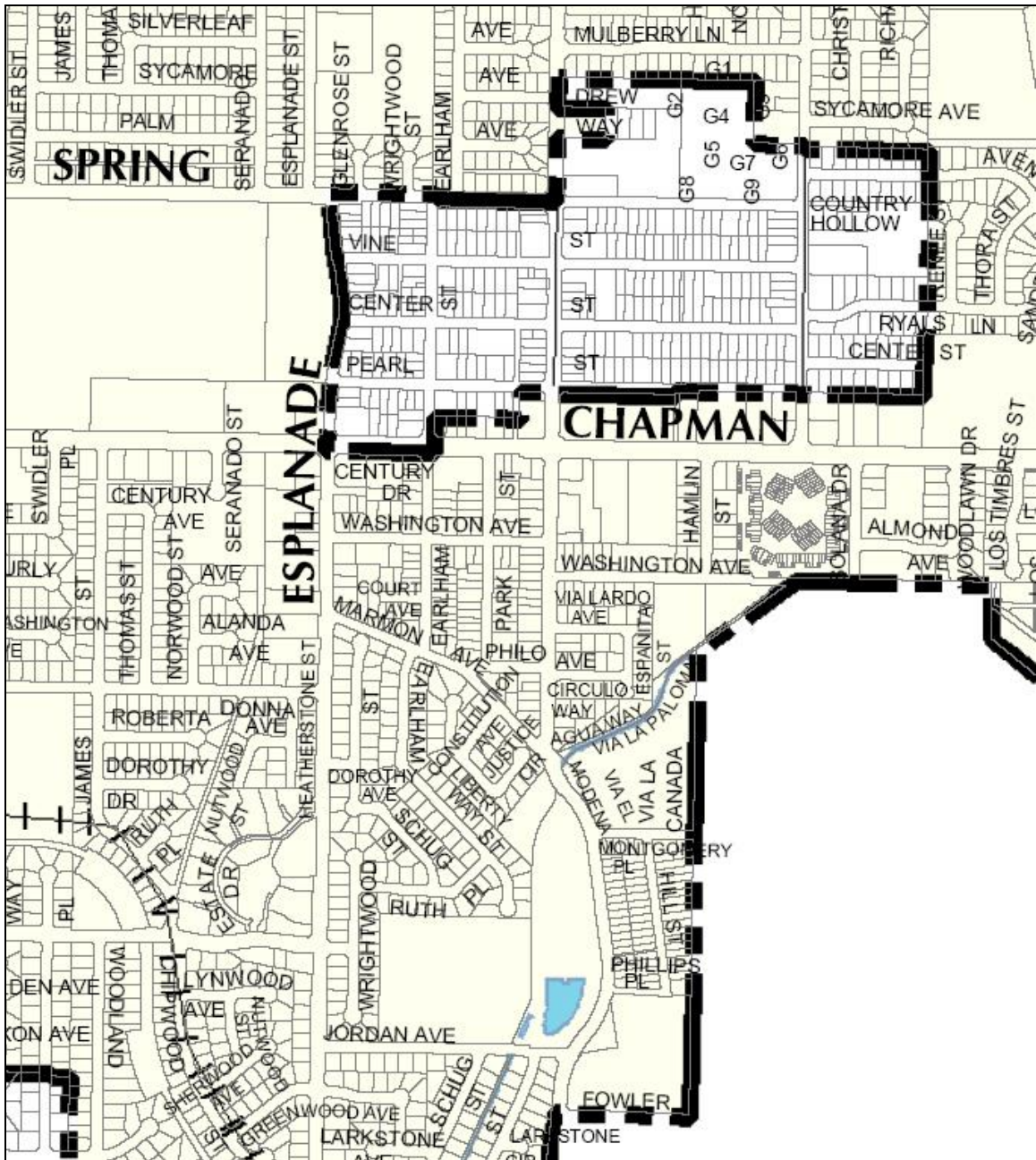
<sup>74</sup> Snelling, Dave. “Triumphant Students Change Name of El Modena,” *Santa Ana Register*, 1 April 1970.

<sup>75</sup> Brigandi 37-38.

<sup>76</sup> Lambda Legal, “Judge Rules El Modena High Gay-Straight Alliance Must Be Allowed to Meet,” 4 February 2000 <<http://www.lambdalegal.org/cgi-bin/iowa/documents/record?record=566>>.

neighborhood, including an eight-building bungalow court on Hewes Street at Montgomery Place. The footprint of Hewes Park remains at the intersection of La Veta Avenue and Esplanade Street, although the park has since been sold off into private lots. Small expanses of unaltered open space still exist to the south and east of El Modena, although almost all of the former agricultural areas have been developed. Jordan Elementary School (1962), the Prospect School (1966), and the El Modena Branch Library (1978) were constructed in the southern part of El Modena, covering more open space, although significant pockets of undeveloped land still exist in the area. Despite numerous additions and alterations to the area's older homes, the single-family, working-class residential character of El Modena remains. In addition, although El Modena no longer resembles the Quakers' balmy new frontier, the dusty barrio of the Mexican Revolution, or the citrus center that spawned an historic court case, the Friends Church and La Morenita market, resting just a block apart on Earham Street, still recall the rich history of this multifaceted community.

*FIGURES*



**Figure 1:** Map of El Modena. Colored area is part of the City of Orange; areas in white are unincorporated parts of Orange County.



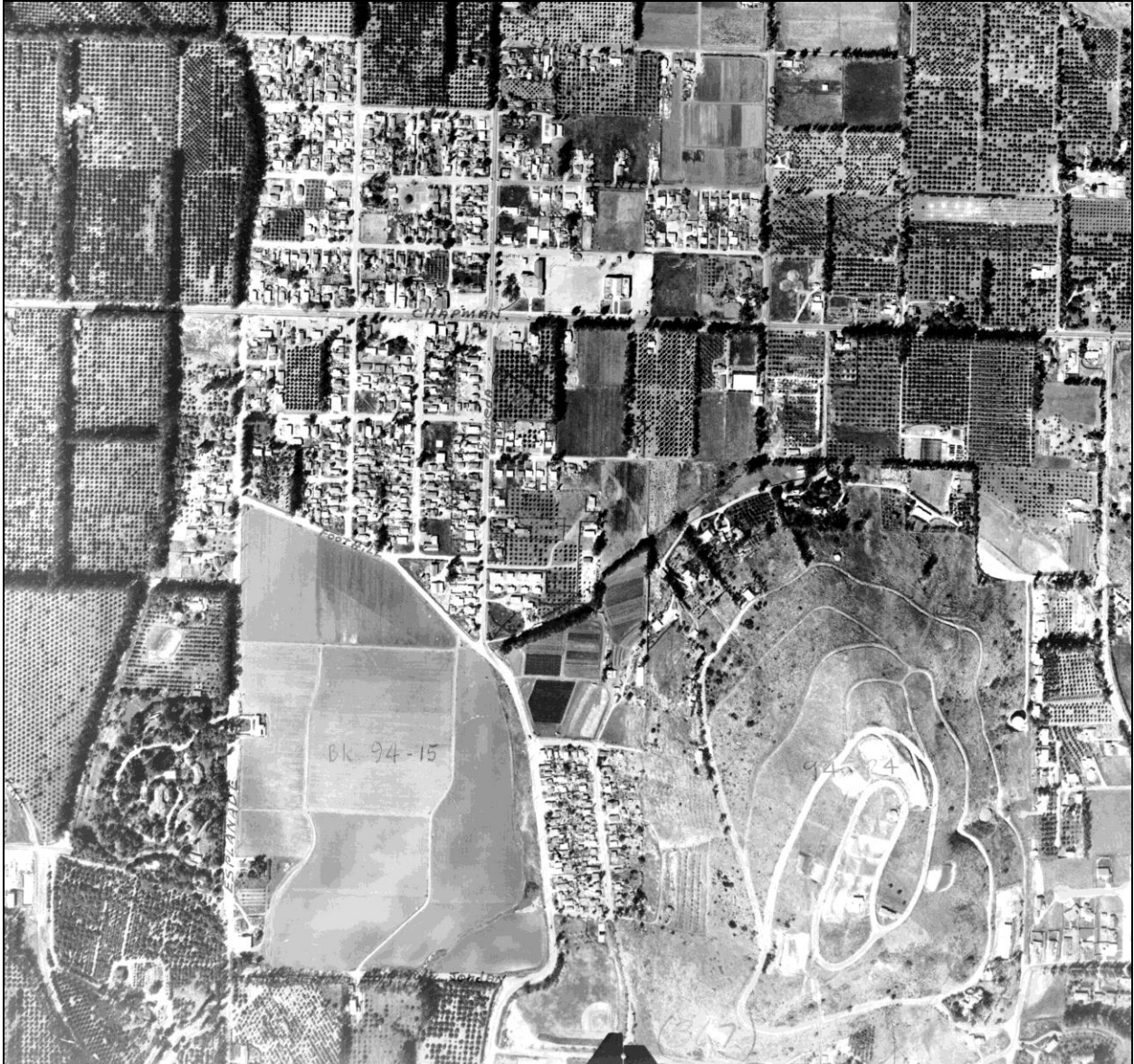
**Figure 2:** Aerial view of El Modena, 1938. Note Hewes Park at middle left, Chapman Avenue running east-west at middle-top (Orange County Archives).



**Figure 3:** Aerial view of El Modena, 1955. Note housing infill over some fruit groves (Orange County Archives).

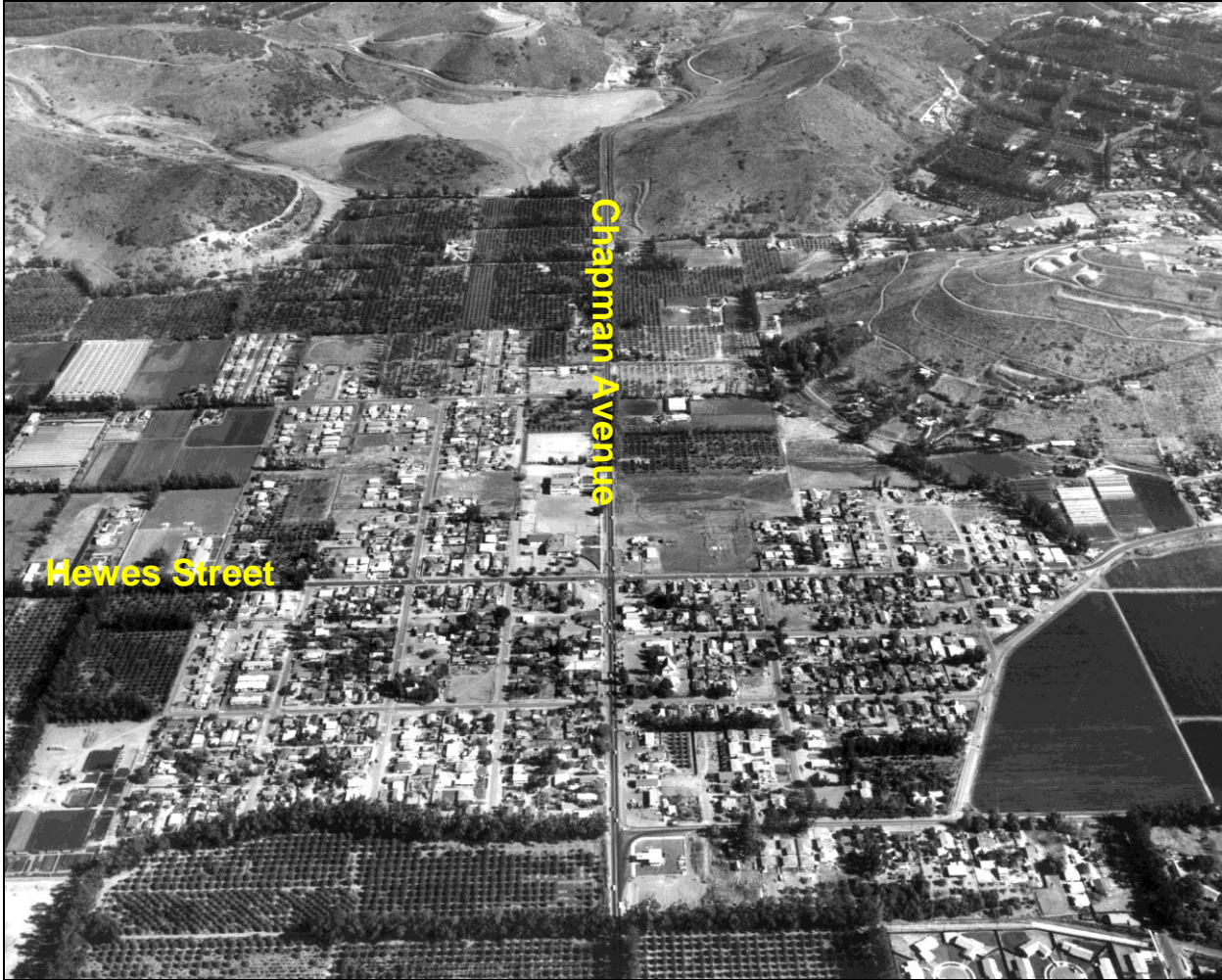


**Figure 4:** Aerial view of El Modena, May 13, 1956 (Whittier Fairchild Aerial Photography Collection).

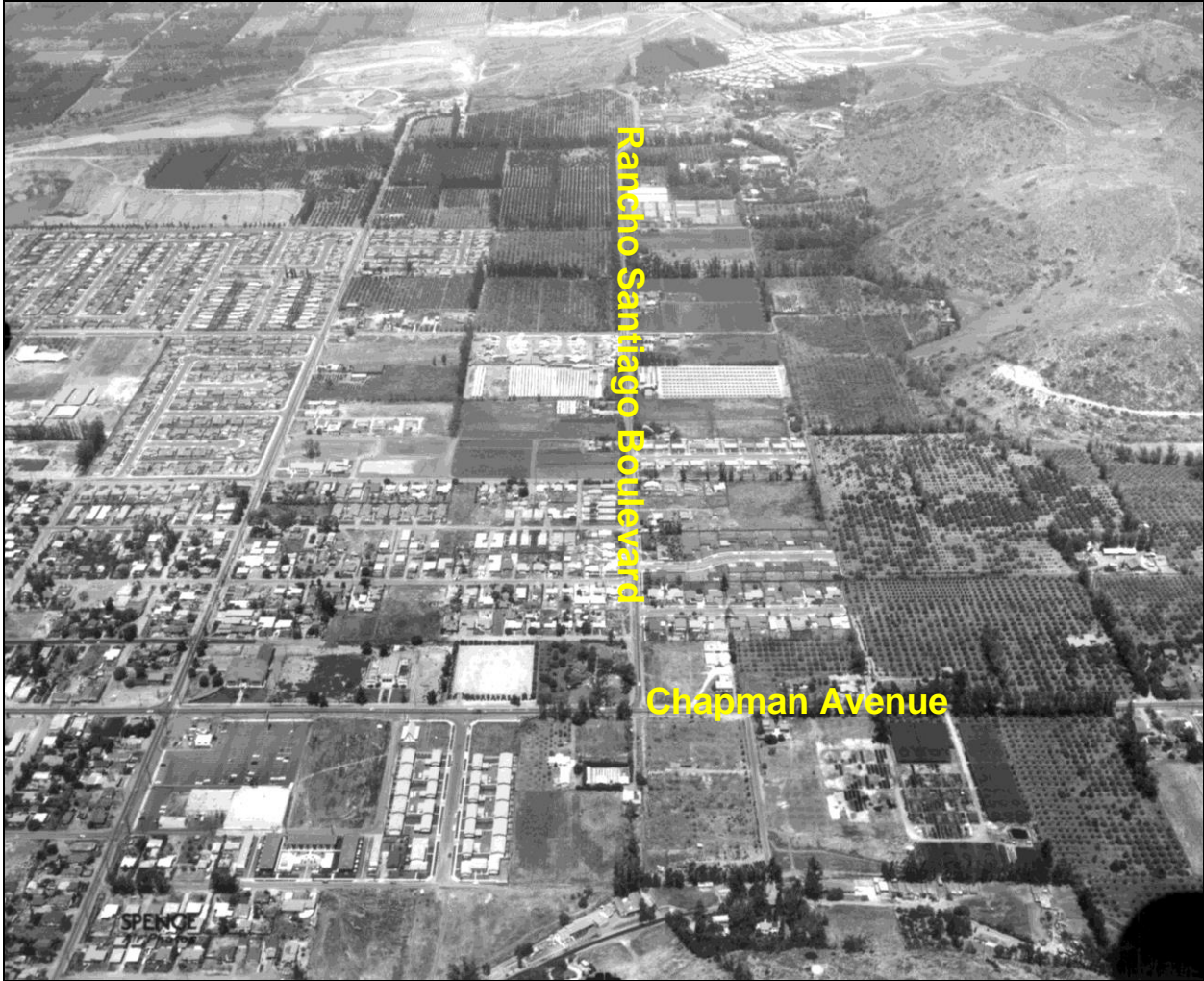


**Figure 5:** Aerial view of El Modena, 1959 (Orange County Archives).





**Figure 6:** Aerial view of El Modena, view east, November 17, 1962 (UCLA Air Photo Archives).



**Figure 7:** Aerial view of El Modena, view north, May 17, 1965 (UCLA Air Photo Archives).



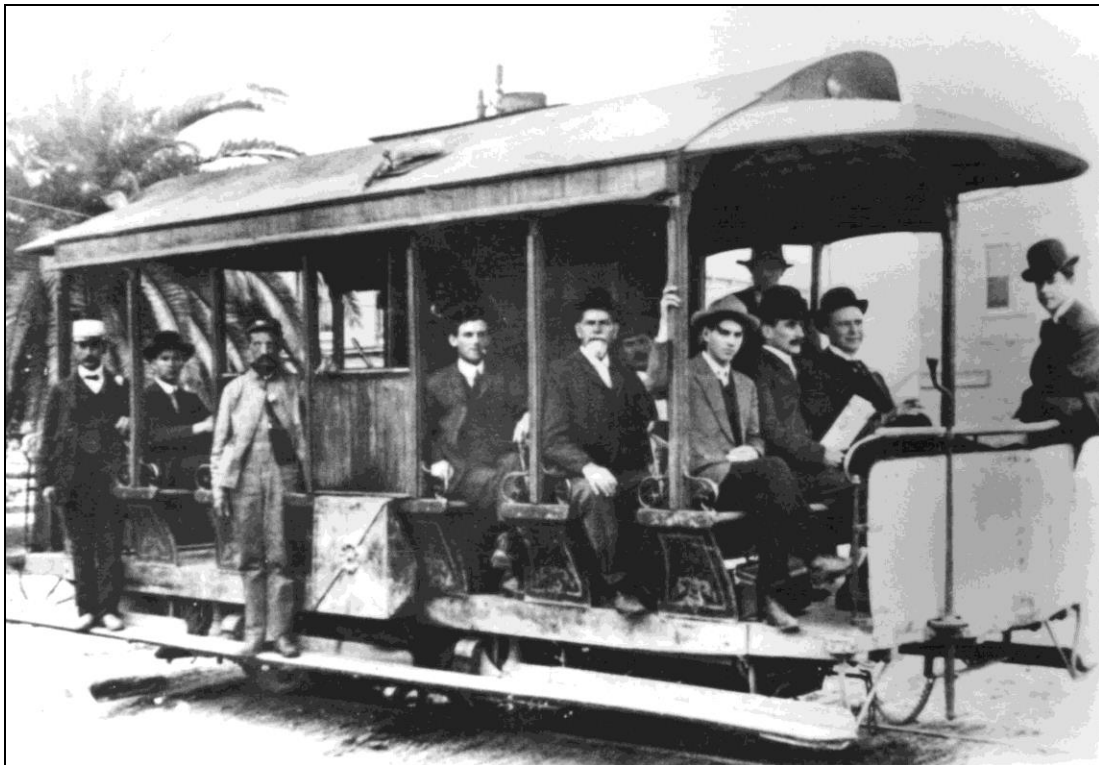
**Figure 8:** Millionaire philanthropist and land owner David Hewes (City of Orange local history website).



**Figure 9:** Anapauma, Spanish for “place of rest,” David Hewes’ home in El Modena, circa 1910s (City of Orange local history website).



**Figure 10:** Friends Church, located at 4328 East Chapman Avenue, view south, date unknown (First American Title Insurance Company Archives).



**Figure 11:** Orange, McPherson and Modena railroad (horse-driven), circa 1889 (First American Title Insurance Company Archives).



**Figure 12:** Tom Thumb Hill, El Modena, from the top of the El Modena Grade, date unknown (First American Title Insurance Company Archives).



**Figure 13:** El Modena Hotel, also known as the Hotel Blount, circa 1888 (burned down in 1889) (First American Title Insurance Company Archives).



**Figure 14:** William Murray blacksmith shop, sign reads "Wm Murray, Blacksmith and Wagon Maker, Dealer in Buggies, Farm Implements & Wagons," November 6, 1908 (First American Title Insurance Company Archives).



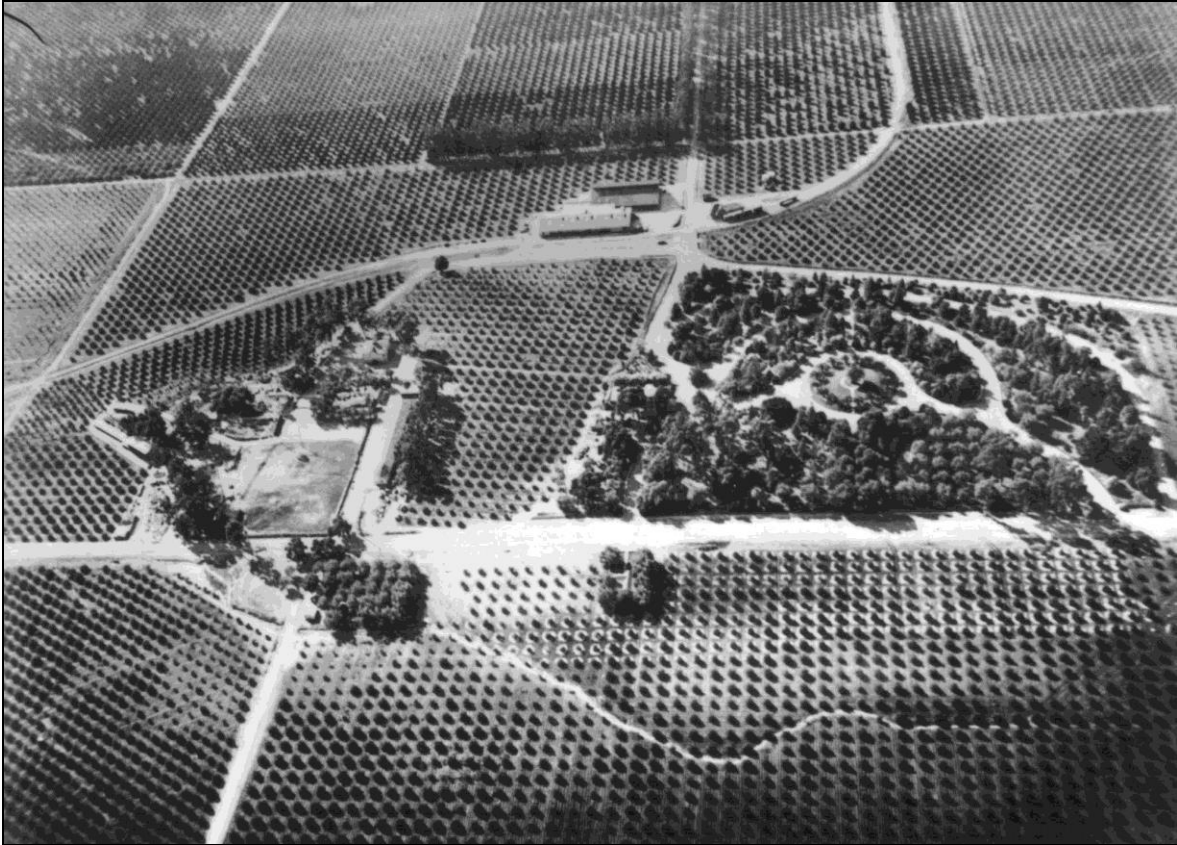
**Figure 15:** El Modena Grammar School, 1889 (extant until circa 1930) (City of Orange local history website).



**Figure 16:** Nathan D. Ellis residence, 1884 (City of Orange local history website).



**Figure 17:** Hewes Park, date unknown (First American Title Insurance Company Archives).



**Figure 18:** Hewes Park, date unknown (First American Title Insurance Company Archives).



**Figure 19:** Aerial photo of Hewes Park, 1938 (Orange County Archives).

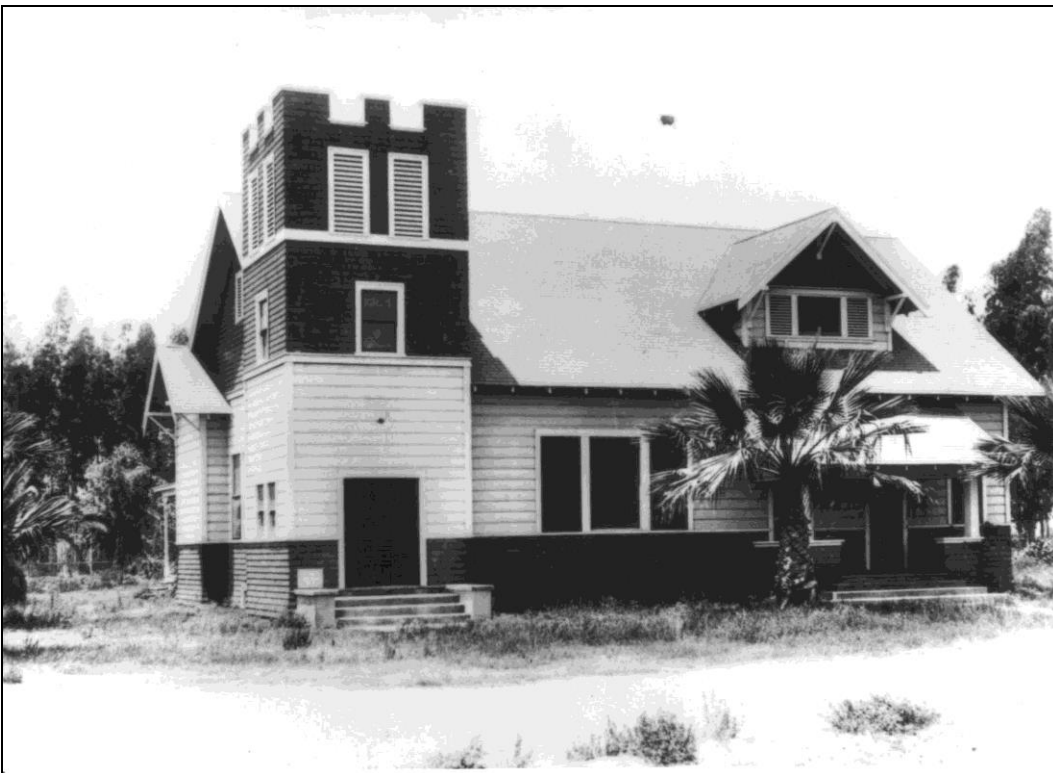




**Figure 20:** El Modena real estate placard, circa early 1900s (First American Title Insurance Company Archives).



**Figure 21:** Lincoln Elementary School, constructed in 1913, view northwest, 1950 (First American Title Insurance Company Archives).



**Figure 22:** First United Methodist Church, date unknown (First American Title Insurance Company Archives).



**Figure 23:** Roosevelt Elementary School, constructed 1923, view northwest, 1950 (First American Title Insurance Company Archives).



**Figure 24:** Bungalow court on Hewes Street at Philo Avenue, view east, November 17, 1962 (UCLA Air Photo Archives).



**Figure 25:** Aerial view of El Modena, November 17, 1962. Note Friends Church at middle left, La Morenita market at middle, and bungalow court at top right (UCLA Air Photo Archives).



**Figure 26:** Aerial view of Lincoln Elementary (left, formerly Mexican) and Roosevelt Elementary (right, formerly Anglo) schools on Chapman Avenue at Hewes Street (left), May 17, 1965 (UCLA Air Photo Archives).