

## The Tidal Canal Dispute 1887-1903

The Cohen family had a reputation for litigation long before the US Army Corps of Engineers proposed a tidal canal through what was creek-fed marshland along the edge of the Cohen's property. As mentioned in my synopsis entitled 'Fernside after the Cohens' (Folder D No. 25) the Cohens resisted every attempt by the City of Alameda to condemn portions of their Fernside Estate for expansion or 'progress'. The canal project was the final phase in a 14 year long project of making the Brooklyn Basin into a stable shipping port. The ebb and flow of tides in the basin caused sand bars to form and shift on the port's seabed creating obstacles and hazards for ships. Thus a canal dredged through existing marshland to the edge of San Leandro Bay was pursued as a solution.

The project affected several shoreline landowners however the creation of the new canal through existing marshland had the greatest impact on the Cohens. It not only required losing acreage along their waterfront, but also diverted Sausal Creek which they had historically used for irrigation of crops and a water source for their cattle. A.A. Cohen filed suit immediately against the condemnation of his acreage, however he died in 1887 before anything was settled. His wife Emilie Gibbons Cohen persevered in the litigation and did not settle until 1903, when they accepted \$3500 for the waterfront acreage.

In 1901 the completion of the Tidal Canal extending from Park Street bridge to the High Street bridge created a permanent waterway from the Brooklyn Basin to the San Leandro Bay and made the formerly peninsular city of Alameda into an 'island' community.

\*information retrieved from various online sources

Chronologically the Tidal Canal dispute was ongoing during Emilie Gibbons Cohen's lifetime, however I placed these documents at the bottom of Box 44 because they include heavy photo copies of the lawsuits. Materiel preceding this section is more likely to be accessed, thus my choice of placement.

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