

THE TRAILBLAZER

Quarterly Bulletin of the California Pioneers of Santa Clara County
Incorporated 1875

Volume 5

Winter 1965

Number 1

LINGERING BY THE SIDE OF FRIENDSHIP ROAD

Lovesta Dorwin Davis

Mission Santa Clara was twenty years old, and already occupying its second of three building sites in 1797. That was the year that El Pueblo de San Jose de Guadalupe was finally granted the King's permission to move to its second, and present site.

The Padres in 1777 had been none too pleased to have a Pueblo established so near the Mission, even well outside the legal one-league limit. A rough element of the citizenry would (and did) exert a bad influence on the inexperienced Mission Indians. The founders of San Jose, however, thought it good for the townspeople to have a place of worship within reach. They needed the ministrations of the Padres for their christenings, weddings and funerals.

At last both Mission and Pueblo had been forced by frequent winter floods to move from their first and separate locations along the oft-rampaging Guadalupe. They became even closer neighbors. Boundary disputes, and depredations from both sides, continued as from the very start.

During those years of contention, at about the time the Pueblo was being removed to higher ground, the good Padre Catala began his far-reaching project. He envisioned a safe, well-traveled and beautiful road. It was to be a gesture of goodwill, a symbol of his devotion to eventual peace between the two contenders for adjacent valley lands and timbered foothills.

Traveling between Mission and Pueblo was always difficult, whatever the weather or season of year. The summer's sun beat upon the elderly and the children who rode in jolting carretas with their wobbly wooden wheels; thick dust kicked up by the plodding oxen settled upon the defenseless riders. Everybody else rode horseback. Even that superior method of transportation was precarious in winter. There were many low places in the trail where both horse and rider, and pedestrian, could become

mired in the 'dobe mud. Ox carts never ventured it in wet weather. Night travelers might be waylaid by a bandit, or by bears or coyotes, prowling in the underbrush along the Guadalupe or in the tall mustard beside the way. A lone traveler trying to skirt mudholes in the dark sometimes got far off the trail. A tree-lined road, like a shady grove--Padre Catala's el alameda--would improve the situation.

With the help of two hundred Mission Indians the Padre made thousands of cuttings from the willows along the banks of the Guadalupe. He set them in sandy trenches near the Mission, where they could be kept watered from a pond close by. At least two thousand cuttings were well rooted by the second season following.

Transplanting began in 1799. The tireless Catala himself cleared away some of the rank wild mustard. Indians, with oxen and crude plows, tore up the hard ground for the double roadbed the Padre had planned--a wider one, according to report, for carretas and horsemen, and a narrow, more heavily shaded one for foot travelers. Other workers had dug the indispensable irrigation ditch, that led from the Guadalupe by the bridge near the Pueblo. It extended in a general westerly, north-westerly direction, then veered away to connect again with the river to the northeast of the Mission.

With a prayer and a blessing Padre Catala himself dug the first planting hole, and set the first tiny tree. He measured the distance along the roadside and his eager neophytes made the holes. Others brought cartloads of the cuttings for still others to plant. There may have been many rooted cuttings left over, which the zealous planters could not destroy. Perhaps they began yet another row near the Mission, continuing their transplanting until they ran out of cuttings. If true, this would account for the belief of some that there were indeed four rows of trees from the first. They would certainly have looked like a grove, providing the literal translation of el alameda. The beloved Padre's followers brought river water from the new ditch for each brave little tree. The transplanting was finished. It was a beautiful and gratifying sight to the Padre and his faithful "road gang."

There they grew, hundreds upon hundreds of budding willow shoots, standing abreast in three rows, the center row between two parallel but unequal roadbeds. Beginning at the bridge near the Pueblo the lusty saplings pointed hopefully to the skies--and led to the Mission, for more

than three tedious miles. The new-born alameda was bordered by a wilderness on the left; away to the west and south, reaching to the foothills, wide unfenced plains were inhabited only by many thousands of wild cattle, unaware of boundary disputes.

The infant trees needed much watering during that first long dry season. When their tender buds and new leaves appeared they required protection from the nibbling cattle that turned away at the shouts of the charging Indian boys. Many damaged trees had to be replaced by hardier ones. While the fast-growing willows reached upward the bickering over ownership of territory eased; the legal boundaries were drawn in 1801. After a long while Catala's el alameda came to be called "a monument over the grave of a buried land dispute."

Frustrating yet fruitful years slipped away. The willow saplings along el alameda had grown so big and tall t h e i r topmost branches interlaced and formed a cloister of flecked shade for the wayfarers, and the Padre's religious processions. But alas, Catala's road builders were inexpert. There were still many mudholes during the worst of the rains; parts of el alameda remained impassable for four months of the year. The leafy canopy overhead only prolonged the dampness underfoot by shutting out the drying sun and wind.

In 1830 Padre Catala rested from his labors; he escaped by less t h a n four years the sorrow felt by all twenty-one California Missions over the Mexican decree to secularize. Before long the solemn processions beneath the willow-tree cloister ceased, after awhile the carretas full o f worshippers journeyed to the Mission no more.

(continued in the Spring issue)

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COURT HOUSES OF SANTA CLARA COUNTY

W. A. Johnston, Esq.

(Permission to print this article was given by Faber L. Johnston Sr. through the courtesy of Herbert C. Jones)

At the time of the acquisition of California by the United States t h e judicial authority here was by law vested in Alcades and Justices of the Peace, who appear to have had somewhat similar powers.

The court house h e r e under the Mexican rule was called the Juzgado. It was built in 1798 and was located on or near the westerly side of Market Street in the Pueblo de San Jose, about opposite where El Dorado Street

now strikes the eastern line. A one-story adobe building containing three rooms, the middle one of which was the court room, the eastern one the Alcade's room, and the western one the jail, remained the judicial building as long as Mexican law was in force.

The Alcade in 1846 under Mexican rule was Dolores Pacheco, who in that year was captured by Captain Thomas Fallon of the American forces and the office given to James Stokes, who was the first American Alcade. The following were Alcades thereafter up to the establishment of courts under the constitution of 1849, viz: John Burton, Kimball H. Dimmick, Richard M. May, John O. Conroy, Jose Fernandez, James Weekes and Charles White.

The first judge of the Court of the First Instance was appointed by American authority in the Spring of 1849. This court went out of existence in 1850 on the establishment of courts under the constitution of 1849. During its life the following were judges thereof, viz: Richard M. May, John T. Richardson, W. M. Kincaid and Kimball H. Dimmick.

The Juzgado was not well adapted to the purposes of a court house under the American system, and in 1850 was pulled down and a two-story building on the west side of First Street, about opposite the end of Fountain Alley, became the court house, in which both the district and county courts held their sessions.

This remained the court house until the latter part of 1851 when for a short time the courts were held in the Bella Union building, situated on the site of the present Auzerais House on the north side of Santa Clara Street between First and Market streets.

This did not last long and the court rooms were moved to the State House building on the east side of Market Plaza, between San Fernando and San Antonio streets, and there remained until that building was destroyed by fire in the Spring of 1853.

For a few months thereafter the courts were held in an adobe building belonging to Frank Lightstone located on the east side of Lightstone Alley, south of Santa Clara Street, until the county purchased for a court-house the two-story building known as the What Cheer House, fronting on Second Street at the southeast corner of Second and San Fernando streets.

This appears to have been the first court house building owned by the County of Santa Clara, and constituted the seat of the courts for about seven years until 1860 when for about three years the court house was on

the second floor of the City Hall on the west side of Market Street, north of Santa Clara Street, which floor was leased for the purpose, and there remained until about the middle of 1863, when other rented quarters were secured in the second story of a brick building on the northeast corner of Market and El Dorado streets, about opposite the site where the old Juzgado had been. This constituted the court house until the year 1868 when the county had its own building in which to house the courts and county officers.

In 1866 there was commenced, and in 1868 completed, the erection on the present site, of a court house, at that time considered to be the finest one in the State of California, and the finest public building in the State, with the exception of the State Capitol building at Sacramento. On its completion the courts moved therein and for about sixty-three years there remained until the interior of the building was destroyed by fire May 18, 1931. The dedication of the reconstructed court house was on September 17, 1932.

The County Court went out of existence on the coming into being of the Superior Court under the constitution of 1879. During its life the following were judges of the County Court, viz: J. W. Redman, C. E. Allen, R. B. Buckner, John H. Moore, Isaac N. Senter, Lawrence Archer, R. I. Barnett and D. S. Payne 1872-80.

The District Court of this district under the constitution of 1849 was, until 1872, called the Third District Court, the district comprising the counties of Contra Costa, Santa Clara, Santa Cruz and Monterey. The judges thereof were successively John H. Watson, Craven P. Hester and Sam Bell McKee 1866-72.

In 1872 the Twentieth District Court came into being in a district comprising the counties of Santa Clara, Santa Cruz and Monterey. This lasted until changed by the constitution of 1879. During all that period David Belden was judge.

The first judges of the Superior Court were David Belden and Francis E. Spencer. Succeeding them have been John Reynolds, W. G. Lorigan, A. S. Kittredge, S. F. Leib, H. D. Tuttle, M. H. Hyland, P. F. Gosbey, J. R. Welch, John E. Richards, A. L. Rhodes, John P. Fitzgerald, William A. Beasley, F. B. Brown and R. R. Syer.

Since 1932 the number of judges has grown from 3 to 17. Most of them will be housed in the new court house now being completed at the corner of Market and St. James streets.

RHOADS' LETTERS

(The second of a series copies from original letters.
Permission to print granted by Dr. Earl E. Rhoads.)

Fort Laramie
June 15, 1846

Dear Parents:

I take my pen in hand to inform you that we are all now in good health and hope these few lines may find you all enjoying the same blessing.

A few days after we struck Platte River the biggest part of our company was sick about 2 or 3 days. I myself had a severe spell of toothache. After suffering 3 or 4 days I found a cure. Dissolve asafedita in liquor. Wet cotton & apply it to the tooth. It will ease the pain in less than eight hours.

We crossed the Missouri River on the 6th and 7th of May. We then passed on, three days, and camped on the Wolfe River. The Iowa Sauks Indians stole several of our cattle and one of our big oxen. Rhoads and Daniel went to the Indian Agency and the agent replaced the cattle.

We traveled 100 miles in a company of 16 wagons, then we left them and our ten wagons traveled 100 miles through the Pawney Nation. We passed 5 or 6 companies bound for Oregon. We overtook a California Company and joined them. We are all together yet - 30 wagons.

We traveled one week up the waters of the Kaw & the Blue Rivers. One day's travel from this is the Platte River. We followed the Platte 135 miles to where it forked. One day and a half up the South Fork, then we crossed it. Two days travel to the North Fork. We are following that river yet and will to the head.

It was one mile wide where we forded it. It was quick-sandy bottom -- it was a very bad crossing. Some places the water was half-way up the wagon beds and some places on sand.

It isn't any wonder your Rivers are high at times when there is so much water coming down. The main Platte River is from two to three miles wide.

We came to the Pawney at the Platte. We met hundreds of them for several days. The night of the 26th the Indians encamped on two sides of us. The next morning our horses took fright at the Indians and ran away. Our men followed about 40 miles. The Indians saw them and got in front of our men and ran the horses and took them. They killed 2 or 3 ponies running them.

When they caught the horses they then turned on the

men and attempted to rob or murder them. There were four men, Rhoads, John Rhoads, Patterson and Mr. Whitman.

There were about 100 Indians - run them a very narrow race. They got so close that they got ahold of their horses bridles. They ran about 3 miles in that condition. They ran them so close that they were obliged to cross the river to save their lives. There were 2 or 3 islands in the river. It was about 3 miles there.

The Indians crossed the river too. The men went up the river about 12 miles when they came in sight of the Oregon Company so they crossed back and stayed all night.

The next day they came on and the Indians gave them as close a race as before. But they got back to our Company safe. They lost 11 horses. Rhoads lost 3, Patterson lost 2, John Rhoads 2 and Thomas lost 1. The balance from the others in the Company.

The Indians have stolen most all the horses from all the companies. It is useless for any person to start with more than 2 horses on this journey. Any person on this road with 3 or 4 wagons should have 5 or 6 yoke of oxen besides their teams.

A great many cattle have sore feet from traveling through the sand. Better roads nature couldn't form than we have had, although we had rain the month of May. The last day of May we had snow.

Daniel's arm is so that he can begin to use his axe to chop. We all stand the journey very well. It is quite a pleasant trip, so far.

We met emigrants the 12th of June, within 600 miles of Missouri, who went out last spring and are returning for their families. Some of them say they have traveled the country of Oregon and California through. They say Oregon is the best country - the climate in California is too hot. They say that in California everything is as cheap as in the States. In Oregon everything is dear.

They stopped about 20 minutes to let the Company write letters and I have written a few lines of everything. I don't know what it was. We are at Fort Laramie, which is 700 miles-----.

Amanda Esrey Rhoads

(This letter came to an abrupt end as though it had to be given to someone to carry it on to Missouri. It was postmarked at St. Joseph.)

(Rhoads had 3 sons, Daniel, John, Thomas. Amanda was married to Daniel. This party crossed the Missouri May 6 & 7, 1846, and arrived in California October 1, 1846.)

By-lines from the President

Alice M. Vetterle

Fellow Pioneers, Greetings: With the holiday season behind us we welcome the Spring of the year, and look forward to making plans for the months to come.

The Pioneer Living Memorial Wildflower Planting took place on Saturday November 7th at several of the damsites in the county. I had hoped to be able to participate in this, myself, but was unable to do so. However Mrs. Morris has invited me to make a tour of the planting sites later in the year. Mrs. Elizabeth Telfer who was chairman of the project for our organization did a grand job, and is due a big "thank you". We are looking for a new chairman or at least someone to help for this year.

A San Jose State college student has been selected for our Scholarship Award. We will hear more about this in our next issue.

Next Quarterly Meeting will be on March 6th. Our speaker on this occasion will be Mr. Peter Thomas Conmy, Librarian for the City of Oakland. His topic will be "Flags Over California".

* * *

San Jose's Eccentric Citizen

Arthur M. Fisk

(Answer to questions arising from previous articles)

James Lick, after whom the Lick Observatory on Mount Hamilton was named, arrived in San Francisco by sailing vessel during the latter part of 1847. He was born at Fredericksburg, Pennsylvania, August 25, 1796. His parents were of German extraction and spelled their name Luk.

At the age of 21 years he went to work for an organ maker at Hanover, Pennsylvania, where he served out his apprenticeship. He then went to work for a piano manufacturer at Baltimore, Maryland. Two years later he left the United States for Buenos Ayres, where he worked for ten years at his trade, then spent four years in Chili, and eleven years at Callao, Peru, where he was a very successful piano maker.

Lick did not come to California in the pursuit of gold, and when he arrived in San Francisco in 1847 that city had a population of less than 1,000. Among the odd articles that he brought with him from Peru, was the work bench which he had used in his trade, and for which he had acquired quite an affection. It now stands in the hall at the Lick Observatory on Mount Hamilton.

SAN FRANCISCO MINT

The old historic mint at Fifth and Mission streets in San Francisco will be put on the auction block in 1965 and probably demolished.

The cornerstone was laid in 1870 and the building completed in 1874. It replaced the original mint built in 1851 and became a part of the mining frontier of the West. By 1877 its production was over fifty million dollars in coins each year, and often exceeded any other mint in the nation.

Because of the strength of the structure the government made it a depository for the nation's gold. It withstood the disastrous fire and earthquake of 1906 with \$200,000,000 in gold stored in its vaults.

The building has a 12 foot base constructed of brick and faced with a foot of granite. The walls are three feet thick and the upper levels are faced with a foot of sandstone. The floors are of granite and the staircases of cast iron beams. The framework for the windows and doors are of cast iron. The large vaults in the inner court are constructed of concrete reinforced with railroad rails and lined with iron plate.

Shipments of bullion arrived in horse-drawn trucks that entered by the basement and were handled by Wells Fargo Express. The bullion was weighed in the receiving room and immediately melted, assayed and value computed.

It has been mentioned that, "one of each denomination of the several coins struck off at the San Francisco Mint in 1870 were deposited in the cornerstone." Let us hope it will not be opened in 1965; but only an act of Congress can save this historic Mint as a national landmark.

* * *

LOOK FOR IT HERE

1965 DUES should be paid now. Mail your \$2 to Mrs. Jessie E. Black, 82 So. 9th St., San Jose, Calif. 95112.

Miss Alice M. Vetterle has been appointed to the San Jose Historic Landmarks Commission, replacing Mr. Ernest Weller.

Clyde Arbuckle was the principal speaker at the dedication of the George Washington Hellyer Elementary School on October 11, 1964.

Dr. Henry Hulme Warburton head of the Warburton family was honored last October, when a plaque was dedicated in Santa Clara city plaza near a tree planted some years ago. The plaque reads, "Planted in memory of Dr.

H. H. Warburton, pioneer Santa Clara doctor, 1819-1903."

Mrs. Alma Andrews (our musician) recently received a National Merit Award from Mu Phi Epsilon at its convention in Lincoln, Nebraska, for her "Role as a Volunteer Music Therapist." Mrs. Andrews has devoted over 7,500 hours to music in the Veterans' Hospital at Palo Alto.

Dr. and Mrs. Earl E. Rhoads celebrated their Golden Wedding anniversary in Pacific Grove on Thanksgiving Day, November 26th.

Mr. and Mrs. Arthur M. Fisk celebrated their Golden Wedding anniversary in Sonoma on Thanksgiving Day, November 26th. The guests were relatives, life long friends and old schoolmates.

17 members over 85 years of age were honored at our quarterly meeting on December 5th. Those present were: Josephine Franklin, Una B. Hughson, Della A. Montgomery, Mabel G. Ogier and Edna Clinton Ridley. Those that could not be present were: Elizabeth Berberich, Flora G. Brooks, Harriet Burnett, Mary D. Ferry, Alice Harris, Lavinia Lindemann, Martha A. More, Mildred Robinson, Emma Rutan, Ida Skow, Mary D. Warburton and Elsie M. Figone our oldest member, 100 years of age.

Thanx to Frank Freeman, we have located a second covered bridge in the central coast area. It was built in 1872 by Bernard Peyton who had erected a large home on the east side of the San Lorenzo River, which later became known as "The Castle". The Peytons and the DuPonts were owners of the DuPont Powder Works located at Rincon near what is now Paradise Park. The Powder Works was established in 1864. The covered bridge is still in daily use by Paradise Parkers.

On October 5th the stump with roots and burls attached of the famous Roosevelt redwood tree was transplanted on the hill near the southeast part of Vasona Park, where it is hoped it will be safe from progress. The tree was originally planted by Teddy Roosevelt on May 11, 1903 near Campbell Avenue and Winchester Road in Campbell. Mr. and Mrs. Arthur Fisk represented the Pioneer Society at the ceremony.

Miss Belle L. Paull and Helen Paull Lake reminisce about their father William Paull. "Our father was 10 years old when Vasquez the famous outlaw, was caught, jailed and hung. Father and a few of his playmates asked the jailer to let them see Vasquez, so the jailer locked them in the cell with the outlaw, who was very pleasant and asked them questions about their homes and school etc. When the boys wanted to get out they yelled and

banged for the jailer, who pretended he could not hear them. After awhile he unlocked the door and the little boys were glad to go home." (William Paull and his brother George were well drillers and bored many fine wells in Santa Clara Valley). (Tiburcio Vasquez was hung in San Jose, March 1875.)

* * *

WELCOME

Congratulations to our new members: Helen J. Anderson, Marie R. Baldwin, Avis Bollinger Burr, Edmund W. Burr, Orlene Carmichael, Georgia E. Daugherty, Thomas E. Daugherty, Lena P. Doxtater, Mabel A. Draper, Marie Garrissere, Edward L. Gross, Thelma A. Harris, Rudolph E. Hipp, Fred E. Lester, June A. Lester, Esther C. Macauley, James C. Macauley, Mary L. Maddocks, Marguerite Mansfield, Elsa M. Person, George Picetti, Henry C. Stout, Velma Drake Swanson, Maxine Boutell Timmons, Ivo J. Vollmer, Pauline F. Vollmer.

* * *

Under the Weather

Ellen Bennett, Gladys Budde, Emma Rutan and Mabel Snyder have been reported ill. Our best wishes and hope for a rapid recovery are sincerely extended.

Kindly keep your officers informed as to the condition of any ill member, and report any sickness or deaths to the chairman of our Sunshine Committee, Mrs. Ruth M. Heath. Phone 292-2609.

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Beyond the Horizon

Percy H. Thompson

May 11, 1893 - November 28, 1964

Marjel L. Moore

March 18, 1894 - December 16, 1964

Elizabeth Berberich

July 10, 1875 - December 23, 1964

In behalf of the officers and members of the California Pioneer Society of Santa Clara County, The Trailblazer extends their sincere sympathy to the relatives and friends of our departed members.

THE TRAILBLAZER

Issued in January, April, July and October

Editor: Arthur M. Fisk, 1335 Singletary Ave., San Jose

Associate Editor: Marjorie B. Fisk

Staff members: Walter and Claire Harriman

Subscription rates to non-members \$1.00 per year. Single copies 25 cents each.

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* * *

The Social Club of our society meets on the 1st and 3rd Monday afternoon of each month. Card playing and various activities highlight each meeting. For further information call Mrs. Kate L. Owen, 295-1153.

For information concerning chartered bus tours for members of the Pioneer Society, phone Gertrude A. Bernhardt, 293-3087.

Any items for the Pioneer scrap book may be sent to Mrs. Elsa Jensen, 520 Bradley Ave., San Jose, Cal. 95128.

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