

THE TRAILBLAZER

Quarterly Bulletin of the California Pioneers of Santa Clara County
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PACIFIC CONGRESS SPRINGS

Marjorie B. Fisk

Alongside a clear mountain stream, surrounded by shady nooks, in the hills about one mile west of Saratoga the celebrated Pacific Congress Springs were located. They were discovered in 1850 and so named because the water was similar to that of Congress Springs at Saratoga, New York.

Among those who early discovered the wonderful properties of the waters of these springs were D. O. Mills and Alvinza Hayward, wealthy San Francisco business men. They formed a joint stock company with other prominent men and purchased 720 acres, including the spring and its surroundings.

Two cottages and a main building were erected. The main building was called Congress Hall and contained 14 rooms. It was formally opened June 16, 1866.

In 1872 the property was purchased by Lewis P. Sage for \$25,000. Sage constructed a good access road to the property and set about improving the place. In a few years the hotel was expanded to 63 rooms and surrounded by many cottages. Guests enjoyed hot mineral baths and every modern appliance and convenience for those times. The waters were a cure-all for all of man's diseases.

Mr. James E. Gordan, states: "The tourist or visitor to Saratoga need take no thought as to his entertainment, as Congress Hall is one of the most comfortable and attractive hotels on the Pacific Coast. It consists of a spacious main building, with a wide veranda, and a number of two story cottages adjoining, and surrounded by trees, a beautiful lawn and rare tropical plants and flowers."

Just after the turn of the century an electric railroad was completed to Congress Springs, but its end was hastened by a disastrous fire in 1903, that destroyed most of the buildings at the hotel.

The springs were finally sold to the San Jose Water Works, and today the mineral springs are lost in the underbrush, just a short walk above the bridge.

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THE FIRST LEGISLATURE OF CALIFORNIA

Herbert C. Jones

(continued from the Spring issue)

Here the owners declared themselves unwilling to take the town authorities as security. Happily, some of the leading citizens of San Jose, rather than see the "pristine glories attendant on the presence of the Legislature in San Jose glide from them" with public-spirited generosity, came forward to save the honor of the town, and 19 of them executed a note for the price asked, namely, \$34,000, with interest at the rate of 8 percent per month!

The building was a two-story structure of adobe, 60 feet in length by 40 feet in width, with a piazza in front. The upper floor was not partitioned but consisted of one room with a high ceiling. This was occupied by the Assembly.

The lower portion, intended for the Senate, was divided into four rooms. The largest one, 40 feet by 20 feet, was fitted up for the Senate Chamber. The other rooms were used by the Secretary of State and various committees. As this lower portion of the building was not ready when the Legislature met, the Senate held its sessions for a short period in the home of Isaac Branham, located at the southwest corner of the market square, where the municipal auditorium now stands.

A visitor of that day to the Legislature could state, "The legislature meets about 10:00 in the morning and is let out for dinner at 1:00, when the members come out with a rush." It is unnecessary to add that, "smoking, chewing and whittling do not constitute an infraction of the rules of either house."

The building was destroyed by fire on April 29, 1853. The loss was stated to be \$5,000---contrasted with the \$34,000 which the citizens committee paid for it!

The problem of providing suitable living accommodations for the members proved as difficult as providing an adequate meeting place. Most of the lawmakers crowded into the City Hotel. This was a frame building which stood on the west side of First Street about where the Victory Theatre now stands. With the shortage of accommodations, beds were laid down at night in the dining room. A few weeks later, however, another hotel was completed, known as the Mansion House. This stood on the opposite side of First Street, just north of the present Commercial Building.

Members also obtained board and room in private homes. One of these homes was that of "Grandma" Bascom. She arrived in San Jose on December 10, 1849, by boat from San Francisco to Alviso and thence by the Pioneer Stage "through fearful mud and pouring rain." The home of Dr. and "Grandma" Bascom was at the corner of Second and San Fernando Streets.

Each lawmaker received \$16 a day during the session together with \$16 for every 20 miles in traveling to and from the capital. This mileage of 80 cents per mile contrasts with the present rate of 5 cents per mile, and illustrates the expense of traveling by stage in those early days.

The cost of food was high in 1849, so it can well be realized that the legislators were not able to save anything out of their per diem. Meat was 75 cents a pound, butter \$1 a pound, eggs \$3 a dozen, milk \$1 a quart. Meals at hotels cost \$2 each while boiled eggs for breakfast cost 50 cents each.

The crowded and uncomfortable conditions early gave rise among the legislative members to a demand to move the capital, an agitation which the citizens of San Jose temporarily allayed by giving a grand ball in honor of the Legislature!

Now that we have a picture of the pueblo of those days, the Capitol Building, and the hotel accommodations, let us consider the members. When we recall that the lure of gold which brought the rush of immigrants from the east had begun only the year before, we can understand that the men of the First Legislature were recent comers to the State. In this respect they resembled the members of the Constitutional Convention which had met three months before in Monterey, a majority of whom had resided in the State less than two years. Their outlook was optimistic. They had little training in law-making, but were imbued with courage and confidence. They afford a magnificent illustration of the capacity of the American people for self-government. The first Senate consisted of 16 members, and the Assembly of 36.

Such were the men of the First Legislature. Let us now see what were their tasks and how they met them.

Although December 15th was the date designated for the convening of the Legislature, a quorum was not present, and it was not until two days later, Monday, December 17th, that the Legislature organized and elected its officers. Two days later it passed a resolution asking

the General Postmaster Agent for California to establish a daily mail from San Francisco to San Jose. On the following day, the twentieth, the Governor was sworn in before Judge Kimball H. Dimmick of the local district court. After Governor Burnett had delivered his inaugural address, the Legislature proceeded with the election of two United States Senators. The two chosen were John C. Fremont and William Gwin. On December 22nd the Legislature in Joint Session elected the following state officers: Treasurer, Richard Roman; Controller, John A. Houston; Attorney General, E. J. Kewen; Surveyor General, Charles J. Whitney; Chief Justice, S. C. Hastings; Associate Justice, Henry A. Lyons and Nathaniel Bennett. That same day it appointed the following committees: Finance, Judiciary, Militia, Counties, Privileges, Engrossed Bills, State Library, Printing, Public Buildings and Commerce.

At the very beginning of the session the Legislature was confronted with the legal question of whether it had a right to proceed until the State was admitted into the Union. With the self-reliance that characterized the pioneers, both Governor Burnett and the Legislature made short shrift of this question. They decided that they had the right to proceed, and so they did proceed!

They had to "start from scratch." They had to set up an entirely new State Government. They had to specify the duties of the various state officers. They had to set up a system of courts. They had to enact codes and statutes defining the rights of persons and of property, and defining crimes. They had to enact codes establishing the procedure in civil and criminal courts. They had to deal with the conflict between the mining interests on the one hand, and the agricultural and commercial interests on the other. They had to provide aid for immigrant roads. They had to defend the State's borders from Indian attacks.

The Legislature, during this first session, enacted a system of taxation on real and personal property, but exempted churches, libraries, benevolent and charitable institutions, colleges and manual labor schools.

The Legislature also authorized the sale of a \$1,000,000 20-year bond issue.

These appropriations of the First Legislature reflect an unexampled optimism of its members and the fact that they were, for most part, young men with courage and high vision.

One of the outstanding works of the First Legisla-

ture was the report of a Special Committee of which General Vallejo was the chairman, giving the derivation of the names of the counties of California, and in many instances the history of their occupation and development. This report is looked upon by historians as a source of invaluable information.

The First Legislature adjourned on April 22, 1850, having been in session a little more than four months. It had passed 146 acts, which were signed by the Governor, and 19 joint resolutions. Much of its work has endured to this day. The basic structure of county governments and for incorporation of cities has continued to the present.

Many of its members for the next half century exerted a potent influence upon the history of the State. While David C. Broderick met an early and tragic death in his historic duel with Terry, other Members of the Legislature were active in public life for 50 years. They include General Vallejo, Judge McKinstry, Dr. Benjamin Cory of this city, and General Bidwell who was a candidate for the Presidency of the United States upon the Prohibition ticket. Well would it have been for California had every succeeding legislature been as honest and as efficient as this pioneer body.

In history there have been striking incidents in which an apparently trivial thing has led to far reaching consequences. Beyond doubt, if San Jose had furnished adequate hotel accommodations for the Members of the First Legislature, San Jose would today be the capital of California, with its stand of magnificent public buildings and its vast payroll of thousands of state employees.

* * * *

LET THERE BE LIGHT

Arthur M. Fisk

The thought of lighting San Jose by means of an ELECTRIC LIGHT TOWER was first conceived by an editorial written by J. J. Owen, which appeared in the San Jose Mercury May 13th 1881, in which he stated, "that the true way to construct such a tower would be to utilize the four corners of the intersecting streets for the foundations, construct them of hollow gas pipe, carrying the corners upward to any desired height, the same to meet in the center, and place the light at the apex."

The original plan submitted by Mr. J. Gash, San Jose architect was put out for bids. The lowest bid submitted

was \$4,000, far above the amount it was possible to raise for the project. The plans were modified and the diagonal side bracing was omitted and other modifications made. The plans were again submitted. The contract for couplings and foundation bed pieces was awarded to F. Altman for \$340. The necessary iron was ordered costing \$1,000, and the building contract was let to J. D. Campbell for \$600.

Ground was broken on the 11th day of August 1881, and the foundations were laid by M. Kenney, a brick mason. The first, second and third sections were set up and everything was going fine. In taking down the outer scaffolding, one of the cross rods was broken, throwing the framework out of square. This necessitated doubling the corner supports for a height of 40 feet.

In the meantime the contract for construction was declared off and work had to continue by the day. The changes involved a tremendous increase in costs which were met by contributions. Total costs have been estimated in the neighborhood of \$3,500.

The tower was brought to completion under the efficient management of Mr. J. F. Chambers. The lights on the tower were mounted under the direction of George H. Roe, and also the placing of the generator. The donkey engine owned by T. J. Gillespie was used to drive the first generator.

The tower was built over the junction of Market and Santa Clara Streets. It was constructed entirely of iron and was 200 feet in height. Six globes were originally used at the apex for light.

An expectant multitude gazed heavenward at 6:30 p.m. December 13, 1881, as the switch was thrown and the light flashed out over the City of San Jose for the first time.

Newspaper reports at the time state, "The light was equal in power to the full moon for the distance of a quarter of a mile. In fact, the streets are visibly brightened to the distance of a mile."

On February 8, 1915 the tower was damaged by a wind-storm and later a contract was let to repair it. The repair work began November 22nd, but during a severe wind-storm on December 3, 1915 it collapsed completely and had to be dismantled.

* * *

Kids have it tough today. Where they used to walk to school and keep warm by running part of the way, now they stand and shiver waiting for the bus.

EARLY DAY BRANDING

Florence E. George

In early California, cattlemen of necessity owned large ranches, and used as much public domain as possible. They also found themselves obliged by law to own respective brands.

To secure a brand a cattleman petitioned the Alcade, who decided whether the applicant was entitled to its ownership. Local laws varied, but generally before registry was granted, applicants must prove they would run not less than 150 head.

Settlers of modest means sometimes received an advance of 150 head from a local mission, if the padre considered him of good character. The rancher agreed to repay this "loan" within a specified time. Then he designed a brand and registered it with the nearest justice of the peace. He needed two irons, one to brand his stock and the other for cancelling out the original brand when selling or transferring his cattle.

When these were in order and approved, they were entered in the book of registry. Ranchers generally earmarked their cattle, and this earmark also had to be registered, approved and recorded by the justice of the peace.

No one could adopt or change an iron without permission of the governor.

Before American occupation of California cattle ranchers grazed their cattle on unfenced private land as well as public domain, and all the land used by a cattleman was considered his land and part of his ranch. The fact that the cattle ran free made the branding necessary, so that one rancher's cattle wouldn't be confused with those of his neighbor.

Brands took on many forms, such as a horizontal letter T, and they would call it the "Lazy T Ranch" or shaped like a diamond, calling it the "Diamond T Ranch" etc., each rancher having his own brand. The iron was heated in a fire, and then pressed against the animal's flank singeing the skin. When the man lifted the iron, it left a clear brand. This mark stayed there as long as the animal lived, and by it the rancher could always recognize his own cattle.

About March of each year all the cattle were brought in and segregated, each owner claiming his own brand. This was called a rodeo. The calves stayed with their mothers and were branded by their owners. The Santa Teresa Rancho, south of San Jose, branded about 5,000

head of calves each year.

The rodeo season was one of great festivity. Feasting would follow each day's work, and on each ranch entertainment was furnished for all. The evenings were devoted to music and dancing.

* * *

50 YEARS AGO

(From the files of the San Jose Mercury, July 1914)

Brohaska makes music at picnic and dance given by St. Mary's Parish at Cedar Brook Park, July 4th. Admission 25¢.

Regular Mt. Hamilton sight-seeing trips, leaving at 2:30 p.m. Fare \$1.50 round trip. Harrison P. Smith. 1st and San Carlos Streets. Phone San Jose 58.

County Clerk Henry A. Pfister yesterday issued a marriage license to Louis John Blass and Julia Muriel Hawke, both of San Jose.

Castoria for infants and children. Always bears the signature of Chas. H. Fletcher.

San Jose was more than a city yesterday (July 4th). It was a patriotic carnival. Music, parades, fireworks, great crowds, were the order of the day. Streetcars moved to the accompaniment of the roar of torpedoes placed on the tracks by energetic boys. The thunderous roll of the drums of the dozens of corps, the screaming of fifes, the laughter of the crowds, filled the air throughout the day. In the evening Luna Park became a great theatre of joy, making men, women and hundreds of children happy.

Dollar shoe sale, Monday at Hale's.

A Ford automobile belonging to H. Charles was stolen from the street last night.

Dr. Jane Bowen Injured---In stepping from a buggy in front of her home her foot became entangled in the reins. Her horse ran away, dragging her some distance.

G. C. Singletary, recently purchased the Forney Glenn place, near Willows.

Paul Masson and family spent a few days in San Francisco.

J. R. Kocher was in San Francisco last week, arranging for a fine home in the University tract.

Miss Monnie Clayton recently spent a few days with her sister at Fort Bragg.

15 acres of good land west of Edenvale. We offer this land at \$210 per acre. W. L. Atkinson & Co. 28 East Santa Clara Street.

By-lines from the President

Alice M. Vetterle

I am honored to have served as your president this past year. The splendid cooperation of every member of the Pioneer Society is greatly appreciated.

During this year our membership has maintained its growth even though we have dropped several members due to delinquency in dues for more than two years. We are still striving for the 700 mark. Lou's Village has expandable walls in the dining room and can accommodate many more at the luncheons.

On Arbor Day we were pleased to participate in the tree planting ceremony at the Rose Garden, where we assisted in the planting of three redwood trees.

The actuality of a "Pioneer Town" is coming closer due to the leadership of the Historic Landmarks Commission, and a receptive City Manager and Council. Congratulations go to our Pioneer members who are serving on the Commission for their part in this work.

We are still interested in volunteers to help with the Pioneer Living Memorial Wildflower Planting Program. We are financially sponsoring this project, even though the response for active participation has been limited. The planting will take place on the first Saturday in November. Anyone who likes to get out in the open and hike over the hills should take advantage of this, and make a contribution of time to a worthy cause.

Let us all rally to the support of our new panel of officers for the year ahead.

* * * * *

What I saw in California

by Edwin Bryant

Excerpt from the diary of Edwin Bryant on his visit to San Jose, dated September 19, 1846.

"The Pueblo de San Jose is a village containing some 600 persons, situated in the Pueblo Valley.

The buildings of the Pueblo, with few exceptions, are constructed of adobes, and none of these have even the smallest pretensions of architectural taste or beauty. The church, near the center of town, exteriorly resembles a huge Dutch barn. The streets are irregular, every man having erected his house in a position most convenient to him. Aqueducts convey water from the Santa Clara River to all parts of the town. In the main plaza hundreds, perhaps thousands, of ground squirrels skip and leap about over the plaza without the least concern."

LOOK FOR IT HERE

The beautiful Santa Clara Valley, when first discovered by the Spaniards was named Llano de los Robles (Plain of the Oaks).

Please make reservations for the quarterly luncheons. The cook must know how many to expect.

Miss Donna Senini recipient of our scholarship award and speaker at our June 6th quarterly meeting was recently married to Mr. William H. Dawson at a very impressive ceremony in Alum Rock Methodist Church.

Hubert and Gladys Hood married June 2, 1914 recently celebrated their golden wedding anniversary. Our congratulations.

Mrs. Kate L. Owen a very loyal member of the Pioneer Society was honored by the Social Club with a surprise birthday party at their meeting on May 4th.

The following members of the Pioneer Society were recently elected to serve on the Adult Education Senate: Mr. Arthur Fisk, Mrs. Gertrude Gale, Miss Betty Rank, Miss Marguerite Shannon, Mrs. Elisabeth Telfer and Miss Helen Wise. The Adult Education Senate performs both advisory and administrative functions on behalf of the Department of Adult Education, San Jose Unified School District.

The old Santa Clara City Hall and City Hall Annex were recently demolished by the Urban Renewal Agency. It was in front of the Annex, then a bank, that City Marshal Pete Fallon and bank robber Mark Monroe held their famous gunfight in 1930. The marshal captured Monroe and recovered the money stolen from the bank.

Historic Gilroy Hot Springs has been sold, and will become a private recreation club. Dating back into the 19th century Gilroy Hot Springs operated under several different names. They are located 13 miles north-east of Gilroy.

The Barn, antique shop, owned by Clarence and Laura Neale is doomed for destruction when Highway 9 is widened and realigned through Saratoga.

The first newspaper to be published in Santa Clara Valley, the California State Journal, was founded in 1850. It was followed by the San Jose Daily Argus, the San Jose Weekly Visitor (which later became the Santa Clara Register) and the San Jose Telegraph, which became the San Jose Weekly Mercury in 1861. In 1872 Mr. J. J. Owen having obtained controlling interest in the Mercury, again resumed the publication of the "Daily Mercury".

Welcome

Congratulations to our new members: Esther Adams, Adelaide Bernard, Ida Bonita, Rose Cuneo, Altice Brown Failing, Hattie Bohnett Gardner, Lenore D. Glass, Grace Herold, Kathryn Hughes, L. Deanie Keil, Madeline Rose Lannin, Mary Agnes Melone, William Burrel Melone, Amelia Pritchard, Mary Theresa Ritchie, Pearl Vivian Roll, William F. Runge, Harry C. Scholten, Libbie B. Scholten, Leo Sullivan.

* * *

Under the Weather

Miss Bernice Arnerich seriously injured in a two-car headon crash on Blossom Hill Road Friday evening May 29th is recuperating satisfactorily.

Mrs. Nina Jacke, Mr. Percy Thompson and Mrs. Gertrude Woelffel 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.

* * *

Beyond the Horizon

Chester Paul Derr

July 13, 1894 - May 21, 1964

Edith V. Titcomb

November 2, 1895 - May 31, 1964

Minnie F. Sicotte

December 29, 1865 - June 17, 1964

Mabel Gallagher Luce

November 18, 1875 - June 17, 1964

Gertrude Ward Gray

July 30, 1883 - June 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.

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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 concerning Club activities call Mrs. Kate L.
 Owen, 295-1153.

For information concerning chartered bus tours for
 members of the Pioneer Society, phone Gertrude A. Bern-
 hardt, 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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