

HISTORY OF CALIFORNIA STATE PARKS

Edited by Vernon Aubrey Neasham

THE HISTORICAL BACKGROUND  
of  
POINT LOBOS RESERVE

State Park No. 48

by

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## CHAPTER I

### A MAZE OF TITLE CHAINS

Jutting out into the ocean, just south of the picturesque town of Carmel, is one of the unique creations of nature -- Point Lobos. Swept by sun, wind, rain, and fog, and beaten by the waves of the pounding Pacific, this point, covered with its pines and moss-laced cypresses, inspires feelings of wonder and astonishment. Nowhere upon the Pacific Coast is there found a like combination of surf, sand, rocks, cliffs, bays, channels, grasses, flowers, shrubbery and trees. The State of California, realizing the beauty of this area, has set it aside as a permanent reserve where the people may enjoy it in its primitive setting.

Who owned this area prior to the State's taking it over? The answer to that is both complex and confusing, due to the fact that almost one hundred years have elapsed since the original grant was made by the Mexican government in 1859. Since that time, scores of claimants have tried to prove the legitimacy of their claims.

Prior to 1859 there were claimants. The padres of Carmel Mission ran cattle in that area from an early date, and, undoubtedly, claimed the land for their Indians. Old records tell of the mission vaqueros lassoing bears upon the

banks of the San Jose Creek, the northern boundary of the present State Park.

After 1833, when the missions of California began to go through the process of secularization, that is, when their lands were thrown open to ownership and settlement by private citizens, it was only natural that the lands under the control of Carmel Mission should go through the same process. Juan B. Alvarado was given a grant on September 30, 1834, which may have included a portion of the lands in the vicinity of Point Lobos. Teodoro Gonzales, on September 2, 1835, applied for the rancho of Sur Chiquito. The map he submitted shows that the grant for which he applied included Point Lobos.

The grant which remained valid, however, was that granted to Don Marcelino Escobar, a prominent official of Monterey, on April 16, 1839. This grant of the Rancho San Jose y Sur Chiquito, consisting roughly of two leagues, was bounded on the north by the Carmel River, on the east by the mountains, on the south by the Prado Colorado, and on the west by the Pacific Ocean. From this grant, which was confirmed in 1840, are traced all chains of title to Point Lobos.

Two of Don Marcelino's sons, Juan and Augustin, seem to have obtained possession of the rancho shortly after the grant to their father. However it may have been, they decided

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it to Doña Josefa de Abrego on August 26, 1841. That señora, holding power of attorney from her husband to buy and sell land, paid \$50 dollars, one-half in silver and one-half in merchandise, for the rancho.

The next step in the process of conveyance remains somewhat of a mystery, at least the deeding of it to a group of soldiers of the Monterey presidio on January 16, 1842, by Doña Josefa. It seems that they paid nothing for it, and yet the records leave no doubt that she deeded it to them. Is this where the story of a gambler losing the rancho comes in? Did Doña Josefa, acting in the power of attorney for her husband, Don José de Abrego, turn the property over to the soldiers in payment of her husband's gambling debts to them? That story has been told of Don Marcelino, but, if holding a half truth, it would appear that it was Don José who gambled and lost a rancho and not Don Marcelino.

The soldiers of the presidio, about ten in number, held the land in their names until June 7, 1844, when they turned it over to their worthy superior officer, Colonel José Castro, famous in the annals of California history for his opposition to the American invasion. As late as 1848, Castro was given quit claim deeds by the soldiers concerned.

The annexation of California by the United States, in 1848, resulted in the setting up of a land commission to

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review all private claims in California. Thus it was that José Castro filed his petition as claimant to the Rancho San José y Sur Chiquito on February 8, 1853. The Board of Land Commissioners rendered a decree rejecting Castro's claim on August 28, 1855, thereby rendering invalid, seemingly, the original claim of 1839. Castro's claim was appealed to the United States District Court, where it remained for years in doubt.

Almost a year before the rejection of the Castro claim by the United States Land Commission, General Castro sold his claim to Joseph S. Emery and Abner Bassett for 750 dollars. It was they who were to carry on the fight for the rancho. Before the final decision of the court, Bassett died, in 1874, leaving his estate to his wife and eight children. The undivided one-half of the 3,818.56-acre Rancho San José y Sur Chiquito, claimed by Bassett's heirs, was appraised at \$15,000.

Thus far, the title claim to the Escobar grant seems simple enough and can be followed without much difficulty. Other claims entered into the picture at an early date, however, which bade fair to entangle the Castro claim into an impossible maze. Conflicting deeds and squatters' rights all came into the picture.

The earliest conflicting claim was that of the Es-

Escobar heirs. Only two of the children, Juan and Augustin, had deeded the rancho to Doña Josefa de Abrego in 1841. There were other sons and daughters, and later grandchildren, who claimed a portion of Don Marcelino's grant. Those heirs agreed, on March 25, 1859, to give to one Delos R. Ashley, an attorney, one-half of the rancho if he would get it back for them. Later, in 1860 and 1861, those same heirs sold a portion of what they claimed to Mathew G. Ireland, who had on March 12, 1859, bought a quit claim deed from the Abrego family. December 1, 1877, found one-ninth of the rancho sold by the Escobar heirs to Adam Joseph Kopsch. In addition to the above claims, a Sidney S. Johnson claimed that Emery and Bassett had agreed earlier to give him one-third of the rancho. The squatters' claims were almost too numerous to mention.

Thus, by 1880, when a suit was filed in the United States District Court to settle the respective claims, the following legally claimed the land: Joseph S. Emery, one-half; the Bassett Estate, one-half; Sidney S. Johnson, one-third; W. Van Dyke, the successor of Kopsch, one-ninth; the heirs of D. R. Ashley, one-fourth; W. T. Baggett, who had bought one-half of the Ashley interest, one-fourth; and Joseph W. Gregg, who had bought the Ireland claim of about 1,000 acres north of San Jose Creek.

The final agreement, recorded on June 5, 1882, which was subject to the confirmation of the Castro claim, by the

United States, found the claimants receiving the following percentages: Ashley heirs, one-ninth; W. T. Baggett, one-ninth; J. S. Emery, two-ninths; Bassett Estate, two-ninths; Sidney S. Johnson, two-ninths; and W. Van Dyke, one-ninth. Gregg's claim to the land north of San Jose Creek was later recognized, as were the claims of some twenty-seven others, mostly squatters.

An agreement had been reached, then, between those who claimed portions of the Rancho San Jose y Sur Chiquito. Only the confirmation of the Castro claim remained in the way of those claimants deciding which portions were theirs. As yet, with the exception of Gregg and the squatters, there seemed to be only undivided interests.

The Castro appeal was finally won, in 1892, in the case of "The United States of America versus Joseph S. Emery, Nathan W. Spaulding, with the will annexed of Abner Bassett, deceased, and Mary Ann Bassett, widow of said Abner Bassett, as successors in the interest of José Castro, deceased, the claimant herein." The title was confirmed on December 24, 1892, and the patent was signed by President Grover Cleveland on May 4, 1893.

Shortly after the signing of the patent by Cleveland, those who claimed the Rancho, with the exception of Gregg and the squatters, banded together and on September 6, 1893, sold



their interests to the Carmelo Land and Coal Company, a corporation, for the sum of one dollar. They, of course, held shares in the company equal to their interests in the land. Thus, for the first time in almost half a century, the Rancho San Jose y sur Chiquito, including Point Lobos, came under the ownership of one person, legally. From that time, September 6, 1898, the story, fortunately, is easy to follow. The coal company subdivided part of the Point Lobos area into the town of Carmelito in 1890-1891 and sold the rest, including about 640 acres, on January 14, 1898, to A. M. Allan. Mr. Allan held the land in his name, after a series of suits with various parties, including, among others, members of the Carmelo Land and Coal Company and the Monterey County supervisors. The lots of Carmelito, for the most part, passed into Mr. Allan's hands. A twenty-acre right of way was also acquired by Allan.

The death of A. M. Allan left the estate to his heirs in 1930. Within three years, the Point Lobos Reserve had been secured by the State of California as a park and primitive area. Through gift, sale, option, and easement, at a cost of approximately 700,000 dollars, about 400 acres of the original Rancho San Jose y sur Chiquito, indeed the most beautiful part of it, has become a State Park, subject to permanent restriction for the use of the public.

## CHAPTER II

## MAN'S USE OF POINT LOBOS

The uses made by man of Point Lobos and the surrounding area included in the present reserve have been varied. The Indians of that region undoubtedly used to hunt and fish there, as is seen in the remains of middens a little to the south. Explorers, those representatives of Spain who traversed the coast in ship and land expeditions, also had some contact with that area. We know that the stock of Gaspar de Portolá, who camped upon the banks of San Jose Creek in 1769, grazed upon the lush grasses to be found there.

Cattle grazing was the first real use made by the Spaniards of the Point Lobos Reserve. Carmel Mission, as was the case with most California missions, had large herds which roamed through the surrounding country. It was natural that those herds should spread to the relatively close area of Point Lobos. As has been related before, the mission vaqueros are mentioned as having roped bears in the vicinity of San Jose Creek while herding their cattle.

That cattle raising was carried on into the Mexican Period is certain. Escobar's grant, in 1839, mentions cattle grazing. The deed to Josefa de Abrego, in 1841, mentions besides a frame house, two stone tanning vats as being already

upon the Rancho San Jose y Sur Chiquito. Such a statement stands as proof of the raising of cattle there and their slaughter. Perusal of the brands registered in the county recorder's office in Monterey shows more than one of the names of the claimants to the rancho to be included there. Grazing extended into the twentieth century.

Other uses were made of the Point Lobos area. Stories have been told of the smuggling activities carried on there, probably from Carmelo Cove, by those who wished to evade the customs duties of Monterey. While no active records of such have been found, the stories are, probably, well founded. The cove in the present State park offered deep water and is the only possible landing place for miles along the rugged coast. Rum-runners, during the prohibition era of the twentieth century, used that cove and even built a road to facilitate their landings of contraband cargo. Below the quarry lies the remains of one of those rum-running boats, silent witness to the prowess of the United States Coast Guard Service.

Such an harbor, though small, offered an opportunity for other activities. Whaling began there in 1861 or 1862. According to accounts, some twenty Portuguese used the bay as their base. Whaler's Knoll, above the old quarry, was used to sight the whale. When captured and killed the whale was brought to the derricks and tackles in the cove,

where it was cut up in the water. Iron caldrons set in stone were used in boiling the whale oil. The lurid flames and smoke of the quays, the shrilling of seagulls, and the shouting of men offered a deep contrast to the whalers' small frame cottages, the pigs, goats and cows, and the neat little gardens composed mostly of corn and pumpkins. Today, all that remains of the whaling industry, which was abandoned about 1884, is the hulk of one of the whale boats, the derrick rings in one of the rocks, a ninety-foot whale skeleton, two of the iron caldrons, one of the whalers' cottages, some evidence of old oil spilled upon the ground, and a stone wall used as protection from the wind upon the lookout knoll.

Mining had its importance at Point Lobos. The year 1863 found the San Carlos Gold Mining Company incorporated at a capital stock of 50,000 dollars. The directorate of Milton Little, Sam K. Thornton, Simson Conover and Bradley D. Sargent hoped to mine gold there. The bankruptcy of Conover, in 1866, probably tells the extent of the success of that venture. The last attempt to exploit the mineral possibilities of Point Lobos was in 1907, when a group headed by Joseph Schultz was given, by Mr. Allan, the right to enter the Point Lobos area to prospect for minerals.

The story of coal mining activities at Point Lobos assumed more importance than that of gold mining. In the

early 1880's it was determined that the hills back of the point contained valuable coal deposits. The forming of the Carmelo Land and Coal Company in 1883, by the owners of the Rancho San Jose y Sur Chiquito, marked the beginning of an extensive development. A railroad already had been built, which connected the mine with the county road, and a coal chute was added by which the coal could be transferred from the road to the north side of Carmelo Cove. The annual report of the State mineralogist in 1890 tells us that more than 720 feet of the coal mine tunnel had been retimbered, and that the coal in three distinct veins varied in thickness from two to nine feet. A hoisting engine, built at the cost of 10,000 dollars, was to be used in bringing the coal to the surface. Chinese miners were employed to do the actual coal mining.

Due to the expense of operation, probably, the coal mine was idle by 1896, and has remained so, for the most part, to the present day. Although the old chute and bunker are no longer there, traces show that they were upon the north side of the cove, where the water was deep and where ships could anchor.

Another type of mining done at Point Lobos was the quarrying of granite. The old quarry remains as mute evidence of an immense amount of rock having been taken out. Squared drill holes in the rocks and jumbled masses of granite

upon the south shore of Carmelo Cove, opposite the coal landing, are still to be found. How early this granite was mined it is difficult to say -- early enough to supply building stone to San Francisco and Monterey, at least. It is said that this was the most important source of building granite in California before the development of the Folsom quarries. The old United States Mint in San Francisco and the jail at Colton Hall were built from Point Lobos granite, according to the oldtimers. The sand along the north beaches has been used, also, for building purposes.

It has been mentioned that the Indians used to fish at Point Lobos. Later comers also fished there. Those Chinese, or their predecessors, who mined for coal, went to Point Lobos at an early date to fish. The United States Surveyor General's 1835 map of the Rancho San Jose y Sur Chiquito shows several of the Chinese fishermen's huts near the beach of Carmelo Cove, as well as one south of the present park. This would indicate that they had been there for some time. According to Mrs. Morales, who has lived for almost seventy years near Point Lobos, the activities of those fishermen were devoted to the catching of fish rather than abalone.

The Japanese fishermen, arriving at a later date, in the 1890's, were brought to Point Lobos by Mr. Allan to help develop the abalone canning industry. Using long hooks and nets, the Japanese at first fished mainly near the shore in

water not more than ten feet deep. The State Division of Parks has photographs which show nude fishermen using goggles to enable them to see the abalone. Later, diving suits were used, both from the shore and from boats in deeper water.

The abalone canning industry, started by Mr. Allen, had its locale upon the site of the old whaling station, near the foot of the quarry cliffs. What cannery buildings remained were torn down by the State in the attempt to restore conditions as they had been. It was not an uncommon sight after the late 1890's to see the white slabs of abalone meat drying near the old coal chute and bunker upon the opposite shore. Heaps of abalone shells, brilliant in their varied color, remain today as reminders that many cans of abalone must have been shipped to the Orient, for that is where most of them found their way. The canning industry, as such, came to an end in 1928.

Dairying and farming had their part near Point Lobos. Across the road from the reserve there still stands a dairy run by one of the Allen heirs. Fruit trees about some of the old houses as well as evidence that some land of the park, itself, was cultivated are indications of agricultural activity. Lumbering, also, had some part. Gibson Creek, forming the south boundary of the reserve, gets its name from a Mr. Gibson, who hauled redwood posts out of that canyon.

The area of Point Lobos was used for other activities. As a place for picnics and as a tourist attraction, this area is unique. Since Mexican days, Point Lobos has been a favorite place. Mexicans, Americans and even Japanese have held gala affairs there, where the trees, the cliffs and the sea have combined. Mr. Allan charged admittance for many years to those who entered the property by way of the toll road. The State continues to encourage her people to visit the area and has set aside grounds for those who wish to picnic.

A town was started in 1890 by the Carmelo Land and Coal Company in the area of the present park. Carmelito lots were sold to many prominent persons who admired the beauty of Point Lobos. Fortunately, the lots were bought by Mr. Allan before too much of the natural beauty had been destroyed by building. The streets of Carmelito, named after Bassett, Emery and others of earlier importance, still can be ascertained in places and even form part of the present thoroughfares.

One of the most interesting of all uses of Point Lobos has been as a set for the motion picture industry. Artists and photographers had long known the beauty of the spot and had portrayed its scenes upon canvas and film. The year 1916 marked the beginning of a new activity there, with the area being used as a background for the moving picture. Since that time, many of the best known actors and actresses have



been portrayed there, first Roberta Roberts and most recently Shirley Temple. America and the world have seen Point Lobos through that medium.

A study of the uses made of the Point Lobos Reserve could, perhaps, go on indefinitely. The most important have been mentioned. Although the reserve is retained as a primitive area, the signs of man are everywhere abundant. Some of the uses have been quaint and picturesque; most have been economic. It remains for the State, through her scientists and custodians, who have spent much time in studying the area, to preserve it from any further such use, whereby the beauty and atmosphere may be marred. Those remains of the past, however, which are truly historic and which are reminders of activities, should be preserved along with the points of scenic beauty.

### CHAPTER III RECOMMENDATIONS

There are several recommendations which may be made, from the historians point of view, regarding the Point Lobos Reserve. Foremost among these is the checking of place names in the reserve. It was brought to the attention of this writer, while on a recent trip to Point Lobos, that the area includes a variety of names. It is obvious that certain of those names have their origin in the past; it is certain, also, that some of them have a very recent origin, probably given since the acquisition by the State.

In view of the possibility of error, it would seem proper that a survey be made of all possible maps and accounts, in order that correct names be ascertained. Where it is known that a point, a cove, a creek, or a rock, for example, had been named in the past, that name should be retained upon the State's master plan. A list of those names and their origin would be, not only useful, but interesting, to all concerned. Where no names for a distinctly historic portion can be found, it is suggested that names of personages or events connected with the area be given. In this way there will be a better balance between the historical names, the scientific, and the place names based strictly upon beauty.

There are other recommendations. The preservation of historical monuments and remains comes to our attention. From a tourist's, as well as from an historian's viewpoint, it would seem well to preserve from further destruction by vandals and the elements the old whale boat lying at the base of the quarry. If properly taken care of, that vestige of a once great industry will last indefinitely. The same recommendation is made for the other relics of the whaling era. The whaler's cottage and the wall upon Whalers' Knoll are examples.

The preservation of the two iron whaling caldrons, which are upon State property at the present time, should also be undertaken. They could be placed, as they were in the nineteenth century, in stone upon the site of the old whaling station. Two other caldrons, one upon the property of Mr. Allen's daughter, Mrs. Riley, and one in the possession of the Japanese, across the highway from the reserve, should also be placed in their proper positions, if the present possessors are willing to allow the State to have them. Such a project will do much to bring to the attention of the public the scope of the whaling industry.

In closing, it may be said that, besides scenic beauty and scientific interest, the Point Lobes Reserve has a great deal of history. That this last phase has importance is not to be doubted. Anything which the State may do to emphasize the historical interest, among the others, will be worth while and appreciated by the people of California.