

California

MAGELLAN in 1520 showed the way to the Pacific Ocean, through the Strait now bearing his name.

The following year, Cortez completed his conquest of Mexico and, thirteen years later, commanded an expedition through the Strait and discovered Lower California, at La Paz. Three years afterwards he sent to Lower California an expedition to explore the Gulf, after which he returned to Spain.

Alarcon, with two ships, sailed up the Gulf of California in 1540, entered the Colorado River, and was the first white man to set foot in present California, though Cabrillo, a Portuguese navigator, is credited with having discovered California. [61]

Two years afterwards the Spanish governor sent out Cabrillo and Ferrello to explore the coast northwards. They discovered the harbor which they named San Miguel, afterwards named San Diego.

They touched at Santa Barbara and, after reaching 41° N., returned south. After Cabrillo's death, Ferrello, who succeeded to the command, sailed the following year to the vicinity of Rogue River, Oregon, and then returned.

In 1578 Drake, with three ships, sailed through the Strait, after which he lost sight of two of his ships. In the "Golden Hind," he sailed north along the Oregon coast, where he put ashore his Spanish pilot, who walked the 3,500 miles to Mexico. [150]

Drake returned to the present Drake's Bay, outside the Golden Gate, and harbored there thirty-six days; thence he sailed to the Philippines, and home around the Cape of Good Hope. He re-

ported that while on the California coast he nailed to a post a brass plate inscribed as follows: "Bee it known vnto all men by these presents, Ivne 17, 1579. By the grace of God and in the name of Herr Maiesty Queen Elizabeth of England and herr svccessors forever I take possession of this Kingdom whose King and people freely resigne their right and title in the whole land vnto Herr Maiesties keepinge now named be me and to bee knowne vnto all men as Nova Albion. Francis Drake."

This plate was not discovered until 354 years afterwards, a short distance inland from Drake's Bay. The California Historical Society, after scientific tests, has declared its authenticity.

Vizcaino, a Spaniard, anchored with three ships in San Diego Bay in 1602, and then went to and named Monterey Bay. This bay was not visited again until 166 years afterwards, and meanwhile it was forgotten by successive generations.

The Jesuits, who had been active in establishing missions in California, were in 1768 expelled from the realm by King Charles III of Spain. Thereupon the Franciscans began locating such missions.

By order of the king, Portola, governor of California, organized an expedition, of which two divisions went by land and two by sea, to make a permanent settlement in the present California. They congregated at San Diego and were the first white men to settle in that territory.

Portola with sixty-five men, including soldiers, priests, muleteers and Indians, proceeded to, and named Los Angeles, where he discovered oil; thence to Monterey, and to the present site of San Francisco.

From this expedition there were established, during the next fifty-four years, twenty-one missions and settlements, between San Diego and the north side of San Francisco Bay. Each mission was located on the best land thereabouts. Generally, a tract of some twelve miles square constituted a farm, where presently, thousands of sheep and cattle grazed. From the seacoast to the mountains, from San Diego to San Francisco, all the land with a few exceptions, was claimed by the priests as mission property, without reference to the number of establishments. [150]

These few exceptions related to presidios (army posts), the

commander of which had authority to grant building lots to soldiers and other residents within four square leagues of headquarters, though it is uncertain that this was ever done. Another exception was that each settler in a pueblo (village) was entitled to an inalienable homestead of two hundred varas (550 feet) square, exempt from taxation for five years, after which period there was an annual land rent for the tract of one and a quarter bushels of corn. [150]

The Spanish and Mexican systems of settling California contemplated a three-fold occupation of the land: by the religious pioneers through the missions; by the military through the presidio; and by civilians congregated in pueblos. The first grant of land made within California was to a Spanish soldier who had married a native convert. [150]

The presidio at San Francisco was founded in the year of American Independence, and five years later a code of laws for California was approved by the King of Spain.

Captain George Vancouver, the English explorer, after exploring the northwestern coast, put in at San Francisco, Monterey, Santa Barbara and San Diego, in 1792. The first American vessel to call at a California port was a northwest trader, en route to China with furs, which anchored in Monterey Bay four years after Vancouver.

The Russian ship "Juno," with a cargo of Russian goods, seeking food for the Russian settlers at Sitka, arrived in San Francisco Bay in 1806. Six years afterwards the Russian-American Company built Fort Rossia, at Bodego Bay, thirty miles north of San Francisco, which Russia hoped would prove the beginning of their domination over the northwestern coast of America. [61]

Ten years later the Russian ship "Rurik," on an exploring voyage, anchored in San Francisco Bay, where the ship's company entertained the Spanish-Californians, and in turn were entertained with fiestas. Three members of the expedition afterwards wrote books respecting the country. Eight years later another Russian ship, en route to protect the Russian settlements on the northwestern coast, anchored in San Francisco Bay. [61]

Staggering under a large debt in protecting the throne against usurpation by Napoleon, the Spanish cortes, in 1813, ordered the sale of crown lands. [150]

Thomas Doake, a sailor from the United States ship "Albatross," landed near Santa Barbara in 1816, and became the first American settler in California.

Mexico having declared its independence of Spain, the governor and his military force stationed at the Monterey presidio in 1822 replaced the Spanish flag which had flown over California fifty-five years, by the flag of the new Mexican government. Similar action followed at other presidios, whereupon California ceased for ever to be a province of Spain.

The Mexican Congress in 1824 adopted a decree which promised colonization of lands and security of foreigners: land grants to be restricted to one square league (4,428 acres) of irrigable land; four square leagues where dependent on rain, or six leagues of grazing lands; and that all landholders must engage to inhabit and cultivate their lands a certain portion of time. The mission lands were forbidden to be granted until it should be determined who owned them.

Some American fur trappers from the Missouri country, who came to the San Gabriel mission in 1826, were the first white men to come overland to California from the East.

Governor Figueroa issued a decree in 1834, providing for conversion of missions into pueblos; friars to be relieved of temporal duties; each head of a family to be given a lot one hundred by four hundred varas (275 by 1,100 feet). The following year he founded a garrison, town and colony at Sonoma, on the northern frontier, as a protection against Russian or other foreign invasion. [61]

It was at this period that the missions reached their highest prosperity. According to DeMofras, the French historian of California, the twenty-one missions then held 30,650 Indians living in the communities. The horned cattle numbered 424,000; horses, mules and asses numbered 62,500, besides the wild ones running over the plains in troops; sheep, goats and swine 321,500; and 122,500 bushels of various grains.

The Russian government in 1841 sanctioned the withdrawal of the Russian-American Company from California, and sale of its fort.

The explorations by Vitus Bering, a Dane, for the Russian

government, 193 years previously, and subsequent settlements by the Russians along the coast, were the origin of the sovereignty by Russia of Alaska, covering 586,400 square miles; for the land and sovereignty of which the United States in 1867 paid to Russia \$7,000,000 and \$200,000 additional for the improvements.

John Sutter, a naturalized American, formerly of the Swiss army, became one of the most prominent men of his time in California. In 1841 he obtained a Mexican land grant of thirty-three square miles. He bought of the Russian-American Company, Fort Rossia, which he dismantled, and then erected Fort Sutter, on the Sacramento River, and a mill at Coloma, on the American River.

The first exploring expedition from the United States to California, comprising six vessels, in command of Lieut. Charles Wilkes, with six hundred men, including many scientists, arrived in San Francisco Bay in 1841.

That year, the first overland emigrant train, consisting of thirty-four persons seeking land, arrived in California from Mid-Western United States; there also arrived an emigrant party from New Mexico.

The first discovery of placer gold in paying quantities in California was made eight miles west of Newhall in 1842, and twenty ounces were sent to the Philadelphia mint.

Captain John Charles Fremont, leading his first overland exploring expedition, arrived at Fort Sutter in 1844. The same year, a party of some fifty men, women and children, with twelve wagons, from the Missouri River, reached Fort Sutter.

War between Mexico and the United States began May 13, 1846.

In July that year, Great Britain had nine warships in the Pacific—the largest squadron they had ever had in those waters. Commodore Sloat, in the United States frigate "Savannah," was at that time at Monterey.

There was evidence of an intrigue whereby Britain was to take over California in payment of a debt owed by Mexico to British subjects. The possible cause of this presumed action by Britain is treated in the chapter on the Oregon Region.

Without knowledge that two months previously war between

the United States and Mexico had been declared, Commodore Sloat issued a proclamation declaring California henceforth a part of the United States, and sent an officer with 250 marines and seamen ashore to hoist the American Flag over Monterey.

Gold discovered at Sutter's Coloma mill, January 19, 1848, inaugurated a nation-wide gold rush and influx of people into California.

Before this discovery became widely known, an armistice in the war was agreed upon, followed by the treaty of Guadalupe-Hidalgo (Mexico), February 2, 1848; signed by the United States the following March, and by Mexico in May.

The population of California, the year before discovery of gold in 1848, could not have exceeded ten thousand, but three years after the discovery, the population was two hundred thousand. The name of Yerba Buena was changed to San Francisco in January, 1847, at which time it was surveyed and plotted. Within three years, the population increased from three hundred to twenty-seven thousand and the price of building lots increased from \$15 to \$15,000 each. [33]

Judging from court records, the first alcalde, or mayor, must have been constantly occupied in making land grants. Land acquired such high value that trouble arose between claimants under Spanish and Mexican grants and those who claimed by pre-emption or actual possession. There were armed conflicts, with loss of life. The choicest part of the town was found to be covered by no less than five different Spanish and Mexican grants for the same land, every one of them having been forged after the war. Sacramento, Stockton and other sites were claimed on similar titles. [150]

American squatters on the Sutter grant challenged the validity of the Mexican grant to Sutter and defied court orders for ejectment. This resulted in armed resistance in 1850, in which four men were killed and five wounded.

That year California was admitted as a state of the Union, and a land commission was appointed by act of Congress to examine, and approve or reject, land claims, subject to appeal to the United States Supreme Court. It examined 813 claims, of which 203 were rejected and 591 confirmed, 99 of the latter by the

Supreme Court. The litigation dragged along for more than thirty years.

The large immigration of settlers, which promised a continued increased demand for land, created a desire upon the part of holders to wait for the unearned increment. This led and continues to lead to the withholding of so much desirable land, at speculative prices, that the full development of the state has been restricted. In a speech in the legislature, a member said: "It is such a holder who puts a blight on everything. He holds large areas which he refuses to sell except at prices which few, if any, can afford to pay."

Henry Miller, who came to the United States as an immigrant in 1850, acquired an immense area of the richest land in California and Oregon, suitable for cotton, grain and dairying. A report of the agents of the estate, issued in 1935, revealed that in the previous nine years, when the sale of their land in California began, 558,302 acres had been sold at \$20,841,986, and that an area of just about the same value remained. All land value is publicly, and not privately, created, and should be collected for the public treasury to reduce the general tax levy.

The California Commission of Immigration and Housing made a careful investigation, some years ago, as to where some of the public domain has gone.

In Siskiyou County alone, the Central Pacific Rail Road Company held 664,830 acres. In San Bernardino County, the Southern Pacific Company held 642,246 acres, and 4,200,000 acres in other counties. The Miller & Lux estate held approximately 700,000 acres. As a comparison, the entire state of Rhode Island contains only 798,720 acres.) In the eight southern counties, there were two hundred and fifty-five holdings aggregating 4,893,915 acres. There were thirty-two holdings each of 15,000 acres, seven of 50,000 acres each, one of 183,399 acres, the last named being one-fourth the area of Rhode Island.

"By such holdings," says the Commission, "we foster unemployment, yet it is considered legitimate business to purchase land for the avowed purpose of preventing capital and labor from being employed upon it until enormous sums can be extracted for this privilege."

No problem appears to be more persistent or more universal than that of adjusting man to land. When the Commonwealth Club investigated farm tenancy in California, it recognized the conditions that led to the farm bloc in Congress. The committee concluded that tenancy does not tend to land ownership under existing high priced lands. Inquiry as to time needed for a tenant to acquire ownership brought such answers as, "three to thirty years," "maybe a lifetime."

Norma Cooley, writing in *Tax Facts*, said: "In spite of its natural advantages—really because of them—California got off to a bad start. In the first place, it was afflicted with Spanish and Mexican land grants, a policy that laid the foundation for more rascality, fraud, foul-play, sharp practice and downright robbery than, probably, has ever been practiced anywhere else within the same time and space.

"When California was transferred to the United States, this government agreed to recognize these grants as a matter of honor. It turned out to be honor among thieves. The land speculator; who is the earliest and most persistent of all pests in any Garden of Eden, was early on the scene, and has not yet departed.

"The early settlers in California were a land-hungry people—that is why they came. They had little equipment and less money, but they had their labor, and labor applied to land produces wealth, and out of the produce of their labor they were forced to meet the terms of the land grantees, whether they bought or rented land.

"The large landholdings that grew out of the Mexican grants, and the huge grants of more than sixteen million acres given to the railroad promoters, laid as fine a corner-stone for land monopoly as any one could want. With land as the source of all employment, doesn't it seem absurd that any individual, or group of individuals, should 'own' millions of acres of idle land when jobs are so scarce that here, in this fertile land, we must feed and clothe hundreds of thousands through charity? Isn't it a little odd that we boast of the natural resources of our state, yet find it a calamity when men come without bringing wealth from the outside in order to buy of private, and often absentee holders, the privilege of using these resources?

"Population and the need for land gives land its value. The land of California belongs to the people of California, but by extravagant squandering of land by legislatures during the first twenty years, at \$1.25 per acre, it has passed into the hands of a comparatively few, leaving no land for the next generation except by purchase from those who happened to be born earlier and got hold of it.

"Every flivver tourist, every mendicant, that comes to California brings a mouth to feed and the labor to feed it. All he needs is access to the natural resources of the land that lie within our boundaries.

"When Felipe De Neve founded the pueblo at Los Angeles, in 1781, and imported families to constitute its citizens, the land was not given to the settlers, but allotted to their use, and could not be mortgaged or sold. Each family was entitled to a fifty-five foot lot fronting on the plaza, for business and residence purposes, and one or two seven-acre parcels directly adjacent. The balance of the thirty-six square miles was free range. But everything, including the plaza itself, remained city owned.

"With such a start as this, what happened to deprive Los Angeles of the wealth that should be filling its coffers, paying for all its departments of government and relieving tax burdened industry?

"When the city needed cash it sold some of this land at auction. The southwest corner of Second and Spring Streets (now in the center of the city), was sold for \$100, and the adjacent lot for the same price; the entire Second Street frontage between Spring and Broadway, 120 feet deep, for \$200.

"And thus did the city of Los Angeles sell its very heart in a three days' auction for a grand total of \$7,848. As late as 1850, Los Angeles owned nearly 99 per cent of its land, about thirty-six square miles, of which the plaza was the center. Within the lifetime of one man, Los Angeles frittered away its heritage and today all it owns of its original holdings are bits of land in Elysian Park, some fragments of the Los Angeles River bed, and Pershing Square.

"What if Los Angeles had retained possession of this land? The city would have enjoyed a natural, healthy growth. As each

new family moved in, it could have taken up the next available plot of ground adjacent to those that surrounded the plaza. There would have been no need to move to the outskirts to get cheap land.

"When the time came for street paving and lighting, and for police and fire departments, there would have been no such thing as running these improvements and services past many vacant lots to reach outlying homes. Streets could have been laid out, sites allotted for a civic center, parks, playgrounds, public buildings, etc. But through the years, we have paid out millions of dollars to buy back land that the city gave away with lavish hand for meager service, or sold for a song.

"Many of the downtown buildings stand on leased land now, but the land rent is paid to an individual landholder. Would the building owner be any less secure in the possession of his property if this land rental were paid into the public treasury? Certainly not. He would have this added advantage—the money that he paid for the use of the land would be all that he would be required to pay as his share of government expenses. He would not have to pay this, as he does now, and pay in addition a tax on his improvements and personal property, and on purchases of commodities. Think of that, heavily burdened taxpayers—all the ground rent of this value turned into the public treasury and not a cent of taxes to pay! Think what that would mean to Los Angeles today, or similarly, to any other city anywhere, every plot of ground used to the best advantage instead of modern fireproof buildings standing among unsightly structures and vacant lots. No taxes to pay, merely the annual rent for the use of the land.

"Imagine the financial position of Los Angeles today if it were receiving ground-lease revenues from the 36 square miles of land surrounding the plaza! The public owned the land, the founder had pointed the way we should go and had established it as a definite policy.

"Buying and selling land, the glorious game of real estate, does enrich the few—at the expense of the many. Similar practices in other states make conditions in those states likewise so intolerable that men load their suffering families into rickety cars and head

for California which has been long advertised as a place of unusual opportunities.

"If we could once get it through our heads that it is ridiculous for one individual to pay another for the right to use the earth, land would be available to all; jobs would be plentiful in town and country. We would not have this strange paradox of land barons and beggars, idle men and idle acres, homeless folk and stranded building trades.

"We must learn to recognize every able-bodied man who enters California, with or without a family, in overalls or tuxedo, as a self-sustaining individual—then see that natural opportunities are not so monopolized that we have to pass the hat for him.

"The citizens of Los Angeles are today barred from much-needed recreation beaches because they are privately owned through a grant from the King of Spain. Mr. and Mrs. John Doe and all the little Does look over the fence, longingly, at the stretch of smooth sand and sounding surf, but they may not play there, because long ago, the king of a far-away, and now somewhat decrepit, country said that the curving shore with its tawny strand was to belong to Señor So-and-So, and to his heirs and assigns forevermore. How silly!

"We might go on indefinitely, reviewing the facts and groups of facts which, when properly assembled, give us a startling picture of the economic situation in California. It is not enough to see California with its climate and its water-power, its tourist trade, its influx of 'transients,' its great land holdings, its real estate business, and its relief rolls. We must understand the connection between these seemingly unrelated parts."

The California State Constitution, Art. 17, Sec. 2, reads: "The holding of large tracts of land, uncultivated and unimproved, by individuals and corporations, is against the public interest."

While in its fundamental law the state acknowledges the harmfulness, the legislature, fearing the wrath of the real estate boards, makes no move to eradicate the evil.