

CIRCUIT RIDER

By LEON ROWLAND

PROBATION DEPARTMENT IN PUBLIC EYE AGAIN

Members of the Women's Non-Partisan Round Table, who campaigned vigorously six months ago for a woman as deputy county probation officer and at least a temporary quarters for youthful delinquents, are awaiting with anxiety revelation of what the new county budget will contain for them.

The requested budget for the probation department is known to have been given the supervisors by its head, Superior Judge J. L. Atteridge, who is on vacation.

Members of the county probation committee said last week that they have no knowledge what the budget will provide.

Members of the Non-Partisan Round Table and of the Central Labor Council who enlisted in the effort to get a woman in authority as a probation officer were told six months ago that nothing could be done then; that the matter should be taken up at the time the annual budget is prepared.

The county probation committee will hold its monthly meeting next Saturday.

OUR EDUCATION TREND OF TODAY

One of the slight savings in our county tax rate which we can confidently expect from the budget now being prepared is in the assessment for tuition of our boys and girls who have gone outside the county to attend junior colleges.

The assessment is out of the hands of the supervisors. The junior colleges send in their bills (at legally fixed rates) and under state law the county must raise by taxes enough to cover.

The drop in junior college attendance is, of course, due to the fact that young men and women are in the armed services.

Six years ago a tax of 5.3 on each \$100 assessed valuation in the county raised about \$13,000 which was enough to cover tuition of our students in a dozen different institutions.

College attendance increased until two years ago the rate had to be put at 10 cents.

Last year the levy was only 7.5 cents, due both to a \$4,257 hold-over in the fund to drop in attendance.

This year's figure is not yet available but it is safe to say at least two cents can be lopped off our total tax rate because of the sharply decreased number of Santa Cruz county boys and girls who are going to Salinas, San Jose and the dozen or more institutions which have attracted them in the past.

BURRELL HAS ORPHAN HIGHWAY

The people of Burrell, Highland, Skyland and the upper Soquel valley hope that one of the post-war projects will be a mile link for their orphan highway.

The road—2.85 miles long—was built several years ago as a "feeder road," technically a "federal aid secondary" highway.

Uncle Sam put up 55 per cent of the \$65,000 and Santa Clara and Santa Cruz counties split the remainder. The road runs along the county line; its eastern end is at Hall's bridge, where it is linked to the old San José road north from Soquel. Its western end is the county road which was the Los Gatos highway until the state came along and built the new route over the hills.

People from Burrell can, of course, follow their special highway to the old state highway (which is now a county road), follow it back a mile or so and get on the new Santa Cruz-Los Gatos route.

But the Burrell people would like a direct fast route through to the north. The people of Soquel would like it, too.

INVESTORS' SYNDICATE WINS FIRST ROUND

The Investors' Syndicate, in whose "certificates" a number of

Santa Cruzans have invested, won a preliminary federal court victory in Minneapolis which denied a SEC motion for a temporary restraining order. Hearing on permanent order is slated for August 30 before Federal Judge Gunnar H. Nordbye.

The SEC declared that the syndicate, with its subsidiaries, has violated certain federal laws, besides being guilty of gross misconduct.

Specifically the commission charged that the Investors' Syndicate "devised a fraudulent scheme," advising certificate holders to "switch" from high interest bearing certificates to some other type.

President Crabb of the Syndicate denied that the "switch" was to any other advantage than that of the certificate holder and that although the SEC had known of the program for four years no objection was raised until last December. The SEC through Attorney Cashion denied knowing details of the program until recently.

DRESSES REACH WOMEN IN NAZI-HELD LANDS

A year ago the Santa Cruz Red Cross forwarded 150 dresses to occupied Europe.

It was not the usual Red Cross shipment of clothing. They were dresses made by Santa Cruz women for relatives in Nazi-occupied Europe.

The dresses, each accompanied by a message, went to New York, to Geneva, and to France; Denmark, Holland, Italy. The far-flung machinery of the great philanthropic organization saw the dresses were delivered, each to the person for whom it was intended when it was made in Santa Cruz.

In many cases the addressee was a refuge, difficult to locate.

The acknowledgements are beginning to come back to the Santa Cruz Red Cross chapter, through Geneva and New York, with the limited message permitted to the effect that the recipient is well.

HOME COMING FOR MAJOR MAHONEY

Major Grant Mahoney, much decorated flyer of the American forces in India, who has a record of four Jap planes downed, is back in California and will tomorrow be given a welcome by his home city of Vallejo, with a parade and a reception in the Casa del Vallejo hotel.

Wording of an invitation from R. Emmett Mahoney, his uncle, reveals that Major Mahoney's name is "Grattan" instead of "Grant," although the latter seems to be the war department's official designation.

R. Emmett Mahoney, now a San Diego real estate dealer, was also born in Santa Cruz county. He will be in Vallejo tomorrow.

BACKGROUND FOR THE OLDTIMER

Ernest Otto, in his Oldtimer column last Sunday, spoke of the house on School street now owned by Ed Reardon, which in the seventies was the home of P. Johnson.

The history of the house carries back of the memory of the Oldtimer.

Patrick Johnson had been born in Drogheda, County Louth, Ireland, in 1820 and was 37 years old when he came to Santa Cruz after two years elsewhere in California. The year after his arrival he bought from Judge R. F. Peckham the little house in which he lived until his death on June 17, 1903. Most of his life in Santa Cruz he worked as a currier in the Kirby tannery.

JUDGE PECKHAM WAS PROBABLE BUILDER

Back of the ownership of the house by Patrick Johnson goes the story of Judge Peckham, who probably was its builder, although records fail on that point.

Peckham, who, as district attorney from 1853 to 1860 drafted the memorial to congress which resulted in the special legislation to straighten out tangled Santa Cruz

land titles, had been born in Dorrville, Long Island, in 1827. He had started roving at 14, was a carpenter at 17 and a sailor before the mast by the time he was 18.

In August, 1846, he had deserted his ship, the Cabinet, when it had arrived at Sausalito after a trip around Cape Good Hope to New Zealand. He had worked for a time for the Widow Bennett. He had met, in the fall of 1848, Ann M. Smith, member of a wagon train across the plains and married her in San Francisco in January of 1849, after he had spent a few months at the mines.

With his bride he had returned to San Jose, opened a store and studied law, and, in the spring of 1850 had been admitted to the bar. Defeated for district attorney in Santa Clara county that same year, he had farmed for a few months near Monterey and then come to Santa Cruz in the fall of 1851.

FOUR BOOKS WERE IN HIS LIBRARY

Judge Peckham's legal knowledge (he was said to have learned his law solely from two books he bought and two he borrowed) secured him election as district attorney of Santa Cruz county in 1853.

In the following years in that office he realized that the task of fixing ownership of much of the land in Santa Cruz was hopeless. In 1860 he made a trip back to visit Dorrville and went to Washington with a memorial asking the special legislation which (for both Santa Cruz and Benicia) resulted in the allocation in 1866 by a board of trustees of land titles which are still on the basis of property holding in this city.

From another trip east in 1869 he returned with determination to establish the San Jose Woolen Mills, of which he was president and general manager until his death on August 4, 1896.

BRANCIFORTE EXERCISED RIGHTS OF PUEBLO

The memorial which Judge Peckham presented to congress read:

"From 1798 a village has existed on the eastern bank of the river San Lorenzo called Villa de Branciforte, which long had, while the country formed Mexican territory, an ayuntamiento or town council, and exercised all the rights and privileges of a pueblo.

"By the Mexican laws and the acts of former Mexican authorities there was always set apart for use of the inhabitants of the village as commons and for municipal purposes, a tract about one league square, bounded by the bay of Monterey, the San Lorenzo river on the west, the Ranchos Rincon and Carbonero on the north and by the hills on the east.

"On this land the alcaldes of Branciforte from 1812 until after the secularization of the missions made many grants to inhabitants of lots of 50 yards square or less for erection of buildings and lots 200 by 400 yards or less for agricultural purposes.

"The grantees in most cases erected dwellings and by virtue of long possession, the land is now held in tracts of from half an acre to 16 acres or more.

LAND HISTORY AROUND SANTA CRUZ MISSION

"On the west side of the San Lorenzo is the ex-mission of Santa Cruz. After the secularization a tract about one league square, bounded by the bay, by Rancho Refugio on the west and Rancho Rincon on the north, was reserved from grant and destined as commons and municipal land for the town which it was the intention of the authorities then to erect out of the ex-mission.

"Until the military occupation by the Americans the mission and the land reserved were under the jurisdiction of a mayordomo or administrator appointed by the governors.

"These officers exercised the

functions of making grants of land in small quantities not exceeding 15 acres to emancipated Indians and other settlers for dwellings and gardens.

"During this period the office of alcalde of Branciforte and administrator of Santa Cruz was usually vested in the same person, who made grants both in Branciforte and Santa Cruz.

"In 1846 both Branciforte and Santa Cruz were villages, being places of trade, laid off into streets and building lots, and on occupation by the American army became filled with a hardy, industrious and enterprising occupation.

FOUR YEARS OF AMERICAN ALCALDES

"After the occupation by the Americans there was appointed from time to time by the American military governors an alcalde who resided in Santa Cruz and exercised powers over both villages and the lands reserved for them.

"In 1848, by order of Governor Mason, an ayuntamiento of six persons was selected to advise the alcalde in his duties. These alcaldes and the ayuntamiento existed until organization of the state government.

"In 1848 the alcalde and ayuntamiento caused all the unappropriated lands reserved to Santa Cruz and Branciforte to be surveyed into streets and building lots of 50 varas square and into sowing lots of 15 acres each and granted them to applicants, never exceeding two building lots and one sowing lot to each applicant, he being required to pay into the municipal fund a price usually about \$16 for each lot. Within two years all the lands became the subject of private claims.

"Had either the village of Santa Cruz or Branciforte been possessed of corporate powers so as to have presented to the U. S. land commission, the fact that there existed a town or village would prima facie have entitled the claimant to a confirmation of all lands reserved for both villages by the act of March 3, 1851.

"But neither possessed corporate power and no claim for either village was presented. The claims of each individual owner were so inconsiderable as not to justify prosecution and the 1851 act declared that the lands should be deemed part of the public domain.

SQUATTERS' CLAIMS CONFUSED TITLES

"Several persons, because they happen to be the oldest occupants of the quarter sections on which they are now located, seek to avail themselves of rights of pre-emption and thus each seeks to deprive a dozen or more neighbors of their homes, property and improvements, who happen to be juniors but whose grantors were prior in point of occupancy to the would-be pre-emptors, many of them deriving claims from the ancient Mexican authorities.

"Your honors will perceive that the act of congress of 1844, for the relief of towns and villages, the amount of land being limited to 320 acres, is inadequate to secure justice to but a small portion of the people of Santa Cruz and Branciforte."

Peckham asked that, as congress' session was near at end, the land office be induced to withhold the lands from homesteading pre-emption until a special law could be passed. His draft of a bill, which he was asked by the California members of congress to prepare, proposed that the probate judge of Santa Cruz county be given the right to buy any of the land whose title was involved for \$1.25 an acre in behalf of claimants under the Mexican or early American titles.

Mrs. M. Gartland of San Francisco is visiting her daughter, Mrs. M. Johnston, who with her son is spending the summer at Terrace Court of the Hollands.