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# THE LEFTOVERS

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## Rancho Sobrante Wars

*Roxanne Miravalle*



The history of Rancho [El] Sobrante is a long and complicated one. History tells us that Victor and brother Juan José Castro received a grant issued by Governor Alvarado on April 22, 1841 for 20,565 acres. However, in an article published in the Pacific Rural Press of 1878, allegations were made that "For 15 years, Horace W. Carpentier by fraud and bribery of public officials, has kept withdrawn from market a large area of public land in Alameda and Contra Costa counties, under a pretended Mexican Grant claim, and defeated every attempt of the settlers to have the lands thrown open to entry." In 1886, a land grant report produced by the Surveyor-General of California, states "Concerning fraudulent grants, the Limantour seal, and the many frauds that were perpetrated upon the government, the annual report for the fiscal year ending June 30, 1886, can be referred to.

It may be admitted here, however, that many title papers were fabricated after July 7, 1846. Rancho Sobrante, confirmed and patented to Victor and Juan José Castro, seems to be of doubtful validity, because among the archives may be found documents, both before and after the date of the pretended grant, which show that the land had not been granted to any one."

The History of Contra Costa County explains the use of the word "sobrante" was translated then as "surplus." Thereby confirming the Castros asked for vacant, surplus land. They did not ask for a place known by the name of "Surplus" or Lo Sobrante, or El Sobrante; but for a piece of vacant, surplus land that had not yet been deeded to anyone which fell into a category of grant by boundaries. Before the completion of the survey of the original grants, a process necessary for the determination of the lines of the Sobrante or overplus lands, war broke out between the United States and Mexico, hostilities being concluded by the treaty of Guadalupe Hidalgo, under which the United States agreed to protect the property rights of all persons holding title through the Mexican Government. Under the terms of this treaty, Victor Castro, on behalf of himself and his brother who had died, presented his claim for the Sobrante for confirmation by the United States Government. But it was not until 1883 that the

Federal Government completed its survey of the original grant and the Sobrante and during the intervening years hundreds of squatters had invaded the Sobrante by force and fraud, it is alleged, and by erecting homes, cultivating the land and paying taxes held that they had perfected title within themselves. Within five years of the final confirmation of title by the Federal Government, Castro brought suit to dispossess the squatters.

All this conflict about the vacant (sobrante) land lying between the Ranchos San Antonio, San Pablo, Pinole, Valencia, and Moraga, (being the surplus or overplus left between these said Ranchos) became known as Rancho Sobrante, and led to many disputes, court battles, and bloodshed over rights to ownership, as evidenced in some examples of newspaper articles shown below.

### **Sacramento Daily Union - 3 April 1860**

"The Sobrante Tract. — An action was commenced yesterday in the Fourth District Court by David Saville against John B. Frisbie, Levi C. Frisbie, Ransom De Zaldo, Edson Adams and H. W. Carpentier. The suit is to set aside a deed made six years ago by J. B. Frisbie and De Zaldo to Carpentier and Adams. Plaintiff avers that, in November, 1853, Victor Castro and Juan José Castro, owners of the Sobrante rancho, in Alameda county, north of the San Antonio rancho, sold said rancho for \$100,000 to J. B. Frisbie and De Zaldo, and then mortgaged it to the vendors for \$40,000 of the purchase money, it being a condition of the mortgage that they should not be bound for that sum unless the land should sell for so much. The Castros did not record their mortgage, and J. B. Frisbie and Zaldo sold a large part of the land to Carpentier and Adams for small sums. He also avers that J. B. Frisbie advised the Castros that it was not necessary to record their mortgage, and then conspired with Carpentier and Adams (the two last well knowing the existence of the mortgage) to sell the land at a low price, for the purpose of defrauding the mortgagees. The plaintiff purchased the mortgage from the Castros for five dollars a few weeks since, and now prays to have the deeds to Carpentier and Adams set aside. The defendants will, of course, deny all the averments of the complaint charging fraud." — *Bulletin, March 31st.*

### **Los Angeles Herald - 6 October 1878**

"More trouble is reported on El Sobrante Rancho, arising from conflicts between the squatters and landholders. Last Saturday Mr. McLean and two sons had a difficulty on his land with a squatter named Flynn, in which the latter was badly beaten with the stalk of a gun. It is reported that Flynn died from his injuries. A woman who was a companion of Flynn's, was also beaten and is said to be in a precarious condition. Squatters are represented to have established themselves on the ranch of Victor Castro, four miles up San Pablo Creek. Castro has gone up with a force to drive them off. There are from twenty to twenty-five squatters located on the \*Presag ranch, part of El Sobrante grant. About half a dozen squatters located also on the Wynne's farm situated about seven miles east of San Pablo but were driven off by the claimant with a posse of armed assistants, who fired numerous shots at the squatters. No one reported hit. Most of these squatters are reported to be residents of Berkeley, Oakland and San Francisco." \*[Brissac ranch]

### **Livermore Herald - 26 August 1880**

"On Thursday last a band of ten men, armed with rifles, raided on the claims of Anderson & O'Brien, squatters on the El Sobrante Rancho, and tore down their houses, throwing their furniture into the

creek. Both men were absent at the time, but Anderson, who was discovered in the hills, by the party, was thrown down and kicked. Warrants have been issued for the arrest of a majority of the raiders, and the affair is causing intense excitement in the neighborhood."

### Daily Alta California - 19 July 1888

"The suit of Victor Castro to oust Edson Adams and about 100 other claimants to land in the Rancho El Sobrante, will probably keep the property out of the market for many years."

*Below is a clipping from the Oakland Tribune, July 18, 1888, listing the names of the defendants in Castro's suit. Many of the names are familiar to the local historian, including, funnily enough, the name of Victor's son, Patricio.*

<p>The suit of Victor Castro to oust the claimants to land in the Rancho el Sobrante has caused some little uneasiness to many. The suit, which was mentioned in last evening's <i>Tribune</i>, is an important one, and will probably keep the titles to the land tied up for years. Many of the defendants reside in Oakland. The names of those who are called upon to set forth the nature of their titles to the land are:</p> <p>Edson Adams, A. Abrott, John Alvarez, J. T. Alren, Andrew Abbott, James Blamire, Mary Baden, S. Brazil, Charles Brandt, W. H. Buckley, Thomas Burch, Simon Blum, Charles Clark, Patricio Castro, M. Crow, J. Cardoza, G. W. Christian,</p> <p>B. Amendt, M. Attec, J. P. Alves, Frank Abria, Phillip Betz, E. C. Bressel, H. Brockhurst, Henry Barrollhet, W. Brown, George H. Baker, Thomas A. Brown, R. O. Baldwin, John Carfield, Mary Curren, J. Cornwall, M. L. Carun, J. B. Crockett,</p>	<p>W. Christian, David Clancy, Manuel V. Diaz, James Eva, Thomas Edwards, James Fox, Patrick Halsou, Mrs. H. Feleitz, G. M. Frazier, H. H. Gray, R. C. Gaskill, M. Gorham, J. G. Hoyt, E. Hall, W. Hudson, T. Hudson, J. Hefy, W. C. Hemne, J. Havey, F. Jacksill, F. Jackson, J. Kelly, P. Kelly, E. W. Leonard, L. Livingstone, P. Lasserot, J. G. Luez, W. S. McClane, E. F. May, Mary J. Milz, J. Mulholland, A. E. Miner, W. S. McLean, M. Marcellino,</p>	<p>P. Curran, J. P. Chrisman, Mrs. J. Ehlers, John L. Eckley, C. F. Eymann, B. Fernandez, A. Fletz, W. J. Field, X. F. Gomes, J. J. Gilles, F. Garcia, E. W. Hiller, Moses Hopkins, W. Hall, P. Hanneberry, J. W. Hudson, H. Hodeler, S. Hodges, R. Ivers, W. Jacobs, K. Kelly, W. Krieger, Mary Lynch, A. Levy, G. Lasserot, J. W. de Lavcaga, O. Langan, Y. L. Materson, J. McPeak, Mary A. Mulliken, A. McGrew, W. H. McCann, Michael McLaughlin, A. Marcellino,</p>	<p>J. Merritt, J. McDougal, J. Moran, Mrs. M. L. Norman, J. P. Nunes, L. O. McDougal, J. E. O'Neill, H. Plath, J. Pfister, S. N. Putnam, R. E. Rowland, T. Randall, E. Sullivan, L. L. Silver, F. M. Smith, J. Smith, T. B. Smith, E. W. Stone, H. I. Thurston, D. K. Tripp, P. Termer, A. J. Vandecarr, C. Wilkie, S. B. Welch, A. R. Wilson, G. Winslow, S. H. Watson, C. S. Whitcomb, W. Weybe, J. D. Yost, Mrs. E. Fitzgerald,</p> <p>M. McNamara, R. Martinez, W. Norris, J. Norman, A. P. Nunes, H. O'Neill, J. Olive, H. Pierace, W. A. Riper, C. Perkins, J. Reis, J. N. Remers, A. L. Silver, P. Sullivan, J. A. Schmidt, L. Smith, W. N. Stone, N. Thode, C. C. Tripp, P. Thompson, G. C. Tisdale, J. Wohlfrom, A. Warnecke, R. L. Welch, Sarah Wardler, J. J. Williams, E. W. Woodward, R. Woodward, J. Young, Mary Zeller,</p> <p>There are also other defendants whose true names are unknown.</p>
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### Daily Alta California - 7 August 1888



"Victor Castro has brought suit against some two hundred defendants to regain possession of a portion of the Rancho el Sobrante. Clinton T. Tripp, a defendant, has filed a cross-complaint, reciting how he became vested with a lien upon certain land, and he asks that judgment be given him for \$40,000, with legal interest from 1853 and costs of suit. Tripp has made John B. Frisbie and Ramon de Zaldo respondents to his suit, alleging that said parties were the principals who, for value received, passed a claim to him through an intermediary, Victor Castro. He also asks that Castro take nothing from him by his suit."

*Left, Victor Castro, c. 1870.*

The feuding over titles would continue for years. As late as 1908, in an article in the San Francisco Call dated April 22, titled **'MARKS CLOSE OF SHOTGUN FEUDS'** it was reported, "Superior Judge T. W. Harris of the Alameda County bench has returned from Martinez, where he presided over the apportioning of the Sobrante grant among 30 claimants. The territory has its southern boundary on the summit of Grizzly peak and also runs along the Berkeley hills on the east line of the row of gum trees, which is the most famous landmark on the east shore of the bay. The proceedings mark the closing stages of shotgun feuds among the squatters of the region 40 years ago, which were afterward carried into the courts to drag along for over a quarter of a century."

The long legal battle resulted in Castro's defeat and then the Syndicate Water Company bought out a majority of these holders, and the Contra Costa Water Company, the balance.

Resources:

California Digital Newspaper Collection: <https://cdnc.ucr.edu>;

History of Contra Costa County, <https://archive.org/details/historyofcontrcoomunrrich/page/n5>

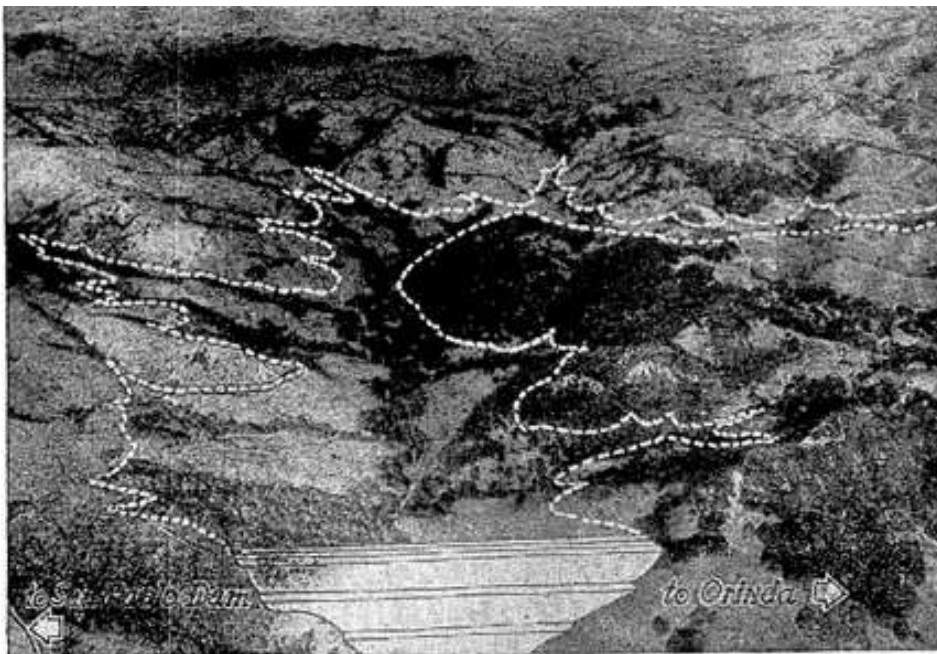
## 60 Years Ago

### New Lighting in the Business District

Efforts by the El Sobrante Business and Professional Men's Association finally resulted in the installation of 26 street lights between Road 20 (now El Portal) and Appian Way. The lights are described as "mercury-vapor" lamps producing 20,000 lumens. Interestingly, they are further described as controlled by "automatic photo-cell which turns them on during darkness and off again when full daylight returns." Surprisingly high-tech for 1959.

Of further interest, a "special lighting district" was formed by the merchants and property owners along the strip in order to help pay for and maintain the lighting. This fact perhaps explains why several business owners expressed dissatisfaction with the new lighting, complaining about "dark spots" in the array. Robert Sharp, association secretary, explained that the job had been "rushed" and that some "adjustments" might be necessary.

### Plans for New Briones Dam



EBMUD announced plans for the construction of a new dam and reservoir along Bear Creek Road. Over 20 property owners would be affected by construction plans, and they apparently had little choice but to sell at a price determined to be a "fair basis for the acquisition of your property."

The 3.5-mile reservoir would be completed in 1967.

**HUGE WATER PROJECT**— Broken line shows reservoir to be created by the Briones Dam which the East Bay Municipal Utility District will build across Bear Creek Road east of San Pablo Dam Road near Orinda. View is to the northeast from above San Pablo Dam Road with Suisun Bay in background. The 3½-mile-long reservoir will inundate 20 home sites along Bear Creek and will swing right toward Upper Happy Valley. The dam (foreground) will be 275 feet high, 2,260 feet long and 40 feet wide at the crest. Work on \$18,000,000 project is to start next year.

## King Norman Visits our Town

The annual March of Dimes drive in El Sobrante featured a special variety show, held at De Anza High School on February 12, 1959. As a special attraction, it was announced that the program would be emceed by San Francisco TV personality, King Norman, who ran a popular kiddie program from 1954 until 1961. The March of Dimes show featured a long list of performers, mostly children (one girl was only



4). Somehow, local Cub Scout Pack 133 got into the act, and this picture was taken at the time of the event. King Norman (Norman Rosenberg) is at the right, with one of his two white poodles ( Miss TV and Miss Vidio). A few of the boys are identified. Bottom, from left: Jerry Reynolds, Richard Armer, unknown, Kenyon Chan (Kenyon’s mother, Martha Chan, was very active in local PTA, scouting, and Boys Club events). Top Row, 5<sup>th</sup> from left: Bob Hendricks, 7<sup>th</sup>, Greg Szody, 8<sup>th</sup>, Steve James, 9<sup>th</sup>, Frank Fruzza, last, Lenny Martin. *Photo courtesy of Steve James.*

## Plans Laid for Opening San Pablo Reservoir to the Public

State Assemblyman S.C. Masterson stated that he is “preparing to present to the State Legislature Assembly Bill AB 286 . . . which would open up the local reservoir.” Masterson, and El Sobrante resident, had long advocated the opening of state reservoirs to “controlled” public use. The Herald reporter stated that opening the San Pablo Reservoir “would create a playground and water sports paradise excelled by few areas in the state.” It was noted that “local civic leaders long have pressed for public recreation usage of the reservoir territory, which is right on El Sobrante’s ‘doorstep’”.

The East Bay Municipal Utility District had “consistently fought attempts to open the reservoir land on the contention that its use by the public would create health hazards.” This stand was refuted by the lack of any problems concerning existing reservoirs open to the public.

Another 14 years would pass before, in 1973, the San Pablo Reservoir was opened for public use (but not swimming).

## Local Radio Station Highlights El Sobrante

On January 9<sup>th</sup>, San Francisco radio station KALW (91.7) aired a short segment on our town. The reporter grew up in El Sobrante and has her own take on its history, present, and future. Your editor was also interviewed, and has a few words to say. To read a transcript of the piece, or listen to it, click here: [Here's the web version.](#)

## Adachi Building Historically Significant



Part of the mission of the ESHS is to

determine the historical significance of structures that are of a “certain age” (usually greater than 50 years) and are still standing. The list of such buildings in El Sobrante is growing, and now includes the Adachi Nursery building, which is currently on the market.

The Adachi family has been in the nursery and florist business, in El Cerrito and El Sobrante, for well over 100 years, operating within a long tradition of Japanese horticulture in west Contra Costa County. Their El Sobrante facility opened in 1967 and operated for 50 years, before closing in 2017. Their last El Cerrito store closed in 1992, and, to our knowledge, other than our building, there are no structures remaining to help tell the story of this long and colorful tradition.

Designed by the local architectural firm of Hardison and Komatsu, the building exhibits the typical mid-century modern style of that firm and also the deep love of Japanese style often seen in the works of Donald Hardison, whose buildings and homes can be seen throughout West County. It is therefore our opinion that this building is significant not only for historical reasons, but deserves consideration for architectural reasons as well. It is our sincere hope that whoever comes into possession of this piece of our local heritage has the sensitivity and awareness to see the value in retaining, insofar as possible, the integrity of the original (current) structure.

*The Leftovers* is published quarterly. Articles for publication are encouraged, as are comments. See e-mail address below.

*The El Sobrante Historical Society is a formal nonprofit organization, and donations may be tax-deductible. We are dedicated to the preservation and display of the history of the community of El Sobrante. We depend on our members and local residents for the information, artifacts, and photographs that make up the society's collection. Become a member and help out! It's free and simple. Just visit the website, at [eshist.org](http://eshist.org).*

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### Mission Statement

*To promote the awareness and appreciation of El Sobrante Valley history through preservation and education, and chronicling of the community's heritage for current and future generations.*

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