New Perspectives: A Study of Early Dairy on the Point Reyes Peninsula

Shih-Hung Chen
David Halliday
Megan Knize
Jeffrey D. Port
Katherine Tarlock
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Jeffrey D. Port

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New Perspectives:
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Preface

Shih-Hung Chen
Jeffrey D. Port

This collaborative project emerged as a result of the History 270S research seminar at Stanford University. The class, taught by Professor Richard White during the spring quarter of 2001, integrated the study of microhistories of the American West by focusing individual research projects on the Point Reyes National Seashore. Although most of us knew very little about Point Reyes, we were fascinated by the stories of dairies on the peninsula. From our mutual interest in these dairies that our group was born.

One of the very first things that our group did was to travel up to the National Seashore with the rest of the History 270S class. It was important for us to see and understand the place we were studying. Our trip was led by Professor White and a number of National Park Service employees. As we toured the park, they pointed out different features of note. It was standing there, in front of one of the few remaining Point Reyes dairies that we were exposed to the stories regarding the history of the dairies. These stories laid out a monotone chronology of the dairies, then expressed the past-glories of the California rancher in the 19th century. However, as we pursued our research topics, we discovered that history rarely presents itself in such clear ways. The stories we were told blossomed and expanded into much more complex tales. We realized that Point Reyes contained much more than a simple tale of dairying ranching. We hope our papers will to break the homogeneity of traditional Point Reyes Dairy history. We hope that we can show the history of Point Reyes in all of its confusing, twisted, and diverse glories.
Our forage into this diversity begins with Jeffrey Port’s paper about the Shafters. He investigates the competing claims for Point Reyes land between 1836 and 1866. During this time, the land passed from Spanish Land Grant holders to wealthy San Francisco lawyers (the Shafters), who used years of litigation to defeat all others who laid claim to the land. He argues that land at Point Reyes differed from most of the American West, for it was not owned by farmers, but was an object of speculation by the wealthy.

David Halliday’s paper studies the process by which landowners obtained a patent to their land from the United States. It was a complicated process, and several people on Point Reyes had tracts of land confirmed to them, though they claimed the land for different reasons.

Katherine Tarlock’s essay focuses on the Steele family, who started the first dairy on Point Reyes, were the first tenants of the Shafters, and stayed on Point Reyes until 1866. Traditionally, the Steeles have been viewed as pioneers of the California dairy industry, but Katherine disputes this. She believes that the Steeles operated just one of many dairies in California at that time and did not stand out from the rest.

Megan Knize’s paper is about the marketing of land at Point Reyes to outsiders, especially from the East Coast. She traces the Shafters need for reliable, experienced tenant farmers to operate their network of dairies and looks at how the land was aggressively marketed to upper middle-class, white dairy farmers from around the nation, in hopes of establishing a homogenous, wealthy society. In many cases, this marketing misconstrued the real conditions of the land.

Finally, Shih-Hung Chen’s research analyzes the characterizations of Point Reyes through agricultural journals of the 1870s and 1880s. Traditional scholarship has portrayed the region as a dairying paradise, but his paper disputes this. He creates an argument from the relative absence
of writing about the Point Reyes region, as apparently the region was not the preeminent dairy land in California, as it has been considered.

Due to the complexity of history, the arguments in these papers don’t necessarily complement each other, and at times even appear to contradict each other. For example, Knize’s Steele Brothers appear much more successful than in Tarlock’s Steeles. However, it is crucial to understand how these perspectives of the Steeles are being formed. Knize sees them portrayed as the epitome of the successful dairy farmer. Tarlock, however, tried to determine what their dairy was actually like. These differences are not necessarily mutually exclusive, they even complement and flesh out the impression of the Steeles.

Chen’s paper also contrasts with Knize’s, but again, this is due to a difference in perspective. Knize discusses the people marketing the land, who will view it in the best light possible. On the other hand Chen bases his argument upon journal articles. The authors of these were trying to report on California agriculture, and not necessarily glorify any particular region. Although Chen and Knize write different things, their papers are once again not mutually exclusive, for they are viewing Point Reyes though different lenses.

Finally, Halliday’s and Port's papers disagree regarding the patenting of land grants. Differences arose because Halliday focused on the legal patenting process, while Port analyzed varying land claims in the region. Legal minutiae, which may have been sloughed over or ignored in Port's paper, form the crux of Halliday's argument.

Our papers focus on very specific topics within the early history of dairying at Point Reyes. We do not claim to write an all-inclusive history, but instead, a collection of writings that are snapshots of different facets of the early dairies. Hopefully, our “stories” will add to the
Point Reyes dairy “stories” and allow a richer explanation to emerge for future people to understand the dairies.
Acknowledgements

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We would also like to thank the archivists at Stanford University’s Special Collections, and the staff of Bancroft Library at the University of California, Berkeley. Without their help, the large volume of archival research required to complete this project would never have been possible.

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Finally, all of the authors would also like to thank each other. Without the help we have provided to each other, sharing our research, reading each other’s drafts, and getting the other group members motivated, the finished project never could have been this strong.
Between 1860 and 1900, Oscar Lovell Shafter, James McMillan Shafter, and Charles Webb Howard created California’s foremost dairy enterprises on the Point Reyes peninsula. The story of how the Shafters and Howard got their land began in 1836, long before any of them arrived in California, when the First land grants were issued on the Point Reyes peninsula. They battled to get the land, through a convoluted series of court cases, accusations of impropriety, and outright violence that stretched out over 30 years. The issue of land ownership wasn’t finally resolved until 1866, when the final case between the Shafters and Rafael Garcia was resolved in court. And once the Shafters had the land, a great deal of suspicion remained as to whether or not the land was rightfully theirs.

The story of the Shafters’ acquisition of Point Reyes doesn’t conform to the usual cultural plot of white settlement in the American West. Under the American Land system, land was supposed to belong to actual settlers. Legal title and use were supposed to rest in the same hand. The Shafters’ ownership of Point Reyes was not based on use; it relied solely on the legal title to the Point. They established valid legal title to the land, but they had to battle many other claims, by people who felt the land was rightfully theirs. The Shafters defeated their rivals because they proved the best lawyers; they targeted any other claimant with an extraordinary amount of litigation. They knew the legal system better than anyone else, and thus were able to defeat all competing claims, and take possession of the land for themselves.

The Mexican government issued three land grants within the modern boundaries of Point
Reyes National Seashore. In March of 1836, Rafael Garcia received a grant of two leagues, while James Richard Berry received a grant of eight leagues. To give some sense of the size of these grants, a league is defined as three miles, so a square would have been approximately nine square miles. The measurements of the grants in terms of leagues were approximate. A square mile is 60 acres, and thus a square league would comprise 3960 acres. Later, Garcia’s grant was measured at about 8900 acres, while Berry’s was approximately 35,000 acres.

Garcia’s two leagues surrounded Bolinas Lagoon, and he named his grant Rancho Tomales y Baulines. Berry’s eight leagues were primarily in the Olema Valley, with a small portion on the western shore of Tomales Bay, named Rancho Punta de los Reyes. Whatever clarity there was to these claims did not last. First, Berry “sold the two leagues on Tomales Bay in 1838 to Joseph E. Snook.” However, it was illegal under Mexican Law for Berry to sell the land he had been granted, and the supposed sale allowed Snook to denounce the land. Under A provision in the Mexican Law called “denouncement” . . . If a grantee were not using all of his land, the unused portion could be denounced by a second party, and if the claim were found to be true, that portion would be given to the denouncer.

In denouncing Berry, Snook gained two leagues of land on Point Reyes, while Berry was left with his sex leagues in the Olema Valley.

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1 Anne Coxe Toogood, *A Civil History of Golden Gate National Recreation Area and Point Reyes National Seashore, California* (Historic Resource Study, Denver: Historic Preservation Brach, Pacific Northwest/Western Team, Denver Service Center, National Park Service, Department of the Interior, 1980), 34,42
3 There is some dispute as to when the grants were actually made. Jack Mason, a Marin County Historian, wrote that Berry received his grant on March 17, 1836, while Garcia received his March 19. Dewey Livingston, a National Park Service Historian, wrote that Garcia’s grant was earlier, but Berry’s was still on the 17th. Later, this distinction would play a role in a land ownership case at Point Reyes.
5 Livingston, 2
The situation became more confused in 1843, when Garcia’s brother-in-law Gregorio Briones entered the picture. Garcia allowed Briones to move onto his land, while Garcia himself moved onto the southern portion of Berry’s grant, which was to the north of his rancho. At this point, Berry began grazing his cattle to the east, on land which had been granted to Antonio Maria Osio.

Osio had gotten his first land on Point Reyes in 1839, when he traded land in Southern California for Snook’s two leagues. Osio then applied for a grant for the rest of Point Reyes, which he received in 1843. This grant contained 11 leagues on Point Reyes, comprising virtually the entire peninsula, and Osio named in Rancho Punta de los Reyes Sobrante. Sobrante is Spanish for remainder, for Osio he had acquired the remainder of the land on Point Reyes. At this point, Briones, Garcia, Berry and Osio now all had claims in the area, but Briones was on Garcia’s land, Garcia was on Berry’s land, and Berry was on Osio’s land.

In 1844, Osio sued Berry for using his land. This fight ended quickly, for Osio won the lawsuit, while Berry gave his property to Stephen Smith and left the region. This suit was the first example of competing claims to the land in the Point Reyes region. Berry had a claim based on his use of the land to graze his cattle. Osio’s claim to the land was his legal title to it. Just as in many later Point Reyes land cases, Osio’s legal claim won, and Berry was forced to move his cattle. Berry, however, left, unlike many later claimants to Point Reyes land, who continued to press their case for years after they lost.

After this, things were fairly calm in the region for a few years. In 1848, Smith sold his

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7 Mason, 22  
8 Mason, 24  
9 Toogood, 42-43  
10 Livingston, 4, Toogood, 44
land to Bethuel Phelps for $15,000. Curiously, Phelps recorded this purchase in Sonoma County, although it was made and involved land in Marin county. In 1848, the United States acquired California and the 1850 census gives a picture of landholding in the region just after the Gold Rush. The situation was no clearer than it had been under the Mexican Republic. In this census, Briones was listed as being assessed for 13,230 acres, despite the fact that he didn’t own any land, and only lived on Garcia’s original two leagues. Also, Osio was assessed for only two leagues, yet he had the title to as many as 13 leagues. The situation was ripe for litigation as more Americans came into the area.

Point Reyes difference from other parts of the American West became extremely important as contacts between Anglos and Californios increased. In most of the West, the United States acquired land by treaty from Indian peoples, and then sold it or granted it to American settlers. When the United States annexed California, much of the land had already been doled out to Mexican citizens, such as Berry, Garcia, and Osio. Settlers thought they were moving onto empty land, but were actually occupying the land owned by Californios. Such settlers were squatting but thought of themselves as pioneers entitled to the “empty” land by dint of their labor and settlement.

A conflict between Mexican grantees and American settlers was inevitable in such cases, but a third group also entered the picture. In 1852, Osio sold his land in its entirety to Andrew Randall for $25,000. For the first time, Point Reyes land had an owner who didn’t live or work on the land, and owned it for the sole purpose of making money through speculation. Randall’s deed included the 11 leagues of Osio’s original grant, plus the two leagues Osio had obtained

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11 Livingston, 5. It also apparently was not longer illegal to sell land. No one mentions Smith any problems with this sale such as those around Berry’s sale to Snook.
12 James McMillan Shafter Paper, Bancroft Library, UC Berkeley
13 Toogood, 64, 69
from Snook. The $25,000 also bought Randall all the buildings and livestock on the ranch, but he inherited a $3000 mortgage to G.W. Bird with the land. Randall made another land purchase in 1854, buying the Berry grant from Phelps, for $150,000, all of which was borrowed. Randall was rich in land and heavily in debt. When he failed to pay his loans, creditors foreclosed upon the Point Reyes Ranch. There were many different creditors, all of whom wanted a piece of Randall’s estate, and they quarreled among themselves. The result was a convoluted series of lawsuits in the late 1850s.

These kinds of disputes over the ranches occurred over much of California, and in 1851, the United States Congress passes “An Act to Ascertain and Settle the Private Land Claims in the State of California.” This act established a three-person Board of Land Commissioners to oversee the settlement of land claims throughout the state. California land cases pitted the original recipients of Spanish or Mexican Land Grants, or those who had received the title from one of these grantees, against Anglos who had settled on the land. The complicate things more, the United States, on occasion, granted new titles or deeds to the land, and the original Mexican landholders became the squatters, even though they held the original title to the land. When the Board of Land Commissioners resolved these issued and confirmed the grants, the case moved to the District Court of Northern California, which also had to confirm the grant before it became official.

The various claimants to land on Point Reyes filed cases with the Land Commissioners. Virtually everyone who felt they had a claim to the land filed for it, and Briones, Garcia, and Randall’s grants were confirmed by the Land Commissioners and the United States District

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14 J.M. Shafter Papers
15 Livingston, 8, Mason, 27
16 Toogood, 63
Court. Even before his land was confirmed, Randall was shot by Joseph Hetherington, one of his creditors, and the battle for his land continues without him. Several of Randall’s less murderous creditors felt that the land was theirs, and they treated it as though they owned it. Clearly, the fate of Point Reyes had moved from the hands of the farmer and rancher to these lawyers and businessmen.

For a period squatters could continue to reside on the land simply because just who owned the land had yet to be determined. Several of Randall’s creditors felt they had a legitimate case; they had foreclosed Randall’s land at Point Reyes when they discovered just how far he was in debt. The problem was that the sheriff who executed the judgments was not satisfied with repossessing the land once. He foreclosed on it over and over again. According to Robert McMillan, one of Randall’s creditors, Sheriff Vischer of Marin County was authorized to collect judgment out of Randall’s property. Because Randall did not have enough property to pay back the $14,044.55 he owed McMillan, the sheriff seized Randall’s land to pay back McMillan. This included the Osio grant, as well as the grant Snook had denounced from Berry and traded to Osio. This might have ended the matter, but the sheriff offered the tracts of land for sale to the highest bidder. The money would presumably go to pay back McMillan, as well as Randall’s other creditors.

McMillan, however, purchased the tract of land from the sheriff, for $1,000 each, far below the market value. At this point the story becomes even more convoluted. Vischer apparently sold the same land not only to McMillan, but to Jesse Smith, another of Randall’s

17 Toogood, 65-70
18 Livingston, 9
19 Livingston, 8
20 J.M. Shafter Papers
creditors, who then sold the deed to Thomas Richards. In addition, John Hyatt and Samuel Reynolds now owned Bird’s mortgage on the land, and Vischer gave them deeds as well. As many as four people received deeds to the land, and each had paid the same $2000 for it. Undoubtedly, the Marin County sheriff had committed fraud, the only uncertainty is how much. With ownership of the tracts in question, a legal battle began, from which wealthy San Francisco lawyers ultimately gained title to the land.

McMillan and the others who claimed the land all sued, in an effort to validate their titles. While the other claimants, Thomas Richards, Samuel Reynolds, John Hyatt, and possibly Thomas Cary, hired the same layer, McMillan hired the powerful law firm Shafter, Shafter, Park and Heydenfelt to defend his title. Of the four partners, James McMillan Shafter, Oscar Shafter, and Trenor Park were from Vermont, where Oscar, and presumably the others, had some experience on dairy farms. While the law firm lost likely took the case simply to defend a wealthy San Franciscan, by the time the case was tried, the lawyers owned the land. They purchased it from McMillan most likely in exchange for legal fees.

Meanwhile, on Point Reyes, the Steele family signed a lease with Richards, one of the other claimants against McMillan, and began diary farming there in July of 1857. Richards felt confident enough in his ownership of the Point to lease out the land, so there were clearly other legal claims to the land aside from McMillan’s. Acquisition of the title to the land by the Shafters was not guaranteed, yet they accepted it in exchange for legal fees. With the success of

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21 J.M. Shafter Papers
22 Toogood, 72. By this time, the mortgage had increased in value to $8400
23 Livingston, 9
24 Livingston, 10
26 Steele Ranch Record, Special Collections, Stanford University, Box 37
the Steeles, it became apparent that dairying was a legitimate enterprise on Point Reyes. The Shafters seized an opportunity to make money and acquire land which was excellent for dairy ranching. “Jim, Park, myself, and two others recently became owners of the best dairy ranch in the State,” Oscar Shafter wrote, “containing about $50,000 acres . . . we are having some litigation about the title, but have no doubts as to the result.” The Shafters did win the land battle for McMillan, or rather for themselves, for by the time the case was over they actually owned the land.

There is some dispute as to how McMillan won the case. Mason asserts that “McMillan was the only one with enough money to clear Randall’s property of the liens against it.” Randall’s creditors created the liens when they entered judgments against him for his debts. Toogood argues that McMillan won the land solely because his deed to it was the oldest. Whatever, the case, the Shafters won. They now owned virtually all of Point Reyes, having also purchased Berry’s rancho in 1857.

After winning the title to the land, the Shafters evicted squatters who believed they had a claim to the land. According to Mason, for the Shafters, “One disagreeable chore remained, to rid themselves of the group still in possession of much of Point Reyes. In the company of the new sheriff, they rode out to the Point to serve some six or seven eviction papers.” The Shafters evicted Richards, Reynolds, Hyatt, and Josiah Swain, Randall’s foreman on the Point. The veracity of this story is unclear, for there is not direct evidence to prove it. Nevertheless, the Shafters successfully evicted most of the prior tenants and squatters on the land, attempting to

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27 O.L. Shafter, 187-188
28 Mason, 31
29 Toogood, 74
30 Toogood, 74
31 Mason, 36
eliminate any claim based upon use or residence.

The 1860 Census provides a rough sketch of the Shafters success at evicting people. In 1860, 132 lived on Point Reyes, but only four are listed as owning land of their own: Solomon Pierce, two of the Steele brothers, and a Mr. J. Sangster. Pierce purchased his land from the Shafters in 1858, in the only major land sale on Point Reyes prior to 1909. The Steeles’ land ownership was probably a mistake by the census takers. Although they ran a prosperous dairy, they began leasing property from the Shafters in 1858, and didn’t actually own any land. Sangster is an unknown, although it is likely he did not actually own his property either. It appears the Shafters were fairly successful in evicting all the former residents of Point Reyes.

Numerous laborers resided on the Point in 1860, but 14 of the 15 people listed as dairymen were established as tenants of the Shafters. Clearly, within two years of winning the title to the land, the Shafters had successfully evicted the squatters, and established their own tenant system. The Shafters’ policies on Point Reyes possibly led to a depopulation of the regions, since many who had been living there were evicted. Reduction in population is another example of the difference between land settlement on Point Reyes and elsewhere in the American West. Population usually went up, and only declined in a rare case such as Point Reyes.

Once the Shafters evicted the former tenants, the story of the acquisition of the land ends in historical accounts. The land was originally titled through Spanish Land Grants. The grants were sold to Andrew Randall, who went into debt, and a debate over ownership arose among his creditors. In legal battles, the Shafters won title to the land, and evicted all the residents. After

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33 Mason, 37
this, they, established their own tenant system of dairy ranches on the Point, creating a glorious and productive system, free from the costly fights which plagued their attempts to acquire the land. Traditional narratives indicate that all competing claims just went away, and the Shafters had no further competition for the land.

However, this account just is not true. Three primary claims could be made to the land at Point Reyes, and many claims lingered for years. The first claim was based on time, using the argument that a person is entitled to the land if his ancestors used the land for many years. Only the Miwok Indians on Point Reyes could make this claim, and just as in the rest of the West, their claims were silenced by the United States government. A second claim to the land was based upon use, and was made by people living and working there when the Shafters acquired the title to it. However, this argument was trumped by a third claim to the land, a legal title. This conflict between the use claim and the legal claim pits the abstract against the real. The Shafters’ claim was abstract, a piece of paper which said they owned the land. Conversely, those actually living there had a very real claim, for they worked and knew the land as the Shafters never could. nevertheless, the legal system in the United states upheld the Shafters’ claim.

Still, the competing claims at Point Reyes did not go away, as people who thought they had a right to the land lingered even after their claim was defeated. Josiah Swain bought a ranch near Sausalito, bordering the Rancho of Gregorio Briones. In an even more interesting case, Harriet Welch, whom the Shafters evicted, pursued her claim against them into the 1880s. Because her family’s name doesn’t appear in the 1860 census records, they were most likely evicted shortly after the Shafters took possession of the land. Even though she moved to Redwood City, she didn’t go away, writing to the Shafters, the Department of the Interior, and

35 California Private Land Claims Dockets, reel 24, docket 317
the Board of Land Commissioners, as late as 1883, attempting to regain her property.  

Welch actually had two claims to the land. By writing the letters, she was hoping to “recover a piece of property situated in Olima(sic), Marin County, California, containing 160 acres more or less and which we purchased in good faith for a certain sum of money.” Welch had a legal claim to the land, most likely having purchased it from one of the other litigants against McMillan. Although Welch believed her title legal and proper, it was actually invalid. “It was known as the Westgate Place,” Welch continued, “and was peaceably occupied for 26 years prior to our purchase and 3 years by ourselves before being claimed by James McMillan Shafter, he having entered our premises and claiming it as his.” Welch also claimed the land based upon use and occupancy. So, while the Shafters’ legal claim reigned supreme, their ownership of Point Reyes was not smooth and unencumbered. Competing claims for the Point did not just disappear, and people were constantly challenging their ownership. 

Just as other people didn’t let the Shafters have their land without a fight, they continued to try to get more land. In 1861, they sued Rafael Garcia, who had lived on Berry’s Rancho since 1843. The Shafters alleged that Garcia was on their land, for they had purchased Berry’s land at an auction in 1857. However, Garcia had lived on the land for almost 20 years, and when his grant was confirmed, it was amended to include part of Berry’s original grant. The Shafters alleged the Berry’s grant should supersede this, because it was older. They also alleged fraud by Briones, for taking Garcia’s land, Garcia, for moving north, and Wheelock, owner of the bordering Nicasio grant, which the Shafters believed encroached upon their land. The case wasn’t decided until 1866, in the California Supreme Court, when Garcia won.

36 California Private Land Claims Dockets, reel 10, docket 182
37 California Private Land Claims Dockets, reel 10, docket 182
38 Oscar L. Shafter, et. al. v. Rafael Garcia, et. al., Bancroft Library, UC Berkeley
For the first time, an opposing claim had defeated the Shafters’ aggressive legal tactics, and their claim was deemed subordinate. It took a combination of a valid legal claim, the grant, and a valid use claim, but Garcia won. Garcia’s survey, which had been approved by the Board of Land Commissioners and the Northern California District Court, was the most important factor in the decision. At Point Reyes, although many people’s claims competed for the right to the land, the legal claim always won. Point Reyes became a target of businessman and lawyers, a region used to make money, rather than a piece of land to work. The valid claimant to the land was no the farmer, but the businessman, who knew the legal system, and could gain a legal and valid title.

Finally, the land situation at Point Reyes was roughly sorted out. The Shafters owned almost the entire peninsula, with Garcia on his Rancho Punta de los Reyes and Briones on Rancho Tomales y Baulines. Yet, many people never seemed to fully acknowledge the Shafters as the rightful owners of the Point. Unlike other parts of the American West, where people who worked the land owned it, the Shafters had lawyered their way to land. By acquiring it the way they did, the Shafters transformed the essential function of Point Reyes. No longer was it a simply farming region. Instead, it was under the control of land speculators, and used to make money. Neither the original grantee nor the squatter owned it; the land was in the hands of the wealthy elite.

39 Mason, 47
An observer looking at the land patenting process on the Point Reyes Peninsula in the 1850’s might have been surprised at the complexity of the legal battles being fought in court. These were fierce court cases, impressive because California had become a state just a few years before, often involving multiple plaintiffs and defendants over land that had become very, very valuable over the preceding few years. A great deal was at stake, not only in monetary terms but also in legal terms. As historian Jack Mason wrote, “out of the turmoil was to come a series of events that helped to write California legal history.” Many men had a claim to a portion of the Point Reyes Peninsula, and many of those claims were valid in differing ways. There were men who lived on the land, men who were granted land under the Mexican land grants, and men (and woman in at least one instance) who thought they had purchased parts of the land in good faith. Those who laid a valid claim to the land had to prove their claim(s) through a long bureaucratic process including district court, the land commission, and sometimes even the California State Supreme Court. They had to perform all of these legal actions before they had a hope of getting a patent, which is a legal document recognizing ownership of the land under the United States Government. Not surprisingly, the land claimants with the superior legal representation, those who could best navigate the bureaucracy, often obtained the legal right to the land. As such, this paper is an examination of how and why the United States government gave land patents to the

1 Jack Mason, Point Reyes, the Solemn Land. p. 29
claimants that it did. On what grounds did the legal authorities (land commission, district court, supreme court) give land patents? Through what means did the patent recipients ultimately obtain their patents? The Mexican Land Grant Papers and a variety of secondary resources describe the land patenting process as influenced by a few key factors, including money, legal expertise, and cultural affiliations.

The land patenting process was a difficult one that involved a great many complications. In the early days of California’s statehood, the American government quickly established a legal precedence to deal with various land claims resulting from the treaty of Guadalupe Hidalgo and the expansion of Americans into the areas that had very recently been Mexican. The United States Congress passed laws dealing with the resulting land disputes between Mexican land grantees, American purchasers, and land squatters. In theory, the laws that were passed allowed Mexican land grantees the rights to land that was legally granted to them, but they were often forced to defend their holdings in court, a costly practice that often cost them the very lands they were trying to protect. Other complications abounded, including navigation of the vast American bureaucracy. Complicating these matters was the fact that the Mexican land grants had often been very casual affairs compared to the stricter American bureaucracy. The population growth between the Mexican days and the American days necessitated this concurrent growth in legal bureaucracy. However, this dramatic cultural change wreaked havoc with both Mexican land grantees and American settlers in terms of the California land grant patenting process. This patenting process was far different from the land transference process in the rest of

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2 “California Private Land Claim Dockets,” Records of the General Land Office. Record Group 49 (Hereafter referred to as MLGP)
3 Robert H. Becker, “An Historical Survey of Point Reyes” p. 41; Mason p. 20
the American West, land that was generally owned by the American government and then either
sold or given to private individuals in the form of land sales or homesteads.

In this way, the Mexican land grantees who had been given their land “with property
lines often indicated by a wave of the hand” and where “written grants were often lost” were at
a strong disadvantage in the American courts. Besides, the American patenting process was
amazingly complex with quite a few legal steps to undertake. The two acts passed in congress
that deal with this issue are the 13th Section of the Act of Congress of the 3rd of March, 1851
entitled “An Act to ascertain and settle the private land claims in the State of California” (called
the “Land Act of 1851”) and The 12th Section of the Act of Congress approved on the 3rd of
August 1852, entitled an “Act making appropriations for the Civil and diplomatic expenses of
the Government.” These laws provided the legal means by which a California land grantee
could apply for a land patent.

This process was by no means easy and the first step was usually obtaining a legally
recognized land survey from the office of the United States Surveyor’s General. The second step
involved filing a claim with the regional Land Grant Commission and arguing the case before
them. The next step, if approved by the land commission was suing for a patent from the United
States in the appropriate District Court. This process was the most difficult and subject to the
most critical examination of land rights and legal precedence. Further, the office of the Attorney
General could appeal any verdict rendered in district court to the California state supreme court,
therefore greatly extending the legal (and financial) resources needed to obtain a land patent. In

4 “Ranchos of California:” extracts from “Grants of Land in California made by Spanish or Mexican Authorities” by
Cris Perez
5 Mason p. 20
6 MLGP “United States v. Randall” docket 182. Microfilm, reel 10
addition, land claimants had to defend their claims to the land against other private parties who also had some claim to land. After successfully defending against each of these, “the applicant could then petition the General Land Office for a final patent. Because of the time and money involved, the original confirmee was sometimes forced to sell the property.” Consequently, in some cases, the individual who eventually received the final patent was not the original petitioner or confirmee.

The land patenting case, “The United States v. Gregorio Briones,” is an example of a fairly straightforward claim that will nevertheless demonstrate the legal complexity inherent in such a land patenting case. In 1843 Raphael Garcia, the first man to receive a Mexican land grant on the Point Reyes Peninsula, gave part of his Rancho Baulinas to Gregorio Briones, his brother-in-law. Soon thereafter, on Feb 11, 1846, the Mexican Governor Pio Pico affirmed Briones’ claim as “approximately 2 leagues” in 1846. In this instance the boundary lines were well demarcated and the correct land grant papers had been filed in the regional courthouse in Monterey. When the U.S. government passed the land claims act in 1851, Briones began to take the legal steps necessary to protect his land by filing a land claim with the Office of the Land Commission on January 31, 1853. It took over a year, but the Land Commission finally met to hear Briones’ claim during May of 1854 and confirmed his claim on the 15th. The next step was to hear the case in the District Court. United States district judge, The Hon. Ogden Hoffman, presented a favorable ruling on Briones’ claim on January 19th 1857, almost four years after the

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7 Perez
8 Andrew Livingston, Ranching on the Point Reyes Peninsula. p. 4; Mason pp 42-43.
9 J.P. Munro-Fraser, History of Marin County. p. 382
10 MLGP “United States v. Briones” docket 314. Microfilm, reel 25
11 California State Archives: Surveyor General for California
initial claim was filed. Finally, the attorney general dismissed their right to appeal the ruling on April 2 of that same year\footnote{12}.

In fact, despite the four years and various steps, this was a fairly straightforward case with a smooth progression between Mexican land grantee and United States recognition of the land. The late date of Briones’ Mexican land grant and the lack of other valid claims facilitated this fairly straightforward land patenting process. Also, Briones fit into the current American political system even though he had been Mexican citizen because he had a firm grasp of American culture and was knowledgeable about the legal system. The evidence for this last statement comes from the early date of his claim file (relative to other claims), the succinct nature of the legal proceedings, and the fact that he could both read and write English, unlike his brother-in-law, Raphael Garcia.\footnote{13} In this manner, Briones’ cultural affiliations and economic resources helped hasten and ensure the land patenting process.

This was normally a longer and much more arduous process. The average length of time for a land grant proposal to be approved was over 17 years, and there were quite a few cases that dragged on for over 35 years. Obviously, the legal and monetary resources needed to sustain such a long and arduous process were enormous. Adding to this was the fact that only approximately 5/8ths of the patent applicants were ultimately approved by the board\footnote{14}. One of the best examples of a complicated patenting case is the longest and most arduous patenting claim on the Point Reyes Peninsula: the patenting claim of Raphael Garcia, which lasted for over thirty years, from 1851 to mid 1883. This claim offers a glimpse into the more difficult aspects of the land patenting debates because Garcia’s patent is in direct contention with two other land

\footnote{12}{Munro-Fraser; California State Archives}  
\footnote{13}{Mason p. 40}
patent claims as well as the subject of numerous court battles. The two land claims were the proposed patents for Andrew Randall’s land (United States v. Andrew Randall) and Bethuel Phelps’ land (United States v. Bethuel Phelps). The difficulty in Garcia’s competition with these two claims was the legal representation. Shafter, Shafter, Park, and Heydenfeldt, one of San Francisco’s most respected law firms, represented both of these land patent claims.

Unfortunately, the original Mexican Land Grant documents referring to Garcia’s case have been lost, but I did find a letter from Garcia’s lawyer, W.F. Goad, to the “Commission of the General Land Office” in Washington D.C. questioning why a land patent was not issued for Garcia’s Rancho Tomales y Baulinas. He asks, “Why the United States not confirmed [sic] to Rafael Garcia a tract of land in Marin County California that was granted to him by the Mexican government…known as the ‘Rancho Tomales y Baulinas.’” This letter was coupled with the response from the Honorable N.C. McFarland of the United States Surveyor General’s Office summarizing the problems with the patenting process and promising an expedient delivery of the proposed land patent. A summary of McFarland’s letter demonstrates the inherent legal difficulty in obtaining a land patent because of the intense legal contention over every detail of the patenting claim. Garcia’s land was first surveyed under the order of the U.S. District Court on Oct. 19th 1858, and re-surveyed in November of 1859. These surveys presented a land tract with a total acreage of 8,868 and xx/100ths acres and were approved by the U.S. Surveyor General on January 19th, 1860. However, in Feb. of 1865 an unnamed “party in interest” brought enough evidence forward to cause the district court to order a re-examination. Ultimately, the

14 Perez
15 The MLGP resource stated: “Documents referring to Raphael Garcia’s land claim are missing.”
16 MLGP: correspondence from W.F Goad to N.C. McFarland contained in court docket number 314 “United States v. Bethuel Phelps.”
court found cause to order a modification of the stated property lines resulting in a change of two boundary lines and an impressive increase in Garcia’s lands to 9467 and 79/100ths acres. According to McFarland’s letter, this plat (government survey) was approved in district court in February of 1866.  

The reasons for these two separate legal claims, the one approved in 1860 and the one approved in 1866, were the competing claims for land patents from Bethuel Phelps and Andrew Randall. Of course, the law firm Shafter, Shafter, Park and Heydenfeldt, had obtained the patent claims by this time through an impressive lineage of owners:  

**Randall Patent Claim**: sold by J.R. McMillan to Shafter et al..., who had acquired it from Andrew Randall who had previously bought it from Antonio Osio on January 8, 1852.  

**Phelps’ Patent Claim**: sold by J.R. McMillan to Shafter et al... who had “acquired it” via Andrew Randall who purchased it from Phelps who purchased it from Stephen Smith who acquired it in lieu of payment of debt, from James Berry, who was granted the land by Don Nicolas Gutierrez in 1836 under Mexican rule. 

Unresolved matters from the days of Mexican rule further complicated this complex lineage of ownership. In early 1842 Garcia gave most of his property to his brother-in-law and then moved west onto James Barry’s lands, who then moved north onto Osio’s land. These originally seemed to be informal arrangements because the scarcity of population allowed the men to graze their cattle and horses without strict boundaries. However, these informalities set the ground for legal contention beginning with Osio suing Berry in Mexican court in 1844. Further complicating matters was the fact that Phelps later sold Berry’s tract of land to J.M. Randall, so  

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17 Goad and McFarland; Munro-Fraser pp. 382  
18 California State Archives; Mason pp. 20, 42-43; Goad and McFarland; Livingston pp. 2-10.
technically Randall owned both of the patents when the land commission first heard these cases in the 1850’s.

The relevant legal contentions become apparent in the rest of McFarland’s article. The District Court ruled in 1860 that all of Garcia’s new land (see illustration shown in ***) was actually the property of Bethuel Phelps (this ruling was appealed and overturned). Thus, the plat shows that Bethuel Phelps was entitled the area comprising 23,050 and 52/100ths acres within the surveyed boundaries. At this time, the courts seem to have confused the names of the lands: it called the Bethuel Phelps property “Rancho Tomales y Baulinas,” even though the name of the property had always been “Punta Reyes.” In fact, in 1857 the lawyers for Phelps’ patenting case referred to Garcia’s land as “Can a Servo, having been known as the land of Raphael Garcia” because this was one of the names for the land that Garcia had given to his brother-in-law. The lawyers wished to differentiate between Garcia’s old land and the land that he later moved onto in an effort to delegitimize his claims to the land. This name confusion almost served to discredit Garcia’s claim to the land because the District Court nearly found in favor of the full 23,050 acres of Phelps’ land claim. However, the final land patent for Phelp’s land was confirmed at 13, 644 and 66/100ths (changed from 23,050 to 14,172 to 13,644) acres in February of 1866. Because of these proceedings, the court ultimately determined that Garcia’s claim to the land on which he had been living for over decade was “full true and correct”, thus paving the way for Garcia’s claim to be approved. However, this approval, which “exhibited an area of 9,467 and 77/100ths acres,” did not occur until October 15th of 1883.

In this manner, Raphael Garcia, a man who did not read or write English, managed to receive a patent for lands that had not all been granted to him by the Mexican government. In

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19 Goad and McFarland
20 MLGP “U.S. v. Phelps”
fact, he and his lawyers managed to hold off a very spirited legal battle instigated by Shafter, *et al.* for the lands formerly owned by James Berry. The reasons why Garcia succeeded in this drawn out legal battle may be related to a certain type of cultural mystique attached to his Mexican heritage. J.P Munro-Fraser, the first person to write a history of Marin County, considered him a “gentle presence on the land” (also quoted by Mason on page 40). In addition, the Californians of the time often began to romanticize the slow days of the *California Ranchos* and this may have contributed to a certain degree of sympathy for the aging Garcia. The money from the operation of Garcia’s rather efficient ranch also helped his ability to fund the ongoing legal battles for ownership of the land. Finally, Garcia was the first person to own land on the peninsula and he remained the only one who lived there throughout the formative years of the area. Therefore, he had more of a common sense, cultural right to the land than any other land claimant on or near Point Reyes.

This confusing tangle of legal battles, land rights, and title transferences ironically presents a clear picture of many of the difficulties in obtaining a land patent for land granted under Mexican rule. In fact, all of these legal proceedings were merely for the patent to the land and did not necessarily guarantee the right to maintain possession of the land. The proceedings to maintain possession of the land against challenges presented by other land claimants were an ordeal in their own right. In this way, it comes as no surprise that both Bethuel Phelps’ and Andrew Randall’s land claims ultimately came to be owned and successfully represented by the affluent San Francisco law firm of Shafter, Shafter, Park, and Heydenfeldt. They had both the money and legal training to competently represent the Phelps and Randall claims while

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21 California State Archives; MLGP “U.S. v. Phelps”
22 Lecture from “California Literary Imagination” by Joyce Moser
Point Reyes Farms

simultaneously defending their rights to the land against lawsuits from other private parties. Garcia’s land claim presented a complex look at the rather difficult land claim process while Briones’ claim presented a glimpse at a fairly straightforward title transference. These four examples present an introduction to the land patenting process, especially as it relates to the Point Reyes Peninsula and the ranches contained within. In the end, the success of these four land patent claims relied on some mixture of money reserves, legal expertise, and cultural affiliation: legal expertise for both Shafter claims and money and cultural affiliations for Garcia and Briones.
Appendix: Land Grant Records
from
“California State Archives”

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  “United States v. G. Briones” docket 314. Microfilm, reel 25
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Of Land and Society:

the Promotion and Re-creation of Dairying’s Origins at Point Reyes

Megan Knize

By many local accounts from the late 19th century, Point Reyes appeared to be an idyllic land predestined for dairying. Isaac Steele, one of the founders of dairying on the coast, claimed that Point Reyes, with its “grass abundant beyond desire [and] pure streams of never failing water flowing over sands” was the “promised land.” The History of Marin County continued the theme of Point Reyes as a land of plenty, describing the grass as “bathed in a flood of sunshine and shrouded in folds of lacelike and fleecy mists” while the cows were “driven at eventime into the corral, and while ruminating, yielding gallons and gallons of rich, pure, sweet milk…fit for the use of a king.” However, the perceptions of Point Reyes in pamphlets, travel writings and history publications reveal a complicated story of land, dairying and society in Marin County and California from about 1850 to 1900. Land promoters’ claims about dairying were really a series of appeals to “good” middle class farmers; one hundred years later, another promoter — an historian — recreated the history of Point Reyes as an instant dairy empire.

The promotion of Point Reyes as a dairying paradise coincided with more general claims about California’s suitability for dairying. The first formulations of dairy literature in California claimed the entire state as excellent dairying land. Point Reyes did not stand out. In general, the

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2 J.P. Munro-Fraser, History of Marin County, California. Alley, Bowen & Co., 1880: 300.
historians and land promoters stressed the advantages of dairying in California over dairying on the East Coast. They emphasized that neither winter feeding nor housing livestock was necessary. An 1866 guide to the West claimed of California, “Country like this should become a great stock-growing state, especially when the climate is of such a character as to enable the farmer to disperse, in great degree, with winter feeding.” A promotional guide for Marin County made the sweeping claim that, “While the Eastern dairymen are expending time and money on their cows, the California dairymen are reaping the most profitable harvest from theirs.” These sweeping claims set the context for dairying at Point Reyes and also incorporate its promotion into a larger history of dairying in California.

The main appeal to start dairy ranches in California was that the climate defied the cold winters which, on the East Coast, meant three months without profits. However, none of these documents mentioned the lack of feed in the summer. These writers were selective in their description of the California landscape. There may have been no need to feed cows during the winter, but in most of California there was a need to feed cows during the summer. This was just one of many claims that did not make environmental sense, but was a common strategy to entice farmers (who usually could not know what the landscape really looked like). Promoters appealed specifically to these Eastern dairy farmers who had the money and means to move their families and begin dairying in California. The authors of the literature assumed their audience would colonize California with a white, well-off population. These progressive (middle class) ranchers from outside the state fit into the promoters’ visions of a California society made up of white,

3 Land promoters, for the purposes of this paper, are the authors of the promotional literature that describes the region.
4 Edward Hepple Hall, Hall’s Guide to the Great West, 1866.
5 W.W. Elliott & Co. San Rafael illustrated and described, showing its advantages for homes. Oakland and San Francisco, lithographed and published by W.W. Elliott & Co., 1884: 10; Many of the authors for promotional pieces, like W. W. Elliott and J.P. Munro-Fraser, have authored several texts about the histories or virtues of many
middle class, independent farmers. Similar visions would play an important role in the development of dairying in Point Reyes later in the century.

Marin County—a region known for its varied terrain—was not an obvious location for dairying (compared to other parts of the state), although writers later claimed the county—and Point Reyes—were dairying paradises. W.W. Elliott, author of a promotional guide to San Rafeal, described the county as having “an irregular shape...the surface is mostly broken and hilly and elevations sufficient to entitle them to be denominated mountains.” Marin County seemed to have little in the way of natural resources for field crops or orchard farming. In fact, it seemed to have little “natural” agricultural value. In 1870, a pamphlet encouraging immigrants to come to California compared each county’s population and wealth. Among some of the nearby counties (Napa, San Joaquin, Santa Clara and Sonoma), Marin had the least “total valuation.”

The land owners in Marin needed some income to entice settlers. Rather than a first choice, dairying was a second option for promoters and land owners in a landscape that could not support more profitable types of agriculture. Marin County could not compete as a large scale dairying region, but at least it was good for cows.

Promotions focused on the positive, advertising the county’s never-ending grass supply. The grass was so opulent that “those [cows] of Sonoma and Marin are grazing in clover and native grasses up to their eyes and are...almost uncomfortable with their well-filled milk bags.”

Elliott, the San Rafael promoter, made a similar claim that “the grass was so lush that one cow

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7 John S. Hittell, All about California and the inducements to settle there. California Immigrant Union, San Francisco. 1870: 64.
could be kept on six acres.\textsuperscript{9} Of course, neither of these claims were substantiated by statistics guided to a specific place in the county. Without large acreage or flat land, Marin County promoters adhered to the claim that the entire county, with its rich grass, was perfect for dairying.

The singling out of Point Reyes as a unique dairying region came around the 1880s as promoters made claims about the land’s “natural” suitability for dairying. Before the Steeles came in 1857, wild cattle and elk roamed the area.\textsuperscript{10} In the \textit{History of Marin County}, the author noted, “the celebrated Punta Reyes dairying country, which being within the region of maximum moisture, is considered the best large body of dairy land in the State.”\textsuperscript{11} The author further explained that the Point Reyes section of the county “is least undulated, entirely without vegetation excepting grass. It is well-adapted to agriculture and grazing.”\textsuperscript{12} The rains and fog of Point Reyes were touted as contributing to the grass’s luxuriance. In a book about the history of San Luis Obispo County, Point Reyes received rain when the rest of the state did not: “The years 1863 and 1864 were the disastrously dry years of California, but there was rain at Point Reyes, and the business of the dairies went on.”\textsuperscript{13} The natural features of the land were also perfectly suited to trade. Joseph Warren, a writer for \textit{The American Stock Journal} wrote that Point Reyes had “Numerous little bays afford entrances to the schooners, by which the products are shipped to San Francisco.”\textsuperscript{14} The land had many wonderful features, and farmers needed to take

\begin{thebibliography}{1}
\bibitem{elliott} W.W. Elliott & Co., \textit{San Rafael illustrated and described, showing its advantages for homes}. Oakland and San Francisco, lithographed and published by W.W. Elliott & Co., 1884: 10.
\bibitem{munro} J.P. Munro-Fraser, \textit{History of Marin County, California}. Alley, Bowen & Co., 1880: 16.
\bibitem{catherine} Jbid, 89.
\bibitem{catbie} Catherine Baumgarten Steele, “The Steele Brothers, Pioneers in California’s Great Dairy Industry.” \textit{California Historical Quarterly}. 20. (September 1941). 265
\end{thebibliography}
advantage of those features—in essence, to take what nature created and turn it into personal wealth.

However, some of these claims exaggerated the land’s features. Even if Point Reyes was the “least undulated,” other land was more desirable for dairying. Any settler who took a trip inland to San Joaquin County would have seen larger parcels of flat land for large dairying operations. This claim promoted Point Reyes, even though many regions in the state were already better suited to dairying; thus Point Reyes was not the best dairying region in California. Furthermore, when historians praised the rains at Point Reyes, they wrote in 1883, 20 years after the drought. By then, the dairy industry had strong footholds in other parts of California. The claims for the uniqueness of Point Reyes came late in California’s dairying history. Nonetheless, these claims reveal an incredible need to attract the right people to bring goodness and order to the land by farming it.

Dairying promotions from the 1870s addressed English-speaking, wealthy farmers, who could bring their expertise to California. The claims about dairying in California, Marin County and later, Point Reyes, were really appeals to nature and society. The goal of changing the landscape into a “productive” one was not specific to Point Reyes — it occurred throughout California. At the same time, just southeast of this area in the San Joaquin Valley, farmers were beginning to plant orchards of fruit trees and, in doing so, they embarked on a moral crusade to bring the right kind of white, progressive families to populate California. The claims for Point Reyes started with nature and dairy farming as a way of grounding a hope for a good society. Implicit in these promotions was the promise of independence for farmers. The dairymen seemed to be self-made and wealthy. One reporter for the local newspaper observed that “the prosperous appearance of the dairyman of Point Reyes, the books and newspapers…all speak of the
This author claimed that all dairy farmers were wealthy. Rich and pious people could be a guarantee against the social problems of the poor and landless.

The Steele brothers became a model for their transition from moderately poor East Coast farmers to wealthy dairymen at Point Reyes. The Steeles found “the promised land,” as Isaac Steele wrote in a letter. Steele’s Biblical reference also illustrated the Steeles’ relationship to the land: they were the chosen ones to turn the landscape into a productive, virtuous area. Travel writer J.P. Munro-Fraser noted that “no farming of any importance had been done before 1856, but in that year the dairying interest began to be developed…the Steele brothers were the pioneer dairymen of the township.” The amount and quality of products from the Steele ranch also served as evidence of the ideal lifestyle for the Point Reyes region. Warren noted admiringly that “the Steeles manufacture more cheese than any dairy in the State. They made 650 lbs. per day of cheese and 75 lbs. of butter.” Through dairying, the Steeles gained renown and status as part of a wealthy class. They made a name for Point Reyes as a productive farming region that deserved to have only the best, most hardworking farmers.

Land promoters coupled praise of the Steeles and other middle class dairy farmers with an implicit critique of the people who had lived in Point Reyes before them. The model of the white, progressive farmer so revered during the 1860s, 70s and 80s was a critique of the Mexican social order, which settlers and other Americans perceived as lazy and unproductive. Under the Mexican land grant system, Americans saw nature as unfinished and improperly cared for.

16 Marin County Journal. Dec. 16, 1875.
18 J.P. Munro-Fraser, History of Marin County, California. Alley, Bowen & Co., 1880: 303.
way to finish nature was for the right man—the good man—to start using land in a “productive” way. As early as 1849, when American Army lieutenant Joseph Warren Revere visited Point Reyes, he noted that “although cattle are so abundant, milk, butter and cheese can scarcely be procured…[the Californios] will not trouble themselves to tame cows for milking.” The Californios were a horrifying contrast to the American ideal of the busy, pious farmer. The idea that the land was stubborn, not unlike the Mexicans who used to occupy it, was common. An account most likely published in 1883 explained that, “some people discouraged [the idea of the Steeles starting a dairy]…saying the grass…would only support the lank Spanish cattle.” Many land promoters used the stubborn and lazy Mexican lifestyle to convince hard-working Americans that they were entitled to make Point Reyes into an exhibition of American ingenuity and pioneer spirit. Furthermore, Revere hoped for a time when “a more industrious and thrifty race shall take possession of the vacant lands…the business of raising cattle, horses [and] sheep will be immensely augmented.” This was the first of many invitations to settlers to change the landscape into an industrial-sized producer of dairy products.

By 1880, that transformation had already started. Munro-Fraser wrote that the first Point Reyes residence, an adobe home, “has long since gone to ruin” and the Mexicans who lived there, according to an old-timer, lived “simply to kill time.” Now, the site was the home of an American dairyman, C.H. Smith. The replacement of the old adobe with the dairyman’s house was a sad but true commentary on the way literature about dairying approved and encouraged the progressive farmer to obliterate the Mexican way of life. Promoters tied claims about people to

24 According to [http://www.rootsweb.com/~camarin/GRtREG-z.html](http://www.rootsweb.com/~camarin/GRtREG-z.html). Actual census data was not accessible.
claims about the land. To improve the land’s productiveness through dairying meant “improving” the people who occupied the land.

Despite the promises that progressive dairymen would make Point Reyes a wealthy and “productive” setting, dairying instead contributed to a society divided by class and ethnicity. In contrast to the visions of independence, dairymen were tenants at Point Reyes. The Steeles were the first tenant family and many more joined in 1860. The tenants farmed the land, kept most of the profits and paid a small percentage to the Shafters. The Shafters, however, owned the land, livestock and houses — and kept a close watch on the tenants. The owners criticized the tenants for laziness and a poor work ethic. Newspapers often ignored the problems of the tenant system at Point Reyes. In 1875, the local newspaper praised “the natural advantages of the land, coupled with the liberality of the owners and the wide awake spirit of the tenants [that] have given Point Reyes butter a most amiable reputation.” An article from the Sonora Democrat which was included in a promotional book, noted that settlers hoping “to find men entirely out of debt, thoroughly independent and who always had money in their pockets…must go to the coast and see the dairymen.” Who are these “thoroughly independent” men with money? Those who could be truly independent in this region were not the dairymen at all, but the only people who owned the land on the coast: the Shafters. The Steele brothers were likely well off, but they were still tenant farmers who could not own the land. Assuming the independence to own land was a part of the vision that never materialized at Point Reyes.

Nor did tenants live up to their end of the bargain. Rather than creating an ideal society based on profit and productivity, dairy farmers often failed to fulfill the terms of their contracts
by sufficiently “improving” the land. The “Marin County Journal,” while praising the tenants at Point Reyes, also critiqued the land as “a fine pasture clear from evil growths, and, where the tenants have been true to their contracts, it is covered with a perfect carpet of grasses.” The moral language here shows the need for a “good” person to work the land and subtly criticizes those tenants who had not been true to their contracts. The landowners also criticized the tenants for not improving the land. In 1896, Julia Shafter Hamilton wrote an advertisement to sell part of the family property, complaining that “little attention is paid to the proper feeding of the cattle during the dry season or the bringing of them in when the butter is at its highest.” As part of the land-owning family, she openly criticized the work of her tenants. She believed people needed to “finish” or improve the land, a common sentiment of the time. She wrote that “The slopes, when cleared would all be capable of carrying stock” and that a certain ridge on the property needed to be “cleared of chaparral to make it equally good.” There was always more work the tenant could do to increase the Shafters’ wealth. Other writings criticized tenants for not making permanent improvements on the landscape. Travelers, like Warren, praised “the appearance of the rancho and buildings, from the hills adjoining, was quite attractive.” Permanent homes would complete the landscape and make it beautiful. Furthermore, the visual structure solidified a vision that white farmers were ready to stay permanently at Point Reyes. Under the tenant system, permanent buildings seemed less common. According to the History of Marin County, “the land is owned by one or two men, and hence there are no homes made. Renters stop awhile and then go, making no improvements.” The landowners criticized the

28 Marin County Journal. Dec. 16, 1875. 2.
30 Ibid.
32 J.P. Munro-Fraser, History of Marin County, California. Alley, Bowen & Co., 1880: 304.
tenants for not improving the land agriculturally or with buildings, but the tenants *could not* (and possibly would not) improve it because they did not own the land.

The tenant system also challenged the promoters’ visions of a homogeneous, white society because a variety of ethnicities—serving as laborers and tenant farmers—had places on the landscape. Promoters criticized tenants because they were not white enough and not American enough. The author of a book promoting the dairying region noted that the industry was largely in the hands of “men who have been bred to the business—Danes, Swedes, Italians, Portuguese, and where the foreign element predominates, they are generally renters.” Land owners and the wealthy seemed to feel disdain for the renters who did not fit the descriptions of the ideal, fair-skinned American dairyman.

Wage laborers were another group who was part of the tenant landscape. The Steeles could not manage the dairy alone. They needed cheap labor to maintain high levels of production. The 1860 census included several laborers with last names that sound European; the 1880 census lists fewer such laborers. This might reflect a shift in the labor force as more non-European laborers found work on ranches and were entirely left out of the census. The authors of promotional pamphlets did not cater to laborers, because there was no shortage of cheap help in California. There was, however, a shortage of good tenant farmers who could take control of the land and the labor force and turn out a profit. The laborers in Point Reyes for most of the 19th century were immigrants from China, the Azores and Switzerland. Indian labor was absent from 19th century pamphlets but Indians were there. In addition, Chinese workers were in Point Reyes during the second half of the 19th century. They were excluded from operating

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33 Arthur R. Briggs, *California — its products, resources, industries and attractions; what it offers to the immigrant, homemaker, investor and tourist* State Board of Trade. 1904.: 134.
34 According to [http://www.rootsweb.com/~camarin/grtreg-z.html](http://www.rootsweb.com/~camarin/grtreg-z.html). Actual Census data was not available.
dairies on Point Reyes and were relegated to manual labor. Laborers were not part of the target audience due, probably, to their lack of English proficiency and their poor economic situations. Often, immigrant workers did not have the money to start renting and operating a small farm. These laborers were necessary to the productivity of the landscape, but they presented a problem for many who wanted Point Reyes and all of California to be populated with white, progressive farmers.

Despite the realities of the tenant system, many people preferred to remember the dairy farmers at Point Reyes as independent, successful capitalists. In 1941, when all the tenants were gone and most of the dairying was carried out on a corporate level, Catherine Steele, wife of one of the Steele brothers’ sons, wrote her memories of the history of the Steele dairy at Point Reyes. She praised what she remembered as the Steeles’ foresight in choosing their lucrative location. Steele fictionalized that while George Steele “stacked lumber in San Francisco he dreamed of a land empire for the Steele clan.” Upon deciding whether to be dairymen, Steele portrayed the brothers as clever opportunists who bought their equipment from men getting out of the dairying business because it was “getting out of favor at that time” and making very little profit.

Catherine Steele made her relatives into pioneers of both the coastal land and the dairying industry. In her article, she even included an 1862 statement to the California Agricultural Society. The Steeles reported losing no cows in six months, calving 27 cows and milking 167 cows during the season. She also wrote that “at one time it was recognized that the Steele

36 Ibid, 43.
39 Ibid, 261.
40 Ibid, 260.
brothers’ was the largest dairy operation in the world. Steele’s memory was filled with exaggerations. She rewrote history to favor the immediate and high returns of the dairy, when in fact the Steeles were a model for a dairying industry that flourished much later.

The way Catherine Steele constructed her memory showed the influence of current society and values on writing history. For example, original promotional literature excluded Indian laborers. Steele added Indians back into the dairying landscape. She wrote that when Clara Steele started making cheese, “she persuaded an Indian to rope and milk some of the wild Spanish cattle…” Race was painted back into the picture in a way that reflected popular fascination with Western movies, cowboys and Indians. Steele portrayed the clever Clara Steele convincing what the reader might guess was a lazy Indian to work for her. Catherine Steele also valued large, industrial operations and wealth — she made Point Reyes into a large-scale dairy. Wealth and industrialism were strong American values during the World War II era. Just as promotional literature from the 19th century revealed the values of hard work and the goal of homogeneity, Steele’s article reflected 20th century values.

The history of the land promoters and Catherine Steele’s version of history show that the origin of dairying was much more involved than colorful descriptions of grass and cows. Steele reconstructed a story that Point Reyes had always been a dairying region, and that the brothers immediately recognized the potential for dairy cows. But Point Reyes was not recognized in this way until 1880. By then, many settlers had chosen other regions for large-scale dairying. Steele glorified her relatives, similar to the way writers promoted their success story during the 19th century, but the Steele brothers were still tenants working someone else’s land. She made the

41 Steele: Steele Ranch Papers, Stanford University Special Collections, Folder 344.
Steeles’ beginning about starting a kingdom, when the brothers were probably thinking of how to make a living from dairying on the coast. Steele created a legend.

Steele’s history is the “feel good” story with the happy ending. It is the story we want to take home and tell our children. However, we have to look at the values which shaped her writing. Steele promoted her own family history in a way similar to land owners exaggerating claims about Point Reyes a century earlier. Though each story starts with descriptions of land, the social conflicts relating to class, ethnicity and colonization that are tied to the land emerge quickly. Both the promotion of Point Reyes and the Steele brothers set the stage for a complicated relationship between land and society as the county, and later the state, formed and developed an identity.
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Somewhere Between History and Memory:

The Real Story of the Steele Family
(Or At Least An Attempt Listen to the Them)

Katherine Tarlock

Isaac Steele was riding the railroad from his Midwest home out to the frontier of California. He was the last of his family to join his two brothers and cousin who were starting a dairy in California. A vendor selling apples came by and Isaac let him pass, because he did not have the money to afford one. He watched as a rich dairy farmer from Marin County a few seats up took out his fat wallet and nonchalantly purchased a few. This memory stuck with Isaac and confirmed his dream to be a rich California dairy farmer.

A year later, the Steele Brothers firm was the most prominent dairying company in California, and perhaps the United States. Brothers Isaac, George, Edgar, and their cousin Rensselaer were making the finest cheese ever tasted, and pioneered the dairy industry for the rest of California to try to follow.

This is the story as Catherine Steele, wife to a son of the Steele brothers, remembered it. In 1941 she wrote an article for the California Historical Society Quarterly in which she told the story of the Steeles and the dairy industry that they created; the brothers all came to California to settle in the great agricultural state and had plans to make their fortunes in the dairy business. Her article is the great American frontier story of one family’s California migration and

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2 Catherine was the wife of one of the sons of the Steele Brothers, perhaps General Frederick Steele. Anthony Tarlock, who knew Catherine well, remembers her always talking about the general who built the house at Pescadero. A fact she could not remember because she was not alive at the time. He also remembers her being filled with stories, ever changing, about her family dairies.
realization of the great American dream of making a fortune of the land in the unsettled West. The brothers were portrayed as visionaries of both the landscape and the market; they had an eye for what others thought of as poor land and turned these plots into “cow heaven.” In less than two years after Isaac had come out, the Steele Brothers dairy company was making tens of thousands of pounds of the best cheese in the world and raking in profits in the tens of thousands of dollars. Dewey Livingston, a Point Reyes historian, has also popularized this Steele story as the history of the area.

The Steele’s story, like so many other California migrants, is much more complicated. The story that Catherine told in 1941 is much different than the many that Edgar, George, Isaac, and Rensselaer told themselves in the 1850s and 1860s. The brothers’ letters to each other and their business partners reveal that the brothers did not come to California initially to make their money in the dairy industry, floundered for the first few years in a struggle to create an actual operating business, and were not nearly as successful in the early years as Catherine remembered. The dairy would shape their life, not the other way around.

General Frederick Steele was the first of the brothers to come to California with the Second Infantry of the Army in 1849. He returned home to Ohio in 1854 with glowing reports of what he saw in California. His brother George was encouraged by stories that he heard of the miners and their fortunes that he decided to go to California and make his own fortune in 1855; the mining attempts failed. Until this point Catherine’s and the brother’s stories agree. Catherine narrated a story that has George, Edgar, and Rensselaer all going out together and after

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3 If they were pioneering the dairy industry, then this would contradict her story of Isaac meeting the rich dairy man from Marin country.
a first failure in the mines, they turn their attention to dairy farming on the foggy coasts that all other farmers are ignoring.\footnote{Catherine Steele, 259.}

George’s letter to his brother Edgar, from San Francisco in 1855 tells a more complex story. George told Edgar he had gone up into the mines with a friend to try and make some money but that the weather and environment of the mine had made him sick, forcing him to return to San Francisco. However, he believed that it was just that particular mine that made him sick and planned to go back to another mine to try again to get rich or find a good claim. He did speak about his hopes for a potential farm in the area, however he wrote that he did not like the climate directly on the coast, as it was too foggy and windy.\footnote{George Steel to Edgar Steele. September 3, 1855. San Francisco, California. Steele Ranch Papers, Stanford Special Collections, Stanford University.}

The land struck George has having promising potential and wrote that he knew of some land that if farmed they, “could make clear money off of it in two years than we ever made in our lives.” George also wrote that he and Rensselaer disagreed on the best spots to farm; Rensselaer wanted to stay in the bay near San Francisco, but he did not like it there because he thought it would allow for the kind of farm he wanted, “a very easy retired, quiet sort of life.” Edgar was encouraged to come out with the rest of the family so that they might unite their capital. However, it is clear that even after his first failed attempt at the mines, George still was not on the verge of creating the biggest, best, and most successful dairy in California. In the close of his letter, he emphasized that he could not focus on the future with the farms because he was involved in the mining business.\footnote{Ibid.}
Although George had dreams to make his home in California, the rest of his family was not aware of these intentions. In a letter to Emiline Steele, from Mr. Barnum in Rockport, Illinois, he begged for her and Clara Steele, Rensselear’s wife, to come back as he has heard that they do not like it. He thought that they would be back and told Emiline that if she came back they would get married and settle down. For Barnum, the Steeles were in no way gone permanently from their Midwestern home. As late as 1861, some members of the family still thought that they may return home. In a letter from Smith Steele to one of his brothers, he wrote that he expected that as soon as his brother as had raised the means to come home, he would do so, as he had promised. Smith wrote a lot about his brother’s house that he had been renting, which the brother then wanted sold. However, Smith still believed that his brother owned a house back home that he would be back within two years as he had promised before. The Steeles’ friends and family back home in Rockport, Illinois, thought that the boys and their wives had just gone out to make money. This supports the idea that even the Steeles themselves were unsure of their plans, and certainly maintains that they had not become the all powerful dairy farmers that Catherine remembered.

George’s plans changed as he encountered setbacks; the failure to make a fortune from the mines led to the development of the idea of an agricultural business. However, even when Isaac came out in 1857 to join the brothers in their agricultural venture, it is not clear from the Steeles’ letters if they were even thinking of creating a dairy exclusively. They mention briefly a

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7 I was unable to identify Emiline Steele, the document is unclear of her relationship to the Steeles. There are no records of
9 Smith Steele to Brother. March 10, 1861, N.P. Steele Ranch Papers. Stanford Special Collections, Stanford University.
10 Although some present accounts state that the family is from Ohio, however no letters are sent to or from Ohio. In fact all letters to and from family members are sent to Rockport, Illinois
farm and having stock, but there is no mention of cheese- their desire to create it or their love for it.

The correspondence between the brothers and their early partners in their venture shows that their idea for the dairy is not yet concrete at all. The Brothers first lease land on Point Reyes on July 4, 1857 and begin to develop a very simple and crude ranch. Dewey Livingston wrote that for the first few months the ranch had a house without a roof or doors. Within a year, however, they had improved the ranch dramatically.\(^{11}\) Catherine also remembered the quick development of the land the brothers purchased into ranch large houses and dairies. Catherine wrote that the Steeles were able to import in all the luxuries of the city with steamer ships.\(^ {12}\)

There is discrepancy among the accounts of the development that occurred at the Point Reyes Ranch. The Brothers first leased the land from Thomas G. Richards in 1857, and then later leased renewed the lease twice under the ownership of the Shafters. According to Livingston, the brothers quickly set to starting their dairy after they lease the land in July. However, a letter from Richards to the Steeles in December of 1857, expressed that the brothers were being sold fencing and materials for buildings, but he cautioned them against building anything at this point as he reminded them, “all fencing and buildings belong to the land,” which Richards asserted he owned.\(^ {13}\)

The Steeles seemed to live a much more rustic life than Catherine or Livingston portray. In 1864, seven years after settling at Point Reyes, it was still difficult to mail a letter; the only

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\(^ {12}\) Ibid., 17.

way to send one off was through the steamer that left a few times a week or when of the ranch heads went into the city.

The story that Catherine told, and one that has become popular throughout the California dairy industry, is that Clara Steele, Rensselaer’s wife, craved the cheddar cheese that she so loved, and followed an old family recipe to create the first cheddar cheese of the family. The cheese was a hit throughout the Bay Area, and with that Steele Brothers firm is established and the story of California cheese had begun.\textsuperscript{14} In fact, Catherine maintained that within less than one year, for the fiscal year of 1858, the Brothers made 41,781 pounds of cheese and a profit of $10,252.23.\textsuperscript{15}

According the Edgar, and his brothers, their success did not come so quickly. This event, which one of California dairy website touts as the beginning of cheese making in California, is never even mentioned in the letters among the brothers. The first record from an accounting firm in the city is dated from 1861 from T.H. Hatch & Co. Butter and Cheese Commission in San Francisco. The letter simply stated that an account had been set up for the Steele Bros. Firm and there is a balance of $194.38 in the account.\textsuperscript{16}

When the Brothers bought the Pescadero ranch (on the San Mateo County Coast) in 1861, they still were not the booming dairy industry that had to expand in order to quickly meet the demand, as Catherine remembered. In a letter from the Pescadero Ranch from December of 1862, Isaac wrote that they had not even decided where to put up buildings at the ranch or even how to construct them, the dairy had not been created, and that even Point Reyes buildings had not been finished. He wrote of Pescadero, “I have a made a shanty (which will be a good hen

\textsuperscript{14} Catherine Steele, 261.
\textsuperscript{15} Ibid., 262.
Isaac wrote that Rensselaer did not want to move down from Point Reyes because he had no house down there.\footnote{17 Isaac Steele to Friend. December 7, 1862. Pescadero. Steele Ranch Papers. Stanford Special Collections, Stanford University.}

Horace Gushee, one of the Brothers’ business partners, wrote a letter in November of 1862 that provides evidence of the fragmented nature of the dairy as he wrote that they would have to milk the cows, “this season in two places one at the White House [at Point Reyes] and one some where on the hill.” Horace and Isaac also expected that they would not be able to start construction on the buildings at Pescadero for another few months. Horace expressed concern that the roads would be muddy at that they would not be able to get the lumber in, which they had not even ordered yet, until the roads cleared up.\footnote{18 Horace Gushee to Charles Willson. November 16, 1862. Pescadero. Steele Ranch Papers. Stanford Special Collections, Stanford University.} It was not until January of 1863 that the dairy had finally been enclosed and the windows installed.\footnote{19 Isaac Steele to Friend. January 14, 1863. Pescadero. Steele Ranch Papers. Stanford Special Collections, Stanford University.}

The Steeles’ Point Reyes and Pescadero ranches were not the immediate successes that Catherine recalled them to be. The Brothers did not jump from selecting “cow heaven” to becoming the best and largest dairy in the state in a matter of months. The brothers letters throughout 1861, 62, and 63, all indicate the slow, unsure, and expanding nature of the Steele Bros. firm. The letters throughout this time period focus almost exclusively on the purchase of cows. According the series of letters between the brothers and their business partners, Gushee and Charles Willson, it seemed that they were just going around the area buying as many cows as they could afford.
In an 1862 letter, Edgar wrote to Willson that he would, “continue to buy as many cattle as we can that will suit us in price and quality.” There is a detailed account of the age of cows, and the need for both heifers and yearlings. Two weeks later Rensselaer wrote about how much they were and should have been spending on cows. Similar letters followed between the brothers for the next few weeks.

The Brothers seemed be buying cows at a much quicker pace than they knew what to do with. In November of 1862, Gushee wrote to Willson that he had no leisure time; he was so busy with all the new stock coming in to Pescadero. There was still no ranch set up or place to put them, but there were many new cows. The cow buy up continued into 1863 with more detailed accounts on the number, age, and cost of cows needed. The buying frenzy did not appear to slow down until 1863 when there is a transition into accounts of milking. In the early 1860s it is clear that Steele Bros. have cows on the brain, but this does not mean that they had cheese on the brain.

Even when the Brothers had bought the cows, there is evidence that they were still unsure of what direction they would go. The Steele correspondences indicate that the serious ranching and dairying was not commenced until 1863. In a letter to Edgar the Point Reyes ranch foreman Ed St. John asked, “How does Mr. Willson like ranching?” This small comment points to the fact that Mr. Willson had never ranched before and working and operating a ranch was new to him. Whether the business or ranching was new to the Steeles is unclear, but to one of their partners, ranching and dairying was brand new in 1863.

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21 Horace Gushee. November 16, 1862.
The same letter also carries support that Edgar may not have been sure of his ranching future even in 1863. St. John inquired about Edgar needing new land, “I suppose your Ranch is not so large that you would wish to lease for a term or years say 3000 acres at a liberal advance on your own lease, would you? You said in your last letter that you thought you should not run a dairy next year. What do you think of doing?” At this point in time not only are the Steele Bros. not so large that need new land to accommodate their dairy and cheese making, but there is some question whether Edgar will even continue to participate in the business. This is not the same Edgar Steele who is part of Catherine’s family, a man who loved cheese and dairying so much that California dairying was his dream.

Catherine Steele remembers that the Steele Bros. immediately started milking their cows and produced a tremendous amount of cheese in 1858. However, the accounts of the Steeles do not begin to match up with her production descriptions until 1863. In a letter from Point Reyes, J.W. Seelye (the ranch foreman) reported on the operation of the ranch to Edgar. He discussed the workers that he had hired to help in the milking and cheese making, and that he was a little unsure of what to pay them. This can be taken as evidence that he had never had to hire workers to help with production before. He also reported that, “We are milking about 95 cows and are making almost 180 lbs of cheese per day.”

Although Catherine prides her family on taking the lead of the dairy industry from the beginning, this is not the case. In April of 1863, E.S. John describes the state of the production at the Point Reyes ranch, and it is not nearly as glowing as Catherine reported. The production had increased tremendously with nearly 135 cows being milked, but St. John told Edgar that, “We aren’t doing any great things, our cows have been milked to long both the other dairies are

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23 Ibid.
beating us about 15 or 20 lbs per day,” but he did claim that, “I think our cheese is firmer than the other dairies.” This indicates that the Steeles did not have the most productive dairy on Point Reyes. Their own ranch foreman may have thought their product was superior, but they were not the production leaders of the industry that they are alleged to have been.

The glowing accounts and superiority of Catherine’s family dairies also do not match up with the words that the Steeles left behind. According to Catherine, the Steeles had picked the perfect grazing spots and as a result were making the best cheese in the state. However, St. John described a much less ideal situation to Edgar in August of 1863. He pronounced, “There is no water in Muddy Hollow at all I drive the cows over to a crack every morning… They are getting poor.” In an earlier letter from Point Reyes, Seelye reported that the all the other dairies in the area were operating well and, “thay are making about the same cheese as we are.”

The success, notoriety, and unquestioned superiority of the Steele Bros. cheese did not come as quickly as Catherine would later recall. Although Catherine saw them in a league of their own where the competition could not touch them, this was not accurate. In a correspondence from T.H. Hatch in 1867, the firm told the Steeles that, “We are much pleased with the encouraging accounts from San Luis Obispo Ranch,” but when they moved on to talk buying the Steele’s cheese, it is clear that the dairy industry is not at the feet of the Steeles. The letter affirmed that there were new cheese makers and that T.H. Hatch was looking at them, and although, “they are not near so fine as your small cheese but they are offered @ a low price in fact they will sell @ a any price they can get.”

25 E.S. John. April 11, 24, 1863.
27 J.W. Seelye. February 27, 1863.
Two weeks later another letter from the firm also pointed out the problems that the Steeles faced in selling their product. T.H. Hatch opened the letter by stating that they were not pleased with the cheese they had received and that they had found it broken. “Some of them are more like the shape of an overgrown cabbage they will sell in the present state of the market for from 6 to 10 cents per lb.” They chided the Steeles when they informed them that other companies had, “cheese selling freely @ 14 to 15 cents per lb.”\footnote{T.H. Hatch & Co. to Edgar Steele. April 27, 1867. San Francisco. Steele Ranch Papers. Stanford Special Collections, Stanford University.} The Steeles were not far above all the other dairies in the state, especially those that made cheese. A decade after they had first started ranching, they were still having problems and were not the market controlling company as they were later remembered.

Catherine Steele’s memory of her families’ dairy is so complete in her mind that she proudly declared the production yields and profit the dairy was making. However, after reading the Steele’s letters, it is hard to accept the actuality of numbers. She reports that in 1858 the dairy produced 13,513 lbs of cheese from April 15 to May 21.\footnote{Catherine Steele, 262.} However, less than a year after the leasing of the Point Reyes land and crude set up, the numbers become almost impossible to accept. When compared to the date of the acquiring of the cows and actual building of the dairy facility, one wonders how the Steeles even had enough milk to produce this much cheese. In fact, the records from T.H. Hatch indicate that for April of 1867, they had only received 115 pounds of cheese.\footnote{T.H. Hatch & Co. April 27, 1867.}

The land that the Steeles envisioned for building their dairies represents the crux of Catherine’s story—their vision for the land drove them to settle where they did. She narrated a story of brothers that just knew what real dairy land should be; even if it went against all popular
opinions at the time. She described the Brothers’ description of Point Reyes as a cold, foggy, and wind-swept coast that was unsuited for agriculture and dairies, however the Brothers saw it as “cow heaven”. She also declared that Pescadero was seen as, “another cold, wind-swept coast, which all had said was unsuited to agriculture and the raising of good stock.” However, the Brothers had already proven the success of the coast region and saw another “cow heaven.” The same story is replayed in the selection of San Luis Obispo; the Brothers were undaunted by what other thought about the harsh land, and again turned it into a “cow heaven.”

George and his brothers did not see themselves as visionaries with the amazing ability to find these so called “cow heavens”. In fact, in George’s letter to Edgar in 1855 he exclaimed that he had looked all over for the best land and had found it—but it was not on the coast. In fact, he asserted that he did not like the climate directly on the coast, as it was too foggy and windy for him, he liked it best east of the mountains. He in fact wanted to move to San Lorenzo, which is on the east side of the Bay.

Catherine’s memory of her family history inserted the perceptions of what the land has become in later years into what the Steeles saw it for almost a century before. In their letters, there is no mention that the Brothers were finding cow heaven along the coast. Contrary to Catherine’s stories of her relatives turning unsuitable land into the type of dairy land that every future farmer would now try to emulate, the Steeles often struggled with the land they had chosen. The letters to each other express troubles with the mud, the occasional droughts, as well

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32 The land around Pescadero is in fact best known for the prosperous farming conditions for brussel sprouts which prosper in its cooler climate.
33 Catherine Steele, 262, 265, 267.
34 None of the Steeles or their business partners ever described any of their ranches as “cow heaven” or the “promised land.” These terms have become popularized instead by Catherine and Livingston who both claim that the Steeles used these terms to describe their land.
35 George Steele. September 4, 1855
as the ability to get to isolated locations so far out towards the coast. The Steeles did not see themselves in the same “cow heaven” as Catherine remembered them to be immersed in.

Livingston and Catherine are not the only ones to create a myth about the Steeles. The popular tale around California is that the Steeles created the dairy industry in California in 1857. Real California Cheese (the California Cheese advertising board) touts Clara’s first creation of the cheddar cheese from the family recipe as a major highlight in cheese history.\textsuperscript{36} Catherine’s account often times seems to put the Steele brothers into a story that has already been planned out. In fact, the story of the Steeles is an ever-changing one. Their letters leave many gaps in their history, but do reveal the evolving trajectory that was their life.

George Steele and his brother first decided to come to California to make money, he liked what he saw including the lush landscape and thought it would be productive for agriculture, other members of the family later joined him and sought to make their money in the agricultural business on their first piece of land on Point Reyes. The Steele Brothers Company was founded and they began producing cheese. The Steeles quickly became one of the biggest dairies in the state a year after founding, the were forced bought more land and expanded their operations even further and continued to be one of the dominating forces in the California dairy industry. This backbone of the Steele story is true, both confirmed by the memory of the Steeles, and the words of the Steele brothers and their business partners.

It is the details and fillers that separate the history from memory. The Steeles were one of California’s most preeminent dairies. However, there were only eleven dairies in the state for almost 20 years after they settled. They were the first to set up a dairy on Point Reyes and pioneered the dairy industry. However, California had really only been opened to the rest of the

\textsuperscript{36} Real California Cheese Website.  \url{www.newdairy.com}
nation for settlement for less than a decade when the Steeles moved out there. The Steeles did pioneer and influence other dairy farmers that came to the state and were a model for many, however they were turned into models only later. The vision that they followed to turn their “cow heavens” into dairy paradises was only created after the Steeles had created their dairy empire. Others followed a path that the Steeles had stumbled along.

The Steeles’ correspondences are evidence that they in many ways had no idea what they were getting themselves into. The dairies they built changed the trajectory of their lives, not the other way around. The Brothers (it is often ignored that one partner was a cousin, and the other two full time partners were not even in the family) are seen as visionaries of the “cow heaven” of Point Reyes. It is largely thought that the dairies that were later built, and still exist today, are there because of the positive demonstration that the Steeles set for the power of California dairy.

However, if the Steeles were so good at finding the cow heaven of Point Reyes, a location that was the home for many of the states most prominent dairies, why was it that they left after 1866? The Steeles moved on to Pescadero and San Luis Obispo because their dairies were changing and they were trying to keep up with the progress. The letters do not indicate that they thought they were leaving a “cow heaven”, but that simply they found land they could buy with other benefits and moved the dairy down South, far away from the Northern California coasts that they had defined for others as the preeminent locations for cows and dairies.

The memory of the Steeles as founding California dairy on the Point Reyes Peninsula has outlasted and overpowered the memories of the Steeles’ path of creating their empire and their dairy locations. The Steele’s 150-year legacy has become one of a cheese-loving family that established Point Reyes as cow heaven- the Peninsula’s, and perhaps, the states best dairy land. The reality is that the brothers relocated several times and there were problems with both the
land at Point Reyes and Pescadero. The dairy industry continues to be precarious at Point Reyes and the dairies that settled there from the Steeles on struggled with environmental and other problems. The land has trouble sustaining itself as a dairy, and even before the National Park Service moved in the dairies were in decline.

To read the stories from George, Edgar, Isaac, Rensselaer, Horace and Charles is to encounter a foreign world; Catherine’s Steele Bros. legendary dairy and cheese that one is looking for are nowhere to be found. The stories do not match up and contradict each other so often that it becomes sometimes impossible to even fit them cohesively together. Her memory of the dairies and the landscape are the surviving vestiges from the past. The Steele Bros. and their “cow heavens” are completely different entities than the men themselves and the landscapes that actually existed. The correspondences between the men are words and stories that have been frozen in time. The memory of the Steeles and the California green pastures they found are constantly evolving, moving farther away from what they actually were until the history becomes the story.

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37 Catherine often complained of water problems with proper flow over the property at Pescadero.
The Historical Press and Point Reyes: 

An Analysis of Agricultural Publications in the late 1800s

Shih-Hung Chen

Introduction

Point Reyes National Seashore hugs the beautiful California coastline less than thirty miles north of San Francisco. During certain spring days, the National Seashore would be bathed in soft sunshine, its hills flush with the new grass, and the Park’s numerous cows looking quite calm while grazing in the green rolling hills. However, these idyllic cows reveal something that seems distinctly unnatural and out of place in a national park – ranches and dairies. The story of these ranches and dairies on the National Seashore possess a much more complex story than those docilely grazing cows appeared to suggest.

In 1961, when the National Parks Service designated the Point Reyes peninsula a National Seashore, the park was divided in order to promote two separate environments. Half of the park was designated as “wilderness” and the other half was labeled as “pastoral.” According to Park Rangers, these definitions remained undefined, thereby leaving it up to Park administration to determine the management of the land. Before creation of the National Seashore, local, family owned ranches and dairies were in operation on the Point Reyes peninsula. There was an understanding that the National Parks Service would continue to respect and foster the renowned dairies in the “pastoral” portion of the National Seashore.

These dairies on the Point Reyes peninsula have become a source of pride for Marin county residents and their pride has been reinforced by recent histories of Point Reyes. In a quote from Anna Toogood’s 1980 history on Point Reyes, Isaac and Edgar Willis Steele describe
The peninsula in 1857 that that “presented a veritable ‘cow heaven’.” In another recent history on Point Reyes ranching, Dewey Livingston claims that “Point Reyes dairies produced what was widely considered to be the highest quality butter in the state for the last half of the 19th century.” Readers of these histories would assume the presence of a thriving industry on Point Reyes peninsula that was the leader of California dairying in the latter 1800s.

I was curious as to the origins of these claims and undertook to learn more about the dairying practices on Point Reyes during its days as the “leader in dairy production in the United States.” I consulted 19th century West Coast agricultural journals. My rationale, based on the histories of Point Reyes, suggested that the agricultural journals of the late 1800s would document the prominence of dairying on the Point Reyes. These agricultural publications would then reveal further information about the dairying on Point Reyes. However, my survey of journals published in late 1800s revealed few references to Point Reyes dairy farming and processes. Furthermore, references to the larger Marin County were sparse in the agricultural journals. Therefore, I began to consider what the absence of articles on Point Reyes and Marin County had on the region’s supposed historic dominance in dairying.

The “Missing” Marin in Publication Articles

During the 1870s, agricultural journals began publishing articles about new agricultural trends and opportunities in California. Dairies were the subject of numerous articles in these journals. Despite the existence of these dairy articles, Point Reyes and the Marin county remained curiously absent from many of the journals. Journals such as the Pacific Rural Press, California Agriculturist, California Farmer, and the California Culturist all published numerous

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1 Anna Coxe Toogood, A civil history of Golden Gate National Recreation Area and Point Reyes National Seashore, California (Denver: Historic Preservation Branch, Pacific Northwest Team, Denver Service Center, National Park Service, United States Dept. of the Interior, 1980), 135.
articles that introduced new dairy farming practices and processes for making improved milk and butter. Since these publications promoted the best features of the land in order to induce farming development in California, Point Reyes should logically have been found in many journals since it was a prominent dairy location.

My survey of the first three volumes of the Pacific Rural Press located a number of dairy articles that promoted new dairy investment in California. For example, the journal lauded dairy farming as being “one of the most profitable of agricultural industries of the United States.” Furthermore, the unsigned article described the profitability of dairies in California and that explained that “in no State has [dairies] paid better than in California.” Interestingly, Point Reyes was not listed as an example of a Californian success story or destination point for future dairymen.

One of the goals of the agricultural journals was to publicize new agricultural sciences and trends. The only other mentions of dairy in the Pacific Rural Press were articles about non-Marin County butter making that were scattered among the three volumes. Other publications also described similar advances. For instance, volume two of the California Agriculturist contained an article very similar to the new butter making process that was found in the rival Pacific Rural Press. However, no mention of Point Reyes or Marin County could be found in California Agriculturist article. The publication of these similar articles supports suggestions that the new dairy processes generated were not being pioneered or championed in California by Point Reyes dairies, rather these articles suggest that the new dairy processes were attributed to the East Coast states such as Vermont or New York.

2 D.S. (Dewey) Livingston, Ranching on the Point Reyes Peninsula (Point Reyes Station: Point Reyes National Seashore, 1993), ix.
3 Ibid.
4 Subsection on Dairy Farming, Pacific Rural Press, 4 February 1871, 68.
In another case of Point Reyes being absent from an example of best dairying practices could be seen in the April 1, 1874 issue of the California Agriculturist.⁵ The article presents methods on how to keep good dairies and was written by L.F. Chipman from San Jose. Although the California Agriculturist was published in the Santa Clara valley, the choice of using a nearby dairy in San Jose rather than a dairy on Point Reyes may have both identified the marginal position Point Reyes dairying during the 1870s or non-portable nature of dairy farming on the peninsula.

Although the journals wrote a great deal about the land promotion, and best dairying practices, those publications did not end their reports on agriculture with that. The journals often employed traveling correspondents to bring a personal view of the land.

*Eyewitness Accounts of the Land*

Personal accounts of the important agricultural counties along with news clips also accounted for an important part of the agricultural journals’ writings. Beginning with volume two of the Pacific Rural Press, a new section appeared that highlighted agricultural developments in selected counties throughout the West Coast. In these sections, nearly every week contained references to San Joaquin, Nevada, Napa, and Santa Clara counties. Noticeably, Marin County and Point Reyes were not written about in many of the news briefs. This absence would imply a lack of newsworthy developments in Marin. Based on the Pacific Rural Press, most of the agricultural action was occurring in the California Central Valley.

Another attempt by the journal to ascertain new agricultural trends involved “traveling correspondent” columns that would tour different counties. Intuitively, these correspondents would travel in areas that had developments and opportunities in agriculture. In volumes two

⁵ Ibid.
⁶ California Agriculturist, 1 January 1872, 15.
and three of the Pacific Rural Press, these correspondents traveled to San Joaquin and Santa
Clara counties many times and wrote about the farming practices and natural features of those
counties. Marin Country was oddly not included in these special eyewitness reports on
agriculture. Furthermore, figures such as the Shafters whom “dominated” Marin County dairies
were also absent from the Pacific Rural Press. Based on the content of the journal, readers of the
Pacific Rural Press would likely infer that the best locations for agricultural opportunities in
California would be in San Joaquin and Santa Clara counties. By the lack of articles on Marin
County and Point Reyes, an impression of the county appearing to be a backwater to agriculture
or even a location that no longer holds opportunities for future dairy investments is likely formed
by readers of this journal.

**Cases of Marin and Point Reyes in the Journals**

Despite these noticeable absences, Marin County was not completely ignored by the
agricultural journals. For example in the February 3, 1872 issue of the Pacific Rural Press, a
column was written that introduced a new process of making butter directly from milk.
Although the new process did not originate from California, Marin county Messrs. Sweetzer and
De Long were noted as wanting “to adopt the system.” Other Marin references in the Pacific
Rural Press brought up numbers surrounding fruit production and a reference to the cancellation
of an agricultural fair due to weather in the region. Although these are not the exhaustive list
of articles regarding Marin county, these articles are cursory and normally only amount to 5 or 6
column lines in the Pacific Rural Press.

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7 *California Agriculturist*, 1 April 1872, 4.
8 Livingston, ix.
The California Agriculturist contained an article that gave hints into the creation of the Point Reyes dairy promotion. A traveling correspondent wrote about Point Reyes in a two part article that was divided between two months of the California Agriculturist. The article proved to show certain stereotypes and impressions of the dairying conditions in Point Reyes during this 1870s. The first part of the traveling correspondent’s article, published in March of 1872, outlined a butter making practice at Point Reyes. This helped confirm that dairies on Point Reyes were producing grade B dairy products. The California Agriculturist article gave a detailed account of the butter process on Point Reyes.

The article in the journal also attempted to explain the status of the Point Reyes butter in the San Francisco market. According to the article “the Point Reyes’ butter commands a higher price, and a more ready sale, in San Francisco, than any other butter that comes into that market.” This remark was probably added to the article in order to legitimize the butter process that the author tried to describe, however this was one of the first times that the quality and price of Point Reyes butter was discussed anywhere. It is uncertain how much of the claim of price and quality could be verified by the correspondent, but the California Agriculturist could have possible confirmed this statement with an informal study of San Francisco butter prices.

The next claim of the author regarding Point Reyes stated “And it is furthermore an admitted fact, that more butter is made from the Point Reyes’ pasture than can be made on any other pasture from the same cows.” Similar to the comments in the previous section, this was probably written to bolster the legitimacy and the expertise of the butter making process that was described by the journal. However, a comment such as that was likely impossible to proved. This type of statement only went to promote the Point Reyes dairy lands and add to its lore. The

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11 Point Reyes, California Agriculturist, 1 March 1872, 5.
12 Ibid.
Shafter ranch was also mentioned and probably produced most of the information that the traveling correspondent used in his article. It was in the Shafter’s best interest to promote good publicity in order to get people to come out onto the tenant dairy farms on Point Reyes.

In the following month the second of the two article series on Point Reyes was published with a continuing description of butter making on the peninsula. In the article, there contained a description of “The old Swedish Dairyman of Point Reyes.” Although the author, W.W. Carpenter, began with the butter description, he quickly digressed and approximately half of the article was devoted to expressing how the handsomeness of the dairyman and how beautiful the Dairyman’s daughter was. This article’s flowery description of the daughter read, “As I saw her standing at the table engaged in her occupation at the early hour of seven o’clock in the morning, as pure, white and cleanly as a flake of snow just fallen from the skies, I felt that she illustrated in her person the proudest and most glorious example of her sex, and one that should put to shame her butterfly sisters in America.”

The praise of the Dairyman and his daughter added to the ideal nature of Point Reyes as a dairy land and also promoted the fact that there were elegant and beautiful people on the land. Perhaps this was an early version of the draw of sex appeal in order to convince people of the desirability of the land. Another theory as to why the article contained a long section describing people is that the journal was targeting a certain audience in the California area. The repeated illustration of comparing the daughter to “snow”, “purity”, and “white” may suggest an appeal to white settlers in California. Megan Knize discuses this in her paper “Of Land and Society.”

This article digressed quite a bit from the agricultural nature of the journal and added to a mythic

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13 W.W Carpenter, MD, “The old Swedish Dairyman of Point Reyes” California Agriculturist, 1 April 1872, 9.
14 Ibid.
discourse about the Point Reyes region. The descriptions of the butter processes were almost trivial in the context of the entire article.

**Press Coverage of the Shafter Family**

The Shafters, being the primary land owners in the Point Reyes peninsula, clipped newspaper articles that pertained to them. Although these articles were tributes to the egos of the Shafters, one of these articles described features of Shafter ranch. According the scrapbook, this newspaper was clipped from the *Alta California* with no date. The newspaper article gave a general description of the different portions of the Shafter Ranch. However, the part that is to be noted is the subsection that dealt with the dairies on the land. In a statement similar to the article in the *California Agriculturist*, the newspaper clipping wrote “and so it is reputed in the San Francisco market, where Point Reyes butter always commands the highest price – as I am informed.”

The fact that this was so similar to previous references to the newspaper articles regarding Point Reyes suggests that these statements about the San Francisco market was likely to have been perpetuated and spread by the Shafters themselves. Of course, the author of this article probably knew the Shafters personally and then repeated everything that the Shafters told him. Unfortunately, the article in the scrapbook did not contain any names or reference to the author.

Another facet of the status of dairies on the Shafter ranch is the order that of the features that are listed on the Shafter ranch. Logically, the most important feature of the land would come first, but in the article, the section regarding dairying was located second to last after a list of “tenant houses and leases”, “the ranch”, “timber stone and soil”, “cattle”, “grain”, “grass”, and

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15 Shafter Family Papers, UC Berkeley
finally the “dairy.” Perhaps this meant that dairying was not so critical for the Shafters and then therefore for the Shafer’s tenants as well.

**Conclusion**

The fact that agricultural journalism did not notice Point Reyes during the latter 1800s suggests a rethinking on of the theory of the “highest quality butter” on Point Reyes. Were the Shafters in control of lands that produce an abundance of dairy or not? Although using survey of agricultural publications may not be able to prove conclusively an alternative theory to the modern Marin histories, however it does suggest a much more complex nature to dairying at Point Reyes. Knowing this, the longevity of family ranches on the Point Reyes peninsula could perhaps be seen through a different light. In Edward L. Ayer’s book, *The Promise of the New South*, a discourse of tenant family habits were discussed. He describes how tenant farmers were very mobile and often did not stay long on the land. Perhaps the reason that farmer stayed so long on the Point Reyes land was because that no else wanted to move to the peninsula – everyone went to the California Central Valley. Perhaps the dairies were only located here because nothing else could be done with land located close to San Francisco. However, all of these are just speculations.

On those same certain beautiful spring days, there would even be a cool sea breeze blowing in from the Pacific Ocean. In essence, these would be the portrait of a perfect day at the National Seashore. However, according to the Park Rangers, this idyllic illustration would be catalogued as being an extremely unusual day in the Park. On most days, the weather at the National Seashore was not so kind – fog and wind would prevail. Perhaps the weather of the Park was not that only thing that could be deceiving.

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16 Livingston, ix.
Appendix - Agricultural Journals

Although I searched through more journals than the ones listed below, these journals had information that was relative to Point Reyes and Dairying.

Pacific Rural Press – This weekly agricultural journal began publishing in 1871 in San Francisco. It merged into the larger California Farmer publication in the early 1900s. The publication focused on agricultural news throughout the West Coast. However, the journal devoted much of its press coverage to California. Volumes one through three were surveyed covering 1871 to 1872.

The Santa Clara Valley – This was a monthly agricultural journal that focused mainly on horticulture. I examined volumes 1 – 2 spanning the years 1884 –1885. This was a local paper.

California Farmer – One of the largest publications, it began operations in 1854 in San Francisco. The format of this paper is very similar to the Pacific Rural Press and however localized its scope to cover only California. This paper merged with the Pacific Rural Press in the early 1900s. I surveyed 1870 and 1880.

California Agriculturist – This publication from the 1870s was the California Agriculturist and Live Stock Journal. This journal was a monthly publication that was published in the Santa Clara valley beginning in 1871. Volumes two and three were surveyed which covered the years 1872 and 1873. This agricultural magazine mainly contained articles that revolved around farming advances and Santa Clara agricultural events. The advertisements and announcements in the publication was geared for the Santa Clara farming community. Despite the localization of the content, articles regarding new processes from outside the Santa Clara locality were also included so that farmers could learning new agricultural techniques.

About the Authors

**Shih-Hung Chen** is a junior at Stanford University, double majoring in Computer Science and History. Although he usually takes classes on ancient East Asia, learning about the great American West and cows is nonetheless pretty fun.

**David Halliday** is a junior at Stanford, majoring in Interdisciplinary Studies in Humanities with a concentration in film studies. He loves mountain biking, watching films, drinking wine, and going for long walks in the moonlight. You can catch him this summer doing "thesis research" in Italy for his proposed thesis on Sergio Leone and Italian Spaghetti Westerns.

**Megan Knize** is a sophomore at Stanford, majoring in American Studies. She grew up in the California Central Valley, and is interested in California History.

**Jeffrey D. Port** is a junior at Stanford, majoring in History. He grew up on a family farm in California, and is working on a thesis about Agricultural Land Conservation.

**Katherine Tarlock** is a junior at Stanford, majoring in History. She’s from Chicago, and concentrates on the history of the American West.

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