

# history



Based on Bill Wulf's *Mountain History*

## Jones Road

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After California was admitted as a state on September 9, 1850, and before Santa Clara County was formed on April 25, 1851, the Honorable Court of Sessions (later called the board of supervisors) filed a petition on August 17, 1850. It was about mountain roads.

*"The undersigned, your petitioners, citizens of said county, impressed with the belief that the interest of individuals, who are settling and improving in different portions of this valley, as well as that of the public generally, require the immediate establishment of public highways, and their improvement with as little delay as possible, would respectfully solicit your Honorable Court to cause a public highway to be laid out and established, commencing at or near the bridge crossing the Guadeloupe, on the road leading from San Jose to the Mission of Santa Clara; and running thence on the nearest and best route, via Jones Mill, in the direction, to the line of Santa Cruz County, and your petitioners will ever pray."*

At first, the reason for improvement of the road was to provide better access to the timber regions above Zachariah Jones' sawmill, and to break the monopoly that Jones had on this portion of the road. Second, it was important to the people of the Santa Clara Valley to have an improved wagon road to Santa Cruz for commercial and social reasons. Unfortunately, newly formed Santa Clara County did not have a solid tax base for funding luxuries, such as wagon roads over the Santa Cruz Mountains.

To satisfy the petitions of the teamsters and lumbermen, the Santa Clara County board of supervisors appointed Charles White, P. J. Davis, and A. S. Finley as commissioners to recommend a possible road from San Jose to the Santa Cruz County line. Step by step, they detailed the path of a possible road from the San Jose bridge to the county line of Santa Cruz, by way of Jones Mill.

Their planned road began about

eighty rods from the bridge on the river Guadalupe. They passed between the improvements of Matthews and Sansevain in a straight line to the Matthews fence. (They commented that the fence would not be of any value after the season, being composed of willow poles.) They proceeded in a straight line until reaching a dead oak tree they marked **Santa Cruz Road**. Their route bent a little to the southeast, passing about 200 yards west of Cady's house, until reaching a large white oak tree, which they blazed and wrote on with red pencil **Road to Santa Cruz**.

They proceeded in a straight line to the east corner of Judge Hester's fence, then west of Hester's fence about 75 yards. From there, they crossed the east corner of a big field, and planted stakes on each side of a fence. They went thirty yards west of Sansevain's house and passed through an unfenced field of wheat and barley. They followed a straight line to an old road where the Chileno family was preparing to fence.

They drove a stake about 100 yards east of the western string of the Chileno brush fence, passed east of the Chileno cabins, crossed the Los Gatos Creek at the old crossing, and marked a sycamore tree. They passed the corner of the Chileno field to the edge of the second bank, where a tree was marked. They marked several trees and notched others for about 150 yards east of Major Chase's house at the foot of the first chain of mountains.

At this location, they concluded that there was only one way that a road could be made from there to Jones Mill. It must follow up the creek almost all the way from Major Chase's house, intersecting the road made by Jones at the foot of the south side of Santa Cruz Mountain.

They reported that the road from Jones Mill through the difficult parts was less than three miles, it was nearly level, and the creek had to be crossed "only" three times. They did say that a great deal of rock would have to be blasted and removed.

By today's standards, their estimated road cost was relatively low. They thought that a good road constructed from San Jose to Jones Mill would cost about \$30,000. About \$25,000 would be required to open a road through the canyon, following the creek from the foot of the valley. About \$5,000 would pay from there to Jones Mill. They thought this was important because it meant that a full load could be brought from the mill to any place in the valley without unloading. They didn't support



building a wagon road all the way to the Santa Cruz line, but suggested that a "horse road" should be left open.

*"Your commissioners believe that a road for all purposes to Jones Mill would be beneficial to the people of Santa Clara County for the purpose of hauling timber. A great quantity of redwood might be got from there, but it would be unpublic for the county to open a road any further than the Major Chase property. The cost of opening a continuing horseback road, however, will help those who travel on to Santa Cruz by horseback."*

The Santa Clara County board of supervisors agreed. They thought that building a wagon road over the mountains was too expensive and was the task for private enterprise. Evidently the legislators of the state believed that, too. On May 12, 1853, the State of California passed the Plank and Turnpike Roads Act, that allowed nine or more persons to organize a joint stock company for the construction of a turnpike road. They could operate it as a toll road for a period not to exceed twenty years. At the end of twenty years, the road was to be turned over to the county as a public road.

In 1854, at the request of the Santa Clara County board of supervisors, two exploring expeditions started. One was to cross the Santa Cruz Mountains from San Jose and the other was to go east across into the San Joaquin country by way of the coast range to locate a right-of-way for a road. Santa Clara County Sheriff John Murphy, a daring horseman, was sent over the Santa Cruz range. Murphy followed the Jones turnpike and went past Mountain Charley's place. When John Murphy and his party returned

to San Jose, they reported that it would cost \$10,000 to build a road from Jones road to the Santa Cruz County line.

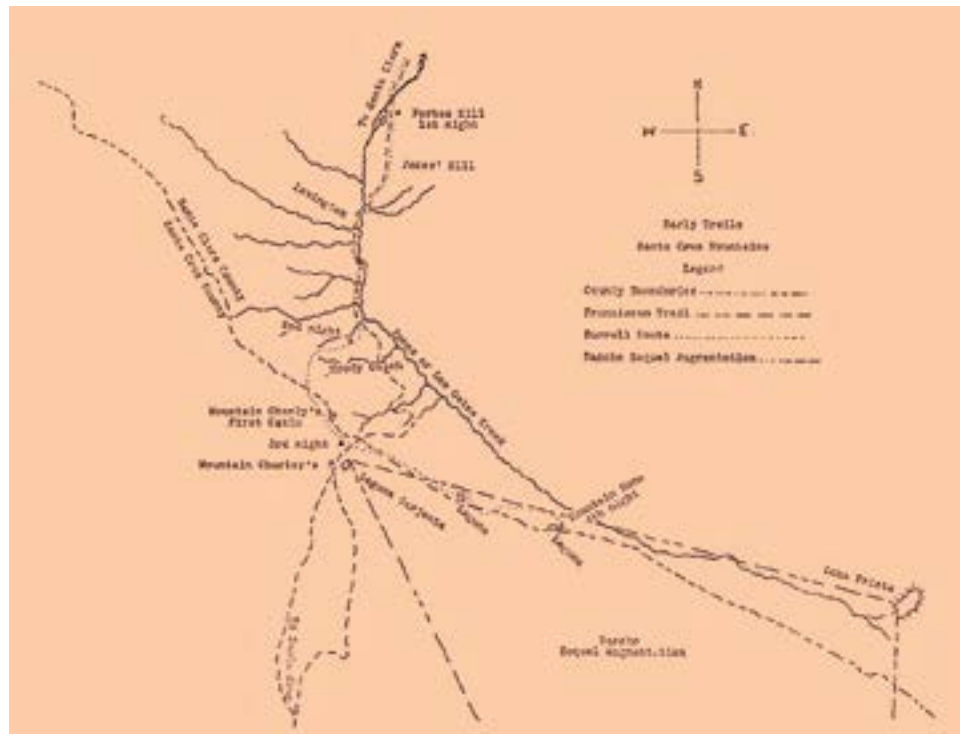
On May 4, 1854, Lucien B. Healy, County Surveyor of Santa Clara County, made a survey of a Turnpike Road near Forbes Mill in a southerly direction, and from the redwoods to a point near Forbes Mill northerly for Zachariah Jones. The course of this turnpike road ran to the west of the present Jones road, following along the east bank of the Los Gatos Creek. To achieve a gentle grade from Forbes Mill to Jones Mill, it was necessary to carve the road out of the side of the Los Gatos Canyon. According to my research, Jones never charged a toll over his portion of the San Jose to Santa Cruz Road from Forbes Mill to Jones Mill.

The Santa Cruz Gap Turnpike Joint Stock Company met at James S. Howe's place in the redwoods near the Santa Cruz Gap on Saturday, November 21, 1857. Howe was secretary and S. J. Easley was president of the company. It was reported that the proposed route had been viewed and surveyed. They raised the necessary capital stock of \$700 to build the road. The company collected tolls for twenty years.

The route proceeds from the tollhouse in Los Gatos and up the west side of Los Gatos Creek Canyon to the valley where Zachariah Jones had his lumber camp and two sawmills. At this point, the toll road joined the original road of 1791 that Jones had improved. From that point, a new road was to be built to the summit ending at Charles McKiernan's cabin.

Some obstacles, however, had to be overcome. One of the first problems encountered by the turnpike company was with Zachariah Jones. He threatened to sue the turnpike company and the Santa Clara County board of supervisors for damages to his property. On June 11, 1858, the board-appointed commissioners reported that the taking of the right of way of Zachariah Jones amounted to the sum of \$500. This amount was to be paid by the Santa Cruz Gap Turnpike Joint Stock Company. Jones was not happy with this settlement and filed an appeal.

On October 25, 1858, new commissioners recommended that Zachariah Jones Road had always been a public road, and that Jones should pay \$30 to the first set of commissioners and \$15 to the second set of commissioners as well as all court costs. Shortly after, Zachariah Jones sold his holdings to John Pennell Henning.



**When Lyman Burrell brought his wife up to their new Mountain Home, they traveled over the trail that Zachariah Jones had built for a sawmill, up and over the grounds later occupied by Sacred Heart College and down Los Gatos Creek north of Lexington, the town, later drowned by Lexington, the reservoir. They didn't follow the road further; it was too rough for a wagon. They camped one night near present-day Idylwild, the next near Charles McKiernan's first dwelling, and the last somewhere near present-day Mountain Charlie Road. They then traveled a few miles along summit ridge to their Mountain Home.**

The second problem was caused by the turnpike company when they erected a toll gate at the Town of Lexington in 1859. Members of the community and surrounding area protested to the Santa Clara County board of supervisors with a letter that stated, "We are much injured and aggravated by the rates of toll charged on the turnpike road leading from this county to Santa Cruz. That road consists of two divisions, with a section of public road in the middle. Each division cost about the same sum of money. One gate was placed at the town of Lexington, so that persons living in that town are compelled to pay the same toll as those living at the farther end. Toll rates are paid according to the cost of the whole road, which is unfair for those wishing to travel only half the road. They should pay half as much."

According to the contract, the Santa Clara County board of supervisors was supposed to take over the toll road on November 19, 1877. When they didn't, the teamsters took matters into their own hands. On January 24, 1878, they tore down the gate in front of the tollhouse in Los Gatos.

The *San Jose Weekly Mercury* reported the incident:

"Monday morning, D. B. Moody, Secretary of the Santa Cruz Gap Turnpike Joint Stock

Company, accompanied by R. G. Moody, J. H. Logan, District Attorney of Santa Clara County, and Mr. Logan, Sr., left San Jose for the Los Gatos tollhouse. They erected a gate on the site of the one torn down in November. About a dozen teamsters and Los Gatos men gathered around and quietly watched the progress of the work.

The four representatives of the toll road company were armed, so work proceeded. Finally, the gate was placed in position, and a team approached. D. B. Moody ordered Mr. Kennedy, the toll collector, to go out and collect the toll, while he would hold the gate, and prevent anyone from passing through.

When Mr. Moody took his position at the breach, the teamsters and their allies, seemingly oblivious of the warlike attitude of their adversaries, rushed forward, tore down the gate, and threw it into the canyon.

No weapons were drawn nor were any blows struck on either side. Mr. Moody and his father repaired to San Jose, while Mr. Logan remained, and with some difficulty, succeeded in fishing the gate out of the gulch. It now reposes in the rear of Mr. Kennedy's house."

Why was the Santa Cruz Gap Turnpike Joint Stock Company reluctant to give up the toll road? In twenty years of its existence, it made \$137,127.91.