

BY BUD SPRUNGER

Among unexpected obligations accepted by Earl Warren when he became governor of California is a membership in a Redwood City organization which is going to "put the bee" on his excellency for action in the way of perpetual upkeep.

Mayor Floyd D. Granger revealed today that under terms of an old indenture made in 1859 the governor holds the deed to Union Cemetery in trust. Granger wants him to do something.

"We want him to get time to get squared away in Sacramento, get the hidden telephone devices cleared out of his office, make his appointments and reach an understanding with the legislature first," City Mgr. Robert W. Mead said. "But we do want action from the governor on keeping up the cemetery which is now in a rather dilapidated condition."

Here's how the whole situation came about:

On March 16, 1859, Gov. John B. Weller of California accepted an indenture which named him and his successor as trustees for the cemetery "for the use and benefit of the Union Cemetery Assn. of San Mateo County."

The indenture was made by James Berry, Curtis Baird and Rachael, his wife; Soledad Ode Arguello and Jose Arguello of Santa Clara County; S. M. Mezes of San Francisco, and the governor.

Then part of Rancho de las Pulgas, the cemetery has since been used by some of the pioneer families in the Redwood City area and is the final resting place of Mezes who came here when 22 years old to manage the Arguello ranch. He had previously managed a bank in Porto Rico until his health failed. Roscoe D. Wyatt, chamber of commerce secretary-manager, said today that Mezes' name was at one time used in the name of this city. The community was known as Mezesville.

Another pioneer resident buried there is James Pease, a sailor who, according to Wyatt, jumped ship in San Francisco in either 1829 or 1830, and came here. He is believed to have been the first white resident.

Since Governor Weller accepted the duty, California governors, however, have been rather lax in their duties regarding the cemetery, the mayor believes, and Warren never knew the office he was running for entailed keeping the cemetery until Granger explained the situation to him when he spoke here Memorial Day.

1/14/43
Cemetery

Governor To Have R.C. Duties

State Funds For Cemetery Upkeep Slated

Redwood City's Union Cemetery moved a little closer towards becoming a state establishment today. 6-3-47

The assembly ways and means committee in Sacramento approved a measure providing for maintenance of the historic, but unattended, cemetery off El Camino Real near Five Points.

Last year after 88 years the status of the cemetery appeared on the road to settlement.

The municipal and county government committee of the assembly recommended then that the legislature ratify a bill which ratified the action in 1895 of Gov. John D. Weller who had accepted the cemetery in the name of the state.

The municipal and county committee also recommended that the assembly provide \$1500 a year for the maintenance of the cemetery.

These recommendations were today approved by the way and means committee and will now come before the assembly for a vote.

Assemblyman Richard Dolwig (R) of South San Francisco is author of the bills. He explained that previous provisions by the state for maintenance of the three and a half-acre plot had been made but that the state was unable to use the funds because of a defect in the title.

Since 1859 the cemetery has been a founding. Although Governor Weller accepted a deed to the property in the name of the state, the legislature never ratified his action.

Consequently the cemetery has been without an owner since then and has been overrun with weeds and tombstones have been toppled over.

Each year the city spends between \$700 and \$800 cleaning it up for Memorial Day. Otherwise the plot has been left to the weeds except for a Grand Army of the Republic plot which is maintained by San Mateo County.

Redwood City Tribune

State May Acquire Title to RC Cemetery

SACRAMENTO (AP) — After 91 years, the state may acquire "title in fee simple" to Union Cemetery in Redwood City and provide financial aid in maintaining it as a veterans' burial ground, Associated Press reported from Sacramento today. 7-4-47

In 1856 the land was deeded to Governor Weller, as chief executive of California. Those who operated the cemetery have long since died but now, Assemblyman Richard J. Dolwig, South San Francisco, said it is necessary to pass a validating act so that the title will be unquestioned. He has introduced a bill to that end and also one for a yearly appropriation for maintenance of the cemetery. The amount is left blank in the bill but he says it will be about \$1800 a year.

Many Spanish-American veterans are buried in the cemetery and it is planned to use it as an official burying place for veterans of the world wars.

Cemetery Disowned — Again

It seems like Union Cemetery, Redwood City's perennial worry, is on its own again today. The historic burial place of many of the Peninsula's earliest residents and supposedly the city's first white resident, was claimed last month by the state after many years clamoring by the city for the state to accept responsibility for its upkeep.

At last night's council meeting, however, City Atty. Paul A. McCarthy read a communication from the state saying that though in 1859 Gov. John B. Weller of California accepted a trust of the cemetery for himself and his successors in office, no legislation had ever been enacted to carry out the trust.

Early last month the city was informed by the state finance committee that the state would share half the expense to rebuild and care for the property. American Legion Post 105 had searched the title and laid the property at the state's door by finding the deed of trust accepted by Governor Weller.

As yet, McCarthy has not been able to check the last communication from the state, he said, and the status of the cemetery is not clear. Redwood City has voted tax money to the upkeep of the cemetery since 1937, but who it belongs to now is a mystery, he said.

The property consists of six acres bordering on Woodside Rd. It was formerly part of the Rancho de las Pulgas and was deeded to the governor by six owners. All members of the "Union Cemetery Assn." in whose benefit it was to be administered, are now dead, McCarthy said.

State, R. C. To Share

Upkeep of Union Cemetery will shortly be shared 50-50 by the state and Redwood City taxpayers, thanks to funds voted by the legislature's finance committee, according to announcement made last night by Comdr. James Whitehead at a meeting of the American Legion Post, 105.

The cemetery, which was opened in 1859 and has 280 plots, including areas of 75 graves each for the Grand Army of the Republic, the Odd Fellows and the Masons, as well as family and individual plots, was in such a state of neglect that in 1937 Floyd D. Granger was named head of a veterans committee of the United Veterans Council

to see what could be done to establish responsibility for the property, said Whitehead.

Coincident with Granger's appointment, the Legion Post voted \$25 to start work on a title search and it was found that the original deed was a trust of the Union Cemetery Assn. to the governor and his successors in office, and that it had been legally accepted, in writing, by the then Governor John B. Weller. The Redwood City council then voted to reimburse the Legion for its \$25 outlay.

Immediately unsuccessful efforts were made to have funds set aside for the cemetery's care, during both the Frank Merriam and Culbert L.

Olson administrations. However, Earl Warren, before his governorship, had visited the cemetery at the invitation of the then Mayor Granger, came to the assistance of the Redwood City committee and advised means of presenting their project.

Sen. Harry Parlanman worked on it during the Merriam and Olson terms and Assemblyman Harrison Call has carried on more recently. Much of the work in behalf of the municipality, in persuading the state to accept its ownership was carried on through the office of City Atty. Albert Mansfield and more recently through his successor, Paul McCarthy.

Upkeep of

The sum of \$3750 per biennium was approved by the finance committee at the last legislature. The money will come to the City of Redwood City and will be administered by City Mgr. Robert W. Mead, who will have markers painted and grave fences and barriers rebuilt and repainted. More trees and shrubs are to be added and the present lawn area extended, according to plans outlined.

From 1937 to date, the City of Redwood City has voted taxes to care for the cemetery and during the year ending June 30, 1938, the sum spent was \$713; 1939, \$902; 1940, \$1082, and \$700 each year for 1941, 1942 and 1943. This was used

for a gardener to maintain the lawns on the plots used for the burial of veterans, a hedge along the southerly and westerly sides, some shrubbery and the annual spring removal of weeds from the balance of the cemetery.

According to Mr. Whitehead, no appropriation was made before 1937 and no care given the area since 1918 when the last meeting of the Union Cemetery Assn. was held. Two of the last remaining directors were James Crowe and H. E. Eikerenkotter, both now deceased.

During the past 10 years there have been only 10 burials in the cemetery, among them Superior Court Judge George J. Buck and

*Redwood City Tribune
12 July 1945*

Union Cemetery

Annie Sears, for whose family Searsville was named. There are approximately 1700 graves in use, while 150 bodies have been disinterred for removal to other cemeteries, according to records of Lewis E. Franklin, Redwood City mortician, who has the plot map of the burial ground. No plots may now be used except by descendants of the original holders of certificates in the group association.

The San Mateo County Title Co.'s report shows that the title to the cemetery was vested in 1859 in "John B. Weller, governor of the State of California and his successors in office in trust for the use and benefit of the Union

Cemetery Assn." and also shows that the governor's acceptance was countersigned by Ferris Forman, secretary of state on Mar. 20, 1859.

The title search also shows that a map was filed on Mar. 12, 1860; listing the first officers as John V. Diller, president; Charles N. Fox, secretary and treasurer; James W. Turner, superintendent and the following contributing members: S. M. Mezes (in whose honor Redwood City was known as Mezesville), John V. Diller, John W. Ackerson, Chew and Hilton, Baird and Berry, Charles Hanson, George H. Howard, Alex Garbi, J. W. Turner, J. C. McLeod, Finger and Beyer, M. L.

Britton, Charles N. Fox, B. G. Lathrop, William G. Beck, John Q. A. Thurber, Charles Ayers, John I. Ellet, W. T. Gough, Z. Ostrom, J. M. Curtis, William H. Douglas, T. G. Phelps and Horace Hawes. Among the early plots was the name of C. D. Judah.

The property, consisting of six acres bordering Woodside Rd., sold for the sum of \$500 and was part of the Rancho de las Pulgas. The deed to Governor Weller was made by James Berry, Curtis and Rachael Baird, Soledad O. de Arguello and Jose Ramon Arguello and S. M. Mezes, who came here when 22

(See Union, P. 2, Col. 6)

Redwood City Tribune
12 July 1945

Union Cemetery

(Continued from Page 1)

years old to manage the Arguello ranch. He had previously managed a bank in Puerto Rico until his health failed. He is buried in the Union Cemetery, as is James Pease, a sailor who jumped ship in San Francisco in 1829 or 1830 and came here. He is believed to have been the first white resident.

That that period was definitely pre-women's rights was reflected in the deed notation made by B. G. Lathrop, county clerk, to the effect that "the said Rachael Baird, wife of Curtis Baird, having been by me first acquainted with the contents of the instrument, acknowledged to me, on examination apart from and without the hearing of her husband that she executed the same freely and voluntarily, without fear or compulsion or undue influence of her husband and that she did not wish to retract the execution of the same."

The Legion's business meeting consisted of re-electing last year's officers as follows: James Whitehead, commander; first vice commander, William Galloway; second vice commander, A. A. Cataldo; chaplain, Vernon L. Roberts; sergeant at arms, Mervyn Jeffries; historian, Andrew Blakeley; finance officer, Carl Underwood, and Tom Vernal was appointed adjutant for the fourth consecutive term. Members of the executive committee are to be Dr. John N. Blood, A. B. Blakeley and Dr. Rex A. Gish. Delegates to the department convention caucus to be held in Burlingame, Sunday, July 22, are James Whitehead, Dr. Blood, Emmett Donnelly, William Galloway, A. B. Blakeley, Charles Diel, Floyd Granger and Paul Jones, while the alternates are Peter Constanta, Dr. Gish, Melville A. Grant, Vernon L. Roberts, Benjamin F. Peterson, Edward Rudolph Maurer, Mervyn Jeffrey and Ray Ceraghino.

After 88 Years . . . State May Take Union Cemetery

After 88 years the status of Union Cemetery today appeared on the road to settlement.

The Municipal and County Government Committee of the California Assembly today recommended that the legislature ratify Bill 2003 and a companion bill. These two pieces of legislation would:

1. Ratify the act of Gov. John D. Weller in 1859 in accepting the cemetery in the name of the state, and 5-29-47
2. Provide \$1500 a year for the maintenance of the cemetery.

Since 1859 the cemetery, in effect, has been a founclng.

At that time Union Cemetery Assn. members deeded the area to Governor Weller. Weller accepted in the name of the state but the legislature has never ratified his action. Consequently, the cemetery,

with no owner, has been overrun with weeds and tombstones have been toppled over.

Last year the state's finance committee voted \$1800 a year to maintain the plot, but since the deed has never been accepted, the state refused to pay.

None of the six association members who deeded the property are alive. Councilman Floyd D. Granger has pointed out that no one can now be buried at the cemetery unless he has title to the property or is an heir of cemetery property owners.

Each year the city spends between \$700 and \$800 cleaning up the cemetery for Memorial Day. Otherwise, the plot off El Camino Real at Five Points has been left to the weeds except for a Grand Army of the Republic plot which is kept up by San Mateo County.

Redwood City Tribune
1947

Park Foreman Asks Owners To Aid in Cleaning Cemetery

City employes under the direction of Pasco Balzarini, park foreman, were rushing a cleanup program today at Union Cemetery in an effort to get the work completed before Memorial Day. 5-16-47

The city, Balzarini said, is taking care of driveways, parkways and shrubbery, but must appeal to those who have lots to take care of them.

The city is too shorthanded, he explained, to handle the entire job itself and will need help with the lots from individuals.

The cemetery, last resting place for many Civil War veterans, was

in bad shape May 1, Balzarini said, but is now being brought into shape for Memorial Day exercises.

There is a bill pending before the legislature to have the state government take over and maintain the cemetery.

Union Cemetery Funds Studied

Redwood City's Union Cemetery will get more study before councilmen decide to spend any more money for its upkeep.

Mayor William Werder last night appointed Councilmen Floyd Granger and Carl A. Britschgi to study the matter of cemetery upkeep and report back to the council at the next meeting.

The state has provided \$1500 for upkeep of the cemetery but the funds are only enough to keep it in a fair state of repair and clean it up before the city's annual Memorial Day services.

Councilmen H. K. Holmquist said the cemetery was in a "disgraceful" condition and called upon the council members to spend a "few \$100 besides what the state gave us to make the place presentable."

Councilman Granger commented that the cemetery would be cleaned up before Memorial Day and "that looks like the end of it."

Mayor Werder said, however, it would cost about \$15,000 and require a crew of two full-time men to maintain more expensive maintenance of the plots. He then appointed Granger and Britschgi to work with the city manager and the park commission to work out a solution to the maintenance problem.

State Bills Would Aid RC Cemetery

BY OTTO TALLENT

Redwood City's shoddy-looking Union Cemetery—the city's lone burial ground—may soon be made a respectable resting place for the dead. 3/29/47

Assemblyman Richard J. Dolwig now has a bill before the legislature by which money would be turned over to the city of Redwood City for year-round upkeep of the cemetery. The bill would confirm the action of Gov. John B. Weller in accepting on Mar. 30, 1859, a trust of the cemetery for himself and his successors in office.

Until legislation is enacted, state money cannot be spent for the upkeep of the cemetery. Councilman Floyd D. Granger, who has been one of the chief proponents of rehabilitating the cemetery, on behalf of veterans' groups and the city, said that a finance committee last year voted \$1800 a year for state upkeep of the cemetery, but that the state would not pay the bill as payment had not been authorized by the legislature.

If legislation is enacted confirming Governor Weller's action, money would be turned over to the city to hire personnel to keep the cemetery in good shape, Granger declared.

"We can look forward to having a better looking cemetery," Granger stated.

Each year the city spends between \$700 and \$800 in cleaning up the cemetery for Memorial Day.

In the meantime, Redwood City has a cemetery which is overrun with high grass, weeds and dead limbs from trees. Tombstones have toppled over and others are resting at an angle. Fences are badly in need of repair.

The property consists of six acres bordering on Woodside Rd., a few yards off El Camino Real in the Five Points district. It formerly was a part of the Rancho de las Pulgas and was deeded to Governor Weller by six owners. All members of the Union Cemetery Assn. in whose benefit it was to be administered are now dead.

No one can now be buried at the cemetery, Granger said, unless he has title to the property or is an heir of cemetery property holders. There is a Grand Army of the Republic plot at the cemetery which, Granger says, is kept up by

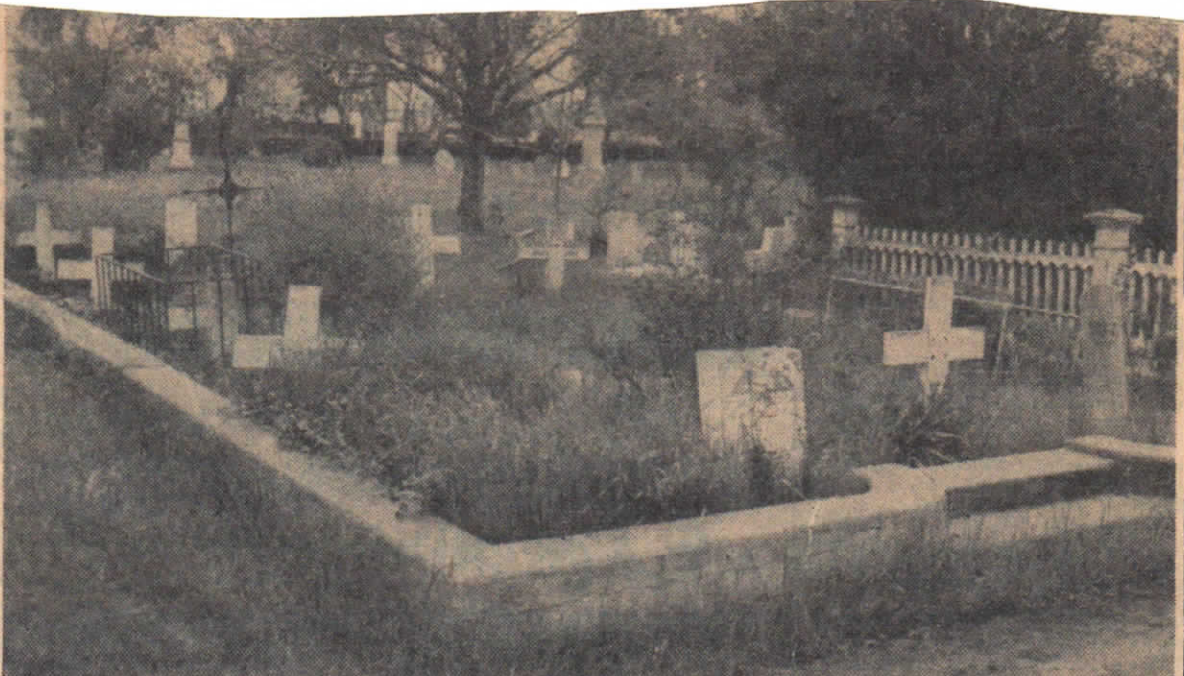
Assembly Approves Cemetery Funds

The California Assembly yesterday approved a measure appropriating \$1500 for the maintenance of Union Cemetery in Redwood City.

The bill now goes to the Senate for approval. If it and a companion measure are approved there will be a provision for care of the cemetery for the first time since 1859.

The bills were drawn by Assemblyman Richard Dolwig of South San Francisco. Besides the one setting up the \$1500 fund for cemetery maintenance, he has introduced another by which the legislature would ratify an action by Gov. John Weller in 1859. The governor accepted deed to the cemetery at that time but since his action was never ratified, the cemetery has been a founclng since then. 6-7-47

First efforts to obtain state care were made during the Rolph administration and have been continued at most legislative sessions since then. The act on yesterday, however, marked the first time the bills had received serious consideration.



The top pictures illustrate the rundown condition of Union Cemetery on Woodside Rd., just off Five Points. A bill is in the state legislature whereby funds would be allocated to keep the cemetery, which was deeded to the state of California, in a state of repairs.

★ ★ ★



John Ryan, president of the Redwood City Chamber of Commerce, looks over an abandoned tombstone at the Union Cemetery. (Tribune photos).

3/29/47

**S
V
R**

BY
R
Uni
bur
a r
dea
A
nov
tur
tur
Cit
cen
the
in
tru
and
U
mo
kee
Fl
on
hal
of
sai
yer
up
the
as
ize
fi
n
tl
g
a
ge
tw
th
he
w
li
te
in