

Monterey County Land King

The Story of David Jack

"America would have been a poor show had it not been for the Scotch" ...Andrew Carnegie

By Kenneth C. Jack

Introduction

I was aware that my family had been native to Crieff, Perthshire for some time. My father had been born in the town in 1927 so through him I can validly claim to be a "Crieffite" of some years standing. I was also aware that my grandfather and great grandfather were born and bred in Crieff. However, not knowing just how far back my family went, I made enquiry at New Register House in Edinburgh and confirmed that my branch of the Jack family went back several generations in Crieff.

One July day in 1985, I arrived in Crieff to visit my parents. It was a tradition with me during such visits, and still is, to read that week's copy of the local rag, The Strathearn Herald. Immediately on my arrival, being aware of my interest in Jack family history, my father threw me a copy of that week's paper suggesting that there was something in it that might interest me. I opened it and soon found the headline "Crieff had a Multi-Millionaire!"¹

I read on and learned that an elderly Crieff woman had been clearing out her loft, when she found an early 20th century Strathearn Herald, which outlined a fairly lengthy obituary concerning one David Jack, a multi-millionaire landowner, who had recently died in the United States of America. It recalled how young David Jack of humble background and parentage, had left Crieff in 1841 and sailed to America where he eventually made a fortune through land speculation.

This is what I had always hoped to find. That a member of the Jack family from Crieff had not only immigrated to a foreign land, but had become rich and famous as well. The ultimate rags to riches story. The American dream writ large.

Although he was only a boy of about 14 years at the time, and a long time away from his own American dream in "Star Wars: The Phantom Menace," film star and fellow Crieffite, Ewan McGregor, was clearly not the first person from the small Scottish town to make it big on the other side of the "pond."

In any event this article piqued my interest in not only Jack family history, but in the history of this man who had



David Jack, 1822-1909

made his fortune in the United States of America around the time that "Billy the Kid" and "Jesse James" were roaming the range. Throughout the next 15 years or so I obtained information on a man who appears to have been a remarkable character. To many, he was a generous benefactor, but to others, he was an unscrupulous land grabber. The truth undoubtedly lies somewhere between the two.

What follows are the details of the life of a man, who, if he was nothing else, was a larger than life character who helped open up America in the true pioneer spirit of his time. As the Strathearn Herald of 1985 said, "Isn't it great to know that a Crieff man, of humble beginnings, made it, just wish he'd left the recipe behind."²

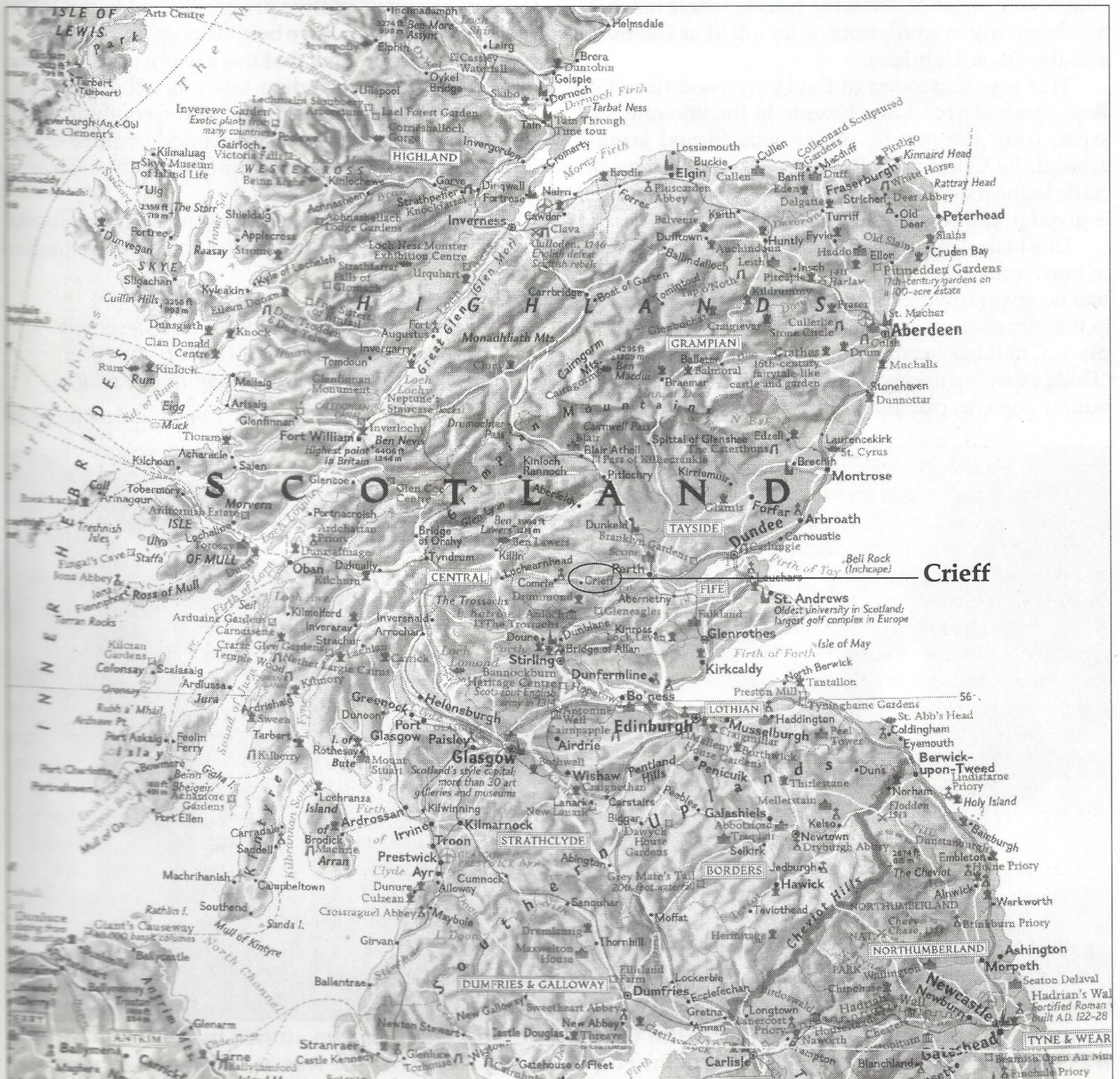
Crieff

Crieff is a small market town of 6,093 people situated at the southern end of the Grampian Mountains in Scotland. The town nestles on the southern slopes of the hill known locally as "The Knock," a small hill over which many generations of local children have played out their jungle adventures and war games. It is generally accepted that the name Crieff is derived from the 12th century Gaelic word "Crubha Cnoc"

meaning "Haunch of the knock."

The town is often referred to as the "Gateway to Perthshire" and is situated in the valley of the River Earn, (Strathearn) a tributary of the mighty River Tay, flowing eastwards to the North Sea from Loch Earn, situated approximately 10 miles west of Crieff.

Crieff has the outward appearance of a town in economic decline, testified to by the large number of shops which appear to close down after a short period of time, their windows boarded up like some fron-



tier town, for which the good times have dried up and the townsfolk moved on to pastures new.

This comparison with frontier towns is not entirely inappropriate as in the 1700s Crieff was like the frontier towns of the Old West, where Highlanders, as cowboys would later do in the United States, drove their herds of cattle southwards to the large markets known as "Trysts," which were regularly held in Crieff and Falkirk. A great Michaelmas cattle sale was held once a year at Crieff and the surrounding fields were "black with some 30,000 cattle beasts," some of which had been driven south from as far afield as Caithness and the Outer Hebrides.

This was illustrated in the Hollywood film, *Rob Roy*, which starred Liam Neeson in the title role. In a scene from the movie, which was filmed largely around the Crieff area, Rob Roy is seen herding his cattle to the market at Crieff, during which time Crieff is given prominent mention.

Due to the large influx of Highlanders with money to burn from the sale of their cattle, Crieff apparently had no fewer rowdies than its American counterparts in that drunkenness and wild behaviour was commonplace. Crieff has been referred to in these times as the "Dodge City" of its day in Scotland. Indeed, Rob Roy's outlaw son was pursued through the streets of Crieff

by soldiers and killed.

Cattle and sheep rustling were also commonplace, and because of its rich pickings, Crieff was often raided by hords of the northern caterans (raiders) who descended on the town for that purpose. However, if caught, justice was swift, and the culprits would end their days swinging on the "kind gallows" of Crieff, which were sited at Gallowhill at the southern end of Burrell Street.

It follows from this that Crieff probably enjoyed a lengthy period of relative prosperity and in the 1800s the town appears to have been heavily industrialised. Maps of the time show that there was a large number of mills in Crieff, including saw mills, lint mills and flax mills. A large area situated to the south of town, known as Bleachfield, was so named because of the large bleachworks which occupied that site, in an area known today as Turretbank.

A flavour of these industrial times can be found in this extract from *The History of Crieff* by Alexander Porteous:

Principal and oldest mill in Crieff is the mill at Milnab built in 1748 by Mr. John Caw. About 1831, Mr. Daniel Jack erected a meal mill at

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A contemporary view of Burrell Street in Crieff, Scotland taken by the author in 2001. David Jack was born on this street to William and Janet Jack in 1822. Gallowhill was at south end of street.

David Jack Continued from page 24

Dalvreck, which carried on an extensive and well-known business manufacturing oat and barley meal and also flour meal. At one time it had a mill for pot barley. It had extensive granaries and other outhouses and for many years did a large trade. It has burned down a few years ago, the tenant at the time being Mr. Robert Taylor who had also a large meal mill at South Bridgend.³

Whether the entrepreneurial Mr. Daniel Jack was related to the subject of this work is not known, but the similarities are clear.

Crieff has always been regarded as a divided town in that there is an apparent demarkation line between what are referred to as the "haves" and the "have nots." This line is generally considered to be the High Street. Those people residing north of this line, nearer to the "top of the hill," occupy the large mansion-type houses, and below this line, on the lower reaches of the town, are council-type dwellings. Distinctions of this type have been (and are) repeated often, witness Nob Hill in San Francisco, for instance.

For many people over the years, moving house from below this line to above it was a sure sign of eco-

nomic improvement, and "upward" mobility in more than just the geographic sense. This particular form of class snobbery was captured in a recent biography of the Crieff-born film star, Ewan McGregor, when the author points out just such a class leap by the McGregor family during the actor's youth. By this, or any other measure, the future multi-millionaire David Jack was born into the "wrong side" of Crieff's economic and class divide. It is perhaps hardly surprising then, that the young David Jack, from the "wrong side" of Crieff, should, like a kid handed the key to the candy store, gorge himself on the endless opportunities he found in the United States of America.

William Jack and Family

William Jack was born in 1776 in the Parish of Muthill. Muthill (pronounced "Mew-thill") is a small village situated two miles east of Crieff. The Parish of Muthill however, took in the surrounding areas, which included the small village of Braco (pronounced Brake-o). The Jack family had been in the Braco area for a considerable time and were among the small farmers in the area. William's brother Robert, farmed Silverton Farm, situated just outside Braco on the

Kenneth C. Jack Photo



Silverton Farmhouse, Braco. David's uncle Robert lived here in the 1800s.

Braco to Kinbuck Road.

Braco today is a very small village, and in the 1700s must have been smaller still; yet it is believed that at one time as many as nine families of Jacks lived there. These people are undoubtedly relatives of our William Jack.

Records of the Commissariat of Dunblane for the years 1539-1800 show Jack families in the Braco area over a lengthy period of time. The oldest Jack recorded in this commissariat however, is a Patrick Jack, a slater, described as "son to umquhile Hew Jack in Doning" (nowadays Dunning), in 1623. Dunning is situated a few miles from Braco.

In 1657 a James Jack is shown at "Silvertoun." In 1749 a William Jack is shown living at "Silvertown," Parish of Muthill. The records of the Register of Births, Deaths and Marriages in Perth, show that a Robert Jack, died on February 4, 1864, aged 12 years. He died in "a field about 30 yards distant from the farm of Silverton." Cause of death is shown as "killed by the bursting of a gun."

William Jack's father was Alexander Jack and his mother was Margaret McEwan. Little is known of this man other than he was a working class man who spent his life engaged in manual work, whether it be working on the many farms in the Strathearn area, or in the mills which were predominant there at that time.

He married Elizabeth Christie in 1803 and by this union had six children, Alexander, James, Robert, John, Elizabeth and Peter. The first named Alexander, is the author's great, great, great grandfather.

William Jack arrived in Crieff from the Braco area in 1815, along with his family. He made his home in the Burrell Street area of Crieff in a one-story house on the west side of the street, known at some point as "Lorne Cottage." It seems that the family were of humble means and were known to have resorted to renting an acre of land behind their house, on which they kept a cow to supplement their slender income. He took up various types of manual labour in the town, including a spell running a saw mill. It is not known what happened to Elizabeth Christie, but it is likely that she died at an early age, as divorce was then frowned upon. On November 8, 1815, he married Janet McEwan, and together they conceived the future multi-millionaire David, and siblings Margaret, who died when only a child, Christian, William, and Catharine.

William Jack lived out the remainder of his life at Burrell Street, dying there on April 12, 1855 at 78 years of age. He was buried within the grounds of the Old Muthill Church. His headstone, which reads in part, "Erected by David Jack" can be seen to this day.

Kenneth C. Jack Photo



Main Street in the village of Braco as it appears today. Photo taken by author in 2001.

In October, 1848 Jack read a letter in the *New York Herald* from ex-Navy Chaplain Walter Colton, then Alcalde of Monterey, who described the great wealth to be found in the gold fields of California.⁶ As one of the earliest California goldseekers, Jack decided to go there and give it a try. Before he left, he invested his total savings of \$1,400 in pistols which he intended to sell in California.⁷

Jack became the financial assistant for a commissary sergeant of the U.S. Army who had been ordered to duty in California. He sailed from New York on the *Sea Queen*, a large sailing ship, leaving on December 10, 1848 along with 220 soldiers of the 2nd Infantry.⁸ Their ship made stops in Rio De Janeiro, where they saw gold from California for the first time, and Valparaiso.

Their journey took 138 days and they arrived in San Francisco on April 30, 1849. Jack sold his entire investment in pistols for \$4,000 in the first 48 hours, making a 286% profit in the process.⁹

He and two companions were ready to make their way to Sacramento and the gold country in October 1849, but due to reports of bad roads from relentless rain and prices for supplies having tripled, they decided not to go. Returning to San Francisco Jack found employment as an inspector at the Custom House, earning \$100 a month. He put his capital of \$4,000 to good use, lending portions of it at an interest rate of 2% a month.

In 1850 a business trip took him to Monterey, then a small town with a population of less than 1,000. He saw potential in the town however, and moved there the following year. At first he was employed by Joseph Boston, who operated a general store on Olivier Street. He very much admired Boston and his position in the community. Boston's home was a wonderful old house with a history of its own. Jack vowed one day he would own the property and eventually he did.

After leaving the employ of Mr. Boston, Jack clerked for two years for James McKinley, another Scots pioneer who owned a dry goods store in Monterey. During this time, Jack, who was very ambitious, carried out various farming enterprises, hiring men to cultivate land for him. He became involved in the growing of potatoes which he felt sure would be successful. However, a combination of a falling market and being ripped off by schemers and speculators led to the demise of this enterprise. An example of his failure around this time was when he was forced to sell hogs he had purchased for about \$3,000 for \$50.¹⁰

Following the death of his father, Jack returned



Navy Chaplain Walter Colton arrived in Monterey aboard the *U.S. Congress* in 1846. Jack read his letter in the *New York Herald* in 1848.

home to Crieff in 1856 to visit his family, perhaps feeling pangs of homesickness. He left his meagre holdings in the hands of agents and went to Scotland for a year. It was during this time he raised the headstone in memory of his father at his grave in Muthill Churchyard. He returned to California in 1857.

About this time, events occurred in David Jack's life, which would lead to his becoming one of California's largest and richest landowners. David Jack was about to engage in an enterprise with his partner, Attorney Delos Ashley, which would result in him becoming a landowner far beyond the wildest dreams of any Scottish laird. This would also lead to his being reviled by some.

In 1830, the Mexican government had granted 30,000 acres of land to the pueblo of Monterey. When California became a state and the United States took possession of the town, a problem facing the new governor was how to settle the land claims of the former Mexican province. Under Mexican law there were three main dispositions of land. First, mission properties including the church, its gardens and outbuildings with additional acreage held in trust for the In-

dian neophytes. Second, the large ranchos—countless acres of land granted to the early Spanish settlers and their descendants. Third, the pueblo lands which were allotted for the use of the community and its citizens.

After the Treaty of Guadalupe Hidalgo in 1848, at the conclusion of the Mexican-American War, a board of three commissioners was appointed to hear the cases involving Mexican land claims within a period of two years. This would prove very difficult for those who had to provide funds for the legal action and travel necessary for the hearings. Because of the confusion, delay and appeals, it was nearly 100 years before all of the claims were settled, although most were resolved by the mid-1880s.

In 1853, the City of Monterey hired Attorney Delos Rodeyn Ashley to legitimise the claims to 29,698.53 acres of land before the United States Land Claims Commission in San Francisco. He was successful and presented a bill of \$991.50 to the city fathers. However, the city treasury was bare. The California State Legislature passed a bill, which allowed the City of

Monterey to auction off its city lands in order to pay off the debt which was owed to Ashley. The auction took place at 12 noon, February 9, 1859, on the steps of Colton Hall. All 29,698.53 acres were auctioned off. The sole bidders at this auction were David Jack and Delos Ashley. The total selling price was \$1,002.50, all of which was given to Ashley. Ashley sold his interest to Jack on September 4, 1869¹¹ and Jack became the sole owner of nearly 30,000 acres of magnificent, scenic countryside surrounding Monterey and the town itself. There has been much speculation as to whether Jack and Ashley engineered the entire purchase from the start.

The City of Monterey twice tried unsuccessfully to reclaim its lost lands. The case eventually went all the way to the U.S. Supreme Court, which eventually ruled in Jack's favour.¹² This event became known locally as "The Rape of Monterey."¹³

Jack embarked on what appears to have been an almost obsessive taste for land acquisition. He soon learned that the Californians in the Salinas Valley were

John Russell Bartlett



This scene shows Monterey as it appeared to John Russell Bartlett when he spent two days there in mid-April 1852. First published in his *Personal Narrative*, 1854.

more adept in their saddles than they were in business and that many were hard pressed for money. Dry years had forced them to sacrifice cattle, and now they were lax in the matter of paying their taxes.

Jack began to pay overdue taxes on good land, allegedly without troubling to notify the owners. When the inevitable showdown came, he simply pointed out that he was within his legal rights. He also foreclosed on defaulted mortgages. This, he again allegedly did, by pinning foreclosure notices on outlying reaches of the respective properties, although these practices were not legal at the time.¹⁴ Piece by piece, land was added to his holdings through mortgage acquisitions, payment of back taxes and other shrewd practices. At his height Jack was said by some to have owned as much as 100,000 acres of Monterey County lands, although this author has only been able to document a high of 67,889.82 acres in his possession in 1878.¹⁵

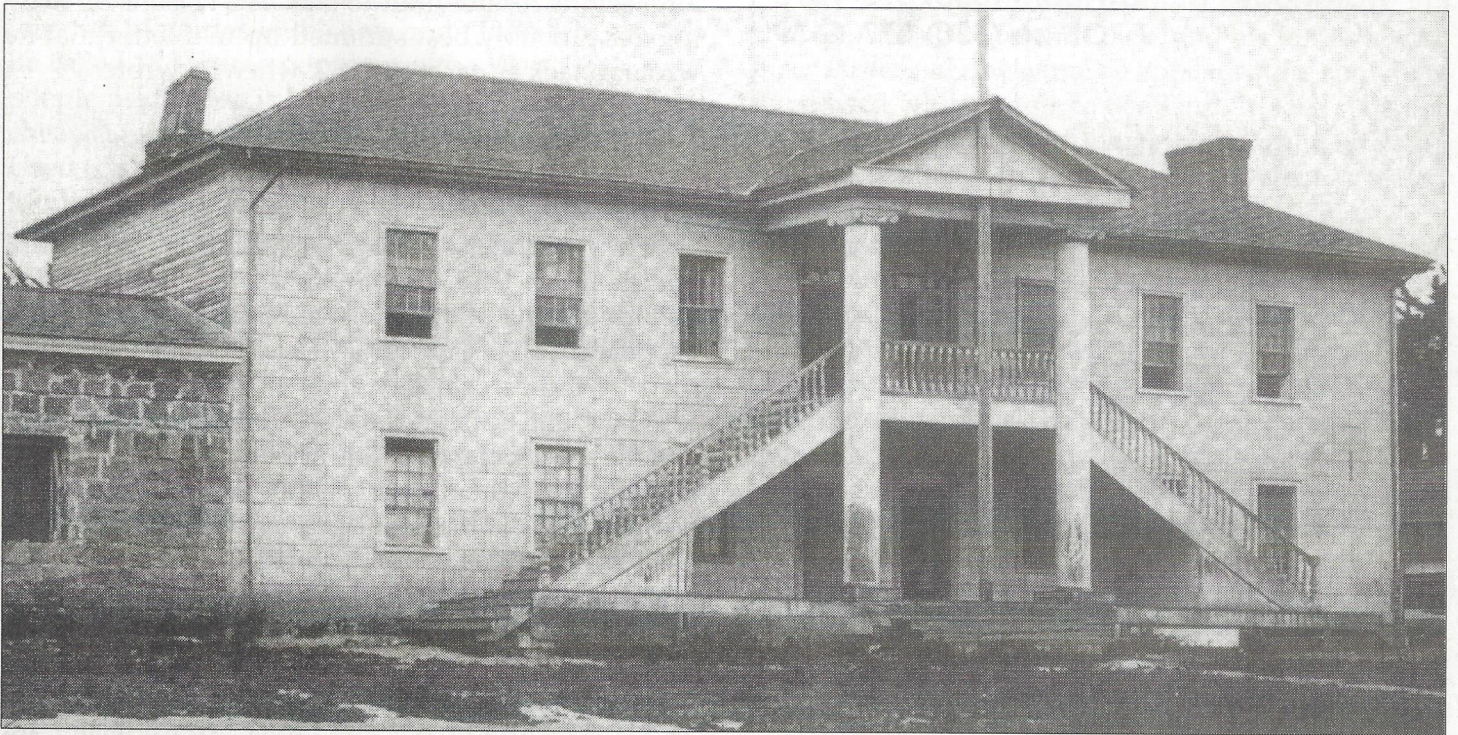
Because of his practices however, Jack incurred the enmity of the residents of Monterey County. It is rumored by the locals that the Californios placed a curse on Jack and his family...that they should have no issue who would benefit from what they considered to be his ill-gotten gains. Those who lost their lands through Jack's practices considered him a land thief,

and Jack considered them to be "squatters" on his property. This confrontation led to the formation of an organisation called "The Squatter's League of Monterey County." In 1872 the League wrote to Jack:

...You have been the cause of unnecessary annoyance and expense to the settlers...now if you don't make that account of damages to each and every one of us within ten days, you son of a bitch, we will suspend your animation between daylight and hell.

Around this time, Robert Louis Stevenson, fellow Scot and famous author, was visiting his girlfriend Fanny in Monterey, California, and heard stories surrounding Jack and his land acquisitions. In his book *Across the Plains*, Stevenson wrote:

In the meantime however, the Americans rule in Monterey County. The new county seat Salinas City, in the bald, corn bearing plain under the Gaelano Peak, is a town of purely American character. The land is held, for the most part, in those enormous tracts which are another legacy of Mexican days, and form the present



Monterey city lands were sold at 12 noon February 9, 1859 on the steps of Colton Hall shown above. David Jack and Delos Ashley were the only bidders for 29,698.53 acres of land. Jack was motivated to come to California when he read about the gold discoveries in a letter written to the *New York Herald* in 1848 by Monterey Alcalde Walter Colton, namesake and builder of Colton Hall.

chief danger and disgrace of California; and the holders are mostly of American or British birth; We have here in England no idea of the troubles and inconveniences which flow from the existence of these large landholders,—land thieves, land sharks, or land grabbers, they are more commonly and plainly called. Thus the town lands of Monterey are all in the hands of a single man. How they came there is an obscure, vexatious question, and rightly, or wrongly, the man is hated with a great hatred. His life has been repeatedly in danger. Not very long ago, I was told the stage was stopped three evenings in succession by disguised horsemen thirsting for his blood. A certain house on the Salinas road, they say, he always passes in his buggy at full speed, for the squatter sent him warning long ago. But a year since, he was publicly pointed out for death by no less a man than Mr. Denis Kearney. Kearney is a man too well known in California, but a word of explanation is required for English readers. Originally an Irish drayman, he rose, by his command of bad language, to almost dictatorial authority in the state; throned

it there for six months or so, his mouth full of oaths, gallowses, and conflagrations; was first snuffed out last winter by Mr. Coleman, backed by his San Francisco vigilantes and three gattling guns; completed his own ruin by throwing in his lot with the grotesque green backer party; and had at last to be rescued by his old enemies, the Police, out of the hands of his rebellious followers. It was while he was at the top of his fortune that Kearney visited Monterey with his battle cry against Chinese labour, the railroad monopolists, and the land thieves; and his one articulate counsel to the Montereyans was "to hang David Jacks." Had the town been American, in my private opinion this would have been done years ago. Land is a subject on which there is no jesting in the West, and I have seen my friend the lawyer drive out of Monterey to adjust a competition of titles with the face of a captain going into battle and his Smith and Wesson convenient to his hand.¹⁶

All the hatred generated from the purchase of the Monterey city lands seems to have been too much for Jack's partner, Ashley, and in 1869 he left Monterey after selling his holdings to Jack. His reasons for leaving are probably best summed up in a letter that he wrote to Jack as early as 1862, when he wrote:

Why don't you leave Monterey for a place where a man can have a dollar and not be envied?

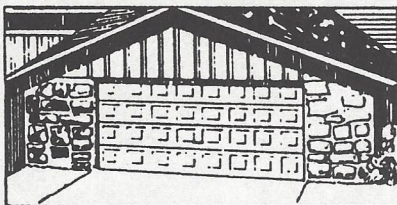
However, Jack stayed on in Monterey and continued to amass land. The city lands that he controlled included some of today's richest and most valuable property in all of California—consisting of land occupied by the present-day cities of Pacific Grove, Del Rey Oaks, and Seaside, the Del Monte Forest, Fort Ord, and the spectacular coastline of 17-mile Drive. His land also included the area of Pebble Beach, best known nowadays of course, for its championship golf course. Jack owned many of the historic Spanish and Mexican adobes of Monterey as well as properties extending far into the inland valleys behind the Monterey coast.

The highest point of the Monterey peninsula stood on his land and is still known as "Jack's Peak." Indeed, there is "Jacks Peak County Park" which overlooks the spectacular Monterey Peninsula and is located about two miles from scenic Highway 68. A natural reserve, the park is comprised of 525 acres of ridge

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top set amidst native Monterey pines.¹⁷ The abundance of trees, flowers and wildlife found at Jack's Peak make it the destination for any nature enthusiast. Linda Larson, a guide with the California Department of Parks and Recreation in Monterey, has no doubt about how history should remember David Jack. She states:

He was indeed a controversial figure, but, as far as we know, broke no laws. It is very important I believe, to be very careful about passing judgement on people such as he who came from a different time and a different culture. He is certainly not atypical of the high-powered businessmen of his day. He also contributed a great deal to this area as did his children.¹⁸

Monterey Jack?

Another of Jack's business interests was a dairy which he owned along the Salinas River. It was here that Jack began producing a creamy white cheese similar to "Queso blanco," a white cheese popular with Spanish speaking settlers that was imported from Spain by Franciscan Monks. Eventually Jack had interest in 14 dairies in the area and "Jacks Cheese," as he called it, became popular on the West Coast with people asking for it by name—and "Monterey Jack cheese" was born, according to some researchers.¹⁹ Used today in various Mexican dishes and in pizza, Monterey Jack cheese can be found in most large supermarkets. This type of cheese accounts for about 10 per cent of all cheese produced in California. The Sonoma Cheese Factory of California alone produces thousands of pounds of Monterey Jack cheese daily.

However, like so much else in David Jack's life, the question of who put the "Jack" in Monterey Jack cheese is not devoid of controversy. A debate on this question has raged on in California for many years. A number of other persons manufactured similar cheeses before David Jack such as Domingo Pedrazzi of Carmel Valley, California. He manufactured a cheese which apparently required the application of pressure. This pressure was brought to bear by means of a house jack—hence Jack Cheese. Pedrazzi's cheese became known as "Pedrazzi's Jack Cheese."

David Jack or David Jacks?

One thing which may have contributed to the controversy is that David Jack was known in California

as David Jacks. Quite why or when the "S" was added to his surname is not known, although there is no reason to believe it has any sinister connotations. After all, if one wanted to change one's name for any reason, one would do more than simply add an "S." It is possible that none of Jack's immediate family in America were aware of this fact.

The author is inclined to believe that the "S" was added through common usage. Jack owned so much land and property, and with Jacks being a more possessive sounding name, people would often refer to property or places owned by him, such as "David Jack's Church," "Jack's Peak," "Jack's Cheese" and so on. Therefore, it does not require a large leap of the imagination to understand why people started using the extra "S." Perhaps David Jack got to like the name in such form, or believed it to be more American sounding, and therefore adopted it.

A number of genealogists researching their own Jack/Jacks lines have found the same anomaly, with different members of the same family spelling their surnames, both with and without the "S." Immigration officials may have inadvertently added the "S" when he arrived in America.

For the purposes of this article however, the author is inclined to refer to Jack (and his family) *by his given birth name*, the name he appears quite content to have used whilst home in Scotland. In fact, when he raised the headstone for his father's grave on a trip back to Scotland in 1856, he had it chisled to say "Erected by David Jack."

Members of his own family commented upon Jack's surname change in 1929. At that time, Josiah Van Kirk Thompson, a prominent wealthy Pennsylvania coal baron, was researching the American Revolutionary War history of a number of families connected to him in the Cumberland County area of Pennsylvania. One such family was the Jack family. During the course of his research he visited another immigrant from Scotland, William Jack, at his home at 70, Moore Street, St. Thomas, Ontario, Canada.

William Jack was a nephew of David Jack, the son of David's half brother, Peter, and was able to relate to Thompson some of his family history. Thompson recorded this research into what is known as the "J.V. Thompson Journals," and what he learned from William Jack is contained within its 28 volumes. He wrote;

I arrived here just as it struck eleven and have been talking to Mr. and Mrs. Jack for an hour, and will now make record of some of the

things they tell me. Mr. Jack's grandfather, William Jack lived at Crieff, Scotland, where he was a Sawyer, running a sawmill. He had a brother Robert Jack who owned a little bit of land within a mile of Braco village of about 200 people (Silverton Farm. —Author).

He was married but did not have any children. Mr. Jack remembers being in his house once when he was a small boy and says he died shortly thereafter and was a pretty old man. He is buried in the Established Church Presbyterian burying ground there, where several Jacks own layers. He says there were nine families of Jacks in Braco, but none related to the other, so far as they knew, but showing that the family probably lived there many generations. (Correct—since the 17th century —Author).

They had all gone from there when they left for America on June 8, 1907, and she followed on August 17, 1907, being the last of the Jacks to leave Braco, as there was nothing there to give them a livelihood.

Mr. Jack thinks his grandfather, William Jack, was dead before he was born and would be buried at Crieff or Muthill. He didn't know the name of his first wife, his own grandmother, (Elizabeth Christie —Author), but says his second wife was Janet Campbell (this is wrong, his second wife was called Janet McEwan — Author) who they think survived him. He thinks his father Peter was the oldest (this too is wrong—he was the youngest, Alexander, James, John, Robert, and Elizabeth arrived before him, in the first family — Author) and then they know of Christine (wrong—"Christian"— Author) in Scots, Kirsty, and David.

Peter, John and James came to the States and Peter went back to Scotland but John and James stayed. Either John or James never married, but the other married and left but one child, a daughter of whom they have no trace. David joined them in the States prior to 1849 as he left about then on the trek to the California gold fields, but John nor James went.

David after appeared with money and they believe he got what his half brothers John and James had, for he became a loaner of money on land in California to Mexicans and foreclosed the mortgages so extensively that the Mexicans were out for his scalp to kill him, but never got him. In 1866, he went back to Scotland and took

his sister Kirsty to California to keep house for him and later married a Penna Dutch wife, much younger than himself and with whom Kirsty could not agree, and she went to a ranch of her own where she was kicked by a colt curtailing her activities, but she lived until six or seven years ago when she died at San Luis Obispo, bound to be in her nineties Mrs. Jack says she is buried there. It was she who gave the old bible to her brother, Peter in 1866. David's family settled her estate about four years after her death.

David went back to Scotland a year or so after Mr. Jack was married and had a talk with him about the rivers of Scotland not washing away the banks like a river in California that went through his land did. He said he could drive a whole day and never get off his own land. David died in Monterey, California about twenty years ago, say in 1909, shortly after they came here when Mrs. Jack's sister saw in the Edinburgh Scotsman a column article of his death saying he was a native of Crieff where all of William's children were born. This article spoke of his being a multi millionaire, his estate being valued at ten million dollars. Mrs. Jack says his widow who survived him was rich when he married her. Mr. Jack says he was past 80 years old when he died.

Mr. Jack said that the article about his Uncle David Jacks said that he had a lawsuit about some land in California which was in the courts for 30 years, but the Scotsman David, finally won the suit. Apparently a similar case to that of Stephen Girard who likewise acquired his Penna lands by foreclosure. Mr. Jack said all their people in Scotland spelled the name "Jack" and none of them spelled it "Jacks," and he said David put the "S" to the end of his name after he came to America.²⁰

Although many people viewed Jack in a negative fashion, he had friends during his lifetime as well, both amongst the historians of the day, and from the people who undoubtedly benefited from his generosity. The renowned historian Hubert Howe Bancroft stated;

It seems paradoxical that it should be the fate of most good men to have enemies...He whose deeds and successes are a reflection on the indolence of others will always be a subject of diatribe.

Jack was apparently a deeply religious man, and although some of his business actions were considered in some quarters to be immoral, he was deeply self-conscious about breaching the laws of society and morality.

On April 20, 1861, Jack married Maria Christina Soledad Romie, whose parents had emigrated from Germany. She was born in Oajaca, Mexico in 1837 and came to Monterey with her family when she was four years old. She and Jack had nine children, seven of whom survived into adulthood, five daughters and two sons. As a young Scottish lad of indifferent schooling Jack saw the value in a proper education. His children were encouraged to pursue their own educational goals and all went on to attain a high level of academic achievement at various colleges and universities.

David Jack was a devout Presbyterian, but he supported the Methodist and Episcopal churches as well. He taught Sunday school for over 50 years, and, in fact, was supposed to have fallen in love with his future wife when she was a student in one of his classes. The following story was told by Louis Sanchez, whose mother was Nellie Vandergrift Sanchez, sister of Fannie Osbourne Stevenson, and therefore he was a nephew of Robert Louis Stevenson.

He and several of his boyhood friends would attend Sunday school on the second floor of the Pacific House, which was owned by Mr. Jack. After dutiful recitation of the catechism, the boys would line up at the door and receive a coveted nickel from Mr. Jack, and then after sedately walking to the end of the block, would "run like hell" to the church to hear Mass. He also remembered that the poor could depend on a basket of food when they knocked on the door of the house at Van Buren Street. Another early resident of Monterey, Mrs. Millie Birks, remembered that at Christmas time, the Jack home was always open and there was an abundance of good things to eat, candy, fruit, and other treats for anyone who came. She also remembered Mrs. Jack as a 'very kind and loveable person.'

Jack was a major contributor to the Presbyterian Church in Monterey, sometimes referred to as "David Jack's Church." Another instance of his charity was his support of the religious retreat known as Pacific Grove. Pacific Grove was situated on Jack's land,

Punta De Pinos. Jack invited Mr. and Mrs. W.S. Ross to live on this property. After a summer of wonderful weather, their health was recuperated. On hearing of this, a group of religious leaders assembled to form the "Pacific Grove Retreat Association." Jack sold them 200 acres of ocean front land, only charging them \$1 an acre to legalise the transaction and donated \$30,000 to the association to make internal improvements. Pacific Grove eventually became a world renowned retreat considered by many people to be more popular than San Francisco.

During his sojourns in California, Robert Louis Stevenson wrote about Pacific Grove saying,

I have never been in any place that seemed so dreamlike, Pompeii is all in a bustle with visitors, and its antiquity and strangeness deceive the imagination; but this town had plainly not been built above a year or two, and perhaps had been deserted overnight. Indeed, it was not so much like a deserted town as like a scene upon the stage by daylight, and with no one on the boards. The barking of a dog led me at last to the only house still occupied, where a Scots



"Pacific Grove Retreat" as it appeared in 1883.

Pastor and his wife pass the winter alone in this empty theatre. The place was the "Pacific Camp Grounds, the Christian Seaside Resort." Thither in the warm season, crowds come to enjoy a life of teetotalism, religion, and flirtation, which I am willing to think blameless and agreeable.²¹

Jack also leased land on shares, a scheme that helped his farm tenants survive through periods of drought and famine. His treatment of Asian immigrants was fair and his ideas in this regard were more enlightened than many other landowners.

In 1874 the Monterey and Salinas Valley Railroad, a narrow guage line, was built between the two towns by Monterey businessmen and Salinas Valley farmers. The total cost of this enterprise was \$360,000 of which Jack contributed \$75,000, borrowed on his ranchos, Chualar and Zanjones. He also acted as unpaid treasurer. He invested over \$40,000 in this railroad, and when it was finally sold to the Southern Pacific Railroad Company he received little or no profit from the venture.

Jack became a friend and business associate of the railroad tycoons known as the "Big Four." He sold Leland Stanford, Charles Crocker, Collis P. Huntington, and Mark Hopkins a great deal of land for the construction of their railroad, including most of the Del Monte Forest, for \$6 an acre. Leland Stanford went on to become governor of California, and the prestigious and world-renowned Stanford University was so named in his honor.

Barrows and Ingersoll, who wrote a biographical

history of the coast counties of California, said of Jack;

Of course the lands which Mr. Jack bought, or had to take, or was besought to take many years ago, are much more valuable now than they were then. But it should be remembered that money at interest at the rates current in earlier times, would have doubled many times over in the last thirty or forty years.²²

Hubert Howe Bancroft also stated;

Mr. Jack came into possession of his estates, on the whole, by fair dealing, through force of that good fortune, business judgement and character which we are very generally admitted to be the birthright of the Scots.²³

And further from Bancroft;

It may be true to say, though not miserly, he was fond of money, and that it was his strongest ambition to purchase every rod of land to which he could see his way...we are quite willing to admit, that Mr. Jack like most mortals, is susceptible of flattery to no inconsiderable extent... There may be times when his charity to the foolish and erring was not as liberal as people would have expected.²⁴

When one looks into the question of Jack's land

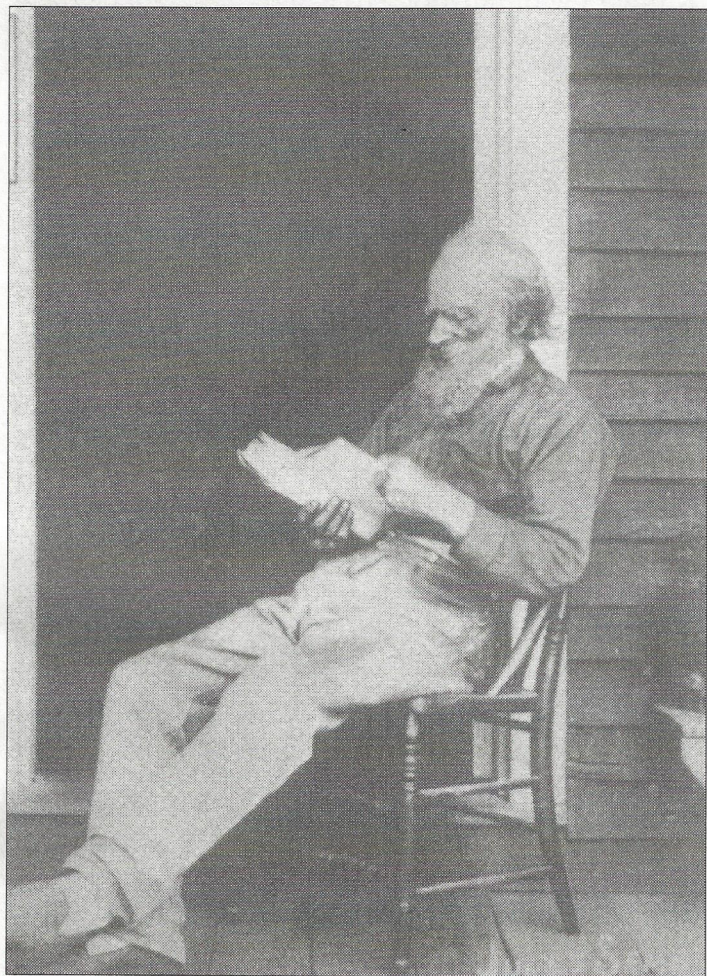
Leon Troussel, 1875



Leon Troussel painted this scene depicting the Monterey and Salinas Valley Railroad coming into Monterey in 1875. It hung in Jules Simoneau's restaurant in Monterey. Robert Louis Stevenson arrived in Monterey on the "Narrow Guage" in 1879 and ate in Simoneau's restaurant.

dealings in Monterey, and the opinion held of him by some, even to this day, one is left with the question, what did he do that caused him to be reviled so much by the Montereyans, and is it justified? Like many entrepreneurs of the past, and indeed today, Jack was clearly imbued with a cold, calculating, ruthless streak. But were the people of Monterey the architects of their own misfortunes? Once again, Robert Louis Stevenson may provide some insight into the kind of people that Jack was dealing with when he wrote:

...Again, the Mexicans having no ready money to speak of, rely almost entirely on their business transactions upon each other's worthless paper. Pedro the penniless pays you with an IOU from the equally penniless Miguel.

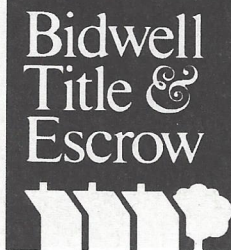


Robert Louis Stevenson came to Monterey to be near Fanny Osbourne, a married woman with whom he had a romantic relationship in France. He arrived in Monterey in frail health and was cared for by Jules Simoneau, who fed him his one daily meal in his restaurant.

It is a sort of local currency by courtesy. Credit in these parts has passed into superstition. I have seen a strong, violent man struggling for months to recover a debt, and getting nothing but an exchange of wastepaper. The very storekeepers are averse to asking for cash payments, and are more surprised than pleased when they are offered. They fear there must be something under it, and that you mean to withdraw your custom from them. I have seen the enterprising chemist and stationer begging me with fervour to let my account run on, although I had my purse open in my hand. Now this villainous habit of living upon 'tick' has grown into Californian nature, I do not mean that the American and European storekeepers of Monterey are as lax as Mexicans: I mean that the American farmers in many parts of the state expect unlimited credit, and profit by it in the meantime. It seems as if certain sorts of follies, like certain sorts of grain, were natural to the soil, rather than to the race that holds and tills it for the moment.²⁵

It is not hard to understand then, how people such

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as this would find Jack's business philosophy rather different to what they had been accustomed to. David Jack's Scottish Presbyterian background which would have inculcated in him an attitude towards money, best summed up in the old Scots adage "look after the pennies and the pounds will look after themselves" was always going to be at odds with the lax attitudes of the local people. But did this make Jack a bad person? It would seem that the people of Monterey, could, and perhaps should have, learned something from Jack. The politics of envy were clearly as potent then as they can be today.

There seems little doubt the native peoples of Monterey were swept away in the tidal wave of progress that existed at that time. David Jack was not alone in this however, as many high powered businessmen of the time were involved in various business enterprises which showed little or no concern for their effects on the local populace. However, while Jack has gained little but historical opprobrium for his efforts, others, such as the "Big Four," are hailed as important and worthy historical figures.

Despite his successful business dealings in the United States, it seems that Jack did not forsake his family and friends back in Scotland, and he regularly contributed financially during times of hardship as letters from grateful relatives back home indicate [See letters in End Notes].²⁶

Jack's family back in Crieff were no less concerned for him than he was for them. An excerpt from a letter from his sister Christian, February 14, 1861, states;

*My dear brother I feel very uneasy about you on account of this coming warfare [the Civil War], will it affect you, you must write and tell me the real truth what you think about it.*²⁷

Christian, who was known to the family as "Kirsty," eventually joined David in America where she acted as his housekeeper. However, she had a falling out with David's wife, and moved to San Luis Obispo where she spent the rest of her days. It should be pointed out that in none of the letters Jack received

Old Monterey County: The Presence of the Past by Augusta Fink



The community of Chualar was laid out by David Jack on a portion of his rancho in 1874. This photo shows Chualar Store, operated by Anderson, Beck & Company.

Old Monterey County: The Presence of the Past by Augusta Fink



This watercolor painting shows Monterey as it appeared to artist James Alden in 1855. Alvarado Street and Calle Principal are the two lanes shown in the center of the painting. The Pacific House is shown in the right foreground. David Jack worked in this building for James McKinley and he eventually purchased it from attorney Delos Ashley in 1869.

do Jack's family add an "S" to their surnames. Notwithstanding this, on addressing their letters to their relation, they do refer to him as David Jacks. A curiosity which may never be satisfactorily explained.

David Jack is known to have visited Crieff as a millionaire businessman. He apparently received a cordial welcome from older residents who knew him before he left for America. Among a number of local luminaries who met him at this time was Mr. Macrosty, a former Provost of Crieff, who later had a local park named after him. Macrosty made repeated suggestions to Jack that he may wish to remember his home town in some tangible manner. Jack never took him up on this suggestion. He perhaps felt that the town had done little for he or his family that deserved such charitable reciprocation.

David Jack's Family

David Jack and his wife Maria had a total of nine

children, of whom seven survived, namely their five daughters, Janet, Lee, Mary, Vida, and Margaret, and two sons, William, and Romie. Because of Jack's financial success, none of his children suffered from the same disadvantages that Jack and his family back in Scotland did. Their father's money paved the way for success in any profession they chose to enter. As stated earlier, Jack placed great emphasis on education and Mary and Lee attended Mills College, from which they both graduated in 1887.

For postgraduate work, Mary elected to study music for four more years in Boston. Lee furthered her studies in languages and art in San Francisco, Oakland, and New York. She later joined Mary in Boston, where they took courses in business. Vida, the youngest, was lame as a child and was educated privately before attending schools in Oakland and Berkeley, where she was found to be a bright student. Her teacher in Monterey was Lou Henry, the future wife of United States President Herbert Hoover. Mar-

garet attended, in turn, the Cole Grammar School in Oakland, the Boston Girl's Latin School, Cornell, where she graduated in 1895, and Radcliffe. In an advisory letter to her parents, she suggested that her younger brother, Romie, should come East for study to develop his backbone. She felt that there he would be forced to study harder. Janet and brothers William and Romie also benefited from an excellent education. All of the children took part in the family business.

Lee and Mary followed active careers in the family enterprise. They both served as administration officers, including terms as presidents of the family corporation known as the David Jack Corporation. They handled the business competently. Lee especially showed shrewd administrative and business sense. Both sisters subsequently used their fortunes to assist future Mills College students.

At the age of 85 years David Jack relinquished control of the family business to his wife Maria. On July 5, 1907 she deeded all her real and personal property to the David Jack Corporation which had been chartered in Nevada two days earlier. The corporation which was operated by the children paid an income to Mr. and Mrs. Jack.

David Jack died January 11, 1909 and the *San Francisco Call* of Tuesday, January 12th carried the following notice:

David Jack multi millionaire and the largest and richest landowner of Monterey County died at his home in Monterey at 12:30 o'clock yesterday afternoon (January 11th) at the age of 87 years. Born in Crieff, Perthshire, Scotland in 1822, Jack came to the United States in 1941, and in 1849 reached California settling a year later in Monterey.²⁷

In her book *Monterey: The Presence of the Past*, Augusta Fink notes that a special train carried mourners from the Salinas Valley to Monterey for Jack's funeral. She wrote;

Many remembered him with deep affection. Among them were the people he had helped in time of trouble dispensing baskets laden with food, and the children who recalled him as a kindly bearded man who told stories of the "old days" and distributed food and candy.²⁸



David Jack built this mansion on Van Buren Street in Monterey on the site formerly occupied by the residence of Joseph Boston where he rented a room in the 1850s.

His grave marker in the Monterey Cemetery reads simply:

**"DAVID JACK(S) (1822-1909)
NATIVE OF CRIEFF, SCOTLAND,
CAME TO CALIFORNIA 1849."**

Maria died in 1917.

David Jack's Family Takes Control

William Jack, David's oldest son, organized and served as the first President and General Manager of the David Jack Corporation from 1905 to 1913. He was elected Mayor of Monterey from 1905 to 1910 and became Master of the Monterey Masonic Lodge. He also belonged to the Knights Templars of Watsonville and the Monterey Elks Lodge. William died January 29, 1937 at age 70.

David's daughter Mary assumed William's position of General Manager in 1913 and in 1914 took over his role as president.

David's son Romie served as a salaried employee of the corporation, managing the company-owned Abbot Hotel in Salinas.

Janet, the oldest daughter, sold her stock back to the corporation and withdrew as director in 1911. An honour graduate of the University of the Pacific, she had gone on immediately to Cornell University in 1886 where she met Alan C. Balch, an engineering student. They married in Oakland in 1891, and for a few years were both in the family business circle. Balch borrowed money from David Jack to become established in the electrical industry. He became a pioneer working on the development of power for pumping water and oil. Alan served as Chairman of the Board of the California Institute of Technology and was a Trustee of the institution. He died in 1943 and Janet died soon after.

The corporation was terminated in 1919 when its properties were divided equally among the six remaining shareholders. The three unmarried sisters pooled their shares and formed the L.M. and V. Jack firm, with Lee as President, and Margaret Vice President and Secretary-Treasurer.

Distributions from the estate of Mary Jack (Thomas), who died in 1955, were settled in 1986. Through her residual trust Mills College received \$2.5 million, approximately \$1.3 million in 1986 and roughly \$53,000 annually between 1962 and 1985. Lee arranged for most of her estate to be shared equally between the University of California, Stanford, and the Cali-

fornia Institute of Technology. Indirectly, Mills College also benefited from the estate through a bequest of \$10,000 from Margaret for whom Lee left a lifetime trust. David Jack and his wife inculcated in their children, through guidance in religious education and social, economic, and ethical practices, a firm belief in excellent formal education. Through the years both the parents and their children donated millions of dollars to various educational institutions throughout the United States.

The 112-year-old Jack family business came to an end when Margaret Jack, the last remaining member of the family, died in 1962. In her advanced years, she gave most of the remaining land which her family had held for many years, back to the people and city of Monterey. In doing so, many have speculated that she was exorcising the ghost of what had been considered to be the greed of her father.

On Margaret's death, all that remained of the family holdings, which were in her possession and care, went to Stanford University, where academic chairs in certain disciplines were eventually named in memory of some of the family. The bequest was said to have been the largest since the University's founding.

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Coincidentally or otherwise, none of Jack's children had children of their own. It would appear that the curse placed on David Jack many years before by the Californios, was realised in the end.

Conclusion

So, this is what I have learned so far about David Jack. I'm sure you will agree that he was an amazing character, one who deserves for his story to be more widely known. I may be accused of bias, but I believe that some historians have given Jack a raw deal and have painted too black a picture of him. I find this rather surprising, given that Americans are proud of living in "the land of opportunity," where a humble person can rise to become president, the embodiment of the "American Dream." Perhaps it is due to a lack of knowledge of Jack's own roots that has contributed to this. If this is so, then I hope this work in some small way, redresses that balance.

I believe Jack exhibited the same qualities shown by people such as Andrew Carnegie, a fellow Scots entrepreneur, and many present day tycoons who seem to be lauded for their abilities. Perhaps the

Montereyans of the time were not ready for someone like David Jack. Will history vindicate David Jack? That question is best left to the people of Monterey and California.

Whatever view is taken of him, one cannot deny his financial and legal skills, with which he accomplished the immense land acquisitions that changed Monterey County irreversibly, and that he played an important role in the development of the vibrant and prosperous state of California.

About the Author:

Kenneth C. Jack is a 40-year-old police officer serving with Tayside Police, which encompasses the Perthshire area. He is currently based at Aberfeldy (J.K. Rowling, author of the Harry Potter books resides there), but resides in nearby Pitlochry, a Highland Perthshire tourist resort in Scotland.

Born and raised in Crieff, where the Jack family has resided for almost 200 years, K.C. is married to Moira and they have three children, Bryan, Craig and Kirsty. Apart from researching and writing on Jack, he enjoys playing golf, fishing, watching soccer, and reading.

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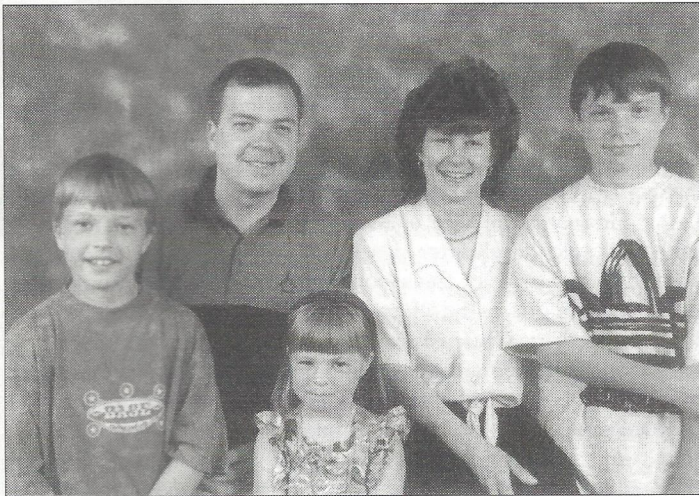
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This 1997 photograph shows author Kenneth Jack and his family. From left to right: Craig (17), Kenny, Kirsty (12), wife Moira, and Bryan (20). David Jack was Kenny's great, great, great uncle.

"For that is the mark of the Scots of all classes, that he stands in an attitude towards the past unthinkable to Englishmen, and remembers and cherishes the memory of his forebears, good or bad, and there burns alive in him, a sense of identity with the dead even to the twentieth generation."

Robert Louis Stevenson

For further information about Crieff and Scotland visit these Internet websites:

http://www.perthshire.co.uk/guide/towns/crieff/index_frm.htm#

<http://www.scottish-towns.co.uk/perthshire/crieff/index.html>

End Notes

1. *The Strathearn Herald*, July 27, 1985.
2. Ibid.
3. Alexander Porteous, *The History of Crieff* (Oliphant, Anderson, and Ferrier: Edinburgh & London, 1912), p. 186.



This painting entitled "The Lay of the Land—David Jack of Monterey on Horseback" was painted by William Hahn and used to hang in the Carlssen Gallery in San Francisco. It had been obtained from a Nunnery in California and now is in a private collection. (Courtesy David Carlssen)

4. Augusta Fink, *Monterey: The Presence of the Past* (Chronicle Books: San Francisco, 1972).

5. *Register of Births, Deaths, and Marriages*, New Register House, Edinburgh, Scotland.

6. *New York Herald*, October, 1848. Letter from Walter Colton as documented in *Memorial and Biographical History of the Coast Counties of Central California* by Henry D. Barrows and Luther Ingersoll (Lewis Publishing Company, 1893).

7. Barrows and Ingersoll note that Jack sold his "goods in forty-eight hours, realising \$4,000" (most sources refer to the goods as "revolvers," although the word "pistol" was in common usage at the time).

8. Historian Robert J. Chandler of San Francisco confirmed that the *Sea Queen*, an 862-ton sailing ship, was contracted by the U.S. Army to move 220 troops of the 2nd Infantry from New York to California. Leaving New York December 10, 1848, the ship stopped in Rio de Janeiro on February 2, 1849. It then sailed around Cape Horn and arrived in San Francisco April 30, 1849. The trip took 138 days, 125 of which were at sea. Eugene Bestor, Jr.'s biography, *David Jacks of Monterey, and Lee L. Jacks, His Daughter*, (privately printed, 1945), indicated he was an army sutler and the troops were from the 3rd Artillery. Only 105 copies of Bestor's book were printed for private distribution. A copy can be found in the California Room of the Monterey Public Library.

9. Barrows and Ingersoll. "Revolvers costing \$18 in New York readily sold in San Francisco for \$50."

10. Augusta Fink, *Monterey: The Presence of the Past* (Chronicle Books: San Francisco, 1972).

11. Monterey County Deed Book D, page 222. Monterey County Recorder's Office. Historian Edgar C. Smith of Carmel, California, visited both the Monterey City Library where he viewed a copy of Arthur Eugene Bestor, Jr.'s privately printed book *David Jacks of Monterey, and Lee L. Jacks, His Daughter*, for primary source information, and the Monterey County Recorder's Office in Salinas, where he obtained a photocopy of the deed issued to Ashley and Jack for the purchase of the Monterey City lands which reads as follows:

"Recd for Record June 1st 1859 @ 10 a m

Recorded by request of E M Mechail

This instrument of Conveyance made this ninth day of February A D 1859 between the City of Monterey in the State of California, by and through the trustees of said City, to wit, John Burke Phillips as President—Salvador Osio as Treasurer and John D Callaghan as Clerk—and the said Trustees of said City in their official capacity and thereto duly authorized by virtue of their office as said trustees—party of the first part; and D R Ashley and David Jacks, both of Monterey California, parties of the second part. Witnesseth: That whereas the said party of the first part and said City of Monterey was indebted to D R Ashley in the sum of nine hundred and ninety one and one half dollars for expences of prosecuting the title to lands of the said city before the Board of United States Land Commissioners and before the United States Courts and so has been indebted up to the making the sale hereinafter mentioned, and there being no money in the treasury of said City belonging to said City to pay the said indebtedness of the same to said D R Ashley, and therefore under order and ordinance of said Board of Trustees after due notice for two weeks given by Publication of the same in the news Paper called the Pacific Sentinel and by posting up Notices of the sale in the English and in the Spanish Languages in at least three

of the most Public Places in said City of Monterey, there was, on this ninth day of February A D 1859, sold to said parties of the second part for the purpose of paying the indebtedness aforesaid of said City the lands and premises in this conveyance hereinafter described and set forth; and this sale to said parties of the second part having been made at public auction at the hour of twelve O'clock m. of this day at the front door of the County Court House in the City of Monterey to the highest bidder for cash and said hereinafter described lands were struck off and sold to said parties of the second part for the sum of one thousand two and one half dollars, being the amount of the aforesaid indebtedness and the necessary expences of sale; said parties of the second part being the highest and only bidders and said sum being the only sum bid at said sale and no person or bidder was... (line missing) ...the lands and premises hereinafter described and said sum so bid is not more than is absolutely necessary to pay the said indebtedness of said City and that the expences of sale, and said sum so bid was then and there paid by said parties of the second part.: Now therefore in consideration of the premises and in consideration of said sum of one thousand two and one half dollars lawful money of the United States of America by said parties of the second part and to said party of the first part and the receipt whereof is hereby acknowledged, said party of the first part has granted, bargain and sell, quitclaim and convey unto said parties of the second part and their heirs and assigns in fee simple absolute all the lands situate, and being in the State of California and County of Monterey and described as follows to wit: the lands belonging to the City of Monterey, granted by the Mexican Government to, or set apart by the former authorities of California for the Pueblo of Monterey, and Confirmed by the United States land Commissioners for California to said City; including and comprising all the right, title and interest which said city has or may have, whether in possession or in expectancy, in and to the lands, and every part and portion thereof bounded as follows: *commencing at the mouth of the Salinas or Monterey River and running up that stream to the site of Pilarcitos: thence through the cañon to the Laguna Seca; thence following the summit of the hills and the City line between Monterey and Carmel to Point Cypress: and thence following the Pacific Ocean to the place of beginning and containing all the lands by the authorities of the United States confirmed to said City of Monterey. Together will all and singular the tenements, hereditaments and appurtenances thereto belonging...* (missing line) ...wise pertaining, with the rents, issues and profits thereof. To have and to hold unto said parties of the second part their heirs and assigns all the lots, portions, parcels and pieces of land aforesaid and all the appurtenances thereto lying and being situated within the bounds aforesaid. In witness whereof the trustees of said City execute this instrument of Conveyance the day and year first before written. N.B. The words "one thousand two" were erased, and the words "nine hundred and ninety one" were interlined in lieu thereof before the execution of this Conveyance. John Burke Phillips President (Seal) Salvador Osio Treasurer (Seal) John D. Callaghan Clerk (Seal) Signed sealed and delivered in presence of Chas. B Finch E R Cloyd (Monterey City Seal) State of California County of Monterey S S on this twelfth day of February A D 1859 before me Charles G Harron a Justice of the Peace in and for said County of Monterey personally appeared John Burke Phillips, Salvador Osio, and John D. Callaghan—Trustees of the City of Monterey and each of them to me personally known to be the persons described in and who as Trustees of said City ex-

ecuted the foregoing instrument of Conveyance and they each severally acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein expressed as Trustees of said City Witness my hand Chas G Harron Justice of the Peace Monterey Township. State of California County of Monterey SS J James H Gleason County Clerk of said County and Clerk of the County Court of said County do hereby certify that Charles G Harron is a duly elected and qualified Justice of the Peace in and for said County and is acting as such that his signature to the foregoing Certificate of acknowledgement is his true and genuine signature—and that full faith and credit is due to his acts as such Justice of the Peace...(line missing)...County Court affixed hereto this fourteenth day of February A D 1859 Jus H Gleason County Clerk Monterey County (County Seal)

Recd for Record June 11th 1859 @ 3PM

Recorded by Request of D. R. Ashley"

Also, Supreme Court decision. City of Monterey v. Jacks, 203 U.S. 360 (December 3, 1906). Can be seen on the Internet: <http://www.findlaw.com>

12. Ibid.

13. Brian McGinty, "Monterey's Hated Benefactor," *Westways*, (January, 1967), p. 28.

14. According to historian George Stammerjohan, sheriff's sales of land were not final until a period of time passed, generally one year. Notices had to be posted on the property in both Spanish and English after statements of delinquent taxes were published in both languages in a local newspaper and the sheriff's sale of property was properly advertised.

15. *The Monterey Californian*, 1879. "It will interest our readers to know how much land is held by David Jacks. The table given below is made up from St. John Cox's *Map of Monterey County*, issued last year (1878):

Moss Landing (Monterey City Lands)	110.00 acres.
Monterey City Lands Tract No. 1	28,323.25 acres
Monterey City Lands Tract No. 2	2,431.40 acres
Punto de Pinos Rancho	2,666.31 acres
El Pescadero Rancho	4,426.46 acres
Aguajito Rancho	3,322.56 acres
Sacito Rancho	2,211.65 acres
Pilarcitos Rancho	(acreage not given)
Chualar Rancho	8,889.68 acres
Zanzones Rancho	6,714.49 acres
Los Coches Rancho	8,794.02 acres

Total: 67,889.82 acres

The above acreage is equal to 106.7 square miles, and does not include his interest in the Ashley estate, nor 200 acres of the Milton Little property, nor the Pilarcitos Rancho, nor town lots in Monterey, nor everything else he claims in the county—and he claims every piece of land that adjoins what he has recorded, according to popular report."

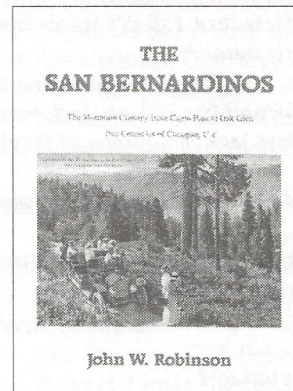
16. Robert Louis Stevenson, *Old and New Pacific Capitals—Monterey*, in "Stevenson Told of Hate for Jacks," *Monterey Peninsula Herald*, January 17, 1963.

17. David Jack's heirs donated land for Jack's Peak State Park.

18. Personal Communication. Letter from Linda Mercer Larson, guide, California Department of Parks and Recreation, Monterey State Historic Park, to author. January 2, 1995.

19. Interview by Glenn S. Dumke with Margaret Jack, David Jack's daughter, July 14, 1953. In the interview she said: "...Father ran the dairies on shares, and the check would come to my

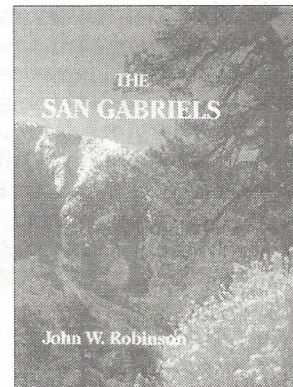
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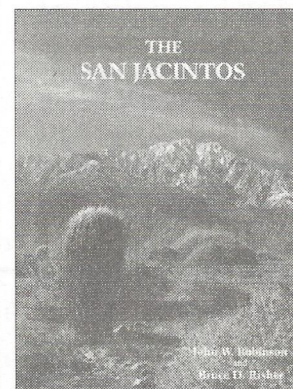
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father, and my brother said the cheese was marked "Jack Cheese" and it may have got its name that way, and perhaps it might not have. Perhaps it was just imagination. Some of the people in town were trying to find out where it [Monterey Jack cheese] got its name and they found out various facts, but I don't think they ever settled anything on how it got its name."

20. Josiah Van Kirk Thompson, *J.V. Thompson Journals*, 28 vols., (Unpublished, in possession of Cheralyn Wilson, Jack Family Newsletter). Interview with William Jack, a nephew of David Jack, Ontario, Canada, 1929.

21. Robert Louis Stevenson, *Old and New Pacific Capitals-Monterey*.

22. Barrows and Ingersoll.

23. Hubert Howe Bancroft, *History of California* (The History Company, 1887).

24. Ibid.

25. Robert Louis Stevenson.

26. Letter from Peter Jack to David Jack:

"Perthshire Scotland Braco village March 3, 1876

"Dear Brother

I duly received your letter of the 5 Feb on the 27th at 11am and I was glad to see it. I went to Crieff on the following day and transacted your business which you will see by the receipts. Dear brother you speak of paying me for doing so, I think I have been well paid for all the trouble it was to me, your two old women was very glad to see me. I come now to speak personally of your old friends I do not think that Betty Law will need another £10.00 from you, she is very poorly I do not think she be able to go to Crieff, get her bill cashed, she told me that you was not to give her share to Mrs Mcnaughton as you had the full power to do

what you please with it. She would rather anyone get it, nor her, but I see myself they are at enmity the one with the other and what the reason is, I know not, my time was short with them. The next is Mrs Mcnaughton; she is well in health but has lost a cow and calf, valued £18 about a week ago. All she had to say was that she would like to have the money about the New Year. She went to the bank with me, I cashed her bill of which you will see that I am a witness, she told me that she had two daughters in America that was very kind to her, she was very anxious to know if I got any money from you but she was none the wiser for asking. I was hearing that Miss Buchan of Aranbank was going to get married shortly but I have not heard the exact time. It is to a clergyman not far from Aranbank. His father is some small farmer, the name is Bryce, they have been selling a great deal of property this some time past. I hear that her sister is coming home from India but whether her sister and husband will be going [to] live in Aranbank after Louisa leaves is a thing I do not know; when I was at Gilmertown I had not time to make a call. Dear brother I come now to speak of myself I thank you very kindly for the money you have sent time after time and I hope it will be a blessing to you and me, it has been a great benefit to me and the family, there is none of them able to keep themselves yet, and there is none of it foolishly spent. I am writing this letter for the post as I know you will be anxious until you receive it, and when you receive it you will send an answer and let me know if you are satisfied with the way I have settled your business. Please send a paper also, give myself and wives best respects to sister D McEwan. Dear brother may god's blessing rest and abide on you and me and all belonging to us (adieu) Peter Jack."

Peter Jack died in Braco on June 26, 1886, aged 73 years.

Another letter to David Jack from Peter's wife, Isabella:

"Stirling Oct 16 1891 6 Lower Bridge St

To David Jack Esq., Monterey California

"Dear Brother in Law

Just a few lines to let you know how we are all getting on. I was to have wrote to you long ago but I have been in very bad health all summer. Since ever I had the rose in my head it has been very bad sometimes, times it was like to make [me] mad, it all broke out and a trained nurse came every day for two months more but thank god it is much better now, but I have to [be] very careful of it yet. Louisa is much stronger, this season nor she was last one, and she has had a great deal to do with me being so bad. The rest of the family is all well as far as I know; the two that went to America never write to me, I have had no word from them for two years. We have had a very warm summer in Scotland this year and I hear there has been a very good crop of cereals. The potatoes is very cheap at present, but I am never outside. I hope this will find you and your family all well and that you and Mrs Jack is keeping well, for like me you are getting up in years. We cannot to be so well as when we was younger. I am sorry to have to ask you for a little help again, for my rent is due on eleventh of November and I am not able to meet it, it is very hard living in Stirling nor was it in Braco. I had leave the house at No. 8 and am staying in No. 6, now it is just the same house only downstairs. We have very close wet weather here at present. Old Mr Brydie in Silverton has died about two months ago, that is yon old man we was taken to when we was up at Uncle Robert's old place, when you was home. He was in his ninety year, so that is the last friend we have had at Silverton. Give my love to Mrs Jack and all the family, not forgetting yourself and aunty Kirsty

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when you see her and thank you for your great kindness and for all that you have done for us in the past and I will be very grateful if you could send me a little help at present for help. This place is not like Braco at all. Hoping god will bless you and prosper you all is the earnest wish and prayer of yours faithfully. Isabella Jack. Louisa also sends her love to you all."

This letter was from David's neice, Louisa Jack:

"6 Lower Bridge St Stirling 2 March 1903

"Dear Uncle and Aunt,

I now take the pleasure to write you according to my promise. But I am very sorry to inform you that mother is not improving much and is still confined to her bed. The doctor is still attending her and he says she is very feeble and requires as much nourishment as we can give her that is the only thing to keep her up. Mother hopes that you have had a happy and pleasant winter and that you are all enjoying the best of health. Business here in Stirling is very dull, nearly all the works are short on time and there are an awful lot of men going about idle. I think that the very bad weather that we have had here had something to do with it. We have scarcely had any frost or snow this winter at all, nearly every day has been wet and very stormy.

"Dear uncle I am sending a paper with this mail, I hope you will get it all right, with best love to all.

"I remain your affectionate niece Louisa Jack

P.S. I will let you know how mother is keeping."

Louisa eventually emigrated to America where she ended her days in Cleveland, Ohio.

27. *San Francisco Call*, February 12, 1909.

28. Augusta Fink, *Monterey: The Presence of the Past* (Chronicle Books: San Francisco, 1972).

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The Strathearn Herald, Crieff, Scotland

Cheralyn Wilson, The Jack Family Newsletter

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