

# Chapter Four

## THE RINDGE RAILROAD

Today southbound Amtrak passenger trains take the Oceanside route along much of the California coastline, flirting recklessly with the blue Pacific for a spectacular, foaming 113 miles from San Luis Obispo to Oxnard just above Los Angeles. There the tracks turn abruptly inland.

Why?

It is all because of a tiny railroad and the newly widowed May K. Rindge.

In the early 1900s one segment of the Southern Pacific Railroad ended at the Long Wharf just to the north of Santa Monica. The Railroad was desirous of linking this part of their line to the part that came down the California coast from San Francisco to Santa Barbara.

The shortest distance between two points is a straight line, and no one knew this better than the railroad engineers and builders as they carved out their tracks through undeveloped areas across the plains of the United States and pushed through the western mountains.

The Southern Pacific Railroad applied to the Interstate Commerce Commission in 1904 to build tracks linking the Long Wharf in Santa Monica with their northern tracks which ended in Santa Barbara. The connection proposed was a straight line right through the Rindges' Malibu ranch.

Upon hearing of the Southern Pacific's plans, Mr. Rindge decided to build a private railroad through his ranch to keep the bigger railroad company out of his domain. A little-known law prevented duplication of an existing railroad line. Before any tracks could be laid, however, Mr. Rindge died. It was left to his widow to carry out his plans, which she did with 15 miles of standard gauge tracks called the Hueneme, Malibu and Port Los Angeles Railway. May Rindge became its president and one of the few women ever to become president of a railroad.

The line was used mainly to ship grains and hides from the ranch operations to the Rindges' private shipping wharf (now the Malibu Pier). When it was in operation, the Southern Pacific Railroad realized that two railways running through the 15-mile strip would be against the Interstate Commerce Commission regulations which prevented another railroad from condemning a right-of-way parallel to an already existing railroad.

The Rindge railroad started a short distance inside the eastern boundary of the ranch near Las Flores Canyon and ended near Yerba Buena Canyon in Ventura County. It hugged the rugged coast going on flat sandy land where possible, and also spanned canyons with immense trestle bridges. The most spectacular part of the railroad was a 115-foot high wooden trestle in the area that is today known as Paradise Cove (Ramirez Canyon). One could look down from a flat car as it crossed this trestle and, in the spring and fall at roundup time, see a large concentration of Rindge cattle nudging precariously near the wooden supports.

The Hueneme, Malibu and Port Los Angeles Railway consisted of flat cars and a small gasoline powered White engine, The line was completed in 1908 at a cost of \$ 1 million and remained in use until the 1920s. After that some of the rails were used as reinforcing steel for the Malibu dam when it was constructed in 1928. Some of it was sold during the 1930s for scrap iron to Japan. Yet even today remnants of it still surface every once in a while: at Westward Beach in 1981 ... at Paradise Cove ... at the Chevron Station on Pacific Coast Highway and Old Malibu Road ... at Sea Level Drive in West Malibu in 1983. There, half buried in the sands, they seem to give mute testimony to a widow who, with her tiny railroad, dared to fight the mighty Iron Horse magnates of her day-and win.

California history is dominated by such names as the Big Four-Huntington, Hopkins, Stanford, and Crocker - and the railroads that they built. The Hueneme, Malibu and Port Los Angeles Railway was only in operation for a few years, but it did keep the biggest railroad of its time out of this part of the California coastline. Though it has remained in relative obscurity in the pages of California history, the Rindge railroad, through its brief and romantic existence, played a big role in turning the tide of development of Los Angeles inland to the San Fernando Valley. In doing so, it saved the Malibu of today from the grinds, chugs, and clatter of trains as is the fate of so many of California's beautiful oceanfront communities.

The battle of the railroad was the first encroachment fight that May K. Rindge was to win. She must have thought about that victory many times during the next 20 years as she fought valiantly through the courts against other interests all of whom wanted a passageway across her Malibu Ranch.

## **THE COAST HIGHWAY**

Almost as soon as the railroad problem was concluded, a larger and more lengthy issue appeared. It was the battle over a public road through the Malibu and the central person again was May K. Rindge. In a study of Pacific Coast Highway (US 101A) and its historic development from a modest beginning as a path along the ocean to be used at low tide, the dominant issue was that of an individual's right versus the public's right to passage through private land. Mrs. Rindge decided to fight for her rights. The Rancho Malibu was her home, her industry, her private property, and the public wanted access.

Thus began Malibu's turbulent era steeped with years of litigation, tales of locked gates, fences, road closures, injunctions, and armed riders to keep out trespassers and surveyors. May K. Rindge spent nearly a quarter century in litigation attempting to keep her rancho intact. Four cases were fought to the California Supreme Court and two cases to the United States Supreme Court.

Before the time of the Rindges, few people had any reason to travel across the Malibu. There was so little travel over the rancho wagon road at the time of Matthew Keller's ownership that he, in November 1875, petitioned to dedicate this road to the County of Los Angeles, but his petition was not approved. There were a few homesteaders who settled when the area was used mainly for grazing cattle. They had made trails from their homes near the western and northern boundaries of the ranch across the Rancho to the beach. Once at the ocean they used the hard,

wet sand of the beach at low tide to go to the Port of Los Angeles in Santa Monica or to Los Angeles to take their produce and livestock and return with supplies for their families.

Several factors changed the conditions at the ranch after the Rindges purchased it and eventually brought an end to their isolated paradise. After the Rindges improved the roads to the ranch, the number of homesteaders increased. Meanwhile, the automobile emerged, providing an increasingly popular and more mobile means of transportation. Travelers crossing the Malibu ranch going to Santa Barbara and Ventura often camped overnight as did the homesteaders, hunters, and fishermen. There were instances of destructive fires from campers and also loss of livestock. Moreover, many isolated coves along the Malibu were historically used by smugglers for importation of cheap Chinese labor, opium, and liquor. A growing concern for safety began to smolder.

Newspaper headlines tell the battle over the building of the road through Malibu.

### **STORMY HISTORY OF THE COAST ROAD**

SANTA MONICA EVENING JOURNAL - October 23, 1915  
Armed Ranchers Defy The Malibu Guards

SANTA MONICA OUTLOOK - March 2, 1916  
Ringe Road Is Now Open-If it Has Not Been Closed

SANTA MONICA OUTLOOK - March 3, 1916  
Malibu Road Is Again Fenced By Rindges

SANTA MONICA OUTLOOK - March 7, 1916  
Bitter Fight In Court Over The Malibu Road

SANTA MONICA OUTLOOK - August 24, 1917  
Ranchers Are Still After Road

SANTA MONICA OUTLOOK - June 12, 1923  
Right Of Way Is Won

The first time gates were installed and locked on the Rancho wagon road was in 1894 by Frederick H. Rindge at Las Flores Canyon and also at Malibu Canyon. He offered keys to neighboring settlers who crossed the ranch to travel to and from Santa Monica and Los Angeles.

Succeeding years were years of road closures and injunctions or restraining orders. After her husband died, May K. Rindge installed fences across the beach road. These with the other fences necessary to run cattle, horses, and sheep on the ranch, plus natural barriers on the north and west, practically enclosed the ranch.

The beginning of an ardent and costly legal battle to preserve the Rancho Malibu intact started the day in 1907 when Mrs. Rindge walked into the law firm now known as O'Melveny & Myers.

Two cases were brought against her at the same time that year. One of those was a federal case (U.S. vs May K. Rindge) brought about because of the fences and gates she had installed to preserve her safety and privacy.

The newspapers took up the cause of the homesteaders. Mrs. Rindge was depicted as: "an unneighborly woman of great wealth selfishly excluding the public from this vast area of beautiful is land with its lovely beaches. She was dubbed "Queen of the Malibu" by the Southern California press. The feelings in the community were so intense that a judge from Portland, Oregon was called in to hear this federal case. It took s' years 'x for the case to come to trial; however, it was settled in Mrs. Rindge's favor because it was decided that the people had no right to go over privately owned lands to get to public lands.

The other case was a state court case (People of the State of California vs May K. Rindge). It was mainly to determine whether the beach road was in fact a public road since it had been used by the public over the previous 30 years. In the lower courts it was determined to be a public road. Mrs. Rindge, however, appealed the ruling to the Supreme Court of California. No action was taken on this case until 1917 when it was decided in her favor; i.e., the beach road was determined to be a private road.

Subsequently, the Board of Supervisors, the governing TD of Los Angeles County, was besieged by petitions from Santa Monica, Ocean Park, Venice, the settlers, and the mountain people asking for the opening of a road through the Malibu Ranch. As a result, the County of Los Angeles brought suit against the Rindge Company to condemn a right-of-way for a road. A number of hearings by the Board of Super-visors was held-many at May K. Rindge's request. However, the final order of condemnation was decreed on April 16, 1919.

Even after the Superior Court of California gave Los Angeles County the right to condemn the right-of-way and begin construction of the road, Mrs. Rindge continued her fight. The gates at Los Flores Canyon near the present Breakers Sea Lion Restaurant were locked. When the County Surveyor and other county workers arrived to establish the lines of the road, they had to find a guard to gain admittance. Once admitted on the ranch they were not permitted to drive on it. So as the work progressed, according to a member of the survey party, each day they had to walk farther and farther until finally it took most of the workday just trudging to and from the sites.

About that time, Mrs. Rindge purchased full page ads in the LOS ANGELES TIMES and THE EXAMINER telling of the injustice which the County Supervisors threatened. In these ads she proposed an alternate route to one along the coast. It went from the Santa Monica Beach Road north behind the Malibu Beach. Previously she had offered, as a substitute, a road built by her husband along the uplands and away from the tidal land, but her proposal went unheeded.

Eventually, the County Road was completed and ready for use. Yet, even then, May K. Rindge, with dogged determination, obtained a restraining order from the U.S. District Court which merely delayed the opening. The County Road through her Malibu Ranch was finally opened for the public on November 3, 1921.

While the long string of court cases between the County of Los Angeles and Mrs. Rindge (or her operating company, The Marblehead Land Company) were being adjudicated, the state decided to construct a state highway along the coast. On June 11, 1923, Mrs. Rindge lost her case @Rindge Company et al. vs County of Los Angeles) in the highest court of our land, the United States Supreme Court, when a road easement was granted to the State of California through the Malibu Ranch. Staunchly, she claimed she was deprived of her property without due process in violation of the Fourteenth Amendment.

The state highway right-of-way followed the route of the County Road in some places and in other places it was constructed parallel to it. When state employees arrived to begin work on the State Highway, they were met at the Las Flores gate by 40 of Mrs. Rindge's armed guards on horseback. The guards kept the state work crew off the ranch for three days. The State eventually was awarded title to the right-of-way through the Malibu Ranch in 1925 by the Superior Court. The final order of condemnation was issued two years later.

The new state highway was named "Roosevelt Highway" (now called Pacific Coast Highway) and was opened for through traffic to the public between Santa Monica and Oxnard in June 1929. This was 22 tumultuous years after the first court action. There was a gala ribbon cutting on that day with the Governor presiding. Now that the highway was open, Mrs. Rindge turned her attention to other ventures, all of which were to leave their mark on Malibu's future.

Thus ended an era of California history, as the last Spanish Land Grant to have remained privately intact was now crossed by this strip of asphalt and cement which ran adjacent to the shoreline.

The opening of the Pacific Coast Highway was also the end of the isolation of Malibu ... and an end to a courageous battle of an indomitable woman, who had no thought of compromise, in keeping her rancho undivided.

In present-day Malibu the "road closed" sign is often up as rock and mud slides plague the same Coast Highway against which Mrs. Rindge fought. Even today some old-time Malibu residents say, when a road closure strikes, that it is "Rindge's Revenge."