



Office of the City Manager

INFORMATION CALENDAR

October 13, 2020

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Jordan Klein, Interim Director, Planning and Development Department
 Subject: LPO NOD: 1915 Berryman Street/#LMIN2020-0003

INTRODUCTION

The attached Notice of Decision for the denial of a City Landmark or Structure of Merit designation request is submitted to the Mayor and City Council pursuant to Berkeley Municipal Code (BMC) Section 3.24.160, which states that “a copy of the Notice of Decision shall be filed with the City Clerk and the City Clerk shall present said copy to the City Council at its next regular meeting.”

CURRENT SITUATION AND ITS EFFECTS

The Landmark Preservation Commission (LPC/Commission) has denied City Landmark and Structure of Merit status to the property at 1915 Berryman Street. This action is subject to a 15-day appeal period, which began on September 28.

BACKGROUND

BMC/LPO Section 3.24.190 allows City Council to review any action of the Landmarks Preservation Commission in granting or denying Landmark, Structure of Merit or Historic District status. In order for Council to review the decision on its merits, Council must appeal the Notice of Decision. To do so, a Council member must move this Information Item to Action and then move to set the matter for hearing on its own. Such action must be taken within 15 days of the mailing of the Notice of Decision, or by September 22, 2020. Such certification to Council shall stay all proceedings in the same manner as the filing of an appeal.

If the Council chooses to appeal the action of the Commission, then a public hearing will be set. The Council must rule on the application within 30 days of closing the hearing, otherwise the decision of the Commission is automatically deemed affirmed.

Unless the Council wishes to review the determination of the Commission and make its own decision, the attached NOD is deemed received and filed.

LPC Hearing – August 6, 2020

At the hearing on this matter, the LPC voted 7-2-0-0¹ to deny the request of 65 Berkeley residents to grant either City Landmark or Structure of Merit status to the subject residential property, which was originally constructed in 1889. According to the LPC's findings, the property exhibits insufficient architectural merit to warrant designation status, lacks necessary aspects of historical integrity, and does not represent the more significant contributions of persons important to history. Approximately 80 people addressed the Commission during the public comment on this item; the majority of speakers expressed opposition to a designation, citing the property's lack of obvious historical merit and the importance of permitting a proposed demolition and new housing project for the site to move forward (Use Permit application #ZP2020-0045, currently under review).

ENVIRONMENTAL SUSTAINABILITY

Landmark designation provides opportunities for the adaptive re-use and rehabilitation of historic resources within the City. The rehabilitation of these resources, rather than their removal, achieves construction and demolition waste diversion, and promotes investment in existing urban centers.

POSSIBLE FUTURE ACTION

The Council may choose to appeal the decision, in which case it would conduct a public hearing at a future date.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

There are no known fiscal impacts associated with this action.

CONTACT PERSON

Fatema Crane, Landmarks Preservation Commission Secretary, Planning and Development, 510-981-7410

Attachments:

1: Notice of Decision – #LMIN2020-0003 at 1915 Berryman Street

¹ Vote: 7-2-0-0; Yes: Abranches Da Silva, Adams, Crandall, Enchill, Johnson, Montgomery, Schwartz; No: Finacom, Allen; Abstain: none; Absent: none.



L A N D M A R K S
P R E S E R V A T I O N
C O M M I S S I O N

N O T I C E O F D E C I S I O N

DATE OF BOARD DECISION: August 6, 2020
DATE NOTICE MAILED: September 28, 2020
APPEAL PERIOD EXPIRATION: October 13, 2020
EFFECTIVE DATE OF PERMIT (Barring Appeal or Certification): October 14, 2020¹

1915 Berryman Street

The Payson House

Landmark application (#LMSAP2020-0003) for consideration of City Landmark or Structure of Merit designation status for a residential property.

The Landmarks Preservation Commission of the City of Berkeley, after conducting a public hearing, **DENIED** the following permit:

- City Landmark or Structure of Merit designation status, pursuant to Berkeley Municipal Code Section 3.24.110.A-B

APPLICANT: Daniella Thompson, 2663 Le Conte Avenue, Berkeley

ZONING DISTRICT: Residential – Southside (R-S)

ENVIRONMENTAL REVIEW STATUS: Categorically exempt pursuant to Section 15331 of the CEQA Guidelines for Historical Resource Rehabilitation.

The application materials for this project are available online at:
<http://www.cityofberkeley.info/zoningapplications>

¹ Pursuant to BMC Section 23B.32.090, the City Council may “certify” any decision of the LPC for review, which has the same effect as an appeal. In most cases, the Council must certify the LPC decision during the 14-day appeal period. However, pursuant to BMC Section 1.04.070, if any portion of the appeal period falls within a Council recess, the deadline for Council certification is suspended until the first Council meeting after the recess, plus the number of days of the appeal period that occurred during the recess, minus one day. If there is no appeal or certification, the Use Permit becomes effective the day after the certification deadline has passed.

LANDMARKS PRESERVATION COMMISSION
NOTICE OF DECISION
City Landmark designation status - #LMIN2020-0003
1915 Berryman Street – The Payson House
September 28, 2020
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FINDINGS, CONDITIONS AND APPROVED PLANS ARE ATTACHED TO THIS NOTICE

COMMISSION VOTE: 7-2-0-0

YES: ABRANCHES DA SILVA, ADAMS, CRANDALL, ENCHILL, JOHNSON,
MONTGOMERY, SCHWARTZ

NO: ALLEN, FINACOM

ABSTAIN: None

ABSENT: None

Note New Methods for Submitting Appeals during Shelter-In-Place Order

TO APPEAL THIS DECISION (see Section 3.24.300 of the Berkeley Municipal Code):

To appeal a decision of the Landmarks Preservation Commission to the City Council during the 2020 City Council Shelter-In-Place Order, you must:

1. Mail a letter clearly and concisely setting forth the grounds for the appeal with a check or money order for required fees to the City Clerk, located at 2180 Milvia Street, 1st Floor, Berkeley, 94704. The City Clerk's telephone number is (510) 981-6900.

OR

Alternatively, you may email your complete appeal and all attachments to the Planning Department at planning@cityofberkeley.info and include a telephone number where you can be reached during the day. Planning Department staff will call you within three business days to obtain payment information for the required fees by credit card *only*.

- a. Pursuant to BMC Section 3.24.300.A, an appeal may be taken to the City Council by the application of the owners of the property or their authorized agents, or by the application of at least fifty residents of the City aggrieved or affected by any determination of the commission made under the provisions of Chapter 3.24.
2. Submit the required fee (checks and money orders must be payable to 'City of Berkeley'):
 - a. The basic fee for persons other than the applicant is \$500. This fee may be reduced to \$100 if the appeal is signed by persons who lease or own at least 50 percent of the parcels or dwelling units within 300 feet of the project site, or at least 25 such persons (not including dependent children), whichever is less. Signatures collected per the filing requirement in BMC Section 3.24.300.A may be counted towards qualifying for the reduced fee, so long as the signers are qualified. The individual

LANDMARKS PRESERVATION COMMISSION
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filing the appeal must clearly denote which signatures are to be counted towards qualifying for the reduced fee.

- b. The fee for appeals of affordable housing projects (defined as projects which provide 50 percent or more affordable units for households earning 80% or less of Area Median Income) is \$500, which may not be reduced.
- c. The fee for all appeals by Applicants is \$2500.
3. The appeal must be received prior to 5:00 p.m. on the "APPEAL PERIOD EXPIRATION" date shown above (if the close of the appeal period falls on a weekend or holiday, then the appeal period expires the following business day).

If no appeal is received, the landmark designation will be final on the first business day following expiration of the appeal period.

NOTICE CONCERNING YOUR LEGAL RIGHTS:

If you object to this decision, the following requirements and restrictions apply:

1. If you challenge this decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Landmarks Preservation Commission at, or prior to, the public hearing.
2. You must appeal to the City Council within fifteen (15) days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to notify the Land Use Planning Division in writing of your desire to receive a Notice of Decision when it is completed.
3. Pursuant to Code of Civil Procedure Section 1094.6(b) and Government Code Section 65009(c)(1), no lawsuit challenging a City Council decision, as defined by Code of Civil Procedure Section 1094.6(e), regarding a use permit, variance or other permit may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that ninety (90) day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a "taking" of property for public use without just compensation under the California or United States Constitutions, your appeal of this decision must including the following information:
 - A. That this belief is a basis of your appeal.

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- B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
- C. All evidence and argument in support of your belief that the decision or condition constitutes a "taking" as set forth above.

If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.

PUBLIC COMMENT:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

FURTHER INFORMATION:

Questions about the project should be directed to the project planner, Fatema Crane, at (510) 981-7410 or fcrane@cityofberkeley.info or lpc@cityofberkeley.info

ATTACHMENTS:

-
- 1. Findings for Denial
 - 2. Landmark application



ATTEST: _____
Fatema Crane, Secretary
Landmarks Preservation Commission

Cc: City Clerk
Daniella Thompson, application author
Deborah Kropp, representative of 64 Berkeley resident applicants
Alon and Ravit Danino, property owners

FINDINGS FOR DENIAL

AUGUST 6, 2020

1915 Berryman Street – The Payson House

Landmark application #LMIN2020-0003 for the consideration of City Landmark or Structure of Merit designation status for a residential property.

PROJECT DESCRIPTION

City Landmark designation of the property 1915 Berryman Street

CEQA FINDINGS

1. The project is found to be exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq.) pursuant to Section 15061.b.4 of the CEQA Guidelines (the project will be rejected or disapproved by the public agency).

LANDMARK PRESERVATION ORDINANCE FINDINGS

2. Pursuant to Berkeley Municipal Code (BMC) Section 3.24.110.A and B of the Landmarks Preservation Ordinance (LPO), the Landmarks Preservation Commission of the City of Berkeley (Commission) finds that the subject property and extant main building: possess insufficient architectural merit; lack necessary aspects of integrity; and do not represent the more significant contributions of persons important to local history. As such, the property and main building do not warrant designation as a City Landmark or Structure of Merit either individually or as a member of a group of related sites. Therefore, the Commission disapproves the application for designation status.

Land Use Planning
Received
June 8, 2020

CITY OF BERKELEY
Ordinance #4694 N.S.
LANDMARK APPLICATION

William H. & Esther L. Payson House
1915 Berryman Street
Berkeley, CA 94709



Figure 1. Payson House, front façade (Alon Danino)

1. **Street Address:** 1915 Berryman Street
County: Alameda **City:** Berkeley **ZIP:** 94709

2. **Assessor's Parcel Number:** 60-2449-13 (Berkeley Villa Association, Block 16, Lot 9)
Dimensions: 141.5 feet (west) x 75 feet (north) x 136 feet (east) x 75 feet (south)
Cross Street: Bonita Avenue

3. **Is property on the State Historic Resource Inventory?** No
Is property on the Berkeley Urban Conservation Survey? No
Form #: N/A

4. **Application for Landmark Includes:**
 - a. **Building(s):** Yes **Garden:** N/A **Other Feature(s):**
 - b. **Landscape or Open Space:** Yes
 - c. **Historic Site:** No
 - d. **District:** No
 - e. **Other:** Entire property

5. **Historic Name:** Payson House
Commonly Known Name: Miller House; "Old farm house"

6. **Date of Construction:** 1889 **Factual:** Yes
Source of Information: *Berkeley Herald*, 2 January 1890; 1889 city directory

7. **Designer:** Unknown

8. **Builder:** Lord & Boynton

9. **Style:** Rustic Victorian

10. **Original Owners:** William Hawes Payson & Esther L. "Etta" (Tripp) Payson
Original Use: Single-family residence

11. **Present Owner:**
Ravit & Alon Danino
1493 Firebird Way
Sunnyvale, CA 94087-3450

Present Occupant: Unoccupied

12. **Present Use:** Residential (3 units per Alameda County Assessor's Office; sold as two units)
Current Zoning: R-2A **Adjacent Property Zoning:** R-2, R-2A

13. **Present Condition of Property:**
Exterior: Fair **Interior:** Fair **Grounds:** Wooded

Has the property's exterior been altered? Yes, in 1925 and mid-1940s.

Executive Summary

The William H. & Esther L. Payson House is a Victorian-era house built in 1889 by the important but short-lived construction firm of Lord & Boynton, founded by the two Berkeley pioneers Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921). Both partners arrived in Berkeley in 1877 and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

In a little over a year, Lord & Boynton constructed many major buildings in Berkeley, including Maurice B. Curtis’s fabled Peralta Park Hotel, Curtis’s own home, and the Niehaus Brothers’ West Berkeley Planing Mill, to name a few.

The Payson House is one of only five surviving buildings constructed by Lord & Boynton. It was one of the first houses built north of Berryman Street—an area that wasn’t even mapped by the Sanborn Map Company before 1911—and the first house on Block 16 of the Berkeley Villa Association tract.

The Payson House is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

The house was built for William Hawes Payson (1855–1914), a lawyer who co-founded the First Unitarian Church of Berkeley in 1891. Payson continued to be one of the foremost American Unitarian leaders for the rest of his life, serving as president of the church and its various offshoots multiple times. He was also a well-known political reformer, fighting for fair voter representation and active in the anti-graft movement that brought down corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would still recognize it today.

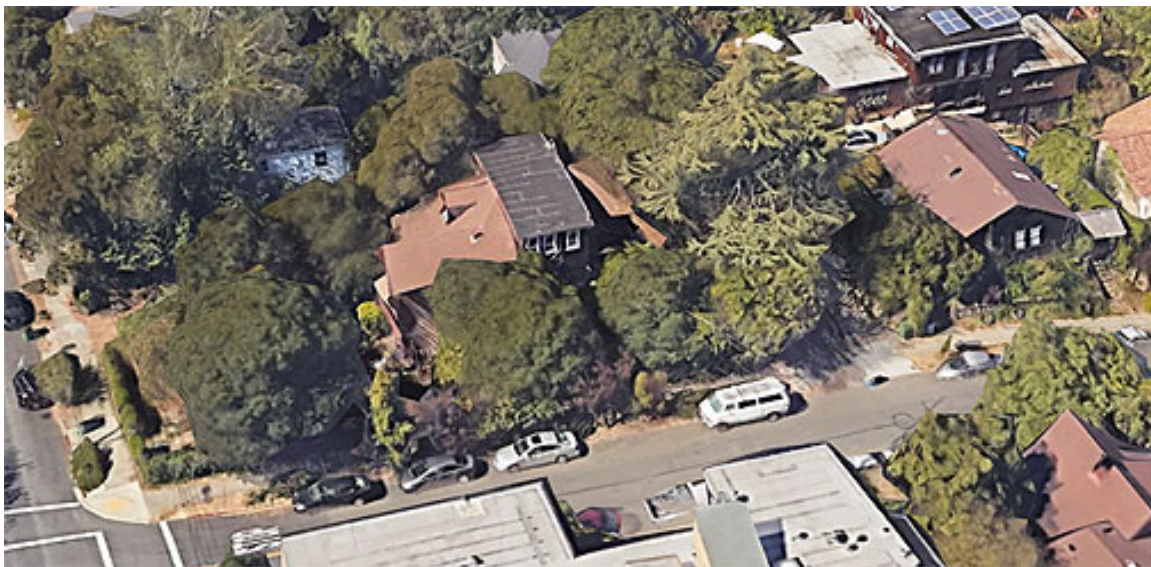


Figure 2. The Payson House parcel, seen from the east (Google Earth)

14. Description

The William & Etta Payson House is a one- and two-story wood-frame dwelling constructed in 1889. It is located on the northwest corner of Berryman Street and Bonita Avenue, in the center of a large lot, amid several coast live oaks.

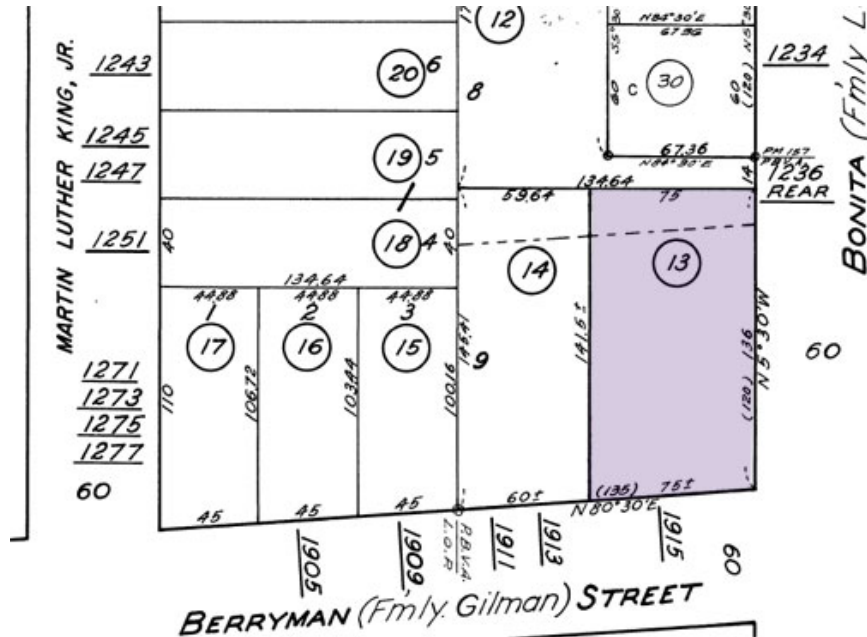


Figure 3. The subject property in the Assessor's Map of Block 2449

The house used to stand on a much larger parcel that included a still extant cottage (now 1234 Bonita Avenue), built c. 1892–93 for Mrs. Payson's sister.

The plan of the Payson House is irregular. The earliest outline available dates from a 1911 Sanborn map (Figs. 4, 5), since the neighborhood north of Berryman Street wasn't sufficiently developed in 1903 to warrant a Sanborn map.

Despite some modifications to the exterior, the 1911 outline is still easily recognizable today. Originally, the house comprised a central rectangular mass surmounted by a hip roof; a projecting gable-roofed front wing at the southeast corner; and a service wing at the northwest corner.

A bay window in the center of the west façade mirrored a square projection on the opposite side.

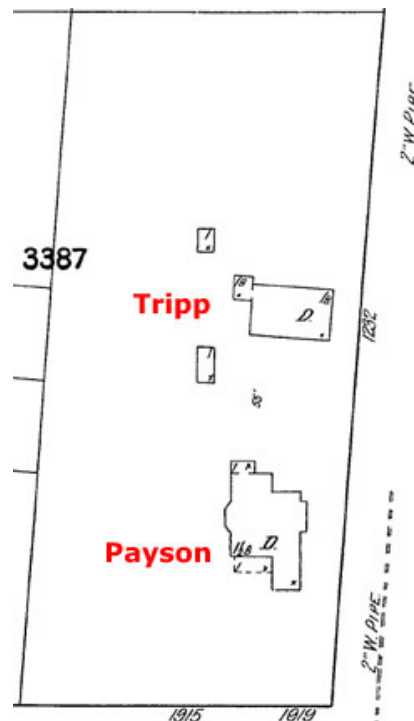


Figure 4. Sanborn map, 1911

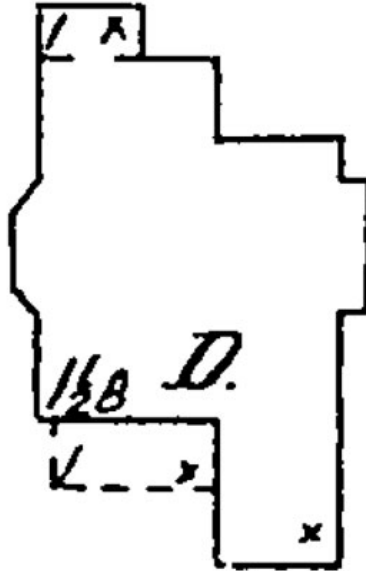


Figure 5. House outline in 1911 (Sanborn map)

As built, the Payson House was one-and-a-half stories high with a basement. The small, south-facing dormer in the hip roof (Fig. 8) marks the front half of the original attic. In 1925, then-owner Katherine Olden Easton (1863–1940), an artist and playwright, created a second story above the central portion of the house, surmounted by a new shallow-pitched roof that sheds over the projections in the east and west walls.¹ That roof is shown in the 1929 Sanborn map below.



Figure 6. The 1889 hip roof, surmounted by the shallow-pitched roof built in 1925.

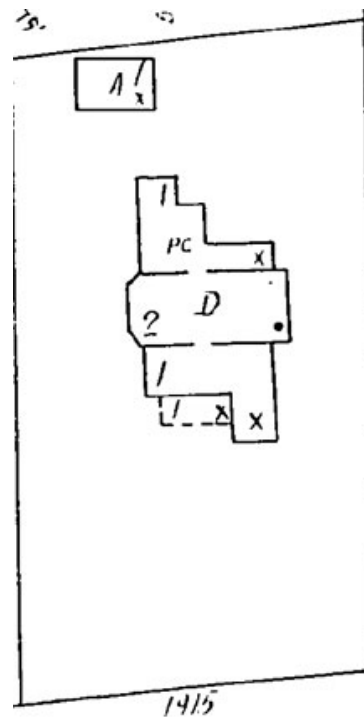


Figure 7. Sanborn map, 1929

¹ Building permit #20766. BAHA archives.

The photo below shows the front of the original hip roof, with the 1925 second-story addition behind. The dormer features a small gable roof with a pediment eave framed in ogee molding, and a double-hung window whose upper sash is divided into 3-over-2 lights.



Figure 8. Front dormer in the original hip roof. Behind is the second story created in 1925.

The Payson House is clad in unpainted wood shingles. A shingled skirt flares out over the water table above the basement level, where horizontal V-grooved rustic siding runs along all four sides of the house. The shingle cladding is not original to the house (had it been, it would have made this house the oldest shingled structure in Berkeley). The date of the shingled exterior is unknown; the shingles may have been applied under the influence of Bernard Maybeck, a close neighbor since 1892, or in conjunction with the shingling of the adjacent Tripp-Wollenberg cottage, on which Maybeck is said to have done some work in the first decade of the 20th century.

It is assumed that the original exterior was clad in rustic siding of the type seen on the basement-level exteriors. Rustic was the cladding applied to at least one other house constructed by Lord & Boynton in the same year they built the Payson House.

A known example is the James & Cecilia Luttrell House (Ira Boynton, designer; Lord & Boynton, builders, 1889) at 2328 Channing Way.



Figure 9. Rustic siding, Luttrell House

South (front) façade



Figure 10. Front façade

The front façade is asymmetrical, with a gable-roofed wing on the right, projecting south from the main, hip-roofed mass. The roof eaves are closed and shallow. A flight of open wooden stairs leads to the front entrance, which is reached via an opening in an enclosed porch. A horizontal window, apparently aluminum-framed, is embedded flush within the south wall of the porch.



Figure 11. A view from the south

A small horizontal wood-framed window faces west from the projecting front wing (Fig. 10). On its south façade, this wing features a pair of attached double-

hung, wood-framed windows whose upper panes are bordered by rows of small, square, plain-glass lights.



Figure 12. Front wing



Figure 13. Windows in front wing



Figure 14. Enclosed porch, southwest corner

As built, the entrance to the house was located within an open porch on the left side of the south façade (Fig. 5). That porch was enclosed in 1946 by then-owner Harry V. Miller, who added a fixed, multi-paned wooden window to the porch's west side (Fig. 15).²



Figure 15. West-facing window in front porch

² Building permit #58971. BAHA archives.



Figure 16. West façade, seen from the northwest

West façade

The west façade is the least altered side, with the marked exception of the 1925 second-story addition that rides on top of the central bay window.

This façade is symmetrical, with the central bay flanked by walls of fairly equal length on either side.



Figure 17. West façade

A series of wood-framed windows, all of which appear to be original, lines the main-level walls. From north to south, these include a small double-hung window in the northern service wing; a pair of attached double-hung windows; a central three-sided bay containing four double-hung windows; and a horizontal double-hung window with a 5-over-3 multipaned lower sash (Fig. 21).



Figure 18. Windows on main level, west façade

Three sides of the second story have wood-framed windows: casements facing north and south, and a double-hung pair facing west. A red-brick chimney rises from the hip roof, hugging the second-story wall.



Figure 19. Upper story above west façade



Figure 20. West façade, southern end



Figure 21. West façade, seen from the south
(Mark Hulbert)



Figure 22. West façade toward the north



Figure 23. Bay window & second story,
west façade

East façade

The east façade is the most altered side of the house. By 1950, a one-story addition had been attached to the east wall of the front wing (Fig. 24). This addition appears to have a shed roof and is entered via an external staircase, presumably serving one of the former apartments. The addition was most likely built in the 1940s, possibly during World War II. No specific building permit has been found for this addition.

A wood-framed, double-hung window in the addition's wall appears to be original and may have been transferred from the front wing's wall.

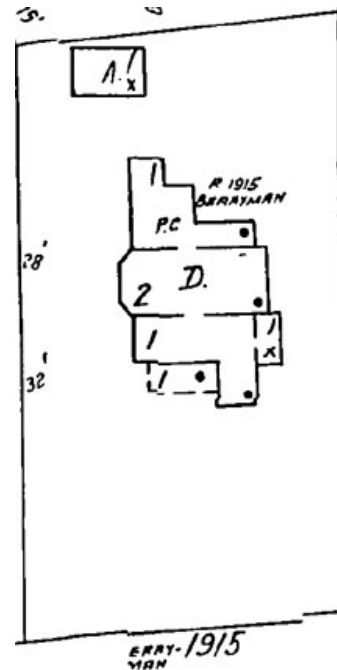


Figure 24. Sanborn map, 1950



Figure 25. Circa 1940s addition, east façade

The 1925 second story extends over the main story's square projection in the center of the east façade. The window on the first story appears to retain its original frame minus the sill, but the sash itself has been replaced with aluminum. The upper story features three east-facing windows, all of vinyl.



Figure 26. East façade, front & central sections



Figure 27. East façade, central section

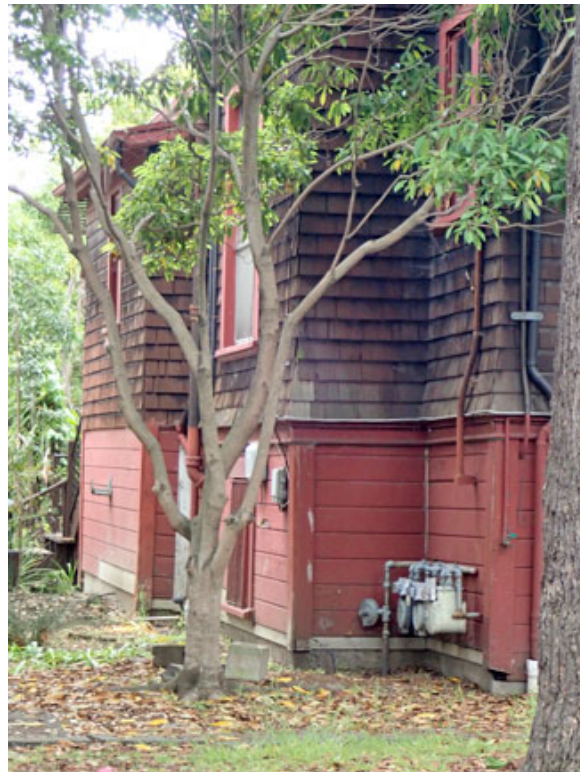


Figure 28. East façade, seen from the north

The northern section of the east façade includes a wood-framed, double-hung window of the same proportions as seen on the first story of the west façade.



Figure 29. East façade toward the rear & garage

North (rear) façade

The north side of the house contains the projecting service wing under its own hip roof. It is entered through an east-facing door with a glazed upper third, reached via a flight of wooden steps. To the left of the door, a narrow wood-framed, double-hung window faces north. A smaller, single-paned window is positioned above the cellar entrance.



Figure 30. North façade

On the second story, two double casement windows with 2-over-3 glazed sashes face the rear. Between the service wing and the upper story rises a second brick chimney.



Figure 31. Brick chimney, north side



Figure 32. Cellar & service entrances



Figure 33. Windows, north façade

A one-car garage, clad in $\frac{3}{4}$ rustic siding, stands in the northwest corner of the property, facing east along a driveway that opens to Bonita Avenue.

The garage was built in 1925 for then-owner Katherine Olden Easton by contractor J.P. Wood,³ who built the second story at the same time.

Alterations to the house

The most significant alteration was made in 1925, when contractor James P. Wood raised the central portion of the roof to create a second story with bathroom facilities but no kitchen. The house remained a single-family residence at that time. Owner Katherine O. Easton, whose contractor husband died that year, may have built the second story to give her artist daughter her own space.

By 1945, when owner Harry V. Miller hired contractor George G. Sgritta to make alterations, the house was indicated in the building permit as serving two families. The work was described as follows:



Figure 34. Garage, built in 1925

³ Building permit #20767. BAHA archives.

Back outside stair to be fix [sic] up.
~~and a lot more inside work to be done to improve the Bldg.~~
Inside stairway to be changed.

In 1946, Harry Miller enclosed the front porch, changing the side window. It was during Miller's ownership that the house was divided into apartments, and the small addition with its private entrance at the southeast corner no doubt served that purpose, but no building permit has been found for the separation. By 1955, when Miller applied for a permit to lower the kitchen ceiling, the house was described as a three-family apartment building.⁴

The recent listing of the house, which sold on 18 March 2020, included the following description:

Two story craftsman with a full walk-in basement. Floor plan was 3 units, previous owners removed the common wall between the two main level units to create one large living area to accommodate their large family. Third unit is upstairs.

Features to be preserved

The distinguishing features of the Payson House include the following:

- Rectangular mass with projecting wings at southeast and northwest, and central bays at east and west sides
- Main hip roof; gable roof over southeast wing; gable roof over south dormer; accessory hip roof over northwest wing; shed roofs in rear
- South-facing, gable-roofed dormer with pediment eave
- Ogee molding on roof eaves
- Shingle cladding (or, preferably, original cladding underneath the shingles)
- V-groove Rustic siding on basement-level exteriors
- Water table on all four sides
- Wood-sash windows (double-hung, casement, and fixed; with divided and undivided lights) in flat wood board casings, and projecting window sills with molded apron trim
- Wooden exterior doors
- The remaining six coast live oaks (two trees were cut down in March 2020)

⁴ Building permit #77177. City of Berkeley.

15. History

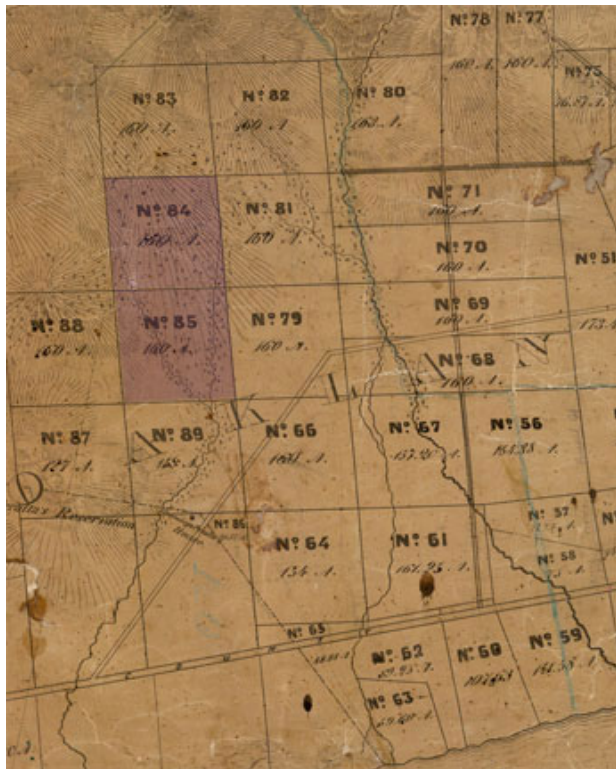


Figure 35. Plots 84 & 85 (shaded) in Kellersberger's Map

The Berkeley Villa Association tract, in which the Payson House is located, was part of Rancho San Antonio, a 44,800-acre Spanish land grant given in 1820 to Sergeant Luís María Peralta (1759–1851) by the last Spanish governor, Don Pablo Vicente de Sol, in recognition of Peralta's forty years of military service to the Spanish king. The rancho included lands that form Oakland, Alameda, Piedmont, Emeryville, Berkeley, and parts of San Leandro and Albany.

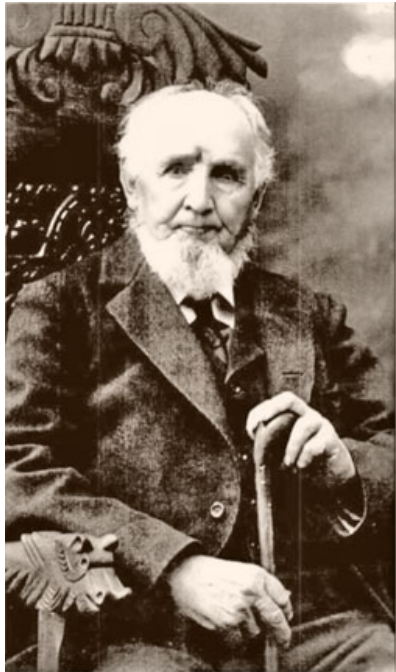
In 1842, Luís Peralta divided the rancho among his four sons. Domingo and José Vicente were given the land that now comprises Oakland and Berkeley.

Within less than a decade, squatters overran the Peraltas' properties, stole their cattle, and sold it in San Francisco. Worse, parcels of rancho land were sold without legal title. Domingo and Vicente Peralta fought the appropriations in the courts. In 1856, the U.S. Supreme Court confirmed their title, but by then the brothers had been forced to sell most of their lands to cover legal costs and taxes. The various buyers engaged cartographer Julius Kellersberger⁵ to map the Peralta Ranchos for subdivision purposes.

As related in *Berkeley, the First Seventy-Five Years*, "during the late 1850s and early 1860s Domingo Peralta's former property was the subject of almost continuous parcelings, mortgagings, and transfers. Most of the transactions were

⁵ Map of the Ranchos of Vicente & Domingo Peralta. Containing 16970.68 Acres. Surveyed by Julius Kellersberger. Surveyed 1853. Partitioned 1854. Filed Jan. 21st 1857. Courtesy of Barry Lawrence Ruderman Antique Maps, Inc. <http://www.raremaps.com/gallery/enlarge/39956>

made for speculation or investment; a few, to provide homes and ranches for new settlers.”⁶



Napoleon Bonaparte Byrne

One of the new settlers was Napoleon Bonaparte Byrne (1817–1905), a prosperous plantation owner from New Madrid, Missouri, where he raised thoroughbred horses and cattle.⁷

In the 1850s, malaria was rampant along the Mississippi and Missouri Valleys.⁸ Byrne, whose plantation was located by the Mississippi River, decided to move his family to California. He sold the plantation, freed his slaves, and undertook a six-month journey across the plains in a covered wagon, arriving in Oakland in the fall of 1859.

In addition to the Byrne family, the overland party included two freed slaves, Peter and Hannah Byrne, the first African-Americans to settle in Berkeley.

Figure 36. Napoleon Bonaparte Byrne
(Berkeley Historical Society)

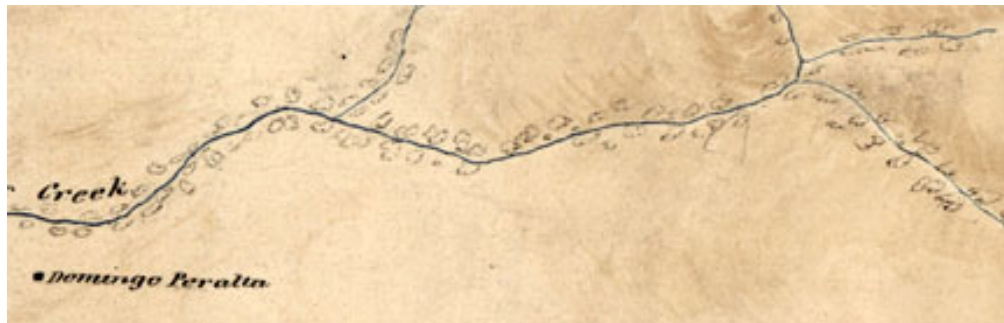


Figure 37. Codornices Creek in March 1861 (detail from James G. Stratton’s land case map, Bancroft Library, U.C. Berkeley)

In March 1860, Napoleon Byrne began purchasing land along Codornices Creek. In June 1860, the U.S. Census enumerated the Byrne household in Oakland (Berkeley was not yet named). The household included ten persons: Napoleon and Mary Byrne; their four children; two white laborers, and two African-Americans—Peter, a laborer, and Hannah, a nurse. Byrne’s real estate was valued at \$7,000, and his personal estate at \$4,000.

⁶ *Berkeley, the First Seventy-Five Years*. Writers Program of the WPA in Northern California. Berkeley: The Gillick Press, 1941.

⁷ Mary Tennent Carleton. *The Byrnes of Berkeley, From Letters of Mary Tanner Byrne and Other Sources*. *California Historical Society Quarterly*. San Francisco, 1938. Vol. 17, No. 1, pp. 41–48.

⁸ Sok Chul Hong. *The Burden of Early Exposure to Malaria in the United States, 1850–1860: Malnutrition and Immune Disorders*. *J Econ Hist.* 2007 Dec; 67(4): 1001–1035.

Napoleon Byrne continued to acquire land from four different sellers; by April 1861, he was in possession of 827 acres in plots 84 and 85 of Kellersberger's Map.

In 1868, the Byrnes built an elegant Italianate villa surrounded by a large garden, located at what is now 1301 Oxford Street. In 1870, the U.S. Census recorded the value of Byrne's real estate at \$100,000, and his personal estate at \$10,000. The household numbered 12 persons, including three new Byrne children, a Canadian-born laborer, an Irish-born woman servant, and a Chinese waiter. The former slaves were no longer part of the household; Peter Byrne changed his surname to Wilson and established himself as a whitewasher in Oakland.



Figure 38. The Byrne house, built in 1868 (Pettitt: Berkeley, the Town and Gown of It)

Although the farm was "good enough to pay for itself with one or two crops," Napoleon Byrne was not pleased with the soil, feeling that it was "not of the first class," as Mary Byrne wrote to relatives in Missouri. He had begun to sell portions of his land in 1868. Having heard of the enormous crops that could be raised in the Sacramento-San Joaquin River Delta, Byrne joined three friends in 1873 and purchased the marshy, 3,100-acre Venice Island, where he moved with his family. He financed the purchase by selling the final large chunk of his Berkeley land to businessmen Henry Berryman and Felix Chappellet for \$49,000, reserving for himself the family house and the surrounding 11 acres. The Byrnes would never again occupy their villa.

Berryman, Chappellet and the Berkeley Villa Association

Henry Burpee Berryman (c. 1842–1903) was born in New Brunswick, Canada. As a young man, he moved to San Francisco and began working for another New Brunswicker, a wealthy coal merchant named James R. Doyle. Doyle died

in 1872, leaving a sizable estate. Shortly thereafter, his widow, Louisa McKevo Doyle, married Henry Berryman, who “took entire charge of the affairs of her husband’s estate.”⁹

The Doyle estate enabled Berryman to join the French-born merchant and former mining operator Felix Chappellet (1828–1902) in purchasing Napoleon Bonaparte Byrne’s land in 1873.

Berryman and Chappellet had the land surveyed in October 1873. On 27 July 1875, a subdivision map of the Berkeley Villa Association tract (Fig. 40) was filed in the Alameda County Recorder’s Office. The tract occupied the northern half of Plots 84 and 85 in Kellersberger’s map (Fig. 35).

As drawn in the 1875 map, the tract was a grid comprising 32 rectangular city blocks bounded by Rose Street to the south, Josephine Street to the west, and Eunice (then Durant) Street to the north. East of Arch Street, eight blocks stretched deep into the hills, ending with the imagined East Street. The eight eastern blocks were never realized as drawn.



Figure 39. Felix Chappellet

Blocks 22 and 23 remained Napoleon Bonaparte Byrne’s property. However, Byrne soon ran into financial difficulties on Venice Island, as the cost of employing Chinese labor to build levees and reclaim the marsh proved prohibitive. In 1877, Byrne sold his Berkeley house to Henry and Louisa Berryman, who made it their home.

⁹ Mrs. Louisa Berryman’s deposition in a trust court case brought against the Berrymans. *Daily Alta California*, 26 January 1890, page 8, column 1.

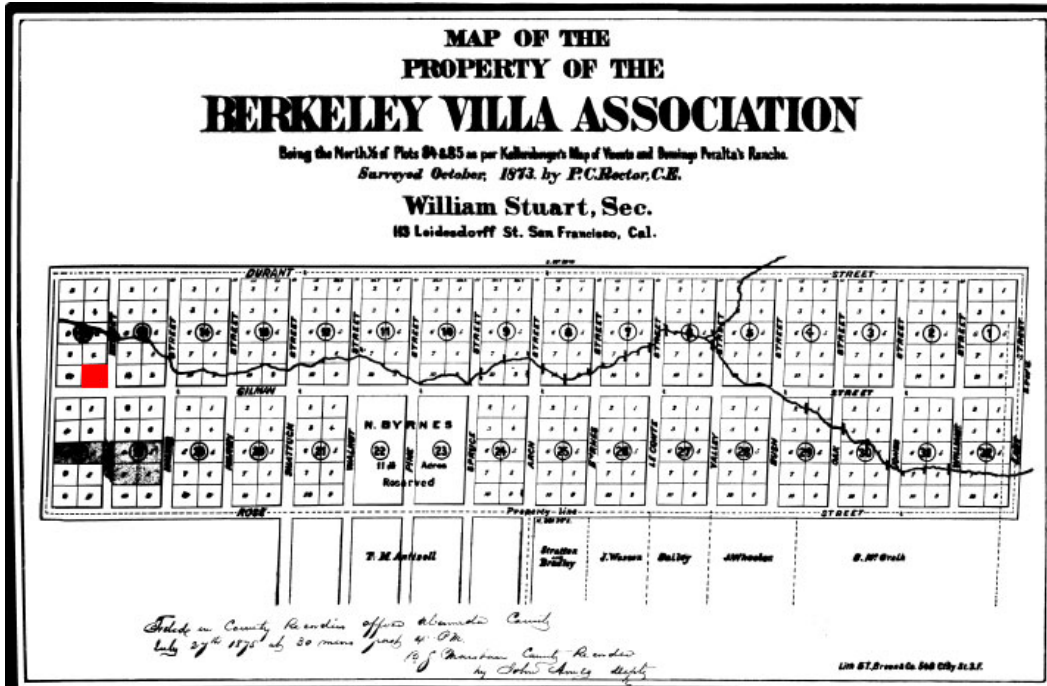


Figure 40. Berkeley Villa Association tract map, filed in 1875. Lot 9 in Block 16 is marked in red.

In June 1878, the Oakland real estate agent G.F.E. Brinckmann filed a map of the Berryman Tract that advertised select lots for sale at auction. This map showed a more realistic view of the terrain, with the area east of Spruce Street no longer laid out in a uniform grid but with parcels of various shapes and sizes set along meandering streets. The old Byrne house and grounds were marked "H.B. Berryman" (Fig. 41).

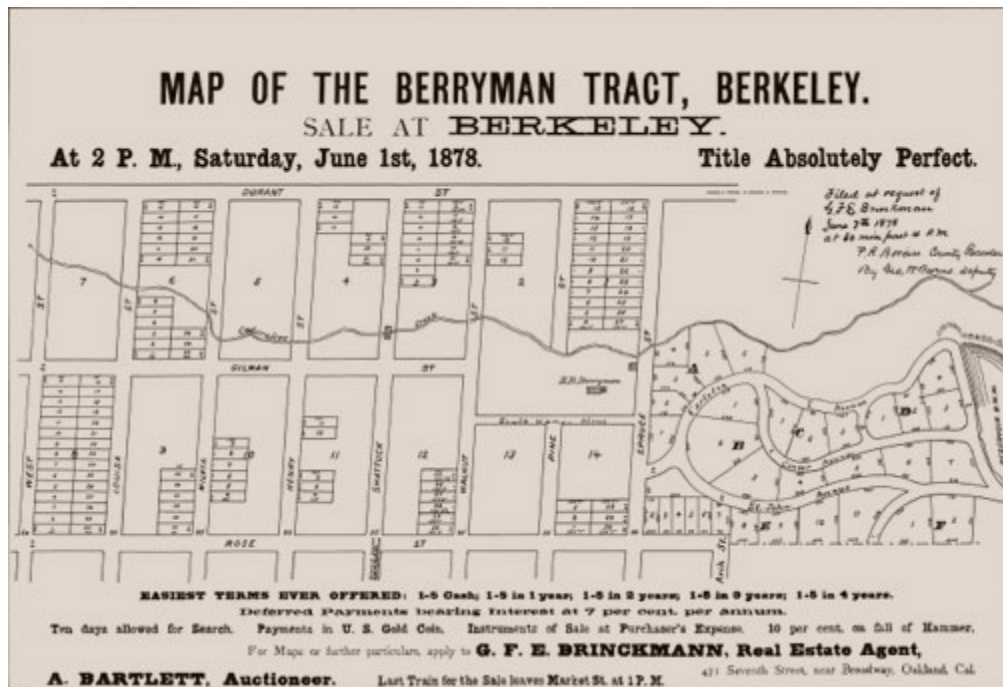


Figure 41. Map of the Berryman Tract filed by G.F.E. Brinckmann, June 1878

In 1880, the map published by Berkeley realtors Carnall & Eyre (Fig. 42) revealed a more modest subdivision. The Byrne property was now called the Berryman Reserve.

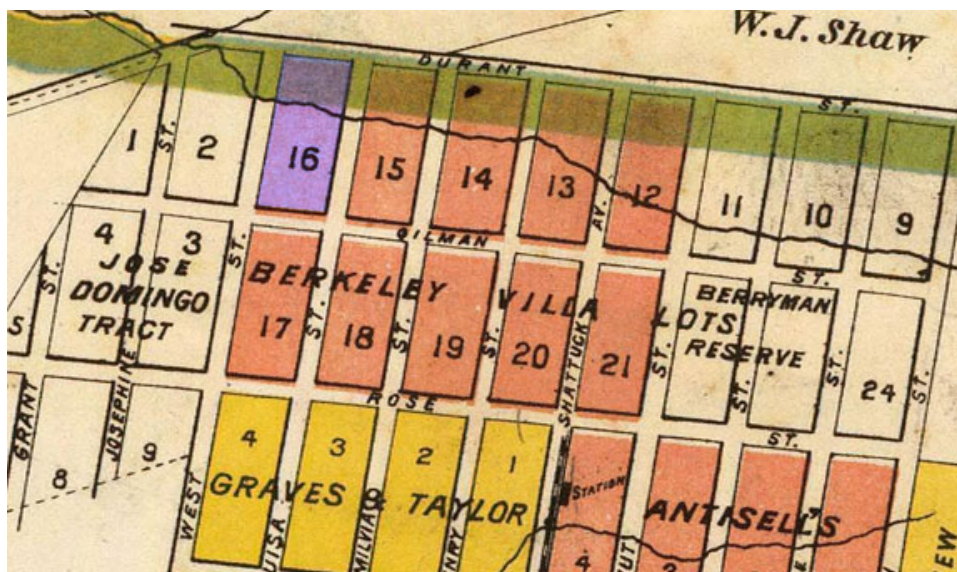


Figure 42. Block 16, Berkeley Villa Association tract (Carnall & Eyre map of Berkeley, 1880)¹⁰

Even before the first subdivision map of the Berkeley Villa Association tract was filed, Chappellet and Berryman began selling lots, as evidenced by a newspaper advertisement (Fig. 43) published in June 1875.

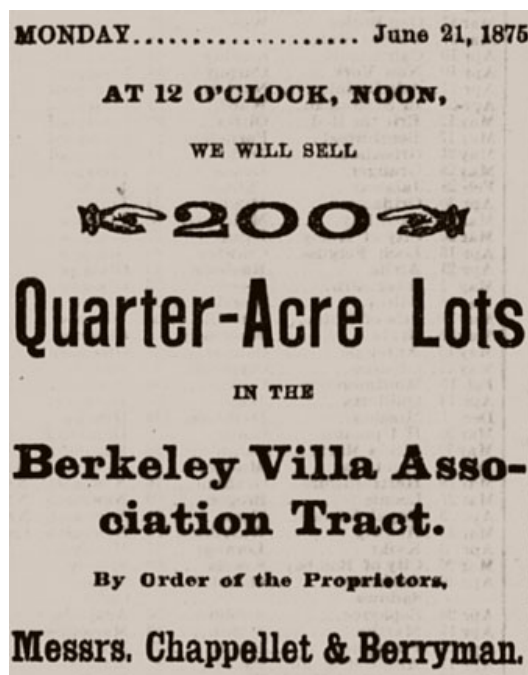


Figure 43. Detail from an ad by Olney & Middleton (Daily Alta California, 4 June 1875, page 3)

¹⁰ David Rumsey Map Collection.

The nearly full-column ad, taken by the real estate auctioneers Olney & Middleton in the *Daily Alta California* on 4 June 1875, promised unsurpassed views, comprising “a panorama extending from Petaluma on the north to Santa Clara on the south, and including the Bay and its Islands, the Golden Gate, Redwood City and San Mateo, together with New Saucelito [sic] and San Rafael on the west.”

The ad further announced:

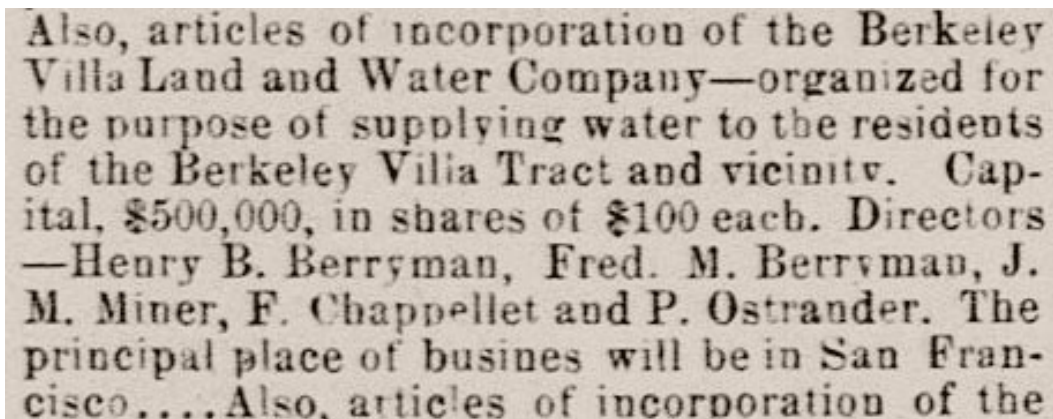
This property connects to Oakland by HORSE CARS to the University, which run every seven minutes, and to within a quarter mile of the Tract, and shortly will be extended to it. It connects to San Francisco by the BERKELEY FERRY BOAT, which makes eight trips a day, the landing being at the foot of University Avenue, distant one mile and a quarter from the property. Arrangements are in progress for a railroad from the landing to the University, and on its completion the time from San Francisco to this Tract will not exceed one hour. [...] The route of the Central Pacific (Bantas) Overland Railroad passes within a half-mile of this Tract.

Just as important as transportation was the question of the water supply, and here, too, the ad made bold claims:

UNSURPASSED WATER FACILITIES are secured to the Tract; first, by a never-failing stream of flowing water running through the centre of the Property, and second, by the incorporation of the BERKELEY VILLA WATER COMPANY, organized for the purpose of constructing a RESERVOIR of sufficient capacity to furnish any quantity of water that may be required for irrigation as well as home use.

Purchasers of lots at the auction sale were guaranteed a 15% discount off the regular water rate in perpetuity.

Perhaps the most extravagant promise made in the Olney & Middleton auction ad was that 12 blocks, containing 60 acres, would be set aside as a “magnificent park and garden,” and that a “commodious hotel” would be erected “at once.”



Also, articles of incorporation of the Berkeley Villa Land and Water Company—organized for the purpose of supplying water to the residents of the Berkeley Villa Tract and vicinity. Capital, \$500,000, in shares of \$100 each. Directors—Henry B. Berryman, Fred. M. Berryman, J. M. Miner, F. Chappellet and P. Ostrander. The principal place of business will be in San Francisco.... Also, articles of incorporation of the

Figure 44. Incorporation notice in the *Sacramento Daily Union*, 27 October 1875

In August 1877, Berryman bought out Chappellet's interest in the water company¹¹ and built Berryman Reservoir on Codornices Creek. When the Central Pacific Railroad extended its Berkeley Branch Line from downtown Berkeley to Shattuck and Vine Street, the new train depot became known as Berryman Station. Chappellet, in his turn, took over the sixteen western blocks of the Berkeley Villa Association tract. By the spring of 1877, he had subdivided many of the lots into smaller ones, each a third of the original parcels' size.

In May 1877, Chappellet put 150 lots on the auction block. The announcement of the upcoming sale promised:

The particular location of this property, its proximity to San Francisco, fine climate, the easy terms upon which it will be offered, commend it to particular favor and attention of the public.

The announcement provided the time table of the Berkeley Branch Railroad, with nine daily departures from San Francisco to Berkeley and nine in the opposite direction (Fig. 45).



Figure 45. Lot 9 (red), Block 16 in auction announcement, May 1877

¹¹ William Warren Ferrier. *Berkeley, California: The Story of the Evolution of a Hamlet into a City of Culture and Commerce.* Berkeley: William Warren Ferrier. 1933

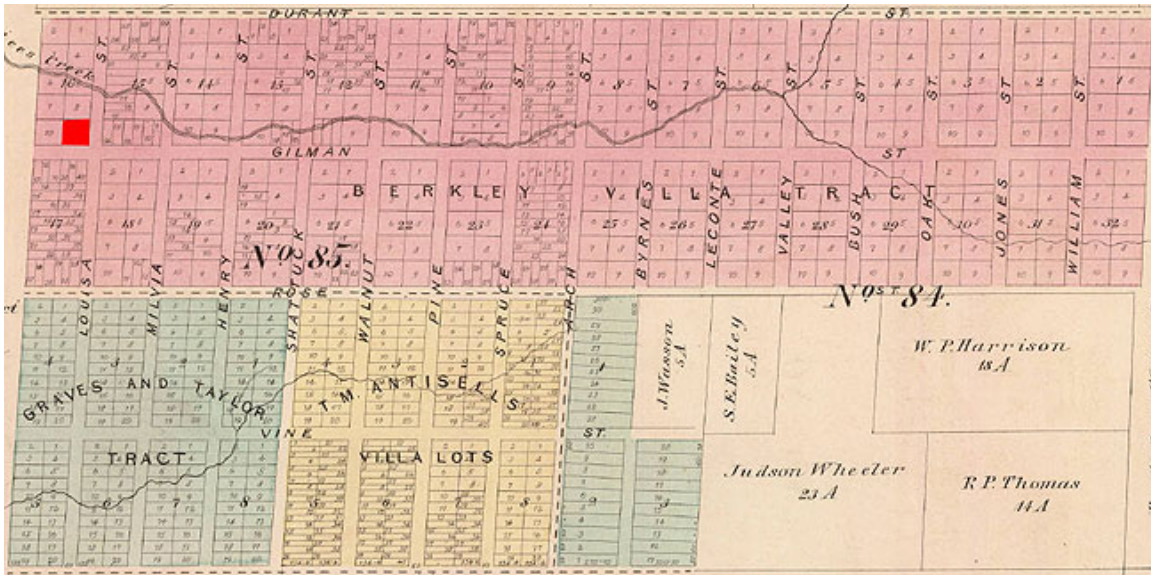


Figure 46. Future Payson parcel (red), Berkeley Villa Association tract (Thompson & West Map No. 18, 1878, David Rumsey Map Collection)

Early settlers in the neighborhood

The blocks situated around the intersection of Berryman Street and Bonita Avenue—originally named Gilman (for U.C. president Daniel Coit Gilman) and Louisa (for Henry Berryman’s wife)—saw their first lot purchases in the latter half of the 1870s, but most of those lots remained vacant, and the area retained its rural character.

The earliest structure, a one-story house, built c. 1878 by the French-born cook James Souffrain and his wife Caroline, stood on the northern bank of Codornices Creek, at 1221 (today’s 1227) Bonita Avenue. That house was replaced in 1916.

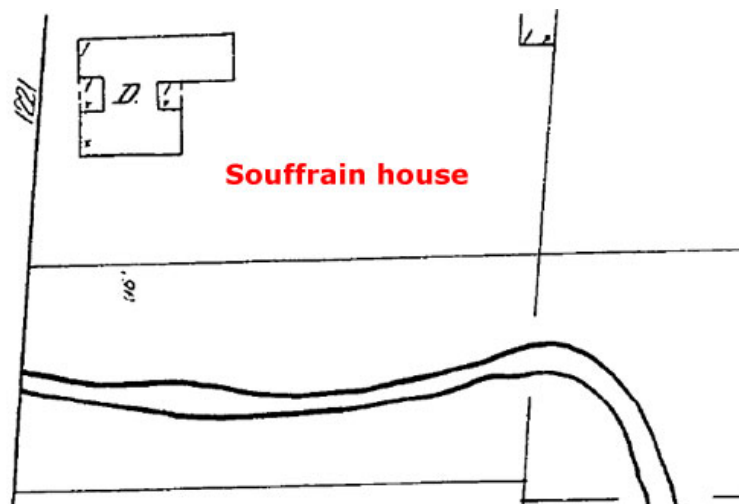


Figure 47. Sanborn map, 1911

As early as 1880, Henry and Louisa Berryman, who owned the entire block south of Berryman Street and west of Bonita Avenue, were assessed \$500 for a structure that stood on a parcel comprising today's 1308 to 1312 Bonita. This structure was joined in 1888 by a larger Berryman-owned house on the southwest corner of Louisa and Gilman streets, later 1304 Bonita Avenue. The corner house was home to Henry Berryman's brother, **Frederick Miles Berryman**, and his wife Susan, who acquired it circa 1900. The house was still standing in the late 1960s, albeit on a much-reduced lot, but has since been demolished and replaced in 1972 with a three-story, 24-unit apartment building.



Figure 48. *Fallen Leaf Lake, by R.J. Waters, 1886 (University of Nevada, Reno)*

In 1881, a third house was built on the southeast corner of Gilman and Louisa (today's 1301 Bonita Avenue). This house was the home of California pioneer George Gilbert Waters who, with his wife Lydia Milner Waters, crossed the Plains to California in 1855.¹²

Lydia died in Monterey in 1881, and George settled in Berkeley.

By 1885, the house belonged to his famous son, **Raper James Waters** (1856–1937), a photographer who established a successful studio in San Francisco and is known for his artistic landscapes (e.g., Lake Tahoe Series); images of gold-mining towns (e.g., Comstock Series);¹³ and San Francisco before, during, and after the 1906 Earthquake and Fire. Much of his pre-1906 work perished, but four of his early shots of U.C. Berkeley landmarks survive in the University Archives.¹⁴

¹² Lydia Milner Waters. "Account of a Trip across the Plains in 1855." *Quarterly of the Society of California Pioneers*, March 1929, pp. 59–79.

¹³ Many early photographs by R.J. Waters & Co. are in the Special Collections Department of the University of Nevada, Reno Library.

¹⁴ <https://oac.cdlib.org/findaid/ark:/13030/kt429003bb/dsc/>

The Waters house stood on a very large lot that remained undivided in 1911, as shown in the Sanborn map to the right.

Beginning in 1913, the Waters parcel was subdivided, and houses were built on it, numbered 1301 to 1325 Bonita Avenue. The corner building, an attractive Mediterranean-style fourplex at 1301 Bonita, was constructed in 1922 by investor Gilbert B. Ocheltree, who made his own home in a duplex at 1307–09 Bonita.

In later years, a notable owner of the Ocheltree duplex was famed botanist **Dr. Mary Leolin Bowerman** (1908–2005), co-author of *The Flowering Plants and Ferns of Mount Diablo, California; Their Distribution and Association into Plant Communities*, and co-founder of Save Mount Diablo.

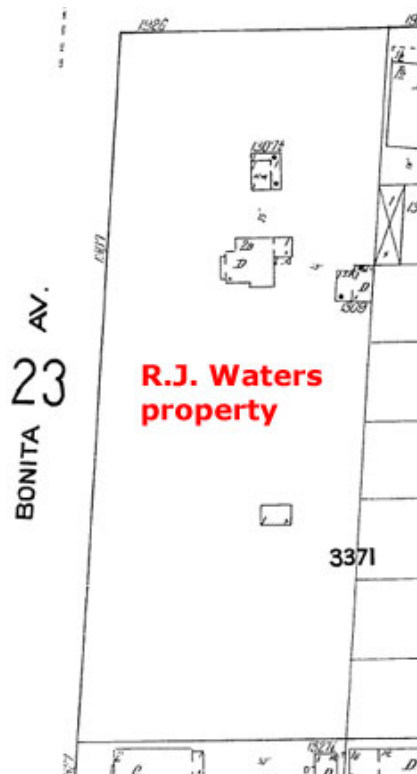


Figure 49. Sanborn map, 1911



Figure 50. Mary Bowerman in her Nash Junior car at the top of Mount Diablo, June 1930 (courtesy of Save Mount Diablo)

The Sanborn map below shows outlines of the houses that were built between 1880 and 1903 on the blocks directly south of Berryman Street, between Grove (MLK Jr. Way) and Milvia streets. Because the area north of Berryman Street was still sparsely developed, the Sanborn Map Company did not survey it until the 1911 edition.

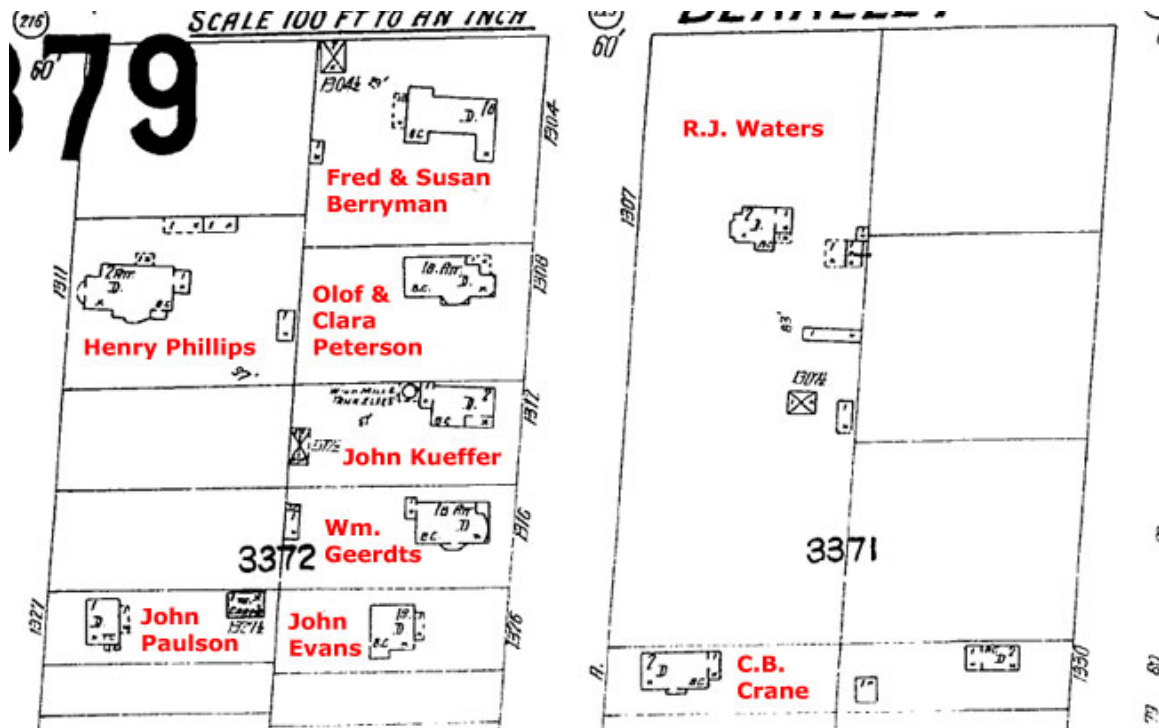


Figure 51. Early houses in Blocks 17 (left) & 18, south of Berryman Street and east of Grove Street (Sanborn map, 1903)

William H. & Esther L. "Etta" Payson

The Payson House was the fourth dwelling erected in the neighborhood, and the first on its block. Prior to building this house, the Paysons, who married in 1885, resided for two years on Fulton Street, between Dwight and Channing ways.

William Hawes Payson (1855–1914) was born in Boston and grew up in Fairmount, a predecessor to Hyde Park, Massachusetts. His father, Jesse Wentworth Payson (1815–1899), was the nation's foremost penmanship expert. At a time when handwriting was the means by which most documents were created, Jesse W. Payson's copybooks were used in schools throughout the United States. Head of the Payson, Dunton & Scribner publishing house and author of *The Payson, Dunton, & Scribner Manual of Penmanship* (still in print today), Jesse Payson was one of Fairmount's 20 founders in 1855. His biography in the *Fairmount Bulletin* recounts:

Jesse W. Payson was born Nov. 6, 1815, in Hope, Me., and died in Hyde Park Sept. 17, 1889. He was educated in the common schools of that town, and in the Waterville Institute. As an author of writing books his name became a household word in this country. He it was who first gave to students a scientific analysis of script writing, and he originated the lithograph copy for common school writing books. From 1861–1877 Mr. Payson was a member of the Faculty at the Polytechnic Institute, Brooklyn, N. Y. As professor of penmanship and bookkeeping he taught thousands of pupils, among them many of the distinguished men of the

country, including President Eliot of Harvard College, and ex-Mayor Seth Low of New York. He was the Secretary and one of the Directors of the Park Bank in Brooklyn for several years. Mr. Payson was the author of a popular series of works on bookkeeping, and was called as an expert to adjust accounts in important cases. Mr. Payson's skill in writing brought him many medals, including one given at the Centennial in Philadelphia. He was a man of generous impulses, and advanced in his christian [sic] views. At the twentieth celebration of Hyde Park anniversary in 1888, he responded to the toast "The Twenty Associates." Mr. Payson's first wife died at Union, Me. His second wife, well known in the world of letters, died in Hyde Park in 1906. He had two children, W. H. Payson, now of San Francisco, and Mrs. Matilda Cushing, a former Fairmount school teacher, who married again, moved to Maine and is now deceased.¹⁵



Figure 52. Jesse Payson (in "Hyde Park")¹⁶

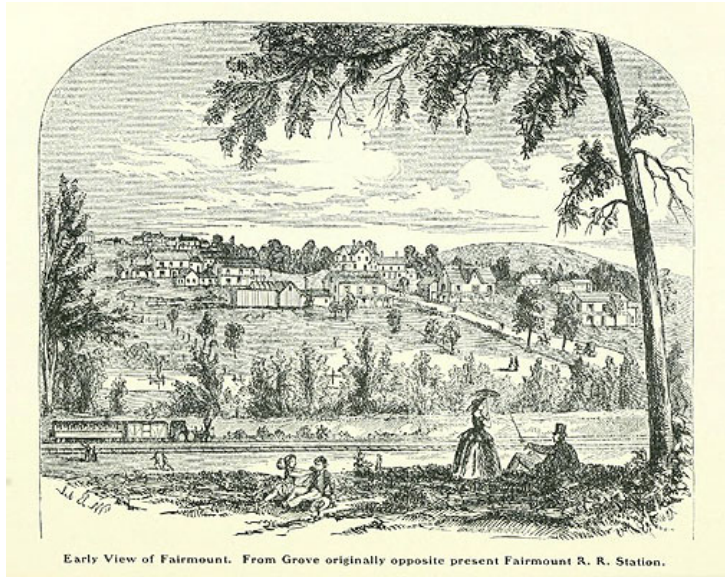


Figure 53. Early view of Fairmount (The Fairmount Bulletin, 1906)

Young William attended the Boston Public Latin School in the class of 1870. He went on to the Brooklyn Collegiate and Technical Institute while his father was teaching there and obtained his B.A. in 1876. Returning to Massachusetts, he enrolled at the Boston University School of Law, receiving his LL.B. degree in 1880. Poor health compelled him to move to California, where he practiced law, co-founded the First Unitarian Church of Berkeley, and fought against corruption in politics. The following obituary and a eulogy by Professor William Carey Jones were published in the *Pacific Unitarian* shortly after Payson's death:

William H. Payson.

Among the most faithful Unitarian workers of the Pacific Coast, Mr. William H. Payson of Berkeley has long been prominent. He served as President of the Berkeley Church, President of the Unitarian Club, and Secretary and director of

¹⁵ "Twenty Associates" in *The Fairmount Bulletin*, Vol. II, No. 1, April 1906, p. 12.

¹⁶ Anthony Mitchell Sammarco. *Hyde Park*. Arcadia Publishing, 1996.

the Pacific Coast Conference. He was also a member of the Board of Trustees of the Divinity School, and in season and out of season, was ready to give of his time or counsel for any good cause of church or state.

He was born February 16, 1855, in Boston, his father being the head of the old publishing firm of Payson, Dutton [sic] & Scribner. He obtained his education in Boston, studied law, and was admitted to the Bar in Boston before he came to California.

Owing to ill health and threatened tuberculosis, he was compelled to leave that climate, and came to California in a sailing ship around the Horn, arriving here in 1881. This voyage dissipated the germs of tuberculosis, but he never was a robust man, in fact it is remarkable how much work he was able to accomplish with his weakened constitution. He was married in San Francisco on August 12, 1885, to Ella [sic] L. Tripp, who survives him.

He was deeply interested in all public matters, always as a reformer, and social problems always had his best thought. He was a quiet, persistent worker, always contending for right, truth and justice, and he abhorred fraud, oppression and wrong, but he never was bitter, nor did he ever create any antagonism, but as was said by Frank J. Heney,¹⁷ in a letter just received by Mrs. Payson, "he was a gentle but courageous soul."

His death was wholly unexpected and preceded by no illness that kept him from his work. The end came without warning from heart failure, on the morning of September 5th.

The funeral service from the church at Berkeley was particularly impressive and tender. It was conducted by the minister, Rev. Arthur Maxson Smith. Rev. F. L. Hosmer spoke with tender feeling, voicing his respect and debt of gratitude, and Professor William Carey Jones, a long-time friend and co-worker, paid this well-merited tribute to his worth and character.

"William H. Payson, good lawyer, good citizen, good church member, good friend, good man, was directed in all the relations of life by the spirit of righteousness. An able and successful lawyer, he was well grounded in the principles of human right, and pursued his calling to the end of attaining justice and never more than justice. Litigiousness was ever far from his field of thought. A satisfactory, permanent and human adjustment of conflicting claims was always his aim. His fine soul abhorred vice and wrongdoing, but his generous spirit was tolerant of the shortcomings of his fellow men.

"He was an active participant in the Commonwealth Club of California, of the City Club of Berkeley, of the Unitarian Club of California, and of the Berkeley Unitarian Club. He was zealously concerned in all the broader civic purposes fostered by these organizations. The improvement of the machinery of both civil and criminal procedure; the sanitation, both material and moral, of our communities; the unbuilding of our schools—these were but a few of the civic problems in whose solution he participated. A more congenial sphere, it seems to me, however, was within the field of politics. He did not wait for the presence of the spiritual movement manifest in the present century, which is bringing about a nobler view of political obligation. His work, his constant, though unobtrusive endeavor during thirty years, was with and of those who have produced the

¹⁷ Francis J. Heney was the District Attorney who prosecuted corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef following the 1906 Earthquake and Fire.

conditions resulting in the purer political atmosphere of today. The wisdom of his counsel and the safety of his leadership were apparent on all occasions.

“His energetic promotion of the League of Justice and his high position therein, contributed to the sounder morals of civic, political and business consciousness in the State of California. Herein Mr. Payson’s singleness of aim, high-mindedness, humaneness and generosity, were most abundantly exemplified. Among the many who joined that crusade, some became self-seekers, some were drained dry of the milk of human kindness, some became embittered, envious, vindictive, venomous. But never for a moment did he lose his high ideals, and while seeking to encompass the great purpose of the crusade looked with pity or sympathy upon his less sincere and noble fellow men.

“He was one of the founders of the First Unitarian Church of Berkeley, and during many years was a trustee thereof—being frequently the President of the Board. Eminently practical in all his counsels for the development of our society, there was a piety and a religiousness of spirit that animated all his work. He was the wise adviser in the progress of the church from its first beginnings in the room underneath Odd Fellows Hall on Addison Street, to its temporary lodgment in Stiles Hall, and its final settlement in its present house of worship. He has been President of Unity Hall Association, and has been one of the leading agents in enlarging the scope of the church’s work through the acquisition of the Unity Hall property. His promotion of the objects of the Unitarian Clubs in San Francisco and Berkeley have been inspired partly by his interest in civic improvement and partly by his earnest intent to advance a simple and sincere religious tone through the community. His fostering of the Unitarian School for the Ministry, and his participation in both local and national conferences of the Unitarian fellowship speak for his devotion to the general cause of liberal Christianity.

“As friend and man, his sympathies and relations were no different from what they were in various social groups. In the closest intimacies of friendship; in the church board meetings; in the congregation, whether in business or social gathering, or on formal occasions; in club meetings, civic, political, religious, he was always just the same simple, upright soul. There were with him never two ways of looking at conduct—a social and a personal. His was always the conduct of man to man.

“Good friend, noble man—your memory shall linger with us as an inspiration and a benediction.”¹⁸

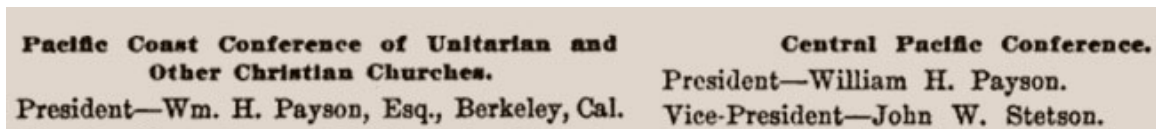


Figure 54. *The Pacific Unitarian*, October 1907

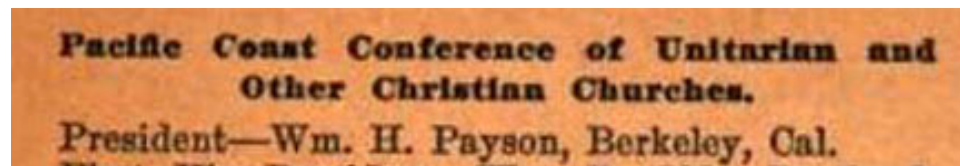


Figure 55. *The Pacific Unitarian*, October 1910

¹⁸ *The Pacific Unitarian*, Vol. XXII, No. 12, October 1914, pp. 320–321.
<https://archive.org/details/pacificunitarian2219131914wilb/page/n369/mode/2up>



Figure 56. Isaac Tripp (courtesy of Bob Waldman)¹⁹



Figure 57. Etta Tripp (Rieman & Co., San Francisco)²⁰

Esther L. “Etta” Tripp (1863–1947), the daughter of California pioneers, was born on a farm in Butte City, near Jackson, Amador County. Her father, Isaac Tripp (1829–1870), was a founding member of the Amador Agricultural Society and an award-winning fruit grower. At the first Amador County Fair, held in October 1862, Isaac Tripp exhibited the following varieties:

Grapes—Black Hamburg, Black Morocco (very large), White Muscat of Alexandria
Apples—Baldwin, King, Pelton Smith cider; Roxbury russet, Rambo, twenty ounce
Pears—Bartlett, Winter Nellis, Stevens’ Genessee
Quince—Orange
Blackberry wine; elderberry wine.²¹

At the second annual fair, it was reported,

The largest number and variety was the contribution of Isaac Tripp, consisting of no less than thirteen varieties of apples, five of pears, eighteen of grapes (as fine as any we have ever seen) and some fine quinces. [...]

Mr. Tripp also contributed specimens of blackberry wine and grape wine, which our taster pronounced unexceptionable, even to a Templar, being the “pure juice” unadulterated — such as “maketh the heart glad.”²²

¹⁹ <https://www.findagrave.com/memorial/21719868/>

²⁰ <https://www.ancestry.com/family-tree/person/tree/71374321/person/350146103944>

²¹ “Amador Agricultural Fair.” *Sacramento Daily Union*, 14 October 1862, page. 1.

²² *California Farmer and Journal of Useful Sciences*, 2 October 1863.

Isaac Tripp died prematurely while working his mining claim. On 28 May 1870, the *Jackson Ledger* reported:

On Friday, the 20th inst., our citizens were shocked to hear that Isaac Tripp, one of our most estimable citizens, had been killed. He was mining in the Butte Basin, and while working under a bank with a hydraulic pipe a large mass of earth became detached, and without a moment's warning, fell, burying him under it. The only person near him was a Chinaman, who immediately gave the alarm, when parties went to his relief, and arriving at the spot could see nothing but a mass of earth. The hydraulic pipe was immediately turned on, and in about ten minutes his lifeless remains were unearthed. The Chinaman, being a few feet below him at the time, escaped uninjured, though the dirt came around him pretty thick.

Isaac's widow, Irene (Park) Tripp, remarried in January 1875, when Etta was twelve years old. The new husband, a pioneer Siskiyou County farmer named Edward White Conner, was a widower with five sons aged six to 16. Irene brought her youngest child, Helen, to her new home, where both were enumerated in the 1880 U.S. Census. The other Tripp children appear to have been scattered. Etta was informally adopted by Judge Harmon J. Tilden (1824–1916) and his wife, Mary Jane (1830–1911), of San Francisco. The 1880 U.S. Census enumerated Etta as an adopted daughter of the Tildens, residing with them at 1132 Valencia Street, along with the Tildens' son, Charles Lee Tilden (1857–1950), who would become first president of the East Bay Regional Park District. It is not clear whether there was a blood connection between the Tripps and the Tildens, but Etta's older brother's middle name was Tilden.

William Payson and Etta Tripp were married on 12 August 1885 and built their house in 1889. The contracting firm was Lord & Boynton, one of Berkeley's most prominent at the time. During the same year, Lord & Boynton built the Peralta Park Hotel for famed actor Maurice B. Curtis, as well as Curtis's own home and other prestigious projects.²³

On 12 July 1891, two years after moving into the new house, William Payson co-founded the First Unitarian Church of Berkeley. Two weeks later, when the church's first board of trustees was elected, Payson was voted in as the first secretary.

Another member of that first board of trustees was Prof. Henry Senger, for whom another noted Unitarian, Bernard Maybeck, would design a house in 1907.

Bernard and Annie Maybeck soon followed the Paysons to their remote neighborhood.²⁴ In April 1892, the Maybecks were reported to be building a cottage on the corner of Gilman and West streets (now Berryman and Martin Luther King, Jr., Way).²⁵ The Maybeck house, which Charles Keeler described as "a distinctly hand-made home," must have made an impression on the neighbors and influenced them to shingle the exteriors of their own homes.

²³ Daniella Thompson. "Peralta Park Grew in the Shade of Giants." 2006. http://berkeleyheritage.com/eastbay_then_now/peralta_park1.html

²⁴ Daniella Thompson. "Maybeck's First House Was a Design Laboratory." 2007. http://berkeleyheritage.com/berkeley_landmarks/maybeck_on_grove.html

²⁵ *Berkeley Daily Advocate*, 28 April 1892.

Like the Paysons, the Maybecks were the only residents on their block for a number of years.



Figure 58. Bernard & Annie Maybeck House in 1902
(Dimitri Shipounoff collection, BAHA archives)

In January 1894, the *San Francisco Morning Call* reported that the trustees of the First Unitarian Church were about to “raise funds for the erection of a new church edifice by the issue of bonds at a low rate of interest.”

A short time ago a fine lot, 150 by 170 feet on the corner of Bancroft way and Dana street was purchased. It is on this site that the new church edifice will be erected. It will be of stone and as fine in its way as the Unitarian Church of Oakland. The cost will not be less than \$20,000. Architect Maybeck is now at work on plans and designs for the new church, and they will be considered by the trustees in the immediate future.²⁶



Figure 59. First Unitarian Church (A.C. Schweinfurth, architect, 1898)

²⁶ “A New Church.” *The San Francisco Morning Call*, 29 January 1894, page 3.

The \$20,000 was never raised, and Maybeck's plans were not executed. When the new church, designed by Albert Cicero Schweinfurth, was finally built in 1898, the estimated cost was reported to be a modest \$3,695.²⁷

William Payson fostered the Pacific Unitarian School for the Ministry (later renamed Starr King School for the Ministry), founded in 1906, and acted as trustee on the school's first board.²⁸

In addition to his leadership of numerous Unitarian organizations and endeavors, William Payson was a tireless political reformer, fighting for fair voter representation²⁹ and active in the anti-graft movement that led to the prosecution of corrupt San Francisco Mayor Eugene Schmitz and powerful political boss Abe Ruef.³⁰ Francis J. Heney, who prosecuted Schmitz and Ruef for bribery, called Payson "a gentle but courageous soul."³¹

In about 1892 or '93, Etta's mother, Irene A. Conner (1831–19??), and the latter's youngest daughter, Helen S. Tripp (1870–1903), arrived in Berkeley. Helen was assessed in 1893 on a cottage adjacent to the Payson House. The shingled one-story cottage still stands at 1234 Bonita Avenue. Irene and Helen were first listed in the Berkeley directory in 1894. The 1900 U.S. Census enumerated them as residing in the Payson household.

Helen Tripp, who worked as a stenographer, died on 26 March 1903 in a homeopathic sanatorium. The cause of death was acute nephritis, brought about by diabetes mellitus. A few weeks before her death, Helen's cottage was sold to Ernestine Wollenberg, daughter of San Francisco merchant Louis Wollenberg and his wife Fanny. The Wollenbergs brought their five children to Berkeley so that they could be educated here. The family lived at 1234 Bonita Avenue until 1912.

Louis Wollenberg (1841–1910) is best known today as the great-grandfather of Berkeley historian Charles Wollenberg, who recounted an oft-heard story in a recent e-mail:

I believe the Maybecks lived around the corner, and they became friendly with my great grandfather. Bernard Maybeck apparently helped him do some carpentry on the cottage. My great-grandfather had immigrated from Germany in the late 1850s and, during the next 40 years or so, failed in several business ventures in the West. But he had a reputation for telling good stories of his real or imagined western adventures to the neighborhood kids. There's a legend in both the Maybeck and Wollenberg families that when their son was born, Annie and Bernard refused to name him, allowing him to choose his own name when he was 6 or 7. When the time came, "Boy" Maybeck said he'd like to be named Wollenberg, after the old man who told such neat stories. This was a bit too much for his parents, but they compromised and agreed to the name Wallen. I guess the fact that the story is told in both families gives it some credibility.³²

²⁷ *The San Francisco Call*, 27 May 1898, page 9.

²⁸ "Berkeley to Have School for Unitarian Ministry." *The San Francisco Call*, 13 May 1906, page 12.

²⁹ "Citizens Denounce Courthouse Ring." *The San Francisco Call*, 18 July 1908, page 5.

³⁰ "Flays Nieto for Shielding Ruef." *The San Francisco Call*, 2 February 1908, page 32.

³¹ In a condolence letter to Etta Payson, quoted in Payson's obituary published by *The Pacific Unitarian*.

³² Charles Wollenberg in an e-mail sent to the recorder on 19 May 2020.



Figure 60, Tripp-Wollenberg cottage, 1234 Bonita Avenue (Google Street View)

In 1904, there was no listing for the Paysons in the Berkeley directory. Instead, the occupants of 1915 Berryman Street were Ross Morgan (1867–1917), a civil engineer, and his wife, the artist Charlotte Elizabeth Bodwell Morgan (1867–1947), a noteworthy member of the Carmel and Berkeley art colonies.³³



Figure 61. Carmel Mission by Charlotte Morgan (Bodega Bay Heritage Gallery)

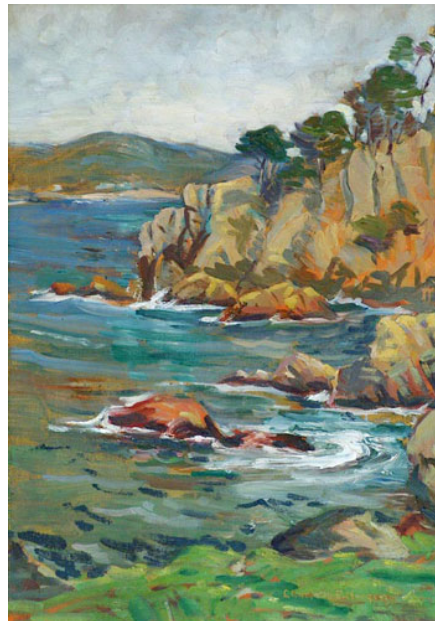


Figure 62. Carmel Coast by Charlotte Morgan (Bodega Bay Heritage Gallery)

³³ Charlotte Morgan's biography was published in *Jennie V. Cannon: The Untold History of the Carmel and Berkeley Art Colonies, Vol. 1* by Robert W. Edwards (Oakland: East Bay Heritage Project, 2012). <http://www.tfaoi.com/cm/10cm/10cm111.pdf>

William Payson died on 5 September 1914, aged 59. After his death, Etta went to live with the misses Katherine and Bertha Brehm in their house at 2709 Benvenue Avenue. Bertha Brehm, a music teacher, was the Unitarian Church's first organist.



Figure 63. The organ at First Unitarian Church (BAHA archives)

By 1920, Etta Payson had moved again. She was now living with the Charles Lee Tilden family in their villa at 1031 San Antonio Avenue, Alameda. Later in that decade, she settled in Alaska, where her elder brother, Herman Tilden Tripp (1859–1939), a mining engineer and politician, had been living since 1898. Following Herman's death, Etta returned to Berkeley, where she spent her last years in an apartment at 2649 Benvenue Avenue.

Neighborhood growth

As late as 1906, the Paysons and the Wollenbergs were the only residents on Block 2449. Limited public transportation to the area delayed development of northwest Berkeley.

In 1899, William J. Dingee's Map of Oakland and Vicinity (Fig. 64), which showed real estate and electric railways of the Realty Syndicate, revealed a single train track on Shattuck Avenue that terminated at Rose Street.

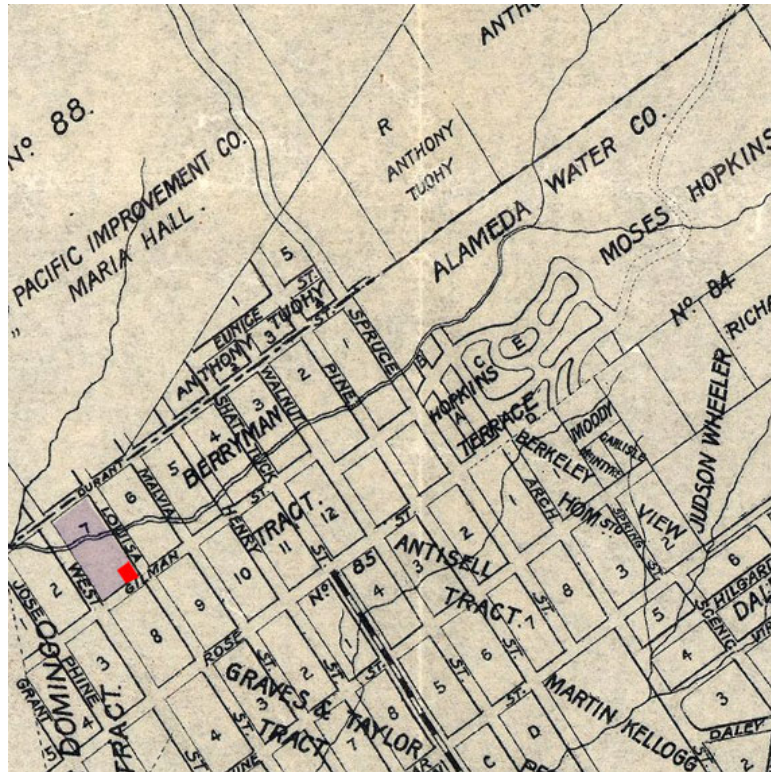


Figure 64. Dingee's Map of Oakland & Vicinity, 1899³⁴

It wasn't until 1903, when the Key System of electric streetcars was introduced in Berkeley, that building in the Berkeley Villa Association tract gained momentum. Mass migration of San Franciscans to the East Bay in the wake of the 1906 Earthquake and Fire accelerated building activities, as Berkeley's population tripled from 13,214 in 1900 to 40,434 in 1910.



Figure 65. Kelly Flats (c. 1904), 1939-45 Berryman Street at Milvia

³⁴ David Rumsey Map Collection.

In January 1912, the opening of the Northbrae Tunnel for service enabled Southern Pacific electric trains to run north beyond Rose Street, providing an additional transport option for the growing suburban districts.



Figure 66. The neighborhood in 1911 (Sanborn map)

A real-estate map published by Lederer, Street & Zeus in 1914 (Fig. 67) shows three commuter transport lines in the vicinity of the Payson House.

The orange line running along Sacramento and Hopkins streets represented the Key Route's commuter line; The red line running on Grove Street and The Alameda stood for the local streetcar lines that crisscrossed Berkeley; and the green line, which ran on Shattuck Avenue, Sutter Street, and through the Northbrae Tunnel, represented the Southern Pacific Railway.

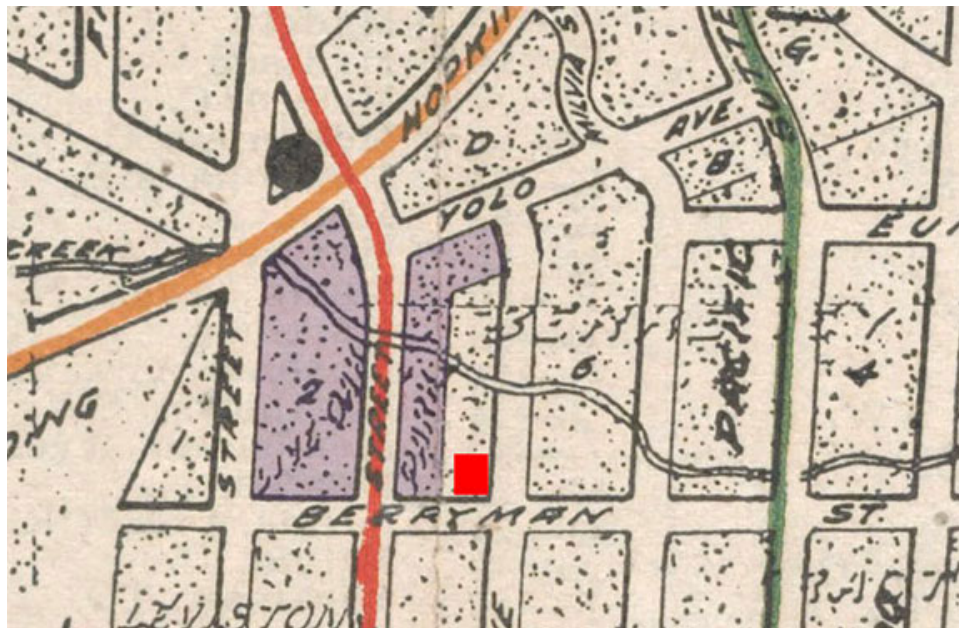


Figure 67. Public transport lines and proposed Live Oak Park site near the Payson House (Lederer, Street & Zeus Map of Berkeley & Vicinity, 1914)

An interesting detail in the Lederer, Street & Zeus map is the siting of the proposed Live Oak Park directly to the west of the Payson House,³⁵ or three blocks away from where the park would actually be established after the city purchased the O'Toole and Penniman estates in 1914.³⁶

The 1920s saw the neighborhood become almost fully built up. The 1929 Sanborn map shows mostly single-family residences but also half a dozen flats, the largest of which remained the Catherine & Francisco Kelly Flats, a Mission Revival structure, built c. 1904 on the northwest corner of Berryman and Milvia streets (Fig. 65).



Figure 68. The area in 1929 (Sanborn map)

Lord & Boynton, builders of the Payson House

The construction firm of Lord & Boynton was short-lived, but it managed to make a deep impact during its brief existence. This company was created when two pioneer Berkeley builders—both civic leaders—came together to undertake a gigantic number of projects that no single contractor could have handled.

Carlos Reuben Lord (1831–1914) was born in Aurora, Ohio, where his parents had come from New England. His father was a well-to-do farmer, but by the age of 18, Carlos was no longer living at home, possibly because there were six younger siblings in the house. The 1850 U.S. Census enumerated him as having attended school within that year and residing with an Aurora farming couple in their early twenties.

In 1854, Carlos Lord married Lucia Almira Stocking (1832–1928). By 1860, the couple had moved to Jefferson, Missouri, where Carlos was listed as a wagon

³⁵ The park plan shown in the map included Block 2 in the adjacent Jose Domingo Tract.

³⁶ Susan Schwartz. A History of Berkeley's Live Oak Park. 2014. <http://www.bpfp.org/wp-content/uploads/LiveOakPark.pdf>

maker. The Lords now had a son, 4, and a daughter, 2. In 1870, now living in Cameron, Missouri, Carlos worked as a clerk in a store and was a father to five children aged 2 to 14.

Carlos Lord was first registered to vote in Berkeley on 18 February 1878. That year, he was listed in the Berkeley city directory as Charles R. Lord, carpenter, resident on the north side of Vine Street, between Spruce and Pine (now Oxford) streets.

The following sketch of Lord's life was published in the *San Francisco Morning Call* in November 1894. Running for the office of Justice of the Peace in Berkeley Lord was nominated by the Alameda County Non-Partisan Convention, whose candidates the newspaper called "a splendid list," "good men all," and "animated by unselfish sentiments."³⁷

C. R. LORD.

A Citizen of Berkeley Who Commands Confidence.

C. R. Lord, past commander of Lookout Mountain Post, G. A. R. of Berkeley, was born in Ohio, December 12, 1831, and was educated in the public schools of that place. At the call of President Lincoln he enlisted in the First Missouri Cavalry, U. S. A., and served about two years and was honorably discharged for disability. After the war he was appointed Postmaster under President Lincoln. He was elected Justice of the Peace at Alta Vista, Davis County, Mo. He came to California in 1874, remained in San Francisco for three years, and came to Berkeley in 1877, one year before Berkeley was incorporated, having resided there since. He has served the town as Justice of the Peace six years, as Marshal and Tax Collector, ex-officio Superintendent of streets, two years, as Trustee three years, and at this time is the nominee of the Non-Partisan convention of Alameda County for the office of Justice of the Peace for the town of Berkeley.



Figure 69. Carlos Reuben Lord
(*SF Morning Call*, 5 Nov. 1894)

Carlos Lord became involved with the nationally famous stage actor Maurice B. Curtis ("Sam'l of Posen") when the latter was beginning to develop the Peralta Park tract. In May 1888, Lord was named one of the directors of the just-incorporated Peralta Park Hotel Company.

The Peralta Park Hotel Company has incorporated to purchase an eligible site in Peralta Park tract in Oakland township, near Berkeley, and to erect and maintain a hotel to be known as the Hotel de Peralta, and also to deal in property connected with the enterprise. The Directors are: M. B. Curtis, A. P. Gunn, C. R. Lord, A. H. Emery, C. A. Goodwin. The

³⁷ "Good Men All." *The San Francisco Morning Call*, 5 November 1894, page 4.

capital stock subscribed is \$37,775. There are sixty-nine subscribers to the enterprise.³⁸

In July 1888, Lord was awarded the hotel's construction contract:

The contract has been signed by C. R. Lord and the Peralta Park Hotel Company for the construction of the hotel. Mr. Lord will commence work at once, and hopes to have the building completed by January 1, 1889.³⁹

It was in the latter half of 1888 that Carlos Lord and Ira Boynton joined forces to construct an impressive number of large projects that included not only the hotel but several large residences in Peralta Park, various houses in other parts of town, and buildings for the town's two lumber mills. In early December of 1888, the *Berkeley Herald* announced:

Mssrs. Lord & Boynton have their hands full. They have commenced the erection of a ten-room house in Peralta Park for Alfred Lueders of San Francisco. It will cost \$4,500. For Joseph Hume also they will build a \$2,500 dwelling on Dwight Way.⁴⁰

Ira Alton Boynton (1844–1921) was born in Jefferson, Maine to Amos and Rachel (Decker) Boynton. His father was a Baptist clergyman. In 1868, Ira married Canadian-born Margaret Salmon Fielding in Chelsea, Massachusetts. Their first child, Emma, was born in Illinois the following year.

According to his obituary in the *Berkeley Daily Gazette*, Ira Boynton came to Berkeley in 1877, but records show that he was already in Alameda County on 5 April 1875, when his second child, Laura, was born. In 1876, he was registered to vote in Alameda County's Fourth Ward, listed as a draughtsman. In 1878, he was listed in the Berkeley city directory as a carpenter living on Berkeley Way near Shattuck Avenue. By the following year, the Boyntons had moved to a new home, situated one block north, at 2032 College Way (now Hearst Avenue). Here they lived until 1895.



Figure 70. Ira A. Boynton

Like Carlos Lord, Ira Boynton was active in Berkeley's finance, municipal politics, and fraternal circles. In 1886, along with several other leading Berkeley businessmen, Lord and Boynton founded a bank.

³⁸ *Daily Alta California*, 21 May 1888, page 5.

³⁹ *Daily Alta California*, 23 July 1888, page 5.

⁴⁰ *Berkeley Herald*, 6 December 1888.

The Homestead Loan Association of Berkeley has filed articles of incorporation with the County Clerk. The Directors are C. R. Lord, John K. Stewart, Philip Monroe, Walter E. Sell, Otto Nichaws [Niehaus], M. M. Rhorer, George A. Embury, Ira A. Boynton and Clarence M. Hunt — all of Berkeley—and the capital stock is \$1,000,000, divided into 5,000 shares, of which 100 have been subscribed.⁴¹

Boynton also served as an elected official. In 1879, he was listed in the city directory as one of Berkeley's two Justices of the Peace. He ran again in 1886, but this time he fell short by two votes after a recount.

A. H. Morris, candidate of the Peoples' party for the office of Justice of the Peace of Berkeley, was dissatisfied at the announced result of the recent election, which gave the office to his opponent, Ira A. Boynton, by a majority of seven votes. Morris appealed to the Town Trustees, who sat as a Returning Board Wednesday evening and recounted the ballots, a privilege accorded by a section of the town charter. President Henley and Trustees Shattuck and Whitney were present. The result was that four votes were changed to Morris' account from Boynton's, thus giving Morris the office by a majority of two votes. Boynton was the candidate of the Citizens' Reform party.⁴²

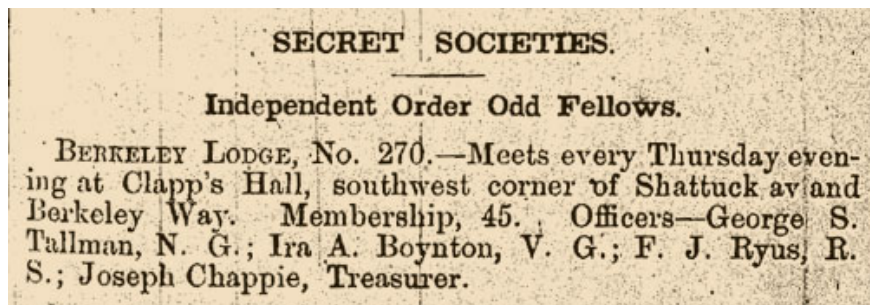


Figure 71. Bishop's Berkeley Directory, 1879-80

Boynton was a charter member of the Independent Order of Odd Fellows, Berkeley Lodge, No. 270 and also served as Chief Patriarch of the Oakland Encampment, No. 64 in the mid-1880s.⁴³ Members of the Berkeley Lodge met weekly at Clapp Hall, located around the corner from the Boynton residence. In 1884, the chapter incorporated a hall association in order to raise funds for a building of its own. Boynton was one of the five directors.

Articles of incorporation of the Berkeley Odd Fellows' Hall Association have been filed with the County Clerk. The capital stock is \$10,000, divided into 10,000 shares of \$1 each. The Directors are Frederick M. Husted, Walter Powell, Thomas Hann, Ira A. Boynton and Philip Sheridan, all of Berkeley.⁴⁴

⁴¹ *Daily Alta California*, 3 March 1866, page 5.

⁴² *Daily Alta California*, 15 May 1886, page 4.

⁴³ *Daily Alta California*, 26 July 1885, page 2.

⁴⁴ *Daily Alta California*, 16 April 1884, page 4.

By 1885, the Berkeley chapter of the I.O.O.F. had erected its new building on the southeast corner of Shattuck Avenue and Addison Street, across the street from Berkeley Station. Other fraternal societies, including the Free Masons, the American Legion, and the Grand Army of the Republic, also met at the Odd Fellows' Hall, as did the First Unitarian Church in its early days.



Figure 72. Odd Fellows' Hall (1885), Shattuck Avenue & Addison Street

Although he was a prolific builder, no records of Ira Boynton's building activities prior to 1884 have been found. In his obituary,⁴⁵ for which information was furnished by his daughter, Laura Durgin, it was claimed that Boynton had been associated with A.H. Broad. An oral history conducted by BAHA staff in the 1970s with Boynton's granddaughter, Muriel Durgin Backman, points out his association with Horace Kidder. Neither claim appears to have been documented in print during Boynton's life. The earliest contemporaneous records found of his work date from May 1884. These show a house for his neighbor S.C. Clark (presumably on Berkeley Way); another for Boynton himself; and a third for Professor Eugene W. Hilgard at the latter's agricultural experiment station in Mission San José (now Fremont).⁴⁶

Boynton's name began appearing more regularly in contract and completion notices after he teamed up with Carlos R. Lord in 1888.

By the end of 1889, Lord & Boynton could boast a long list of prestigious Berkeley projects completed that year. Published on 2 January 1890 in the *Berkeley Herald*, the list was peppered with top-drawer clients and included the construction of the Peralta Park Hotel at a cost of \$85,000.

⁴⁵ "Berkeley Pioneer Dies in Seattle." *Berkeley Daily Gazette*, 4 January 1921.

⁴⁶ *California Architect & Building News*, May 1884, page 91.



Figure 73. Peralta Park Hotel (Cheney Photo Advertising Agency)

LORD & BOYNTON, BUILDERS

Niehaus Bros. & Co. Mill, West Berkeley	15,000
Geo. C. Pape Mill, East Berkeley	2,500
Mrs. R. G. Lewis, Peralta Park, 8-room house	4,000
M. B. Curtis, Peralta Park, 8-room house and improvements	4,500
Dr. Robert Macbeth, Peralta Park, 10-room house and improvements	6,900
Harry S. Thompson, Peralta Park, 9-room house and improvements	3,000
J. A. Luders [sic], Peralta Park, 10-room house and improvements	4,900
Miss Anita Fallon, Peralta Park, 7-room house and improvements	4,000
Jos. Hume, 5-room cottage, Fulton and Channing way	1,800
Jos. Hume, 2-story house, Haste street	2,300
Jos. Hume, Dwight way, 9 rooms	3,200
Jos. Hume, Walnut street, 5 rooms	2,000
N. S. Trowbridge, Durant avenue	3,300
W. A. Ristenpart, Bancroft way, 7 rooms	3,000
T. M. [sic] Luttrell, Channing way, 7 rooms	2,150
L. H. [sic] Payson, Gilman street, 6 rooms	2,000
W. T. Lingard, Walnut street, 5 rooms	1,800
J. L. Barker, Cedar street, 7 rooms	2,100
L. Gottshall, Center street, 2 stores, 8 rooms	4,000
Daniel McMahan, University avenue, 7 rooms, barn and improvements	3,400
Geo. C. Pape, University avenue, 8 rooms	4,000
Lord & Boynton, Berkeley way, 8 rooms	2,800
Fritz Meyer, Seventh and Bancroft way, 5 rooms	1,500
Chris Johnson, Fourth and Addison, 4 rooms	1,000
Dr. Cook, Peralta Park improvements	3,600
I. A. Boynton, College way, 6 rooms	2,000
H. W. Taylor, lumber yard office	500

Mrs DeLorme's improvements to house
Peralta Park Hotel

500
85,000

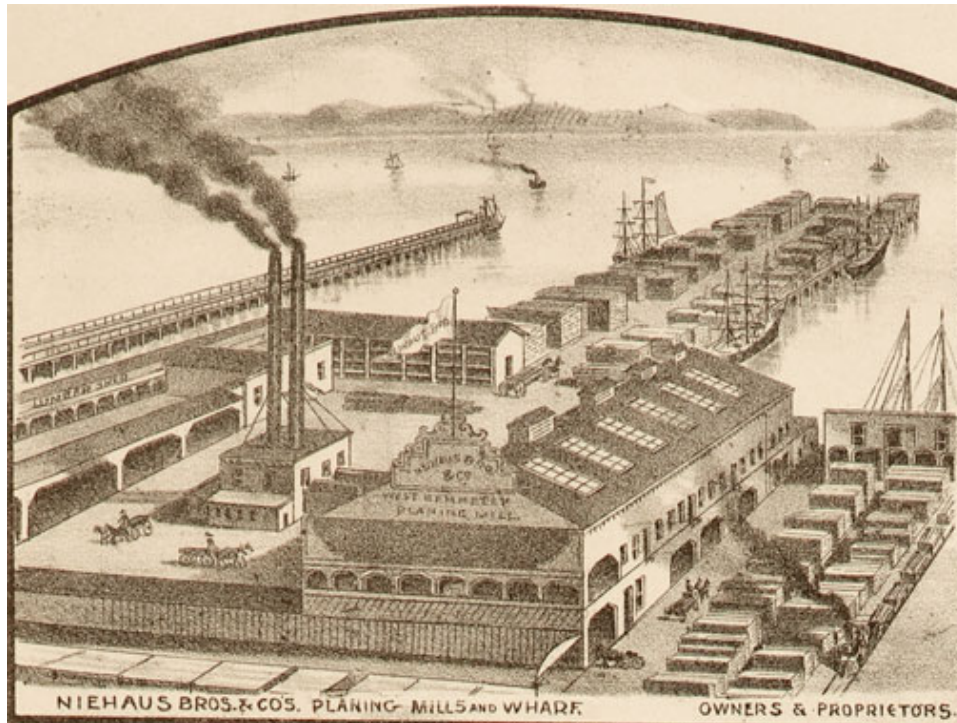


Figure 74. Niehaus Bros.' West Berkeley Planing Mill
(Irwin & Johnson's *Birdseye View of Berkeley, California*, 1891)⁴⁷

Despite their joint success, the Lord & Boynton partnership was short-lived. In 1890, the partners went their separate ways. That year, *Edwards Transcript of Records* published four projects carried out by Boynton without Lord.

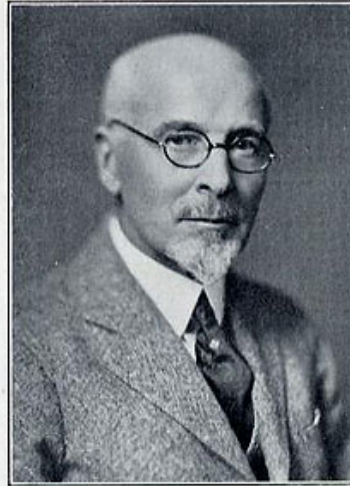
Of the houses Lord & Boynton built together, only five, including the Payson House, are known to have survived. The other four are the Julius Alfred Lueders House, 1330 Albina Avenue; the Anita Fallon House, 1307 Acton Street; the Harry S. Thompson House, 1491 Hopkins Street; and the James & Cecilia Luttrell House, 2328 Channing Way. No two of these surviving houses are alike.

Later owners of the Payson House

Kimball G. Easton & Katherine O. Easton

In 1919, Etta Payson sold the house to Kimball Gushee Easton (1865–1925) and his wife, Katherine Olden Easton (1863–1940). The Eastons and their daughter, Esther Katherine, then a student at the University of California, were listed in the 1922 directory as residing at 1915 Berryman Street.

⁴⁷ Edwin S. Moore, publisher. Bancroft Library.
<https://oac.cdlib.org/ark:/13030/tf9t1nc0rn/?brand=oac4>



KIMBALL GUSHEE EASTON

Figure 75. Kimball Gushee Easton as a student and in later life
(*The Class of 1886 in 1926*)⁴⁸

A biography of Kimball Easton appeared in the *California Historical Society Quarterly* shortly after his death.⁴⁹ The author was none other than Anson Stiles Blake, who wrote:

IN MEMORIAM

Kimball Gushee Easton

Kimball Gushee Easton, son of the reverend Giles A. Easton and Mary Gushee Easton, was born in San Francisco, September 25, 1865, and died suddenly in Berkeley, March 21, 1925. He spent his early boyhood in Benicia and attended the Episcopal School there. Later, when the family moved to Berkeley, he attended the Berkeley Gymnasium up to the time of entering the University of California. He earned the money to put himself through the University by working as a printer's devil and other odd jobs. While in the University he was active in journalism and was co-editor of the campus paper that developed into the "Blue and Gold." The first "Blue and Gold" to appear in book form was issued by his class and under his direction.

He graduated from the University in 1886. After graduation he went into the employ of The Oakland Paving Company, supervising as his first work the first pavement laid in Berkeley, on Dwight Way. A few years later, the late C. T. H. Palmer sought his assistance to rescue a paving company he had started in Los Angeles, and he removed there. After a few years he returned to Berkeley to live and formed a partnership with Arthur R. Wilson to carry on a general contracting business. When this partnership was dissolved he became associated with the firm of Bates, Borland and Ayer and continued with them until the time of his death.

He was married on October 4, 1892, to Katherine Olden who survives him. Three children were born of this union. Olden Alexander Easton who

⁴⁸ <http://freepages.rootsweb.com/~npmelton/genealogy/cal26inx.htm>

⁴⁹ <https://online.ucpress.edu/ch/article/4/2/214/30220>

died in infancy, Dorothea Alice Easton, now Mrs. Robert Harter, and Esther Katherine Easton.

Mr. Easton was an ardent lover of his native country and enjoyed the outdoor life it affords most thoroughly. He spent all of the time he could spare from his busy life in the cities, in the Sierra, where his little mountain ranch was the point of departure for many expeditions. He was also a student all his life and was well versed in the poetry of the English and French languages. He was one of the few in his generation who continued to read Latin and Greek literature for enjoyment only.

He was a member of the Society of California Pioneers and took a great interest in their affairs; and was, at the time of his death, one of their trustees.

ANSON S. BLAKE

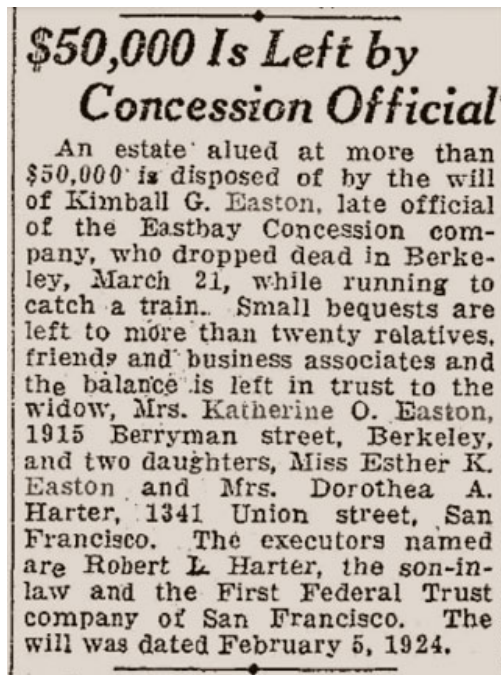


Figure 76. Oakland Tribune, 1 April 1925

Katherine Olden Easton was born in San Jose. In 1893, in San Francisco, she studied at the California School of Design, forerunner of the San Francisco Art Institute. In 1893, the school became affiliated with the University of California, was housed in the Mark Hopkins mansion atop Nob Hill, and became known as the Mark Hopkins Institute of Art.

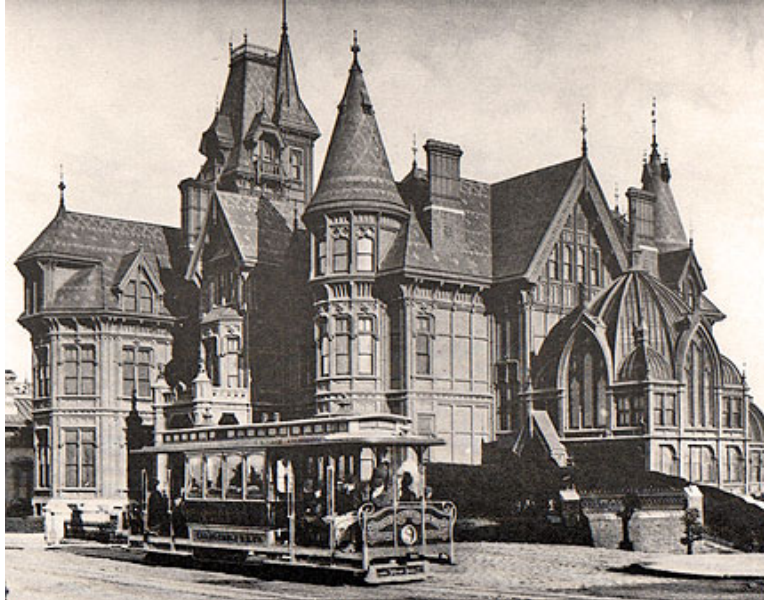


Figure 77. Mark Hopkins Institute of Art, San Francisco

Katherine Easton is listed in Edan Hughes's *Artists in California, 1786-1940* and in *Jacobsen's Biographical Index of American Artists* (2002). In 1909, she and co-author Sadie Bowman Metcalfe, also of Berkeley, copyrighted a modern drama in three acts titled *The Upheaval*. Her daughter, Esther Katherine Easton (1900–1980), was also an artist. As a student at the University of California, she was a member of the Delta Epsilon women's art honor society⁵⁰ Like her mother, Esther is listed in *Jacobsen's Biographical Index of American Artists*.

In 1928, Katherine and Esther were living with the married Payson daughter, Dorothea Harter, in a new house the Harters had built at 797 San Luis Road (future home of architect James W. Plachek). The 1930 U.S. Census taker found mother and daughter lodging on a farm in Groveland, outside Yosemite. Edan Hughes located Katherine in Carmel in 1933. That may be where she met Hattie G. Parlett, to whom she sold the Payson House about that time.



Figure 78. Esther K. Easton
(1923 *Blue and Gold*)

Hattie G. Parlett & Adelene K. Lewison

Hattie Goodrich Parlett (1871–1971) was born in Baltimore, Maryland. Her father, Benjamin Francis Parlett (1824–1884), established B.F. Parlett & Co., a

⁵⁰ 1923 *Blue and Gold*, a Record of the College Year 1921-1922.

wholesale tobacco business, in 1843, later adding a tobacco manufacturing facility in Danville, Virginia.

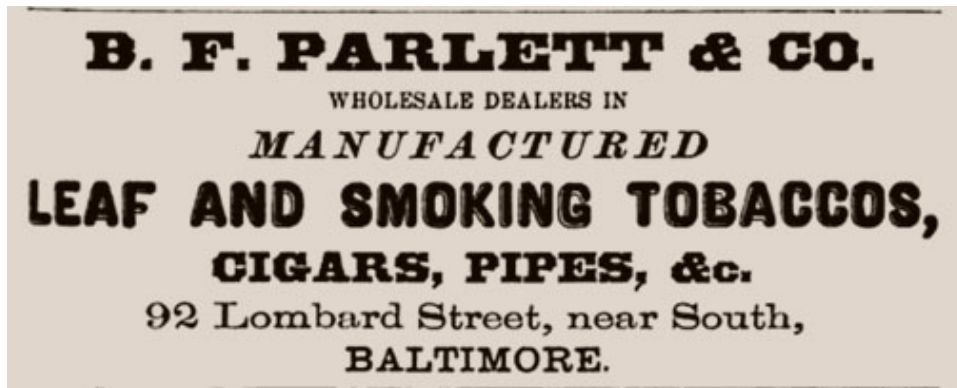


Figure 79. Ad in "The Monumental City, Its Past History and Present Resources," 1873

Shortly after the turn of the century, Hattie and her mother moved to Mount Vernon, New York, where they were enumerated in the 1905 New York State Census. Hattie bred English toy spaniels. The American Kennel Club's official stud book of 1908 listed three of her prize-winning dogs: Baltimore Belle, Baltimore Best Girl, and Rosemary Calvert.

Hattie's mother died in 1912, freeing the 41-year-old Hattie to start a new life. She moved to Hartford, Connecticut and met Adelene Kneeland Lewison (1870–1951), the woman who would become her life partner. The two traveled widely during the 1920s, and by 1930 had come to live in Carmel, where they were listed as residing on Dolores Street, between Second and Third avenues. In the 1930 U.S. Census, the occupation of both women was listed as Art Needlework.

In Carmel's small art community of the early 1930s, it was natural for Katherine Easton and Hattie Parlett to have known each other. This may explain how, by 1935, Hattie and Adelene were the occupants of the Payson House, where Adelene continued to produce art needlework.

In 1939, the two women began sharing their home with Hattie's widowed niece, Isabel Carter Todd (Smith) Knipp (1890–1968), who arrived by ship from New York. Isabel probably lived on the second-floor, which at the time was still part of the main residence. In 1942, after Hattie sold the house to Harry and Ruth Miller and moved to Hayward, Isabel was still registered to vote at 1915 Berryman Street but soon found other accommodations in Berkeley.

Harry V. & Ruth E. Miller

The Miller family and its descendants have owned the Payson House and lived in it for 78 years, beginning circa 1941–42.

Harry Vincent Miller (1891–1961) was born in Albany, New York, to a working-class family. His father was a house carpenter, and all the Miller children went to work after completing eight years of elementary school. One of Harry's elder sisters, Henrietta, worked as a clerk in a printing office, and an older brother apprenticed with a printer before becoming a house painter. Harry also went into the printing trade; at the age of 18, he was enumerated in the 1910 U.S. Census as a stereotyper, an occupation he practiced his entire working life.

During World War I, Harry served two years in the U.S. Marine Corps, exiting the service in October 1919 with excellent character. He moved to Colorado, where he married Ruth C. Earnest (1899–1986) in June 1922.

Ruth was born on a farm in Clifton, South Dakota. A year or so after her birth, the family moved to Lane County, Oregon. Ruth's father died in 1911, her mother remarried the same year and died in 1913, when Ruth was 13. Ruth was sent to live with her father's married sister, growing up on a farm in Martin, Kansas.

Harry and Ruth Miller married in Pueblo, Colorado. In 1930, they were living in Denver with their two young daughters, Betty Ruth, 7, and Helen Marie, 4. Harry was employed by the *Rocky Mountain News*. By 1940, they had relocated to Englewood, Colorado, where Harry earned \$1,800 a year from his stereotyping job at a local newspaper. The Millers' youngest child, Edward Earnest Miller, was then five years old. Harry's sister, Henrietta, was living with the family and working as a binder in a printing establishment. The family moved to the Bay Area in 1941.

In 1942, Harry Miller's World War II draft registration card documented him as living at 1915 Berryman Street and working for the *Oakland Post-Inquirer*. His obituary in the *Oakland Tribune*, however, stated that he had been a *Tribune* employee from 1941 until his retirement in 1958.

The Millers moved into their Berkeley house just as the United States entered World War II. During the war years, many houses in Berkeley were being converted into apartments in order to help house the influx of war-industry workers. That was when Harry Miller converted the house to two apartments, although the building permits leave a gap in the chronology.

Harry Miller died on 6 April 1961. The *Oakland Tribune* published his obituary the following day.

Death Takes H. V. Miller at Age 69

BERKELEY, April 7—Harry V. Miller, longtime Berkeley resident active in veterans' organizations, died yesterday in a Livermore hospital. Mr. Miller, 69, was a retired stereotyper and was an employee of The Tribune from 1941 to 1958. A World War I veteran, he was a member of the Veterans of Foreign Wars, Post 703, Berkeley; Disabled American Veterans, Chapter 7, Oakland; and American Legion Post 240, El Cerrito. He also was a member of St. Mary Magdalen Church, the Holy Name Society and the International Stereotypers and Electrotypers Union, Local 29, San Francisco. He lived for many years at 1915 Berryman St. and was a native of Albany, N.Y. Mr. Miller is survived by his widow, Ruth; daughters Mrs. Betty Ruth Geritz of Berkeley and Mrs. Helen Marie Petrash of San Lorenzo; a son, Edward E. Miller, Berkeley; sister, Henrietta Miller and brother, Frank, both of Albany, N.Y.; and 10 grandchildren. The Rosary will be recited at 8 p.m. today at the Berkeley Hills Chapel, Shattuck Ave. and Cedar St. A Requiem Mass will be said at 9:30 a.m. tomorrow at St. Mary Magdalen Church. Interment will be in St. Joseph's Cemetery, San Pablo.

On 25 October 1961, Ruth Miller deeded the property at 1915 Berryman Street to her three children, Betty Ruth Geritz (1923–2011), Helen Marie Petrash (1925–201?), and Edward Earnest Miller (1934–). Ruth died in 1986. The next principal

residents in the house were Helen Petrash and her husband John (1922–2016), an expert archer and scuba diver.

Helen Petrash died a few years before her husband. Their daughter, Paula, moved in to look after her father. In the photo below, they are shown at home a year before John's death.⁵¹



Figure 80. Paula Petrash & her father (center) at home, 2015
(courtesy of Joe Timmons, Aqua Tutus Club)

Until earlier this year, the property was jointly owned by no less than ten different trusts representing members of the extended Miller family. The heirs finally sold the family's historic home this year, to a couple from Sunnyvale whose business model entails buying old houses, razing them, and constructing multiple units on the parcels. They have done so recently at 2212 Tenth Street.

Chronology of the Payson House ownership

1889–1919	William H. & Esther L. Payson
1919–c. 1935	Kimball G. & Katherine O. Easton
c. 1935– c. 1942	Hattie G. Parlett
c. 1942–2020	Harry V. & Ruth E. Miller and descendants
2020–	Alon & Ravit Danino

⁵¹ "In Memoriam, John Petrash." Aqua Tutus, 25 October 2016.
<https://aquatutus.org/in-memoriam-john-petrash/>

16. Context



Figure 81. The neighborhood in 1950 (Sanborn map)

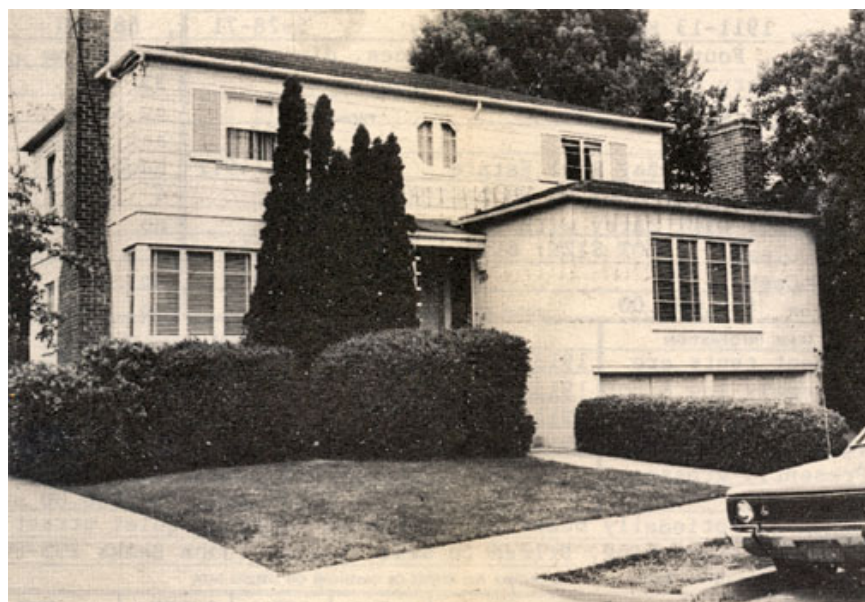


Figure 82. 1913 Berryman Street, 1971 (Donogh files, BAHA archives)

Between 1929 and 1950, there were few changes in the neighborhood. The most noticeable addition consisted of two new townhouses on the western half of the original Payson parcel, which had been subdivided prior to 1929. Each containing a pair of semi-detached units, these townhouses, 1911 and 1913 Berryman Street, were constructed in 1937 by the well-known architect Paul Hammarberg (1911–2009), who was also the owner.

The next change was more significant. In 1960, Grace Pinkerton, whose father had built the family’s Colonial Revival house at 1931 Berryman Street in 1903, moved to Marin County and sold the parcel as an “excellent location for multiple units. Zoned R-3 for 8–9 units.” That is exactly what was built there next.

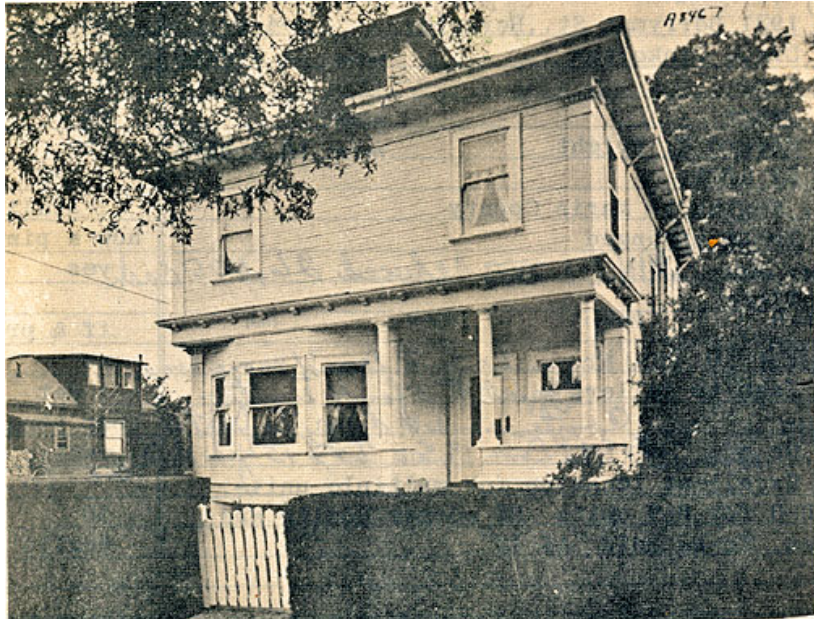


Figure 83. Pinkerton house, 1931 Berryman Street, in 1960 (Donogh files, BAHA archives)



Figure 84. Apartments, 1931 Berryman Street (Google Street View)

No photograph has been found of the historic Frederick & Susan Berryman house (1888), which stood on the southwest corner of Berryman Street and Bonita Avenue. Susan Berryman died in 1935 at the age of 84. In 1966, the Berryman house was occupied by Clark Armstrong, an insurance executive. This house was torn down, along with two others—1906 Berryman (built in 1926) and 1908 Berryman (also owned by the Berryman family)—and replaced circa 1972 with a 24-unit apartment building that has aged badly and is a blight on the streetscape.



Figure 85. 1906 Berryman Street (Donogh files, BAHA archives)



Figure 86. Raj Properties apartments, 1910 Berryman Street

With the exception of the two large apartment buildings on the northeast and southwest corners of the Berryman-Bonita intersection, the neighborhood retains much of its historic character. One- and two-story residences in various

architectural styles, an abundance of trees, and the proximity of Codornices Creek give the area a decided bucolic air.



Figure 87. 1200 block of Bonita Avenue, looking north (Google Street View)



Figure 88. 1200 block of Bonita Avenue, west side



Figure 89. 1300 block of Bonita Avenue, west side (Google Street View)



Figure 90. 1300 block of Bonita Avenue, east side (Google Street View)



Figure 91. Berryman Street east of Bonita Avenue (Google Street View)



Figure 92. The neighborhood today (Apple Map)

17. Significance

Consistent with Section 3.24.110A.1.b., the William H. & Esther L Payson House possesses architectural merit. It was built in 1889 by the important construction firm of Lord & Boynton and is one of only five surviving buildings constructed by that firm. The Payson House's appearance is unique in the firm's surviving body of work; it is the only single-story, unadorned, hip-roofed building, reflecting the Unitarian spirit of its first owners.

Consistent with Section 3.24.110A.1.c., the Payson House is worth preserving for the exceptional values it adds to the neighborhood fabric. It was one of the first houses built north of Berryman Street—an area that wasn't even mapped by the Sanborn Map Company before 1911—and the first house on Block 16 of the Berkeley Villa Association tract, which had been subdivided in 1875.

The Payson House is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

In addition, the Payson House is now the only original structure still standing at the intersection of Berryman Street and Bonita Avenue. The other three

corners are occupied by apartment buildings dating from the 1920s, 1960s, and 1970s, respectively.

Consistent with Section 3.24.110A.4., the Payson House has historic value. Its builders were the Berkeley pioneers Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921), who arrived in Berkeley in 1877 and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

In a little over a year, Lord & Boynton constructed many major buildings in Berkeley, including Maurice B. Curtis’s fabled Peralta Park Hotel, Curtis’s own home, and the Niehaus Brothers’ West Berkeley Planing Mill, to name a few.

The house was built for William Hawes Payson (1855–1914), a lawyer who co-founded the First Unitarian Church of Berkeley in 1891. Payson continued to be one of the foremost American Unitarian leaders for the rest of his life, serving as president of the church and its various offshoots multiple times. He was also a well-known political reformer, fighting for fair voter representation and active in the anti-graft movement that brought down corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would recognize it today.

Historic Value: City Yes Neighborhood Yes
Architectural Value: Neighborhood Yes

18. Is the property endangered? Yes, a demolition permit has been applied for.

19. Reference Sources:

Alameda County assessment records. BAHA.

Berkeley and Oakland directories. BAHA, Berkeley Historical Society, Ancestry.com.

Block files. BAHA.

Tract maps & Sanborn Fire Insurance Maps. BAHA.

Assessor’s maps. Alameda County Assessor’s Office.

U.S. Census and California Voter Registration records. Ancestry.com.

Ormsby Donogh files. BAHA.

Nelson, Marie. *Surveys for Local Governments—A Context for Best Practices*. California Office of Historic Preservation, 2005. http://ohp.parks.ca.gov/pages/1054/files/Survey_Savvy_CCAPA.pps

20. Recorder:

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Date: June 2020

