

## **Joan Dunning Collection**

### **Collection Number**

1999.14

### **Contact Information**

The Library, Special Collections

Humboldt State University

Arcata, California 95521

URL: <http://library.humboldt.edu/humco/holdings/waterfront.htm>

### **Processed By**

Joan Berman, Jacqueline Faria

### **Date Collection Processed**

2008

### **Language**

English

### **Collection Creator**

City of Eureka

### **Dates Covered by Collection**

1844-1980s (date span)

1850s-1920s; 1970s (bulk dates)

### **Size of Collection**

7 cubic feet plus oversized items

### **Abstract**

In 1968 a lawsuit was filed against the City of Eureka to determine who had legal ownership of land on the Eureka Waterfront. During the 13 year span of the case, *Lazio v. City of Eureka*, also known as the Eureka Tidelands Case, the law firm engaged by the City conducted extensive historical research on the complex history of the question. Their "evidence" included copies of original deeds and lawsuits dating back to before the establishment of the City. These documents, along with copies of many historical maps as well as a series of contemporary aerial photographs and archaeological

findings commissioned for the case, are included in the collection which was donated by the City of Eureka to the Humboldt State University Library in 1984.

### **Access**

The collection is open for research.

### **Copyright**

Copyright has not been assigned to Humboldt State University. To obtain permission to publish or reproduce in any format, please contact the Special Collections Librarian.

### **Acquisition Information**

In 1984 the City of Eureka donated the collection of documents, maps and photographs used as evidence in the Eureka tidelands litigation known as Lazio v. City of Eureka.

### **Funding**

This project was funded in part by a grant from the Tracy Memorial Trust Fund, a fund of the Humboldt Area Foundation.

### **Scope and Content of the Collection**

In 1968 a lawsuit was filed against the City of Eureka to determine who had legal ownership of land on the Eureka Waterfront. During the 13 year span of the case, the Eureka City Attorney, Melvin Johnsen, obtained assistance from the law firm Nossam, Kreuger and Marsh in Los Angeles. They conducted extensive historical research on the complex history of the question which is rooted in federal swamp lands as well as state tidelands law and cases. Their "evidence" included copies of original deeds and lawsuits dating back to before the establishment of the City, newspaper excerpts, town trustees minutes, city council minutes, etc. These documents, along with copies of many historical maps as well as a series of contemporary aerial photographs and archaeological findings commissioned for the case, are included in the collection.

The collection came with a detailed list of the items used as exhibit evidence in the lawsuit. Donated items were numbered and checked off on this list, referred to as the List of Exhibits. This is the essential tool for using the collection and it dictated the arrangement of the collection into two series, the print documents and the maps and aerial photographs. The List of Exhibits is available in the HSU Library Humboldt Room; it is not online.

There are two additional groups of items not included in the List of Exhibits, although they were assigned identifying designations by the collection creator. One group is the

Defendants Exhibits A-JJJJ. These are in Box 6, Red Binders 1 and 2, with a List of Defendants' Exhibits A-JJJJ at the front of Red Binder 1. The second group carries a "2-xx" notation. These are in Boxes 7 and 9 (plus a few items in Folder 7 of the collection map filing drawer) and have been described by staff when processing the collection. Copies of both of these lists are located in the HSU Library Humboldt Room, along with the List of Exhibits.

It is necessary to use the List of Exhibits to identify items within the collection.

## **Container List**

Series: Print Materials

### **Box 1**

- Volume 1: Harbor Commission Minutes (1-100)
- Volume 2: Newspaper Excerpts (101-236; not including 103, 109, 122, 132, 147, 205: "no exhibit")
- Volume 3: Statutes; Original Deeds from Eureka (237-330)
- Volume 4: Town Trustees Minutes (373-479)

### **Box 2**

- Volume 5: City Council Minutes (480-579; not including 566, 579: "no exhibit")
- Volume 6: Lawsuits (580-590)
- Volume 7: Lawsuits (591-632)
- Volume 8: Miscellaneous (641-679; not including 668: "no exhibit"; not including 676, 679: bound separately and included in Box 3 (below))

### **Box 3**

- Chains of Title (634-640)
- 676, 679
- Orange Photo Box (758-759; 829-861[hotlink to Swanlund scans])

### **Box 4**

- Deeds (800-1154)

### **Box 5**

- Volume 9: Miscellaneous Documents (680-757; 781-787)
- Black Binder 1 (1215-1219; 1280)
- Black Binder 2 (1220-1238)
- Black Binder 3 (1239-1253; 1256; 1282-1291)

Box 6 (first 4 items NOT in List of Exhibits)

- Original Index: "List of Exhibits)
- Red Binder 1: Defendants Exhibits A-WW(6) – Includes List of Defendants' Exhibits A-JJJJ
- Red Binder 2: Defendants Exhibits XX-JJJJ
- Red Binder 3: Eureka Development Plan, 1973
- Loose items
  - 1157-1161
  - 1203-1211
  - 1254 (2?)
  - 1296-1299
  - 1315-1320
  - 1322 (A & B)
  - 1325
  - 1330
  - 1336-1353
  - 1355 (1-5)-1358
  - 1360-1362

Box 7

- Loose "2-xx" items (NOT in List of Exhibits)
  - 2-D
  - 2-E (1-3)
  - 2-F (1-4, 6-10, 15, 17)
  - 2-G (1-3)
  - 2-H (3-7, 11)
  - 2-I
  - 2-J
  - 2-J (6)
  - 2-K (1)
  - 2-L
  - 2-L (1)
  - 2-M
  - 2-N (1, 3, 4)
  - 2-O (1-18, + 10, 12, 14, 17, 18 dups)
  - 2-Q
  - 2-R
  - 2-Y
  - 2-AA

- 2-BB
- 2-BB (5)
- 2-CC
- 2-DD (1-2)
- 2-EE – 2-PP
- 2-EEE
- 2-GGG
- 2-KKK
- 2-MMM
- 2-NNN
- 2-NNN (A)
- 2-OOO
- 2-QQQ
- 2-RRR
- 2-RRR (1)
- 2-SSS
- 2-TTT
- 2-UUU
- 2-VVV
- 2-XXX
- 2-BBBB
- 3 unnumbered pieces (at end of “2-xx” list)

#### Box 8

- 1254,1255 (oversize)

Series: Maps and photographs

Subseries: Rolled

Box 9: “2-xx” items (NOT in List of Exhibits)

- 2-A
- 2-B (1-11)
- 2-C
- Rolled together: 2-S (1-6), 2-T, 2-U, 2-V [1 (1-10) & 2]
- 2-QQ
- Rolled together: 2-BBB, 2-CCC, 2-DDD
- 2-FFF
- 2-HHH
- 2-III
- 2-JJJ (1-2)

- 2-LLL (1-2)
- Rolled together: 2-PPP (1-2), 2 clear overlays whose labels have come off
- 2-WWW (1-2)
- Rolled together: 2-YYY, 2-ZZZ (1-2)
- 2-AAAA 2-CCCC

Box 10: 300s & 400s 367A

- 367A (1)
- 367B
- 367C
- 367D
- 367E
- 367F
- 1200
- 1201
- 1202
- Rolled together: 1268A, 1268B
- 1271
- 1273
- Rolled together: 1292, 1292A
- 1295

Box 11: 1300s 1300

- Rolled together: 1301, 1302, 1303, 1304
- 1305
- Rolled together: 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313
- 1314
- 1321 (1-6)
- 1323
- Rolled together: 1324A, 1324B
- 1326
- 1327 (1-2)
- 1328
- 1331
- 1332
- 1333
- 1334
- 1335
- 1354 (1-3)

Subseries: Mounted, flat

Map Drawer [old Norman Smith Drawer, basement]

- Folder 1
  - 331
  - 333
  - 334A (334 & 334A attached)
  - 335
  - 336
  - 336A
  - 338
  - 339A (339 & 339A attached)
  - 340
  
- Folder 2
  - 346
  
- Folder 3
  - 347
  - 357A
  - 357
  - 360
  - 361A
  - 363
  - 366
  - 369
  - 370
  
- Folder 4
  - 768
  - 770
  - 771
  - 772
  - 773
  - 774A
  
- Folder 5: Swanlund Mounted Prints [hotlink to scans]
  - 775
  - 776
  - 777

- 778
- 779
- 780
- Folder 6
  - 789
  - 1269
  - 1276A
  - 1276B
  - 1293
  - 1329A
  - 1329B(?)
- Folder 7 (NOT in List of Exhibits)
  - 2-RR
  - 2-SS
  - 2-TT
  - 2-UU
  - 2-VV
  - 2-WW
  - 2-XX
  - 2-AAA
  - 2-PPP

#### Oversize

- 332
- 332A
- 343
- 344
- 356
- 788
- 1262
- 1263
- 1294

#### Bibliography

Faria, Jacqueline. [Trouble on the Waterfront: The Plight of Eureka's Tidelands](#). Arcata, Humboldt State University, 2008.



[Newspaper clippings from Humboldt Room pamphlet collection: Eureka tidelands – litigation](#)

Report on the use and development of tide and submerged lands conveyed to the city of Eureka. [Eureka, Calif.? : s.n., 1974?]

Willis, Jerry. The first attempts to end the alienation of Eureka's waterfront, 1897-1913. Arcata, Humboldt State College, 1969.

### **Related Works**

[Inventory of the State Land Office Records](#)

### **Subject Headings**

Eureka (Calif.) – History

Harbors

Shipping

Docks

Humboldt Bay

Submerged Lands

Lumber Trade

Lumbering