

LEGACIES OF A CALIFORNIA PIONEER:  
THE LAST WILL AND TESTAMENT OF JOAQUIN CASTRO

By Patricia Ooley

THE LAST WILL AND TESTAMENT OF JOAQUIN CASTRO

In the name of Almighty God. In the presence of the holy Virgin Mary, mother of God, and of all the angels, and of all the celestial court, I, Joaquin Castro proclaim and say that I believe faithfully and truly in the mystery of the most holy Trinity, father, son and holy spirit, three distinct persons, and only one true God. I believe the son of God became man in the purest womb of the Virgin Mary, she being a virgin before his birth, at his birth, and after his birth. I believe that Jesus Christ our Savior is the author of the Sacraments and that he is really and truly in the Holy Sacrament of the Altar. I believe he will judge the living and the dead--rewarding the good and punishing the bad with eternal punishment, and I declare that I desire to live and die confessing this truth and all the articles of the faith.

First, I say that finding myself near to death and being in full possession of my faculties, I ask that my body be shrouded with the habit of our father San Francisco and that it be buried in the Church of Santa Cruz next to my deceased wife.

I leave for my burial twenty-five head of cattle to consist of cows and young heifers, more for the good of my soul I leave eight mules.

I declare that I was first married to Maria Antonia Amador by whom I had eleven children, and that it was during our marriage that I acquired the greatest part of the property that I now possess, either by inheritance or acquisition.

I declare that I was married a second time to Maria del Rosario Briones, by whom I have three children.

I declare that I owe Joaquin Gomez fourteen pesos.

I declare that I owe [illegible] eight pesos.

I owe Don Thomas B. [illegible] one hundred and twenty pesos.

I owe to Dei [Dye?] that which he says.

I owe my brother-in-law Lugando one macho [horse mule, goat, ?]

I declare that Justo Larios owes me twenty pesos and Feliciano Soberanes six or eight arrobas of wool. Joaquin Buelna owes me a fat cow that he took from my rancho on the condition that he would give me another, and up to this date he has not given me anything. Tiburcio Alvarez owes me a good horse broken to the bridle.

I leave for the payment of my debts four botas of tallow and fifty hides, which if not enough, my executors will pay.

I declare that my sons and daughters who are emancipated have received their portions, except Ignacio, to whom I order to be given one hundred head of cattle, fifty heifers and fifty young bulls, from the branding. And he can use the cattle he wants for food from the general stock while he has young cows.

I leave to my wife one hundred head of cattle, little and big, the room of the house, the cooking utensils, all of which she can use as her own as long as she may remain unmarried, and if she marries, she will lose the right of using the house, utensils, and all the goods that I noted, all to be rewarded to the guardians of my children. And if my wife marries when she gives up the room [of the house] I command that she gives it to my youngest son who is Ricardo.

My daughter Angela has herself betrothed to Francisco Rodriguez, but he is to receive nothing while they are not married.

I leave my daughter Jacinta fifty young cows and fifty young bulls; these she can demand, when she may desire to do so, to put them where she pleases. To my other children who are not married, the same number shall be given to each when they get married.

I order that after Ignacio gets from the branding the hundred head of cattle that I have left him, the remainder shall be divided between my daughters Maria Antonia, Rafaela, Martina, and Candida in equal parts.

To the two oldest the mill and the stud Jackass, in order that they may serve all my children.

All the remainder shall remain under the charge of my Executors, for the use of those who are not emancipated. Ignacio can have the use of the oxen and cart until he has got one of his own.

In order that these my last wishes shall be complied with, I name for my executors, my sons; in the first place Guadalupe, and in the second place Juan José, both guardians of the property I leave to the minors, and all have the right in the land as commanded by the laws. And not knowing how to sign by name, I order that my son Guadalupe shall do so in my name. Citizens Francisco Rodriguez and Francisco Soria being witnesses.

I suplicate that this testament be admitted though written on common paper, there being no paper with the proper seal in this place.

At the prayer of the interested.

Guadalupe Castro  
First Witness Francisco Rodriguez  
Second Witness Francisco Soria

Juan Gonzalez  
Macedomo [Masedonio?] Lorenzano

Translated from the document in the Spanish and Mexican Archives in the collection of the Monterey County Historical Society, Salinas, California. Vol. 12, pp. 481-83, no date.

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Joaquin Castro came to California in the Anza Expedition of 1776, the first major colonizing expedition sent from New Spain to found the remote northernmost outpost of Alta California--San Francisco. He came with his parents, who, like their traveling companions, were fleeing the poverty and hopelessness of their lives in Sinaloa. The Castros were typical pioneers in the expedition, principally mestizo, mulatto, or Native American peoples.<sup>1</sup> Their sons and daughters, as citizens of the Mexican Republic after 1821, received the land grants that became the California ranchos.

The era of the Mexican California rancho lasted only twenty-five years, 1821 to 1846, but its presence helped set the stage for critical future events. Trade with the Yankees fostered a relationship that helped to facilitate the Anglo occupation and annexation. Huge tracts of rancho lands were later swallowed up by plundering American entrepreneurs such as Irvine of Orange County; Flint and Bixby of Monterey County; Hugh Glenn in the Sacramento Valley; and Miller and Lux in the northern and southern San Joaquin Valley. Such appropriations provided the building blocks for that singular California institution--the corporate megafarm.

By the time of the American occupation in 1846 the California rancho was an important Mexican frontier institution.

Yet, what do we know about the pioneering Mexican citizens who owned and operated them? Many late nineteenth and early twentieth century historians negatively portrayed Mexican California life based on Protestant-Anglo biases. Too often novelists and real estate hawkers fictitiously romanticized it. Over time, California's pre-statehood past became "Spanish," characterized by Spanish missions and Spanish dons. Obscured and overshadowed by the Spanish mission in public school textbooks, the historical significance of the Mexican rancho is downplayed and the entire era has become shrouded in myth.<sup>2</sup> Joaquin Castro's life represents an all but forgotten fragment of California's history.

Like his parents, Joaquin was illiterate. He left no memoirs. There are no portraits of him. Information about Joaquin Castro must be gleaned from public documents. His marriages and the birth of his children are recorded in mission registers. His name occasionally appears in the extant Spanish and Mexican municipal and provincial records, specifically in relation to legal transactions. Examples are his land grant petition and deed (expediente and diseño), and the registration of his cattle brand with the local justice of the peace (juez de paz).

An exceptional document, perhaps because it is a personal record, is Joaquin's last will and testament. Composed by Castro shortly before his death in 1838, the document is significant not only because it provides a glimpse into an obscure historical

period, but because it is a true reflection of Mexican California society. The will documents some social, legal, and economic aspects of life in Mexican California.

Joaquin Castro was born José Joaquin Castro at Villa de Sinaloa, about 1769. The sparsely populated province of Sinaloa in northwestern Mexico consisted primarily of old mining towns and Indian pueblos situated along the Sinaloa River. Although not much is known about the Castro family in Sinaloa, records indicate that Joaquin's father, Joaquin Isidro, probably farmed and raised cattle on the public grazing lands surrounding the town. Neither his father nor his mother, Maria Martina Botiller Castro, could read or write.<sup>3</sup>

In 1775 Juan Bautista de Anza came to Villa de Sinaloa and began recruiting for the first colonizing expedition to settle the distant northern outpost of San Francisco. Although the journey would be long and arduous, and no established settlement awaited the colonists, Anza felt that the people of the Villa de Sinaloa would be easier to recruit because of their bleak prospects at home. Anza reported the circumstances to Viceroy Bucareli in Mexico City:

Most of their inhabitants I have just seen submerged in the direst poverty and misery, and so I have no doubt that they would most willingly and gladly embrace the advantages which your Excellency may deign to afford them.<sup>4</sup>

The Castros arrived at San Francisco in June of 1776. In 1785, after completing his required military service, Joaquin Isidro, Martina, and their younger children settled at San José, where they raised cattle on the communal grazing lands. By this

time Joaquin had enlisted in the military and was serving at the presidio in Monterey. In 1791 Joaquin married Maria Antonia Amador, the daughter of his sergeant, Pedro Amador, at Mission Dolores. The couple baptized eleven children at the missions San Carlos and Santa Cruz.<sup>5</sup>

In 1798 Joaquin and his growing family settled at the new pueblo of Branciforte near Mission Santa Cruz. He was one of the six invalido soldiers who settled the new pueblo. An invalido was a soldier who had served his ten year military enlistment and, in return for a pension and a house of adobe and tile, could be recalled to military duty if it became necessary to defend the coast from possible aggressors. The Spanish government established Branciforte in response to the threat of Russian or English encroachment, as they had the pueblos of San José, and Los Angeles.

In May of 1823, two years after Mexican independence, at Monterey presidio Joaquin Castro petitioned Governor Arguello for possession of two square leagues of land called San Andrés in what is now Santa Cruz County.

That being burdened with large families, without the necessary means for their support, and I being one of the first settlers of California, and having served as a soldier thirteen years; I trust your honor will have the goodness to grant me the place named San Andrés, of the extent of two square leagues, that I may stock and cultivate the same, and do other things necessary for the improvement of a Rancho.<sup>6</sup>

Eight days later Governor Arguello granted provisional title to Castro.



In response to subsequent Mexican laws of 1824 and 1828, Joaquin resubmitted the 1823 documents and a map, or diseño, at Monterey in 1830 and 1833. In November of 1833, Governor Figueroa granted ownership and title to San Andrés to Joaquin Castro, with five conditions. First, neither the grantee nor his heirs could "divide or alienate that which is adjudicated to him," sell, or mortgage the land. Second, Joaquin had to build a house on the property and inhabit it within a year. Third, after confirmation of title, he had to solicit the local judge to mark the boundaries and confer judicial possession to him. Fourth, if the grant was found to contain more than two square leagues at the time of the judicial possession, any surplus was "to remain to the use of the nation." Fifth, if any of the above conditions were violated, he would lose his right to the land.<sup>7</sup>

After Governor Figueroa's confirmation, the title had to be approved by the Committee on Colonization and Vacant Lands, and the Territorial Deputation. The title was registered in the Book of Adjudications of Lands in Monterey on June 18, 1834. Macedomo Lorenzana, juez de paz at Branciforte, granted judicial possession to Joaquin's sons, Guadalupe, Juan José, Ignacio, and Joaquin, in 1845, seven years after Joaquin's death.<sup>8</sup>

The above proceedings, spanning more than twenty years, demonstrate that Mexican land concessions were not arbitrarily granted to an elite class of gentry. The grantee had to follow a complex legal procedure dictated by Mexican laws designed for land settlement and use, rather than exploitation and sale.

Later, such a concept of land use probably seemed strange indeed to the Anglo-American capitalist.

In late August of 1838, Joaquin Castro, "[h]allandome cercano a la muerte," finding himself near to death, dictated his will to Sebastian Rodriguez, owner of a neighboring rancho. The document, three hand-written pages in length, left instructions regarding his debts, his debtors, the care of his second wife, the care of his children, and instructions regarding his burial.<sup>9</sup>

The opening paragraph of the will reflects the religious conviction of a man whose belief system was deeply steeped in Catholicism, the national religion of México. It is not simply a Christian confirmation of belief. It is, rather, a recital and reiteration of Catholic tenets. A portion of it reads:

In the name of Almighty God. In the presence of the holy Virgin Mary, mother of God . . . I, Joaquin Castro, proclaim and say that I believe faithfully and truly in the mystery of the most holy Trinity, father, son, and holy spirit, three distinct persons, and one only true God. I believe the son of God became man in the purest womb of the Virgin Mary, she being a virgin before his birth, at his birth, and after his birth. I believe that Jesus Christ our Savior is the author of the Sacraments and that he is really and truly in the Holy Sacrament of the Altar . . . I declare that I desire to live and die confessing this truth and all the articles of the faith.<sup>10</sup>

Castro left instructions for his burial. "I ask that my body be shrouded with the habit of our father San Francisco and that it be buried in the Church of Santa Cruz next to my deceased wife." (Joaquin's first wife, Maria Antonia Amador, had died in 1827.) He left twenty-five head of cattle and eight mules to cover the cost of his burial.<sup>11</sup>

Joaquin Castro had married his second wife, Maria del Rosario Briones, in 1830. Together, they had three children who survived infancy. The instructions that Joaquin left regarding her support, and events following his death, provide insights regarding women's property rights and community property under Mexican law.

To his second wife Castro left one hundred head of cattle, a room of the house, and the cooking utensils, so long as she remained unmarried. If she married, her property would be forfeited to their two-year-old son Ricardo and administered by Castro's designated executors, his two oldest sons, Guadalupe and Juan José.

While Mexican law, like Spanish law before it, upheld community property rights for married women, that did not mean Briones automatically received half of her husband's estate. The community property law of the Mexican period was derived from the Spanish Novísima Recopilación of 1805. According to that code of laws, the husband and wife each owned half of all that they earned or purchased together during their marriage. Inheritances from the husband's parents or relatives, as well as gifts from "lord, relation, or friend," were the separate property of the husband. Property acquired by either husband or wife "in the army of the King" was the separate property of the one earning it, but the income or profits of such property was to be "common to both." The law also provided for "cases in which parents who contract a second marriage must reserve to the children of the

first [marriage] the ownership of the property of the deceased."<sup>12</sup>

Joaquin Castro must have been aware of some of the intricacies of community property law. He declared in the will that it was during his marriage to Maria Antonia Amador that "I acquired the greatest part of the property that I now possess, either by inheritance or acquisition."<sup>13</sup> That would include San Andrés Rancho, which he received at least partially in payment for his military service to his country.

Records of the alcaldes (mayors) and justices of the peace indicate that in 1839, a year after Joaquin's death, Briones filed a suit to claim her portion of her husband's estate. A certified copy of the paragraph of the will concerning her was filed. Briones named John Gilroy as her attorney. Joaquin's executor, son Guadalupe, must have been ordered to pay child support for her three children, because five years later, in 1844, Guadalupe brought the case before the justice of the peace. He stated that, after five years of "suffering this expense," the estate was not able to pay anything. Apparently Briones had meanwhile married Julian Espinosa, and the child support payments were terminated.<sup>14</sup>

Santa Cruz County probate records of the early American period show that eight years later, in 1852, Maria Rosario Briones de Espinosa again contested the will and filed suit for a portion of the estate. That action triggered probate hearings that lasted until 1856, ending with the partition of San Andrés

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into at least sixteen shares, none of which were allotted to Briones de Espinosa.<sup>15</sup>

Castro's will clearly shows that he measured his wealth in cattle, tallow, hides, and mules. His outstanding debts totaled 192 pesos and one mule. During the Mexican period, the Mexican peso was equal in value to the American dollar. One American dollar in 1838 was equivalent to about eleven American dollars in 1987. By today's standards, Castro's outstanding debts totaled roughly \$2,100.00 plus the mule.<sup>16</sup>

For payment of his debts, he left four botas of tallow and fifty hides. Because the Californios traded hides and tallow principally for goods, it is difficult to place a monetary value on them. However, American merchants who dealt in the trade, such as William Hartnell and Thomas O. Larkin, calculated values in American dollars. A bota of tallow weighed five hundred pounds, or twenty arrobas. Tallow was worth about two dollars per arroba. Hides were worth about \$1.50 each. Castro left approximately \$235.00 to pay his debts, or roughly \$2,600.00 at current value.<sup>17</sup>

As part of his assets, Castro counted at least five hundred head of cattle to be left to his children. He specified that each unmarried child, and there were at least six in 1838, should receive one hundred head of cattle when he or she reached the age of emancipation. He left instructions that his four married daughters were to divide what cattle remained after the branding, or yearly rodeo, equally among themselves. He speaks of eight

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mules for partial payment of his burial expense; oxen and cart; stud jackass; and mill. In addition, he declared that "my sons and daughters who are emancipated have received their portions." The will indicates that, at the time of Joaquin's death, the rancho was operating profitably and could support a large extended family.<sup>18</sup>

Castro listed, among others, Joaquin Gomez, Feliciano Soberanes, Joaquin Buelna, and Dei (Dye?) as people to whom he owed debts or who were in debt to him.<sup>19</sup> According to historian Hubert Howe Bancroft, Joaquin Gomez, to whom Castro owed a debt of fourteen pesos, came to Monterey from México in 1830. There he served as regidor (municipal official), customs official, and comisionado (governor appointed military representative). He was the grantee of Rancho Verjeles, located between Monterey and San José, where Larkin was captured in 1846. In his report to Washington about the incident, Larkin described Gomez as "a man of property and character, friendly to the U.S."<sup>20</sup>

Feliciano Soberanes and Joaquin Buelna also served in official capacities in Monterey and Branciforte. Soberanes, who owed Castro six or eight arrobas of wool, was alcalde (mayor) at Monterey in 1838. He was probably related to Joaquin. In 1776 José Soberanes (Feliciano's father?) had married Joaquin's sister, Ana Josefa Castro.<sup>21</sup> Bancroft described Joaquin Buelna as comisionado at Branciforte in 1818; teacher at San José in 1821; alcalde at Branciforte in 1826; and grantee of Rancho Zayante, north of Santa Cruz, in 1833. He was juez de paz at

Santa Cruz in 1838. Castro declared in his will, "Joaquin Buelna owes me a fat cow that he took from my rancho on the condition that he would give me another, and up to this date he has not given me anything."<sup>22</sup>

Job Dye was a trapper when he came to California over the Santa Fe Trail in 1832. In 1835 Joaquin Buelna conferred the timber rights of his Zayante grant on Dye. By 1841 Dye was operating California's first power saw mill at Zayante with Joseph L. Majors, who had come to California with Dye in 1832. Majors received title to Zayante in 1841, after Buelna had let his title lapse. Majors married Maria de los Angeles Castro, Joaquin's daughter, in 1839.<sup>23</sup>

In 1877 Thomas Savage, working for Bancroft, interviewed Dye at his home in Corralitos, which was located just east of the San Andrés boundary. Dye's narrative seemed, overall, sad and nostalgic for the days before the American conquest. Although Dye did not mention Joaquin Castro, his recollection of the social structure in Mexican California is worth quoting, since it discredits the myth of the elite rancho and reveals a negative impact of the American occupation.

At that time there was not much marked distinction of classes--the poor and rich associating together and were at parties together . . . After some years, about 1840, they began to have social distinctions--wealth had become more marked-- society had become more mixed with the foreigners, and lines began to be drawn between the rich and poor, and between those holding high position and those holding a low one. From 1840 to 1850 there was quite a marked distinction drawn between the high and low classes.<sup>24</sup>

Castro stated in his will, "I owe to Dei [Dye?] that which he says." <sup>25</sup>

At the end of the will, after naming his oldest sons, Guadalupe and Juan José, as executors and guardians of their minor siblings, Castro declared, "and all have the right in the land as commanded by the laws."<sup>26</sup> Joaquin died secure in the knowledge that, although he had come from humble beginnings, his sons and daughters were well provided for. He left them heirs to a thirteen thousand acre land grant, a profitable rancho, and a respected position in the community. Within eight years everything would change.

In 1846 military forces of the United States occupied the Mexican territories of New Mexico and California. By September of 1847 the United States decisively defeated the Mexican forces at the battle of Chapultepec in Mexico City. Texas and the territories known as New Mexico and California now belonged to the United States.

The end of the Mexican period, 1846, signaled the end of the Mexican ranchos. In his study of Land In California, W. W. Robinson summarized the principal cause of their demise. He pointed out that although the 1848 Treaty of Guadalupe Hidalgo between the United States and Mexico "specifically promised full and complete protection of all property rights to Mexicans" living in the conquered territories, by 1851 Congress passed the Act to Ascertain and Settle the Private Land Claims in California. Land grant owners had to prove ownership of their



land in local federal courts. The average length of time that a claim took to clear was seventeen years and most claimants went bankrupt in the process. Robinson concluded, "Apparently the Treaty of Guadalupe Hidalgo was not taken seriously by the United States."<sup>27</sup>

In response to the congressional mandate of 1851, the heirs of Joaquin Castro submitted their documents in an effort to prove that their father's pioneer legacy was legally theirs. In 1857 the Land Grant Commission confirmed San Andrés to the Castros, but the official survey of 1860 reduced San Andrés from its original thirteen thousand acres to 8,911.53 acres. In 1861 the Castros filed an exception suit. In 1867, after lengthy court battles, Judge Ogden Hoffman denied the exception and confirmed the 8,911.53 acre survey.<sup>28</sup>

Meanwhile, as noted above, the Castros were responding to the demands of the Santa Cruz county probate court. Joaquin's sons and daughters must have felt as though they had been plunged headlong into a confusing and unintelligible whirl of Anglo land law. English common law and the American judicial system were very different from the Mexican frontier practice of out-of-court conciliation that the Castros were accustomed to. Of course there were lawyers who, for a fee, would defend their interests in the strange American courts. The lawyers, and there were many, were happy to take payment in land instead of cash.<sup>29</sup>

In a local history written for the Watsonville City Directory of 1873 (Watsonville is located six and one-half miles

southeast of San Andrés), author Edward Martin wrote concerning San Andrés:

We had an interview recently with Don Juan [Juan José] Castro, who has about one hundred and fifty acres or so left. He informed us that he had expended somewhere in the neighborhood of \$40,000 in law suits. We will give the old venerable credit for half this amount, and with that paid by others for the same purpose, [the story] tends to show that a good harvest has been made by some not exactly farmers, out of the ranch.<sup>30</sup>

By 1874, after more than twenty years of costly court battles, the last of Rancho San Andrés, including the rancho adobe, was lost to Joaquin's son, Juan José, through mortgage foreclosure. An 1880-81 Santa Cruz county surveyor's map shows San Andrés divided into no less than thirty-one parcels, thirty-six to four hundred acres in size. The map includes the names of individual property owners. The name Castro does not appear.<sup>31</sup>

From statehood to the present the celebrated theme of California has been its immigrant history. The tribulations and adversities encountered by America's pioneers who traversed the nation's midsection in search of a new beginning in the golden state are well documented. Once in California, their odyssey extends to historic proportions. From the mining camps and the cities that supplied them rose a giant, a state beyond comparison to America's other forty-nine.

California's immigrant history, however, does not begin with the gold rush. While the British colonials were engaging in revolution on the other side of the continent, the Castros and other pioneering families in their expedition were travelling over sixteen hundred miles of rough and unfamiliar terrain in

hopes of establishing a better life on the northern frontier of New Spain. The story of their journey and their lives as Californians is as significant as the stories of their Anglo-American counterparts who arrived by covered wagon three quarters of a century later.

## ENDNOTES

1. Official Spanish census records and lists of settlers record Joaquin Isidro and Martina Botiller Castro's *casta*, or race, as *español* (Spanish), but, as Jack D. Forbes states, "it is clear that either [Martina] or Joaquin was Indian, since at least three of their sons, Ignacio, Mariano, and Joaquin [the focus of this paper], were classified as 'mestizos.'" See Jack D. Forbes, "Hispano-Mexican Pioneers of the San Francisco Bay Region: An Analysis of Racial Origins," *Aztlan* 14 (Spring 1983): 175-89; See also David J. Weber's discussion of race in the Spanish borderlands in *The Spanish Frontier in North America* (New Haven: Yale University Press, 1992), pp. 326-33. According to Weber, "Mixed bloods, together with blacks and Hispanicized Indians, composed the vast majority of the population of New Spain and, therefore, of immigrants to New Mexico, Texas, Arizona, and California. For example, only one-third of the men and one-fourth of the women who founded San Jose and San Francisco in 1777 claimed to be ethnically Spanish, or *españoles*;" In "It's Your Misfortune and None of My Own: A New History of the American West" (Norman, University of Oklahoma Press, 1991), p. 14, Richard White states that in all of Spain's borderland provinces, pure-blood Spaniards were a miniscule minority. Indeed, Anza's colonists were largely mestizo (Spanish and Indian blood) or mulatto (Spanish and African blood).

2. For a discussion of ethnocentrism and bias in the historiography of the Mexican frontier see "Mexico's Far Northern Frontier, 1821-1854: Historiography Askew," and "'Scarce More than Apes': Historical Roots of Anglo-American Stereotypes of Mexicans," in David J. Weber's *Myth and History of the Hispanic Southwest* (Albuquerque: University of New Mexico Press, 1988). For a discussion of myth making in California history see "The California Mission as Symbol and Myth," by James J. Rawls in *California History* 71-3 (1992): 342-61; and the chapter "Schoiziod Heritage," in Leonard Pitt's *The Decline of the Californians: A Social History of the Spanish-Speaking Californians, 1846-1890* (Berkeley: University of California Press, 1966).

3. Frances R. Conley, "Martina Didn't Have a Covered Wagon: A Speculative Reconstruction," in *The Californians* 7-2 (1989): 49-50.

4. Herbert Eugene Bolton, Outpost of Empire: The Story of the Founding of San Francisco (New York: Alfred A. Knopf, 1939), p. 137.

5. Conley, "Martina Didn't Have a Covered Wagon," p. 54; Marie E. Northrop, Spanish-Mexican Families of Early California: 1769-1850, Vol. 2 (Burbank: Southern California Genealogical Society, 1984), p. 48; Leon Rowland, Santa Cruz: The Early Years (Santa Cruz: Paper Vision Press, 1980), pp. 36, 234.

6. José Joaquin Castro, Petition to Governor Arguello, May 13, 1823. Spanish Archives-Translations, Expediente Number 133, Land Grant Records, Vol. 8, p. 469, California State Archives.

7. José Figueroa, Confirmation of Title of San Andrés to Joaquin Castro, November 21, 1833. Spanish Archives-Translations, Expediente Number 133, Land Grant Records, Vol. 8, p. 472, California State Archives.

8. Spanish Archives-Translations, Expediente Number 133, Land Grant Records, Vol. 8, pp. 474-78, California State Archives.

9. Joaquin Castro, Testament, Spanish and Mexican Archives, Vol. 12, pp. 481-83. No date; Although the will is not dated, Joaquin's son, Guadalupe, testified in 1853 that his father lived twenty-five days after having made his will. Joaquin died on September 20, 1838. Book of Wills, Probate Court, Special Term, December 1853, County of Santa Cruz.

10. Joaquin Castro, Testament, p. 481.

11. Joaquin Castro, Testament, p. 481. The old mission church was razed in 1886, and the present Holy Cross church completed on the site in 1889. Joaquin's remains must have been exhumed and relocated because his name is listed with other Castros who are buried at the Holy Cross Cemetery located several miles away from the church. Maria Antonia Amador Castro does not appear on the list. See Cemetery Records of Santa Cruz County, Holy Cross Cemetery (Santa Cruz: Genealogical Society of Santa Cruz, 1980).

12. Lloyd M. Robbins, ed., Laws of Community Property (Bienes Gananciales) From the Recopilación of 1567, and Continued in Novísima Recopilación of 1805, Together with a Translation of the Commentaries of Llamas and Molina, Spanish Edition, 1827, on the 14, 15, 16, 53, 60, 77th and 78th Laws of Toro (1505) (San Francisco: s.n., 1927), Leyes II and VII, Libro X, Título IV, no page numbers; see also Peter Thomas Conmy, "The Historic Spanish Origin of California's Community Property Law and its Development and Adaptation to Meet the Needs of an American State," in

Historic Publication of the Grand Parlor (San Francisco: Native Sons of the Golden West, 1957), pp. 3-4; and William Q. De Funiak and Michael J. Vaughn, "Spanish Laws and Their Historical Background" in Principles of Community Property 2nd ed. (Tucson: University of Arizona Press, 1971).

13. Joaquin Castro, Testament, p. 481.
  14. Spanish and Mexican Archives, Vol. 9, p. 671, March 7, 1839; Vol. 16, p. 217, June 8, 1839; Vol. 11, pp. 945-47, February 25, 1844; Vol. 6, pp. 975-76, March 9, 1844.
  15. Probate Court, Register of Actions, Estate of Joaquin Castro Deceased, Vol. 1, pp. 26-27; Court Minutes, 1850-64, pp. 35, 108-12, County of Santa Cruz.
  16. David J. Langum, Law and Community on the Mexican California Frontier: Anglo American Expatriates and the Clash of Legal Traditions, 1821-1846 (Norman: University of Oklahoma Press, 1987), pp. 9-10.
  17. Jo Mora, Californios: The Saga of the Hard-Riding Vaqueros, Americas First Cowboys (Garden City: Doubleday and Company, Inc., 1949), p. 162; Jessie Davies Francis, An Economic and Social History of Mexican California, 1822-1846, Vol. 1, Chiefly Economic (New York: Arno Press, 1976), p.534.
  18. Joaquin Castro, Testament, pp. 481-83.
  19. Joaquin Castro, Testament, pp. 481-82.
  20. Hubert Howe Bancroft, History of California, 7 vols. (San Francisco: The History Company, 1886-90), Vol. 3, pp. 758-59.
  21. Rowland, Santa Cruz: The Early Years, pp. 52, 251.
  22. Bancroft, History of California, Vol. 2, p. 735; Rowland, Santa Cruz: The Early Years, p. 16; Joaquin Castro, Testament, p. 482.
  23. Rowland, Santa Cruz: The Early Years, pp. 55, 108, 109, 182-83; Northrop, Spanish-Mexican Families of Early California, p. 50.
  24. Job Francis Dye, "Recollections of California since 1832," Corralitos, California, manuscript, 1877, pp. 6-8, Bancroft Library, University of California, Berkeley.
  25. Joaquin Castro, Testament, p. 481.
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28. United States District Court, Guadalupe Castro et als, Executors of Joaquin Castro vs. the United States, Opinion and Decree of Honorable Ogden Hoffman Confirming Survey (San Francisco: Town & Bacon, Book and Job Printers, 1867), p. 12.

29. For an explanation and discussion of the conciliatory process in Mexican California see "The Mexican California Legal System" in David J. Langum's Law and Community on the Mexican California Frontier.

30. Edward Martin, Directory of the Town of Watsonville (Watsonville: C. O. Cummings Publisher, 1873), p. 48.

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