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**the CASTROS
of SOQUEL**

APPENDIX

A

BY
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**Boundry Descriptions & Palo de la Yesca
the Franciscan Trail**

Frederick A. Hihn

the Land Commission 1852-1857

School Land Warrants

Soquel-An Early History

Villa de Branciforte & Mission Santa Cruz

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BOUNDARY DESCRIPTIONS and Palo de la Yesca

Following is a discussion of the boundries of Martina Castro's two land grants, namely her first grant, Rancho Soquel and the grant that became known as the Soquel Augmentation Rancho. The boundries of the two grants are discussed from the earliest found descriptions in 1833 through February 10, 1916 when the Santa Cruz Land Title Company requested that the Augmentation Partitioning Suit accepted by the Court in 1864 be recorded. The following discussions are not intended to be all inclusive, but instead are intended to add to the discussions presented in the text.....

DEFINITIONS

CHUCHITA(s) or...1a CHUCHITA including the LOMA PRIETA

Speculation of the meaning of the word "Chuchita" has dominated all writings to date. Once again we must turn to Donald Thomas Clark's excellent book...SANTA CRUZ COUNTY PLACE NAMES...for a definitive discussion of the words...to quote Clark...

"This place has been cited in deeds and in the notes kept by surveyors. For example, Hihn Records (Vol. 1, July 24, 1860) as "...southerly to the Chuchitas..." and the survey of the Rancho de los Corralitos and Surrounding Claims bears the note: Oak Tree L.C. No. 7, Place called Chuchita." The Township Plat Map, 1858-1883 of the U.S. Surveyor General for California for T10S, R1E shows the location (in Section 34) of the Chuchita and Thomas W. Wright's map dated 1864 shows the location of Chuchitas."

"The Santa Cruz Sentinel, JUNE 13, 1862, reported a "Valuable Discovery...A coal mine has been discovered at a place called Chuchitas, situated in the mountains about twelve miles to the eastward of (Santa Cruz)..." and the Sentinel of FEBRUARY 19, 1870, refers to a point on a map of Rancho Aptos...called the Chuchitas."

"Leon Rowland (Rowland Files, under Aptos) mentions a Chuchita Creek, which he translates as "Little Opossum Creek."...But, why so named?...It is true that "chucha" is Spanish for dog (or opossum), but the animal was not...the opossum...introduced into the area until around 1910. Also, there is a Mexican word "Chuchito" which is their name for a species of Nightshade. Thomas (1966, p. 302-303) lists several members of the Nightshade that grows in the Santa Cruz Mountains...But again, why the name?...Other variations have appeared on documents, such as "Cuchita" on a deed

BOUNDRY DESCRIPTIONS and Palo de la Yesca DEFINITIONS

CHUCHITA(s)...(Continued)

dated MAY 3, 1856 (Book of Deeds, Vol. 3, page 523) "...from the preceeding discussions, it is obvious that both Clark and Rowland were confused and were searching for enlightenment.

I decided not to spend further time and effort researching the meaning of the word, accepting Clark's ambiguous definitions, that is until I came across Francisco Alviso's deposition dated AUGUST 14, 1853 for the Land Claims Commission which included a crude map of the Augmentation's boundries as he understood them when Martina Castro first approached Governor Manual Micheltorrena in late 1843 (see Text CHAPTER 2, pages 21 thru 59 inclusive).

Surprisingly, Francisco Alviso on his map, did not place the Chuchita at today's location at the upper end of today's Ryder Road on or near "Bean Hill," but placed it to the north on the peak of the highest mountain in the Santa Cruz Mountains, on the peak that today is called LOMA PRIETA. Now that solving the meaning of the word CHUCHITA was a necessity, I gathered my latest findings and took them to a person familiar with "Old Spanish" words and their meaning. The result of the research was that the word "Chuchita" (or words sometimes using a slightly different spelling) was a colloquial word meaning "hideout," or a "place to hide," or a place serving as a "lookout."

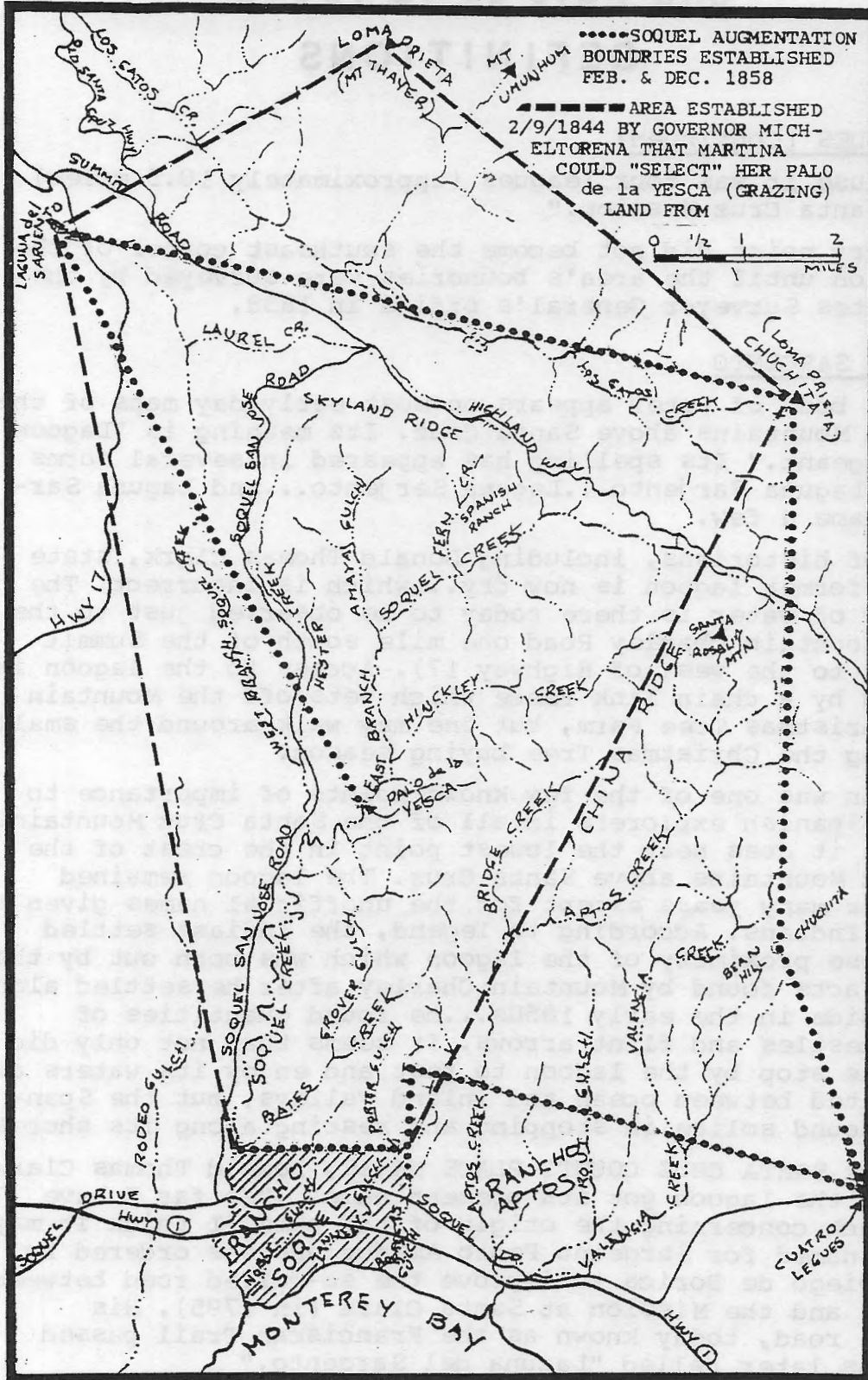
Therefore, as of this writing...the latter definitions as well as its earlier location on the mountain that today we call Loma Prieta has been accepted until better proof to the contrary is established...while today's location of "Chuchita" is where it was placed in 1858 by the U.S. Surveyor General of California, at the end of Ryder Road within the vicinity of the area known as "Bean Hill."

CUATRO LEGUES

This boundry point for the southeast corner of the Augmentation and the northeast corner of Rancho la Laguna de las Calabases lying on the west side of Rancho de los Corralitos's boundry is located today in the middle of Freedom Boulevard (about) 200 feet to the west of Hames Road.

Donald Thomas Clark in his book...SANTA CRUZ COUNTY PLACE NAMES ...states "the spelling takes several forms...Cuatro Leguas... Quatro Leagues...Quatro Leguas...and Quatro Legues. This boundry point was such a well known landmark that it gave (temporarily) its name to two roads...Valencia Road to Quatro Legues (now called Day Valley Road)...and Quatro Leagues to Corralitos Road (now called Hames Road). This boundry point was probably so

BOUNDRY DESCRIPTIONS and Palo de la Yesca



ESTABLISHED & CONTESTED AUGMENTATION BOUNDRIES

BOUNDRY DESCRIPTIONS and Palo de la Yesca

DEFINITIONS

CUATRO LEGUES (Continued)

named because it was four leagues (approximately 10.5 miles) from the Santa Cruz Mission."

This boundry point did not become the southeast corner of the Augmentation until the area's boundries were surveyed by the United States Surveyor General's office in 1858.

LAGUNA del SARGENTO

This small body of water appears on most early-day maps of the Santa Cruz Mountains above Santa Cruz. Its meaning is "Lagoon of the Sergeant." Its spelling has appeared in several forms such as...Laguna Sarjento...Laguna Serjento...and Laguna Sargententa to name a few.

A number of historians, including Donald Thomas Clark, state that this former lagoon is now dry...which is incorrect. The small body of water is there today to be observed just to the south of Mountain Charley Road one mile south of the Summit Road (just to the west of Highway 17). Access to the lagoon is restricted by a chain link fence which sets off the Mountain Charley Christmas Tree Farm, but one may walk around the small lake during the Christmas Tree buying season.

This lagoon was one of the few known points of importance to early-day Spanish explorers in all of the Santa Cruz Mountains, sitting as it does near the lowest point in the crest of the Santa Cruz Mountains above Santa Cruz. The lagoon remained unnamed for many years except for the unofficial names given to it by the Indians. According to legend, the Indians settled within close proximity of the lagoon which was born out by the many artifacts found by Mountain Charley after he settled along its west side in the early 1850s...he found quantities of mortars, pestles and flint arrows. It seems that not only did the Indians stop by the lagoon to rest and enjoy its waters as they migrated between ocean and inland valleys, but the Spanish also found solice in stopping and resting along its shores.

In his book SANTA CRUZ COUNTY PLACE NAMES, Donald Thomas Clark writes how the lagoon got its present name..."so far I have only a hunch concerning the origin of the name, I think it may have been named for Sargeant Pedro Amador who was ordered by Governor Diego de Borica to improve the so-called road between Santa Cruz and the Mission at Santa Clara (in 1795). His 'improved' road, today known as the Franciscan Trail passed by what was later called "Laguna del Sargento."

The earliest document that I have found to date that establishes

BOUNDRY DESCRIPTIONS and Palo de la Yesca DEFINITIONS

LAGUNA del SARGENTO (Continued)

the lagoon as a boundry point is in a letter written to Martina Castro Lodge by Governor Manual Micheltoarena, dated FEBRUARY 9, 1844..."allow the interested party (Martina Castro) to be put in possession of all the extent that she selects from the...RIDGE de la YESCA...up to the LAGUNA del SARJENTO y la CHUCHITA... including la LOMA PRIETA." When the Augmentation's boundries were being surveyed and established by the United States Surveyor General's office in 1858, for the convenience of future surveys, the northwest corner of the Augmentation was moved a short distance to the southeast of the lagoon.

LOMA PRIETA

Loma Prieta is the highest peak in the 92 mile long Santa Cruz Mountain Range, anchoring the southeast end of the range's short section that consists of its highest continuous string of peaks. This short section begins along the east side of Lexington Reservoir on Los Gatos Creek (elevation is 645 feet at the dam's spillway) and ends 12 miles to the southeast against 3,791 foot high Loma Prieta. From the latter peak the range continues now as a narrow ridge heading southeast for another 20 miles, gradually dropping in elevation as the Pajaro River is approached where the range ends abruptly.

The short 12 mile long string of peaks, heading southeast from Lexington Reservoir is dominated by the following peaks...Mt. Thayer (3,483')...Mt. Umunhum (3,486')...Mt. Elizabeth (3,004')...Loma Prieta (3,791')...and to the north of Loma Prieta Mt. Chual (3,562').

SIERRA AZUL

The Spanish named the 12 mile long series of peaks when viewed from Santa Clara Valley "Sierra Azul"....Sierra meaning "saw" (jagged) mountain range...and Azul meaning blue. It seems that this name reached over into the Santa Cruz side but the name does not truly describe the range when viewed from this side. The name LOMA PRIETA is a better choice of words with LOMA meaning hills or slope and PRIETA meaning either black or dark colored. It is a curious fact that either name or a combination of both were used by authorities when discussing the ocean side of the range. This is evidenced in the use of both Loma Prieta and Loma Prieta de la Sierra Azul in documents.

When Francisco Alviso's map submitted with his deposition for the Land Claims Commission dated AUGUST 14, 1853 (see TEXT page 59) is studied it is not clear if he is calling an area, areas

BOUNDRY DESCRIPTIONS and Palo de la Yesca DEFINITIONS

LOMA PRIETA (Continued)

such as Mt. Thayer or Mt. Umunhum, or the entire 12 mile range of peaks LOMA PRIETA. What is obvious from the map is that the peak that we call Loma Prieta was then called CHUCHITA prior to, and during the 1843/1844 period that Martina Castro was requesting land to replace the eastern half of her Rancho Soquel made unuseable by her brother Rafael Castro's cattle and sheep.

MT. BACHE

Before the surveyors began surveying and establishing the Augmentation's boundries in 1857, the Coast Survey Department renamed (Mt.) Chuchita Mt. Bache in honor of their chief, Alexander D. Bache, a grandson of Benjamin Franklin and superintendent of the Coast Survey between 1843 and 1867. Today the only remaining area bearing Alexander Bache's name is the short Mount Bache Road between Highland Way and Loma Prieta Avenue.

As discussed in the text, the Surveyor General decided not to extend the north boundry of the Augmentation from the Laguna del Sargento across Los Gatos Creek to either Mt. Thayer or Mt. Umunhum, but instead head slightly towards the southeast until Chuchita (today Loma Prieta) was reached. With this accomplished, now there was no point along the Augmentation's boundry called Loma Prieta. To remedy this situation and to be compatible with deeds written to date and to agree with the area's boundry description by the earlier Mexican authorities, they decided to call Chuchita Loma Prieta. But now there was no boundry point called Chuchita, which was solved by moving this point directly south down to the area at the upper end of Ryder Road near (or on) Bean Hill.

PALO de la YESCA

Not only has the meaning of the words "Palo de la Yesca" confused historians since the statement first appeared on the PLAT of the Shoquel Augmentation Rancho as prepared by the U.S. Surveyor General of California and issued in 1858, but also confusing were the added words..."or Pink Tree." The full statement on the Plat is "Stake at the Spot of the Pala de la Yesca or Pink Tree."

The above words have appeared in several other forms, such as "yesca" spelled as "Yeska," the words "Palo Yesca" or just the word "Yesca" used. Then there is the Governor Micheltorena's statement...Ridge de la Yesca...and other statements such as

BOUNDRY DESCRIPTIONS and Palo de la Yesca DEFINITIONS

PALO de la YESCA (Continued)

"de la Yesca" and "la Loma Prieta which place was called Pablo de la Yesca"...(in Spanish this misspelling means...Pablo is a last name while Yesca would be the mother's maiden name).

Donald Thomas Clark in his book SANTA CRUZ COUNTY PLACE NAMES states that YESCA means either "Touchwood," "Tinder," or "Punk" ...TOUCHWOOD is defined as dried, decayed wood used as tinder; or punk...TINDER is any dry, easily flammable material used for starting a fire from a spark...and PUNK means any substance, such as decayed wood, that smolders when ignited, which is used as tinder. As for the word PALO, it means either stick or a piece of wood. All of these confusing words were clarified by Juan Jose Castro in his deposition made before the Land Claims Commission dated MAY 16, 1855 with this simple statement..... "Palo de la Yesca was so called from an oak tree that formerly stood there from which punk was obtained." According to Juan Jose the official Spanish definition of the phrase in question was "PUNK STICK" or PUNK WOOD" and the location of the area was located within the vicinity of today's Soquel Cemetery. As for the first found written word using YESCA, it was by Ricardo Juan in his letter to the Governor dated JANUARY 7, 1844. The location of Ricardo's Palo Yesca was across the Soquel River from today's Cemetery along the south side of the low hills that line Bates Creek.

The PINK TREE

To quote Donald Thomas Clark concerning the Pink Tree..... "Apparently named because of the prominence of a particular tree (Palo) known for its pink (yesca) color"....solving this mystery was not easy, and the following is open to speculation...when Juan Jose Castro's deposition is read, not the original statement which is in Spanish but the translation of the deposition the word PUNK reads PINK. To the non-Spanish speaking person, a Pink Tree would be more logical than a PUNK TREE.

SANJON de los BORREGAS

This short gulch (it measures about 9,000 feet or 1.7 miles in length) trends mostly in a southerly direction from its headwaters at 400 feet elevation...located in Rancho Aptos just to the northeast of Cabrillo College. Then, just before the gulch's creek reaches its mouth at Soquel Cove it makes a sharp southwesterly turn just below Highway one.

When the gulch's creek reaches the northeast corner of Cabrillo College just below its headwaters, from here until Monterey Bay

BOUNDRY DESCRIPTIONS and Palo de la Yesca DEFINITIONS

SANJON de los BORREGAS (Continued)

is reached, the creek bed forms the boundry between Ranchos Soquel and Aptos.

The meaning of Sanjon (or Zanjon) de los Borregas...other names given to the gulch vary from Sanjon de las Borregas...Sanjon de Borregas...to today's Borregas Gulch...has been assumed to mean "Lamb Gulch" with Sanjon or Zanjon (derived from "Zanja" ...meaning ditch...or "Zanjar"...meaning to open ditches in; or to settle or resolve...and Borregas derived from "Borrego" (or "ga") meaning "young sheep" or "nitwit" (the plural of "Borrega (Borregas) means fleecy clouds. From the preceeding it can be seen that assuming that the earlier names of the gulch meant "Lamb Gulch" or "Lamb Ditch" may be either slightly or totally incorrect. But to arrive at the correct meaning, this would require exhaustive study that may not be possible due to the lack of sufficient documentation. And may prove fruitless due to difference of beliefs and opinions of the researchers. But this is not the only assumed meaning of a place name that needs further study!

Based on the requests made to the Governor by Martina Castro and her husband Michael Lodge for land to settle on, land they called the San Jon of the River of Soquel to the San Jon de las Borregas, the latter "gulch" has been accepted as the eastern boundry of Rancho Soquel, except during the brief period when Rafael Castro attempted to have his western boundry head along a northerly heading straight line beginning at the mouth of the Sanjon de los Borregas instead of following the gulch's creek. If Rafael were successful, over a quarter of Rancho Soquel along the west side of Borregas Gulch would have been subtracted from his sister's rancho and added to his Rancho Aptos lands.

BOUNDRY DISPUTES

RANCHO SOQUEL- November 22, 1833

The earliest known official description of Rancho Soquel was written in an Expediente by Governor Jose Figueroa.....

"Martina Castro is declared to be the legitimate owner of the land known by the name of Soquel adjoining the river of that name and the Sanjan de las Borregas.

RANCHO SOQUEL- November 23, 1833

In the first grant given to Martina Castro which contained restrictions, Governor Figueroa described Rancho Soquel as

BOUNDRY DESCRIPTIONS and Palo de la Yesca

BOUNDRY DISPUTES

follows.....

"the land known by the name of Soquel bounded by the river of said name and the sanjon de las Borregas.....consists of two miles longitude by half a league latitude, a little more or less as exhibited by the sketch accompanying the Expediente."

AUGMENTATION- February 9, 1844

In what has been accepted as the original grant of the Augmentation, Governor Micheltorena wrote the following to Martina...

"To whom it is ordered, to put Doña Martina Castro in possession of all the extent that she selects from the Ridge de la Yesca up to the Laguna del Sargento y la Chuchita including la Loma Prieta."

RANCHO SOQUEL & AUGMENTATION- August 29, 1850

Martina Castro's deed in which she divided her lands among herself and eight children was the first document in which both of her ranches were discribed jointly.....

"a grant to herself and family of a tract of land two miles in length by a half league in breath, a little more or less, and in addition for a new title to said ranch and for another tract of land on mountains, which new title was granted to her and her family to an extent of territory extending as far as the Laguna del Sarjento and la Chuchita, including the Loma Prieta."

RANCHO SOQUEL & AUGMENTATION- September 10, 1852

On the above date in a deed a more detailed description of Rancho Soquel was provided along with the main boundry points, in more detail, for the Augmentation.....

"The Rancho of Soquel lying between the Arroyo de las Borregas, on the east and the Bay of Monterey, on the south and the Soquel Creek, on the west and the mountains, on the north being two miles in length and one half a league in width, a little more or less, and also the aforesaid Augmento included in said Rancho of Soquel known as the Palo de la Yesca including the Chuchitas the Loma Prieta and the Laguna Sarjento."

RANCHO SOQUEL & AUGMENTATION- August 2, 1852

The following description of both ranches appeared in the Thomas Fallon, Pruitt Sinclair and Jones Hoy Complaint....it should be noted that Laguna Ballena (today the laguna is nonexistent) was

BOUNDRY DESCRIPTIONS and Palo de la Yesca

BOUNDRY DISPUTES

located just to the south of where Bates Creek emptied into the Soquel River....also of interest is mention of the term Sierra de la Yesca.....

"Bounded on the west by the Soquel River, on the south by the Bay of Monterey, on the east by the Sanjon de las Borregas and on the north by the Laguna Bienna (correct spelling is Ballena meaning "whale"), and being also of a certain other tract of land adjoining the last mentioned premises comprising an extension of the Sierra de la Yesca as far as the Laguna del Sargento and la Chuchita including the Loma Prieta."

RANCHO SOQUEL & AUGMENTATION- May 3, 1856

Taken from one of the deeds with the Reverend John Ingoldsby as grantor, this is one of the first deeds to combine the boundries of both ranches into a single description. Also of interest is the statement "thence running up said river to the point where it issues from the hills which caused confusion until it was discovered that Palo de la Yesca was located where Bates and Soquel Creeks converge, not where it is located today, just below Hinckley Creek....."

"Known as the Soquel Rancho with the Augmentation bounded and described as follows, to wit....Beginning at the mouth of the Soquel River where the same empties with the Bay of Monterey....thence running up said river to the point where it issues from the hills....thence running to the Laguna del Sargento....thence running to an including the Loma Prieta....thence running to the Chuchitas....thence running to the point where the Sanjon de las Borregas issues from the hills thence running down the Sanjon de las Borregas to the Bay of Monterey and thence running along the shore of said bay to the point of beginning."

RANCHO SOQUEL & AUGMENTATION- April 29, 1859

This deed is interesting from the fact that it moves Rancho Soquel's boundry farther north to include 2,500 acres more or less (actually it makes the rancho in this deed 2,700 to 2,800 acres). This deed establishes the boundries of Rancho Soquel that would be contested in the Peck versus Hihn et als suit soon to start in spite of the U.S. Surveyor Generals issued Plat that establishes the rancho's size as 1,668 acres.

"Commencing on the mouth of the Soquel River...thence running northerly along the said Soquel River about three miles, a little more or less, to a cottonwood tree which

BOUNDRY DESCRIPTIONS and Palo de la Yesca

BOUNDRY DISPUTES

stands on the eastern bank of said river nearly opposite the house formerly occupied by one Highmore...thence running easterly passing near Bates sawmill to the northwest corner of the Aptos Rancho...thence southerly along the west line of the said Aptos Ranch and along the Borregas Gulch to the mouth of the said gulch on the Bay of Monterey ...thence westerly along the said bay to the place of beginning containing about 2,500 acres more or less."

"Also included is that certain tract of land known as the Augmentation of the Soquel Rancho commencing at the northwest corner of the tract of land first above described... thence running northwesterly including the la Yesca tract and along the eastern line of the San Augustine Rancho to the Laguna Sarjento...thence running easterly including the Loma Prieta...thence to the Chuchitos...thence southerly to a bunch of redwood trees known as the quatro leguas... thence westerly along the north line of the Aptos Rancho to the northeast corner of the Soquel Rancho to the place of beginning containing sixteen (16) leagues (70,400 acres versus the surveyed total of 32,702 acres) more or less."

NOTE: See accompanying map for boundry point locations.

RANCHO SOQUEL & AUGMENTATION- July 24, 1860

The following words taken from the deed signed July 23, 1860 by Nicanor Lajeunesse and the following day by her husband Francisco is interesting from the standpoint that it described the accepted boundries as shown of the finalized Plat issued by the U.S. Surveyor General for Rancho Soquel stating that the rancho contains 1,668 acres while this deed says that it contains 2,700 acres more or less.....

"Commencing at the mouth of the Soquel River following up said river in a northerly direction to a stake on the east bank of said river parallel with the Laguna Bienna (Ballena) or Lake of the Whale...thence running east to the stake on a hill north of the head of the Borregas or Sheep Gulch...thence running south to the head of the Sheep Gulch...thence running down said gulch to the Bay of Monterey...thence running along said bay to the mouth of the Soquel River to the place of beginning, and more particularly described by the government survey of said rancho, containing about 2,700 acres more or less."

"Also included is that certain tract of land known as the Augmentation of the Soquel Rancho commencing at the north-

BOUNDRY DESCRIPTIONS and Palo de la Yesca BOUNDRY DISPUTES

west corner of the Rancho Soquel...thence running in a northwesterly direction to a lake on the top of the Santa Cruz Mountains known as Sargents' Lake...thence running easterly to the top of a mountain known as the Loma Prieta including said Loma...thence running in a southerly direction to a point of a hill known as the Chuchitos...thence to a bunch of redwood trees on the road leading from Santa Cruz to Watsonville known as the Cuatro Lagues...thence bordering on to Rafael Castros Rancho and the Rancho Soquel to the place of beginning."

RANCHO SOQUEL & AUGMENTATION- Post Partitioning Suits (1864)

After the two partitioning suits were completed and the two ranches partitioned as recommended by the two sets of three referees, deeds then contained the following wordings.....

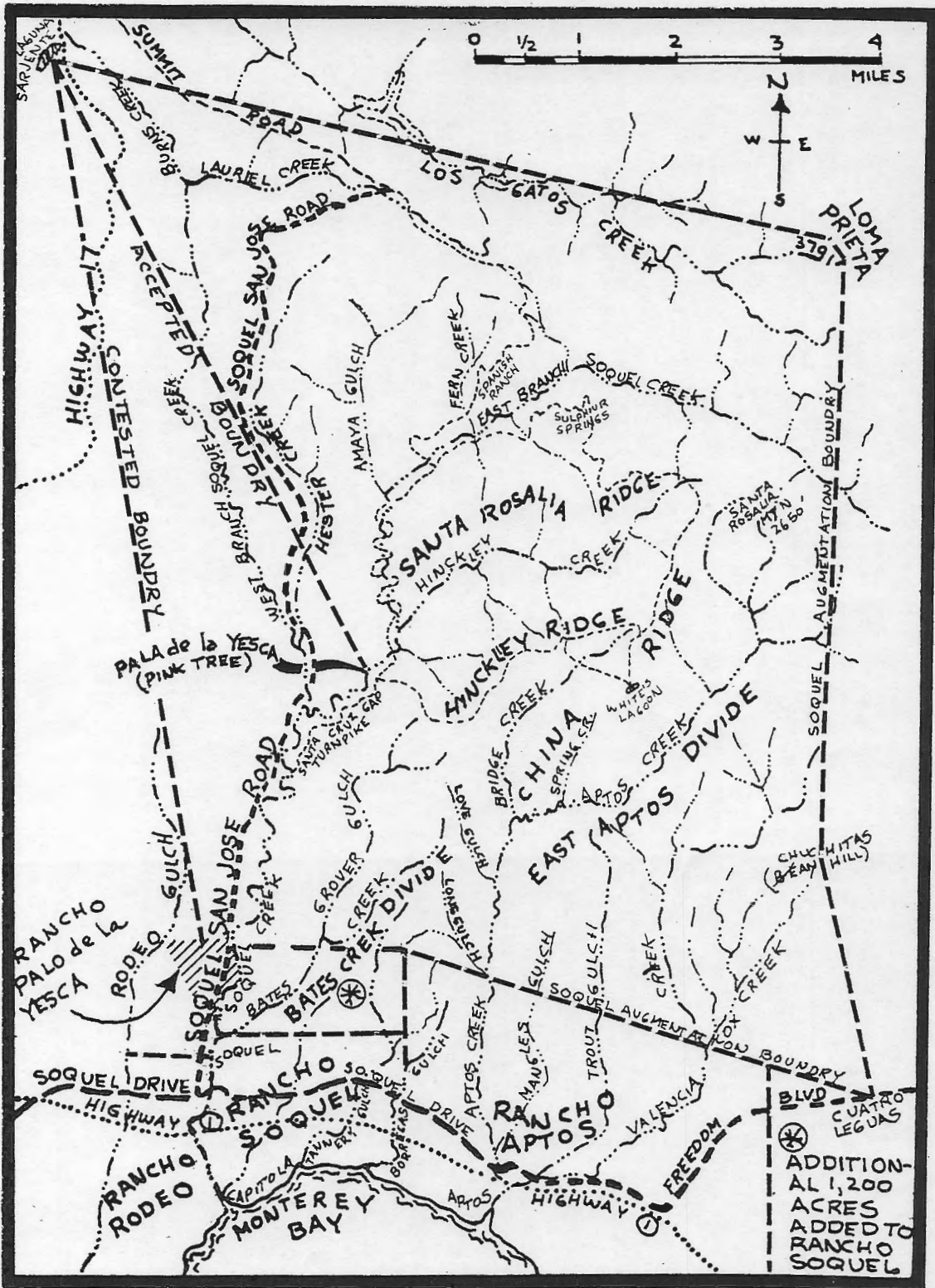
"The first statement in the deed concerning land is the amount of land being sold, such as 1/3rd of 1/9th (or 1/27th) undivided part...sometimes the amount of money the grantee is paying is mentioned.....

The description of the boundry that the land being sold lies within begins with words stating the percentage being sold of the grantors right to, and interest of, in, and to that certain tract of land or rancho situated lying and being in the County of Santa Cruz known as the Soquel Rancho with the Augmentation and description as follows.....

"Beginning at the mouth of the Soquel River where the same empties into the Bay of Monterey...thence running up the said river to the point where it issues from the hills... thence running to the Laguna del Sarjento...thence running to and including the Loma Prieta...thence running to the Chuchita...thence southeasterly to the Cuatro Legues... thence westerly to a point on the Borregas Gulch...thence south following said gulch to the Bay of Monterey...thence along the shore westerly until the place of beginning is reached."

NOTE: It is interesting to note here that when Frederick A. Hihn entered into his deed with Frederick W. Macondray on AUGUST 26, 1859, because he used words in the deed describing the land he was selling in Rancho Soquel as lying within the above described boundries, and he (Hihn) owned land within both ranches that was previously purchased by Macondray, Charles B. Younger decreed that land in both ranches was sold.....which ended up as Lots R and S in Rancho Soquel and Tract 8 in the Augmentation.

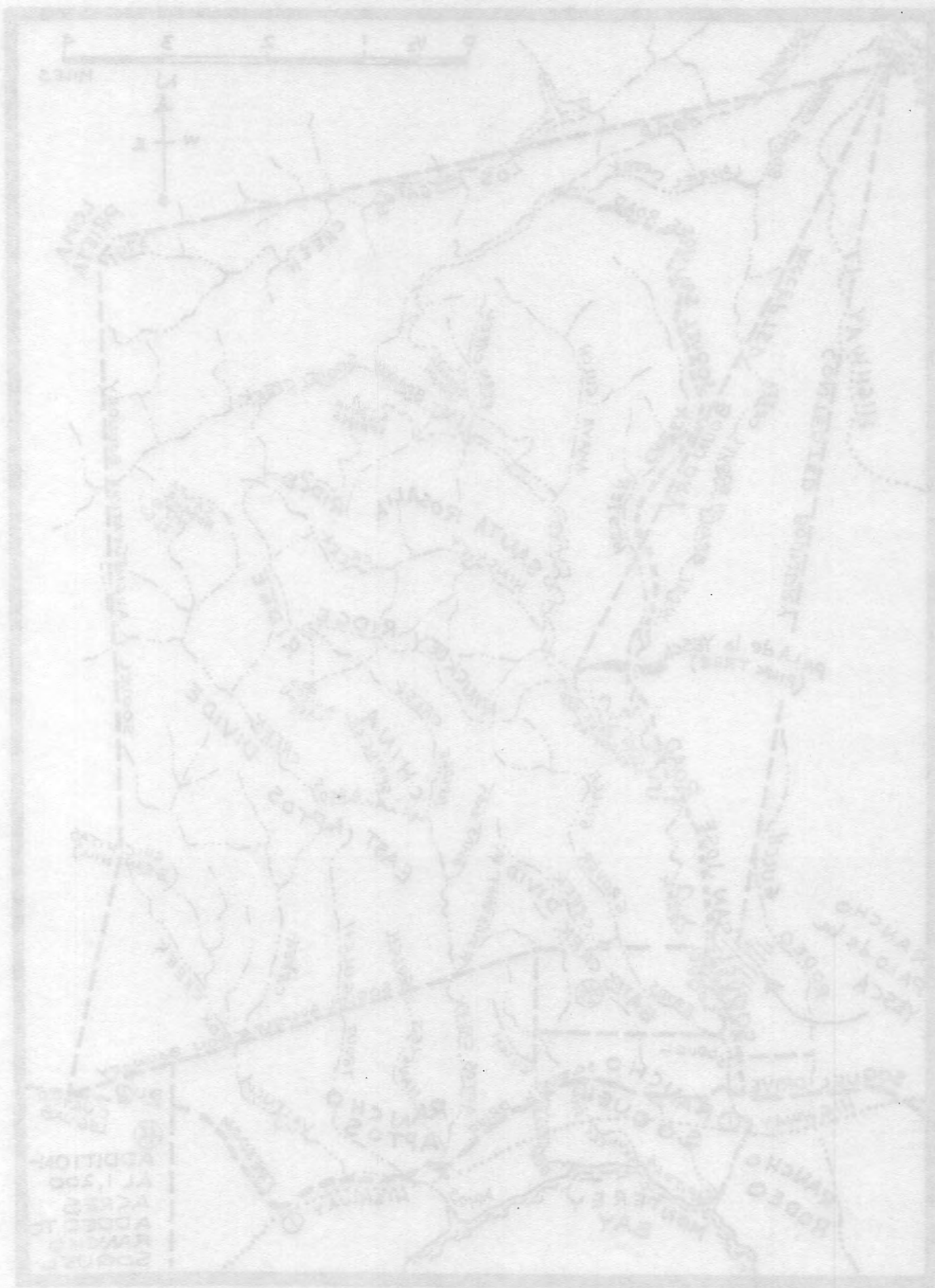
BOUNDRY DESCRIPTIONS
and Palo de la Yesca



ADDITIONAL 1,200 ACRES ADDED TO RANCHO SOQUEL

AUGMENTATION BOUNDRY DISPUTES 1857-1859

BOUNDARY DESCRIPTIONS
and Palo de la Yesca



ALLEGATION BOUNDARY DISPUTES 1851-1859

A17

the FRANCISCAN TRAIL

JUNE 3, 1770- Mission San Carlos Borromeo de Monterey is established in Monterey at the site of the presidio.

1771- The mission is moved from Monterey to Carmel and changed to Mission San Carlos Borromeo de Carmelo....today the mission is called simply "the Carmel Mission."

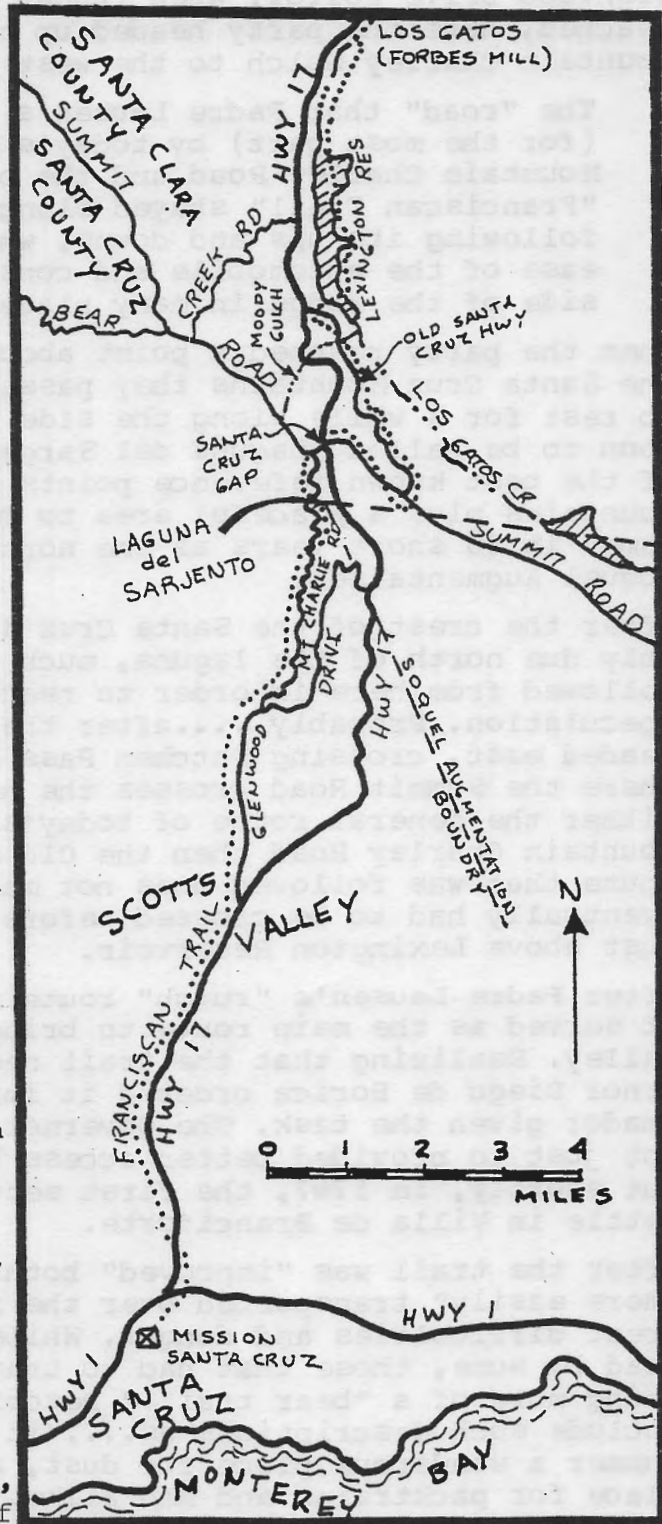
1774- Exploratory party led by Fernando Javiera Riveria Y Moncada and Fray Francisco Palou leaves the Carmel Mission to explore Santa Clara Valley and the lower end of San Francisco Bay. After exploring and mapping the areas the party heads back to Carmel along the western side of the Santa Cruz Mountains, stopping along the west side of the San Lorenzo River to establish the site for Mission Santa Cruz.

AUGUST 28, 1784- Father Junipero Serra dies and Padre Fray Fermin Lausen is elected Presidente to replace Father Serra.

1791- Presidente Fray Lausen decides that the time has arrived to establish the planned mission at Santa Cruz, Upper California's twelfth mission. Wanting to bless the spot earlier established by Fray Palou, then establish the best route between the new mission and Mission Santa Clara, Fray Lausen begins gathering an exploratory party.

The party, led by Padre Lausen heads up the partially established "el Camino Real" (today followed for the most part by State Route 82), stopping opposite today's town of Woodside. The party crossed the Santa Cruz Mountains here, then after reaching the ocean they turned south. When the San Lorenzo River was reached, AUGUST 29, 1791, Padre Lausen plants a cross at, then blesses the site of the new mission.

After Fray Lausen planted the cross and blessed the site of the mission, the party headed north up through Scotts Valley, passing the future home site of Hiram Scott, then following for



The FRANCISCAN TRAIL

the FRANCISCAN TRAIL

the most part the routes that today's Scott Valley Drive and Glenwood Drive follow. When (today's) Mountain Charley Road was reached, here the party headed up the narrow ridge.....with Mountain Charley Gulch to the west and Bean Creek to the east.

The "road" that Padre Lausen's party established is followed (for the most part) by today's Mountain Charley Road. Where Mountain Charley Road and the original trail differ, the "Franciscan Trail" stayed along the top of the ridge following its ups and downs, while today's road, for the ease of the automobile and construction, it is along the side of the ridge in many places.

When the party reached a point about a mile below the crest of the Santa Cruz Mountains they passed near, or possibly stopped to rest for a while along the side of a small body of water, soon to be called "Laguna del Sargento." Besides providing one of the best known reference points in all the Santa Cruz Mountains plus a peaceful area to rest, the laguna will "gain fame" in 50 short years as the northwest boundry point for the Soquel Augmentation.

After the crest of the Santa Cruz Mountains were reached, probably due north of the laguna, much of the route that the party followed from here in order to reach Los Gatos Creek is speculation. Probably.....after they reached the top they headed east, crossing Patchen Pass (and today's Highway 17 where the Summit Road crosses the highway), then followed either the general route of today's state highway...or... Mountain Charley Road then the Old Santa Cruz Highway. Which route that was followed does not matter because Moody Gulch eventually had to be crossed before reaching Los Gatos Creek just above Lexington Reservoir.

After Padre Lausen's "rough" route was established and marked it served as the main route to bring supplies from Santa Clara Valley. Realizing that the trail needed improving, in 1795 Governor Diego de Borica ordered it improved with Sergeant Pedro Amador given the task. The Governor wanted the trail improved, not just to provide better access between the two missions, but shortly, in 1797, the first settlers were scheduled to settle in Villa de Branciforte.

After the trail was "improved" both settlers and supplies were "more easily" transported over the route, but not without great difficulties and danger. While the trail was called a road by some, those that had to travel it looked upon it as being more of a "bear trail." Descriptions of the trail include such descriptions as...."it was steep, rough, and in summer a wonderous place for dust, and in winter a dangerous place for packtrains and men alike." The Franciscan Trail would serve as the main route between Santa Cruz and Santa Clara Valley for the next fifty plus years.

the FRANCISCAN TRAIL

When Charles McKiernan (Mountain Charley) settled along the west side of Laguna del Sargento in 1851, one of the first roads that he is credited with building is a bypass of the most difficult portion of the Franciscan Trail, from the crest of the mountains above his homesite across Patchen Pass down to Los Gatos Creek. From the vicinity of today's junction of Mountain Charley and the Summit roads he headed along the top of the ridge westward following today's Summit Road for a mile until the northwest side of Moody Gulch was reached.

NOTE: Redwood Estates occupies the opposite southeast side of Moody Gulch.

Charles McKiernan continued his bypass down the northwest side of Moody Gulch until Los Gatos Creek was reached and the Franciscan Trail joined. Shortly after completing his bypass, it was used first by the Schulthies' family, then by the Burrells' to reach the top of the ridge in order to continue on towards the east to their planned homesites along today's Summit Road.

When the Santa Cruz Gap Turnpike was extended from Los Gatos Creek to the top of the Santa Cruz Mountains they followed for the most part Charley's bypass, as did the Santa Cruz Turnpike for a short time after it was completed (see Text, CHAPTER 7 for a discussion of the Santa Cruz Gap Turnpike and CHAPTER 9 for the Santa Cruz Turnpike).

the FRANCISCAN TRAIL

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FREDERICK A. HIHN

Introduction

Over the past 70 plus years many have accepted that the story of Rancho Soquel and the Augmentation were Martina Castro's story. For the early years this is true as the CASTROS of SOQUEL attest. But in truth, after her deed of AUGUST 29, 1850 is signed she becomes a lessor role player, slowly fading into the background, while step by step the leading role is taken over by Frederick A. Hihn. Because Hihn's early ventures into property ownership included buying land within Martina's two ranches, plus his first logging venture began in the Augmentation in 1883 we must understand and "get to know" more intimately this complicated man named Frederick Augustus Hihn.

Upon the event of his death AUGUST 23, 1913 at age 84 (he was born on AUGUST 16, 1829 at Holzminden, Duchy of Brunswick, Germany) Frederick A. Hihn was recognized as the most important pioneer in Santa Cruz County. Some even referred to him as being the CENTRAL COAST's most important person. The importance of this man and the effect he had on the early history of the county, not to mention Martina Castro's two land grants, cannot be over emphasized. But, as it is with most persons that rise from pauper to millionaire (Hihn lived in the county some sixty-plus years) both good and bad stories are generated, with the latter being remembered and written about in newspaper articles. There will be no effort here to either "clear" or "add" to this man's much "maligned" reputation. Only the facts as they surface will be discussed, up to about 1870, in this APPENDIX.....

The following abbreviated history of Frederick A. Hihn, from his birth in Germany to his entrance into the county in OCTOBER of 1851 is based for the most part on E.S. Harrison's HISTORY of SANTA CRUZ COUNTY.....

On APRIL 20, 1849, a young 19 year old, after hearing of the gold strike in California, he joined with about sixty others and set sail for the "new" world and a "new" life. The party of sixty arrived in San Francisco OCTOBER 12, 1849 and immediately headed for the gold fields, with Hihn and several others settling along the Feather River. Disaster soon hit the party in the form of a storm forcing them to leave the area. Hihn and several others settled in Sacramento along the American River when another storm washed him and his small business out.

Deciding that the gold country was not for him, in early 1851 he headed for San Francisco, opening a drug store on Washington Street, near Maguire's Opera House. Disaster, it seems, had followed him every step of the way after his arrival in California, and it did not leave him here in San Francisco, because the great fire of MAY, 1851 took nearly all his worldly goods and what was left was consumed in the JUNE fire of that year. It is after the two fires and his decision to leave San Francisco and head for a town to the south where it was supposed money was not so plenty, but the danger from water and fire not so great, and life more agreeable that we begin Frederick A. Hihn's life in Santa Cruz County.

FREDERICK A. HIHN

According to popular folklore, Frederick A. Hihn entered the county walking, while the truth is he entered on the back of a mule (or horse) carrying all of his worldly possessions in a backpack. Regardless of how he arrived, he did arrive in mid October of 1851 and the County of Santa Cruz would never be the same again. When he decided to leave San Francisco he had formed a partnership with a Henry Hintch, with the two partners agreeing to open a general merchandise store when they arrived at their final destination, which originally was (probably) somewhere near, or in Salinas. When they arrived in Santa Cruz they (Hihn) settled on remaining in the area. For their store they chose a building at the junction of Front Street and Pacific Avenue. Shortly after the store opened, Henry and his wife, dissatisfied with the area moved back to San Francisco.

In spite of the departure of his partner, Hihn decided to remain. Having the advantage of a good mercantile education, speaking English fluently (but with a decided German accent that would be made fun of during his early years in the county), German, French, and Spanish (somewhat fluently), and besides having some knowledge of other languages, his merchandise business prospered. In 1853 he erected a white two-story building on the west side of Pacific Avenue close to the Front Street intersection. In November of 1853 he married seventeen-year old Therese Paggen...he was 24 at the time. Because of his relatively poor financial state at the time, their honeymoon "cottage" and their home for the next five years was on the second floor of the newly built store.

THERESE PAGGEN HIHN

Therese Paggen was born MAY 17, 1836 at Alsace-Lorrains, France. As a child she moved to Paris with her parents, being brought up with a French environment. From Paris she went to Mexico City with her parents, and was in the city during the Mexican war.

She came to San Francisco in 1849, met, then married Frederick A. Hihn NOVEMBER 23, 1853. They were married on the second floor of Hihn's newly built building at the intersection of Front Street and Pacific Avenue (then called Willow Street). In 1872 the Hihns' built a fine house on Locust Street, which served the couple as their home until Therese's passing APRIL 20, 1919 (Frederick A. Hihn died AUGUST 23, 1913 at home).

Frederick and Therese had a total of eight (8) children, of which only two survived past Therese's death (namely Katie Henderson and Agnes Younger). The eight children are as follows.....

Katie C. Hihn, born 1855 (married W.T. Cope then Mr. Henderson).

Louis W. Hihn, born 1859 (married Harriet Israel).

Elizabeth Hihn, born 1860, died 1862.

August C. Hihn, born 1865 (married Grace E. Cooper).

Frederick Otto Hihn, born 1867, died 1916 (married Minnie Chace).

Hugo Hihn (not the brother who died in Switzerland) was born 1869, died 1871.

Theresa (Tessie) Hihn, born 1872 (married George Henry Ready, then Henry D. Hall).

Agnes Hihn, born 1874 (married Charles Bruce Younger Jr.).

FREDERICK A. HIHN

After Frederick erected his building on Pacific Avenue in 1853 along came the hard and trying times caused by the "potato crash of 53.".....to quote from Leon Rowland's book, SANTA CRUZ, the EARLY YEARS....."Potatoes were worth "a bit a pound" (then twelve and a half cents, in today's money \$1.75) in 1851 and 1852. The flat lower valley of the Soquel was (extensively) planted to them. By 1853 everyone in California who could was raising potatoes and the price bubble burst." When the price demanded for potatoes dropped dramatically and they were rotting in the fields, lumber went down from \$55 to \$12 per thousand feet (\$770 to \$168) while wheat sold for a cent a pound (\$0.14 in 1991).

Instead of despairing during these hard times, Hihn was only spurred on to greater exertions. He could not afford to sell goods on credit, so he exchanged them for the products of the county, paying the customer part cash and part merchandise. Wheat was ground into flour and along with purchased lumber and shingles it was all shipped south to Los Angeles and Monterey. Many days more than \$500 (\$7,000) worth of eggs and chickens were taken in and shipped to San Francisco. Fresh butter was put up in barrels and sold in the fall and winter in place of Eastern butter. In this manner Hihn managed to convert the hard times into good times for himself. During this period Hihn's interest began to turn towards the acquisition of land as a better way to supplement his income. He decided that more profit could be made from dealing in the buying and selling of land than what could be made from the interest derived from the loaning of money. What probably changed Hihn's attitude towards loaning money for profit was the vast acreage owned by Martina Castro and the vulnerability of her heirs, her children. He made his first transaction in Martina's lands on May 29, 1856 from Pruitt Sinclair when the court ordered that his claim to land be sold at auction due to an unpaid debt. Hihn was the high bidder at \$450 (\$6,300).....while this transaction would later be declared void, it was the beginning of many transactions concerning Martina's two lands.

HIHN DIVERSIFIES

Not content to enter into just the "world" of mercantiling and real estate, Hihn contracted with the Pacific Coast Steamship Company to rebuild the pier at Soquel Landing in 1857. The following year (1858) he built his first home on Locust Street, now renting the second floor of his building on Pacific Avenue to a young man named Duncan McPherson who had recently paid \$900 (\$12,600) for half interest in a newspaper named the Pacific Sentinel. In the same year (1858) he joined with several prominent men of the county to look into building a road from Soquel to San Jose. On MARCH 4, 1858 the "Santa Clara Turnpike Company" was formed, of which he was a member. It is within this period that he counted himself to be worth \$30,000

FREDERICK A. HIHN

(\$420,000), which was a goodly sum for that time.

During the 1859-1860 period he became interested in supplying the town of Santa Cruz with water, for commercial, fighting fires and for personal usage. From local creeks he had pipes made by hallowing out redwood logs, then later he enlarged these facilities and built additional works in other parts of the county, so that finally all water used in Santa Cruz, east Santa Cruz, Capitola, Soquel and Valencia (part of the Village of Aptos) was supplied by him.

After he rented the second floor of his building on Pacific Avenue to Duncan McPherson his fortune began to increase at an ever increasing pace....his friendship with McPherson did not hurt him in the least. When Hihn made his early purchases of land within Martina's two ranches, he, like most persons in the county considered that the true owner of both was the Reverend John Ingoldsby. Because there was always the chance that the Catholic priest could loose his claim to both ranches, Hihn had to play both ends of "the candle so to speak," cooperating with the John Ingoldsby forces while at the same time taking advantage of both Martina's heirs and their grantees whenever the occasion arose. As 1858 approached, because of his leadership abilities, he was either chosen, or decided to take over the leadership of the effort in the county to support the John Ingoldsby backed forces (it should be noted here that at this time Hihn was a young 29, far younger in most instances than the men he was leading in the county.....).

When the State's Supreme Court overturned the lower court's decision that Martina's deed of AUGUST 29, 1850 was fraudulent in late 1858, early 1859 and the U.S. Surveyor General of California had finished the survey of the two ranches and issuing of the long sought after patent imminent, Hihn decided that the time had arrived to establish ownership claims within the two ranches. With his "dupe" Henry Peck agreeing to act as plaintiff, on FEBRUARY 13, 1860 both a summons and complaint were served on every person claiming land within Rancho Soquel. On AUGUST 14, 1860 with himself as plaintiff, a summons and complaint were served on all persons claiming ownership of land or facilities in the Augmentation.

When the two summons and complaints were served Hihn calculated that he owned at least 612 acres of Rancho Soquel and 7,872 acres of the Augmentation. After the court assigned referee, Charles B. Younger, who Hihn himself recommended, in late 1861 established that his (Hihn's) totals were incorrect and reduced them to 439 and 4,360 acres respectively, Hihn did not let this loss of claimed ownership acres through voided deeds "derail" him from his goal, a goal to own as much of the two ranches as possible.....when the two partitioning suits were finally settled in late 1863 and mid 1864, he could claim legitimate ownership of half of each ranch.

FREDERICK A. HIHN

HIHN & HIS RAILROAD ACTIVITIES

While the two partitioning suits occupied much of his time and efforts, Hihn did not neglect his other interests. Soon after he rented the second floor of his building to Duncan McPherson (in 1858) he was elected to the county school board, then in 1861 he was elected a Supervisor from the Third District. During this period he began to realize that the growth of the county would depend on railroads, not only the county's growth, but his own. As his wealth continued to include more and ever more land, most of it covered with first-growth redwoods, he realized that to economically reap the potential fortune that harvesting would bring, a railroad was necessary. A railroad to reach the trees and get the logs to the sawmill, then the lumber to market. Because the majority of his redwoods were located within the San Lorenzo River basin and within the Soquel Augmentation, reaching these areas with a railroad was a priority and would occupy much of his time and efforts.

To quote Rick Hamman from his CALIFORNIA CENTRAL COAST RAILWAYS book....."In 1861 he (Hihn) had organized a group of men to build a railroad up the San Lorenzo River into the rich timberlands there. After finally getting construction underway in 1868, the line was only to be halted by a lawsuit involving the property of Henry Cowell. In 1869, he had tried, but failed, to organize the California Coast Railroad between Gilroy and Watsonville. Then in January of 1870, Hihn, a member of the Santa Cruz Railroad Committee, and a State Assemblyman, he introduced a railroad bill to authorize the county (of Santa Cruz) to aid in the construction of railroads and other roads. Included in the bill was a rail line from the eastern county line to the town of Santa Cruz and two branch lines, one up Soquel Creek into the back country of the Soquel Augmentation, and the other up along the San Lorenzo River as far as Felton.

While the bill was defeated, success came shortly when the State Legislature passed another bill, making it no longer necessary for a county to have prior State Assembly approval before such a (local) vote could be taken (to build a railroad or other type of road). With this new law Hihn brought together a group of Santa Cruz businessmen to construct a railroad from Watsonville to Santa Cruz. The problem facing the potential investors was.....how to finance the line. On November 5, 1872 the Santa Cruz County Board of Supervisors voted unanimously to enter into a contract with the newly established Santa Cruz Railroad Company, of which Frederick A. Hihn was the largest stockholder. By 1876 the line from the Watsonville-Pajaro area to Santa Cruz was operating. Next would come Hihn's attempt to reach his timber in the San Lorenzo Valley and within the Soquel Augmentation.

Frederick A. Hihn's railroading activities up into the San

FREDERICK A. HIHN

Lorenzo River basin, which includes the short lived flume from Felton to Boulder Creek and his unsuccessful attempt to reach his standing timber in the back country of the Soquel Augmentation will be discussed in following additions to the CASTROS of SOQUEL.....there is also Hihn's Camp Capitola facilities that would result from his land within Rancho Soquel purchased mostly from Martina's daughters plus from Antonia's husband Henry Peck. Construction of Camp Capitola began in early 1874 which would be followed in later years with his successful sawmill operation at Laurel in the Augmentation.

The LAND COMMISSION 1852-1857

WILLIAM CAREY JONES Classifying Land Grants

On a quiet night in September of 1849, twenty days out of Panama, the steamship Oregon arrived in the pleasant, but nearly deserted port of Monterey (most of the male inhabitants of California were seeking their fortunes in the gold fields). The ship had brought attorney William Carey Jones, confidential agent of the United States government. Because of the importance of this man's assignment, and the role that his findings would "play" in Martina's story, the following is presented in its complete text from W.W. Robinson's book, LAND in CALIFORNIA (the Story of Mission Lands, Ranchos, Squatters, Mission Claims, Railroad Grants, Land Scrips and Homesteads), published by the University of California Press in 1948 and in paperback in 1979.

Jones, son-in-law of Senator Thomas Hart Benton, had been chosen for this journey to newly annexed California because he was adept in the Spanish language and well acquainted with Spanish titles. He carried with him the detailed instructions of Commissioner of the General Land Office Butterfield, others from Secretary of the Interior Ewing and the latter's best wishes for a pleasant voyage, health, and success in what the latter called an "arduous undertaking."

Jones came to California to examine the records of land titles. He had been told to classify all grants or claims derived from Spanish and Mexican authorities and to list separately those originating during the period of the late Mexican War. (Later, all grants made after July 7, 1846, the date Commodore John D. Sloat took possession of Monterey, were held invalid by the Supreme Court.) He was to collect the legal forms- from petition to grant- that had been used by Californians and to prepare a table of land measurements. He was instructed to investigate mission lands and their source of title, to report on mining titles, to check on claims to islands, and to look into Indian rights. Jones was to get reliable information about the whole land-holding system of the former government of California, to keep a journal and an account of personal expenses, and, to get the report in before the end of the next session of Congress.

Almost immediately after stepping foot on shore, the archives at Monterey were thrown open to him. He found the records of land titles imperfect and in confusion. Those records prior to 1839 seemed to be missing, and no book had been started for 1846. Even with the missing records, he was impressed with the large size of the individual grants allowed under Mexican law- as much as eleven square leagues of land, nearly 50,000 acres- which he felt would call for a liberal attitude on the part of Congress.

Jones continued his investigations in San Francisco, San Jose, Los Angeles, San Diego, and Mexico City, staying in the last place two weeks. Returning to Washington he completed his report on April 10, 1850, and presented it to Secretary Ewing. President Millard Fillmore, to whom it was transmitted, sent it to Congress- after the admission of California into the Union on September 9, 1850- would be considering legislation for the settlement of private land claims in the state.

The Jones report was remarkable in scope and detail, as well as being a

The LAND COMMISSION 1852-1857

model of clarity and direct writing. The report was a landmark in the history of land titles in California. It had its effect on the legislation Congress passed, and its liberal viewpoint found continuing expression in later court decrees ruling upon the ownership of California land.

SPANISH LAND GRANTS 1773 to 1822

In his report on grants or claims deriving from the government of Spain, he found the chief local authority to grant lands in the province of California had been ex officio, the military commandant, who was likewise the governor of the province. He had authority by virtue of his office and also under the Viceroy's instructions of 1773. The principal recipients of grants were officers and soldiers upon their retirement from service. The Viceroy of New Spain also had authority to make grants and sometimes exercised it. It was pursuant to his order that presidios, missions, and pueblos (such as Branciforte) had been established. A grant made to an individual under Spanish rule was made only to the person and could not be deeded or willed to another. When the grantee died, the land reverted back to the ownership of the Spanish crown. Spanish grants or claims were respected by the Mexican government when they assumed control in 1822 and many of the grantees took the precaution to have them renewed under Mexican law.

MEXICAN LAND GRANTS 1833 to 1846

Jones found that grants of land during the Mexican period, except those of pueblo lots and perhaps some north of the bay of San Francisco, had been made by the different political governors. The great majority were made after January, 1832, under Mexican colonization law of 1824 and the regulations adopted in pursuance of that law in 1828. The report discussed in detail how these grants were made.....

Anyone desiring a grant presented a petition to the governor, stating his (or her) age, country, and vocation, the quantity and, as nearly as possible, the description of the land. The petition was accompanied by a crude map or diseño.

The next step was for the governor to make a marginal notation on the petition directing the prefect or the local officer to examine and report whether the land was vacant and could be granted without injury to third persons or the public.

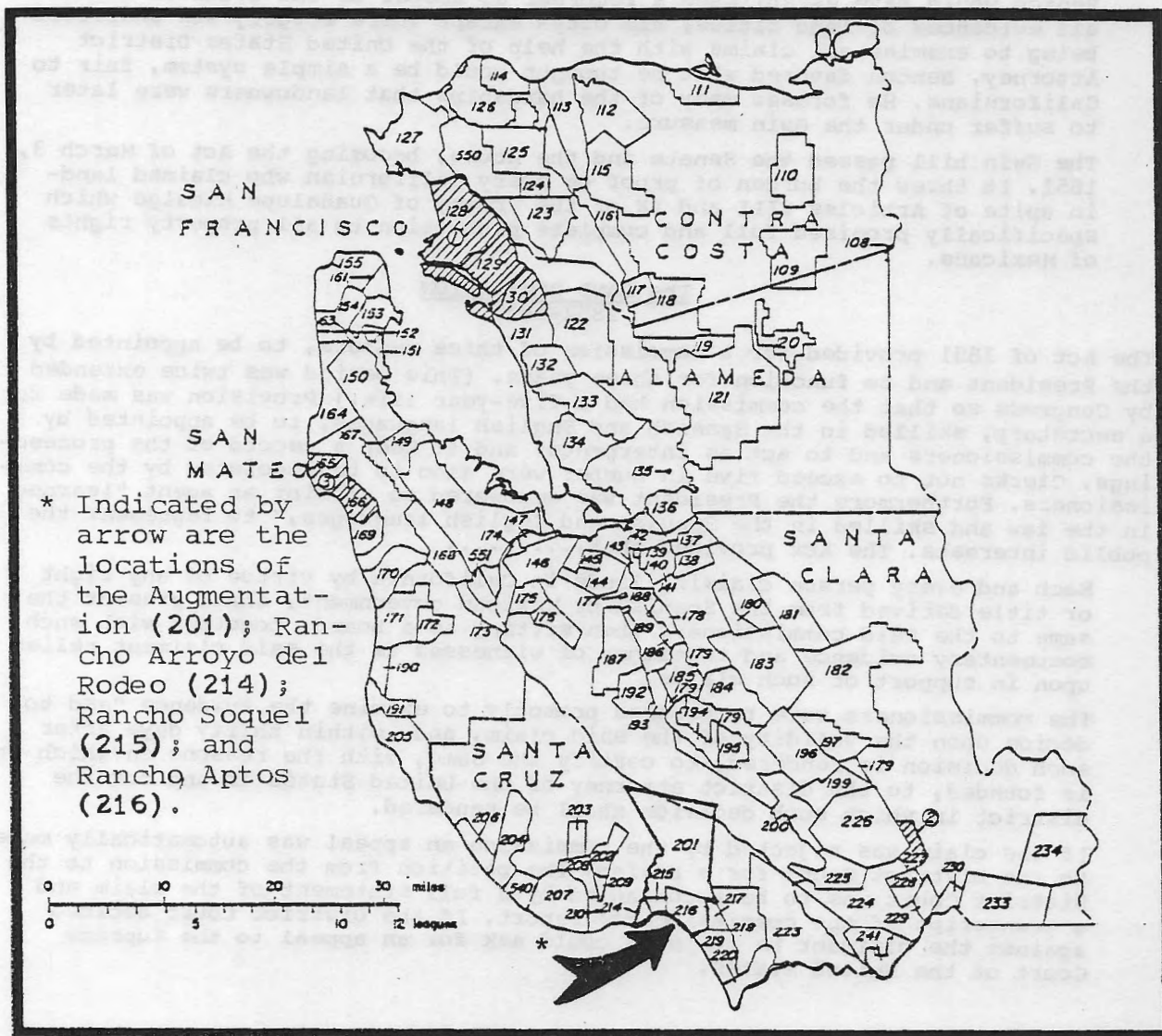
The official's reply to the governor was called the INFORME and could be written on the governor's request, or attached to the grantees petition. The entire set of documents were returned to the governor.

If the governor was satisfied, he would issue the formal grant. The original petition and informe, together with a copy of the grant were filed in the archives by the governor's secretary while the original grant was delivered to the grantee. The papers filed in the archives, attached together so as to form one document constituting the evidence of title was called the EXPEDIENTE.

The last step was to obtain approval of the grant by the Territorial Deputation or Departmental Assembly. The governor took care of this matter by communicating with the legislative body, his communication being referred to a committee which would make its report later. If the legislative body did not concur, it was the governor's duty to appeal to the supreme government.

The final laws that were to affect Mexican citizens concerning land grants in California were the result of the Jones report of April 10, 1850; on an exhaustive report made by Secretary of State Halleck which was turned over to Governor Mason on March 1, 1849; by California's first Senators, John C. Fremont and William M. Gwin, both offering bills on the subject. Fremont offered a bill for the settlement of private land claims in his state, while Gwin offered a substitute to which Benton of Missouri offered an amendment to Gwin's substitute bill.

The LAND COMMISSION 1852-1857



MEXICAN LAND GRANTS of SANTA CRUZ and NEIGHBORING COUNTIES

During a debate with Benton, Gwin stated....."Our titles in California are EQUITIES. We call upon you to examine them in a liberal and beneficial spirit, and confirm all that are just. We ask the interposition of a board to collect the evidence, and then the right to bring our titles before our own court. Then, as a final resort, and forever to settle the question, we claim a right of appeal to that power at Washington 'which has neither guards, nor palaces; nor treasures.'

Gwin, whose recommendations were to prevail, probably voiced the opinions of the average American who regarded California as a fabulous region that should be open to land-hungry Americans and who looked with suspicion upon the huge size of the California ranchos. Gwin believed land titles in California were vague. Benton, echoing Jones' opinion, held they were perfect. Gwin wanted the courts to pass upon the claims of Californians to land.

The LAND COMMISSION 1852-1857

Benton would have established a recorder as keeper of the archives and of all evidences of land titles; his duty- except where forgery was suspected- being to examine all claims with the help of the United States District Attorney. Benton favored what he thought would be a simple system, fair to Californians. He foresaw many of the hardships that landowners were later to suffer under the Gwin measure.

The Gwin bill passed the Senate and the House, becoming the Act of March 3, 1851. It threw the burden of proof on every Californian who claimed land- in spite of Articles VIII and IX of the Treaty of Guadalupe Hidalgo which specifically promised full and complete protection to all property rights of Mexicans.

The LAND COMMISSION 1852-1857

The Act of 1851 provided for a commission of three members, to be appointed by the President and to function for three years. (This period was twice extended by Congress so that the commission had a five-year life.) Provision was made for a secretary, skilled in the Spanish and English languages, to be appointed by the commissioners and to act as interpreter and to keep a record of the proceedings. Clerks not to exceed five in number were also to be appointed by the commissioners. Furthermore the President was empowered to appoint an agent "learned in the law and skilled in the Spanish and English languages," to represent the public interests. The Act provided that.....

Each and every person claiming lands in California by virtue of any right or title derived from the Spanish or Mexican government, shall present the same to the said commissioners when sitting as a board, together with such documentary evidence and testimony of witnesses as the said claimant relies upon in support of such claims.

The commissioners were to proceed promptly to examine the evidence "and to decide upon the validity of the said claim, and, within thirty days after such decision is rendered, to certify the same, with the reasons on which it is founded, to the district attorney of the United States in and for the district in which such decision shall be rendered.

If the claim was rejected by the commission an appeal was automatically made to the District Court for a review. The petition from the commission to the District Court was to be accompanied by a full statement of the claim and a transcript of the commissioners' report. If the District Court decided against the claimant he (or she) could ask for an appeal to the Supreme Court of the United States.

SCHOOL LAND WARRANTS

PUBLIC DOMAIN or "NATIONAL RESOURCE LAND"- The "original" public domain came into existence when England gave over 451 million acres of land to the Thirteen Colonies to settle the American Revolution. The balance of what is the United States, with the exception of Texas and Hawaii, became public domain, today called National Resource Land, when it was acquired by the U.S. through purchase, cession by foreign countries, etc. California was ceded to the U.S. in 1848 by Mexico. When this event occurred all of the state became Public Domain under the control of the Bureau of Land Management, an agency within the Department of Agriculture. Its responsibility was to decide on land ownership within the new state: which lands were to remain in federal ownership; which lands would be given to the state, to the counties, etc. In California there was the added problem of the many Spanish and Mexican land grants, with neither their boundaries, or for that matter proper ownership known at the time. To solve the problem a commission was established to settle on boundaries and ownership. Many of these cases before the commission would take years to settle. In the mean time, the known public domain lands were in the process of being surveyed.

SCHOOL LAND WARRANTS- On May 8, 1852 by Act of Congress, California was granted a total of 500,000 acres to be sold in order to support its schools. School Land Warrants could be sold to the public on Public Domain Land only, they could not by law be within a Spanish or Mexican land Grant. After a "township" was surveyed, thirty-six square miles divided into square-mile sections, sections 16 and 36, if they were non-mineral in character, were set aside to be sold as School Land Warrant land. Under state law, School Lands, including the rights to make selections, could be purchased for as little as \$1.25 per acre, not to exceed 640 acres by one applicant. School Land Warrants, once purchased, could, and often were, used for speculative and/or collateral for the purchase of other properties.

During the early years that the state's foundation was still unsettled, there was a great amount of confusion due to what was Public Domain and what was a land grant, and especially at the point where the two types of land met. A number of persons applied for School Warrants throughout the county, and because of the unsettled boundary lines between Public Domain and Mexican granted land, many warrants ended up within a land grant. Sometimes this was done through ignorance, but not always.

When it was discovered that a School Land Warrant was given for land within a land grant, the purchaser was assigned an equal amount of land that was on "Public Domain." This procedure was called "floating a warrant." As an example.....Henry Peck's Warrants Nos. 353 and 354 were "floated" down to Watsonville.

NOTE: See text.....The CASTROS of SOQUEL, Chapter 3 for associated maps and the list of Warrant grantees.

SCHOOL LAND WARRANTS

PUBLIC DOMAIN or "NATIONAL RESOURCE LAND - The "original" public
domain came into existence when England gave over 451 million
acres of land to the Thirteen Colonies to settle the American
Revolution. The balance of what is the United States, with the
exception of Texas and Hawaii, became public domain, today
called National Resource Land, when it was acquired by the U.S.
through purchase, cession by foreign countries, etc. California
was added to the U.S. in 1850 by Mexico. When this event occur-
ed all of the state became Public Domain under the control of
the Bureau of Land Management, an agency within the Department
of Agriculture. Its responsibility was to decide on land owner-
ship within the new state; which lands were to remain in feder-
al ownership; which lands would be given to the state, to the
counties, etc. In California there was the added problem of
the many Spanish and Mexican land grants, with neither their
boundaries, or for that matter proper ownership known at the
time. To solve the problem a commission was established to
settle on boundaries and ownership. Many of these cases before
the commission would take years to settle. In the mean time,
the known public domain lands were in the process of being
surveyed.

SCHOOL LAND WARRANTS - On May 8, 1853 by Act of Congress, Calif-
ornia was granted a total of 200,000 acres to be sold in order
to support its schools. School Land Warrants could be sold to
the public on Public Domain land only, they could not be sold
to within a Spanish or Mexican land grant. After a "township"
was surveyed, thirty-six square miles divided into square-mile
sections, sections 16 and 36, if they were non-mineral in
character, were set aside to be sold as School Land Warrant
land. Under state law, School Lands, including the rights to
make selections, could be purchased for as little as \$1.25
per acre, not to exceed 640 acres by one applicant. School Land
Warrants, once purchased, could, and often were, used for
speculatory and/or collateral for the purchase of other prop-
erty.

During the early years that the state's foundation was still
unsettled, there was a great amount of confusion due to what
was Public Domain and what was a land grant, and especially
at the point were the two types of land met. A number of persons
applied for School Warrants throughout the country, and because
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Warrants Nos. 353 and 354 were "floated" down to Watsonville.

NOTE: See text.... The CASTER of 2000, Chapter 3 for
associated maps and the list of warrant grantees.

SOQUEL - AN EARLY HISTORY

What was the Soquel area like before civilization began to encroach into today's boundaries? To partially answer this question, we will quote Brian D. Dillon....."the first non-Indians to cross Soquel Creek were members of the Portola exploratory party in 1769.....but no member of the expedition actually makes mention of the Indian camp or village from which it is claimed the present town of Soquel took its name. Fray Crespi's mention of the crossing of Soquel Creek is as follows:

Monday, October 16, 1769.....We stopped on a bank of a small stream, which was about four varas (a vara is equal to about an English yard) of deep running water. It has on its bank a good growth of cottonwoods and alders.....it was named El Rosario del Beato Serafin de Asculi."

Fray Costanso, a member of the expedition, also mentions the drainage of what later would become known as Soquel Creek in his diary for the same day, also referring to it as "El Rosario" and noting it as "a ditch in which, to descend and ascend its sides, we had to open a path."

The earliest written appearance of the name Soquel...or... Shoquel is some 27 years after Portola's crossing of the stream, on Alberto de Cordoba's 1796 Branciforte's survey map, on which Soquel Creek and Soquel Point are identified.

For the first thirty years into the 19th century, Soquel was no more than a pasture for the livestock belonging to Mission Santa Cruz and Villa de Branciforte. This cattle ran free and no fences or even boundary markers were emplaced within the vicinity of today's town of Soquel. The only landmark in the area up to the early 1830s would have been the horse trail that lead from the Mission Santa Cruz south to the missions in what would eventually become San Benito and Monterey counties. The horse trail used at this time would eventually evolve, for the most part, into today's Soquel Drive.

For several years after the horse trail was developed it crossed Soquel Creek farther to the south at a point that was slightly below today's Soquel School at West Walnut Street.

The Soquel Creek drainage area was also important to the mission in Santa Cruz as a source of tanoak bark. The bark was indispensable in the hide tanning process which served to produce Spanish and early Mexican California's most important trading commodity (the tannic acid found in the tree's bark). It was the bark of this tree that attracted the earliest non-Mexican colonists to the area as traders and seamen.

As 1850 approached, for a description of the Soquel area we have a letter written by Adna Hecox's wife Margaret.....remember.....it was Margaret's husband that rebuilt Michael

SOQUEL - AN EARLY HISTORY

Lodge's sawmill after it was destroyed by a storm in December of 1846. But before we quote Margaret's letter we turn to Thomas W. Wright, soon to become the county's first official surveyor, to give us a description of the small settlement of Santa Cruz in 1849.....

Thomas W. Wright....."When I arrived in Santa Cruz in 1849, there were only two houses where today's main business section is located. One was a log house near the location of today's City Hall which was owned by Eli Moore. The other was a store made of boards that was owned by Elihu Anthony. All the other buildings were adobes located on the hill in the vicinity of the mission (where the Catholic Church now stands).

And now for Margaret's letter.....the Hecoxs' having just crossed the Great Plains, Rocky Mountains, and the Sierra Nevada in covered wagon, Margaret's letter provides us with the earliest detailed English-language description of the Soquel area in the spring of 1847. The letter begins as they leave the Mission Santa Clara.....

"We traveled by the way of Gilroy and the Pajaro Valley. It took us eight days to reach Soquel near Santa Cruz, where we decided to remain for a while, at least.

Never will I forget the kindness of the Spanish (sic) people along the way. Particularly the Spanish women, who came to us as we traveled along or camped in the slushy mud, for it rained most all the way, bringing us offers of homemade cheese, milk, and other appetizing food. Spanish men, whom we met on the way, told us that we would be more than welcome to help ourselves to beehives, when necessary, as that was a well established custom of the country. They informed us that all that was necessary was to hang the plainly branded hide on a tree (after butchering the steer), which could easily be identified by its owner. We took them at their word and helped ourselves to two beeves along the way.

When we reached the little village of Soquel, spring had arrived, and I never could make you realize the heavenly beauty and charm of that place. Many of its attractions have since been destroyed by civilization. But at that time it was almost an earthly paradise.

Mr. Hecox found an unused cabin in which we camped for awhile and almost immediately he secured work with a genial and well-to do Irish gentleman named Michael Lodge who had an attractive Spanish wife. My husband's job was to superintend the building operations of a new lumber mill and several other men were engaged to work on the project.

There were no stores in either Soquel or nearby and larger

SOQUEL - AN EARLY HISTORY

town of Santa Cruz. All our supplies had to come from Monterey. Father (her husband) had organized a (protestant) church soon after our arrival. The Sunday meetings were held at our home for some time. He also was occasionally called to Santa Cruz to deliver a sermon."

RANCHO SOQUEL LIFE & TIMES 1850-1855

After Maria Antonia married Henry Peck and Maria Helena followed with Jose Littlejohn, as the kids began entering into deeds and agreements and Thomas Fallon began selling his School Warrants, conditions began to change swiftly, and it was especially noticeable on the lower rancho. To quote Thomas W. Wright....."when I first became acquainted with the lower ranch, Martina Castro lived there and cultivated a portion. Ricardo Juan lived on it and cultivated a portion, while Thomas Fallon, 1851 had enclosed that portion where Joshua Parrish now lives. Francisco Lejeunesse lived on it in 1852-53, but I don't know when he went there. In the 1851-53 period portions of the ranch were occupied by Prewitt Sinclair, Jones Hoy and Gervais Hammond. Jose Littlejohn (before he married Maria Helena) lived on it in 1855, and perhaps before. Jose Averon lived there, but I don't know when he went there. Previous to 1855 the greater portion of the ranch was enclosed by fences, and actually occupied by different parties. At the beginning of the year 1855, the following additional persons were in possession, and had enclosed by fences, and generally cultivated that tract of land, claiming title, under the August 29, 1850 deed." The additional men were: Henry Peck; Joseph Majors; Frederick A. Hihn; Dr. John P.P. Vandenberg; and Montgomery B. Shackelford.

Lambert Clements was next to testify, also giving a description of the ranch during the 1850 to 1855 period....."by January 1, 1855 all of the ranch was occupied, but not all of it was enclosed by fences; only about four-fifths being enclosed, and one half in cultivation. All who were in possession (except Julius Orton, who occupied 100 acres as a squatter), claimed the right so to occupy under the August 29, 1850 deed.

And in 1855, if you wanted to leave Santa Cruz County what were the main routes? First there was the main route and the one most traveled, the County Road (today Soquel Drive for the most part) down the coast through the Soquel Ranch; the second route was up the coast via Pescadero heading towards San Francisco; and if you were headed to San Jose there was the rough Franciscan Trail, and the just completed route via Burrell's "Mountain Home" called the Santa Cruz Gap Turnpike.

SOQUEL - AN EARLY HISTORY

town of Santa Cruz. All our supplies had to come from Monterey. Later (her husband) had organized a (protestant) church soon after our arrival. The Sunday meetings were held at our home for some time. He also was occasionally called to Santa Cruz to deliver a sermon."

RANCHO SOQUEL LIFE & TIMES 1850-1855

After Maria Antonia married Henry Beck and Maria Helena followed with Jose Little born, as the kids began entering into deeds and agreements and Thomas Fallon began selling his School Warrants, conditions began to change swiftly, and it was especially noticeable on the lower rancho. To quote Thomas W. Wright, "When I first became acquainted with the lower rancho, Martin Castro lived there and cultivated a portion. Ricardo Jean lived on it and cultivated a portion while Thomas Fallon, 1851 had enclosed that portion where Joshua Parrish now lives. Francisco Lejune lived on it in 1852-53, but I don't know when he went there. In the 1851-53 period portions of the rancho were occupied by Jewell Sinala, Jones Hoy and Germaine Hammond. Jose Little (before he married Maria Helena) lived on it in 1852, and perhaps before. Jose Averon lived there, but I don't know when he went there. Previous to 1855 the greater portion of the rancho was enclosed by fences, and usually occupied by different parties. At the beginning of the year 1855, the following additional persons were in possession, and had enclosed by fences, and generally cultivated that tract of land, claiming title, under the August 30, 1850 deed." The additional men were: Henry Beck; Joseph Major; Frederick A. Hihn; Dr. John P. Vandenberg; and Montgomery B. Shackleton.

Jacob Clements was next to fence, also giving a description of the ranch during the 1850 to 1855 period. "By January 1, 1855 all of the rancho was enclosed, but not all of it was enclosed by fences; only about four-fifths being enclosed, and one half in cultivation. All who were in possession (except Julius Olson, who occupied 100 acres as a squatter), claimed the right to occupy under the August 29, 1850 deed.

And in 1855, if you wanted to leave Santa Cruz County what were the main routes? First there was the main route and the one most traveled, San County Road (today Soquel Drive for the most part) down the coast through the Soquel Rancho; the second route was up the coast via Pescadero heading towards San Francisco; and if you were headed to San Jose there was the route Francisco Trail, and the last completed route via Burnett's "Mountain Home" called the Santa Cruz Turnpike.

VILLA de BRANCIFORTE and MISSION SANTA CRUZ

Because of their close proximity, the history of the Santa Cruz Mission and the Villa de Branciforte are difficult to discuss separately. Because their history is so intertwined a reference was required that discussed them as a combined facility, and no better document was found than Brian D. Dillon's discussion in his ARCHAEOLOGICAL and HISTORICAL SURVEY of the SOQUEL DEMONSTRATION STATE FOREST book, therefore the following is quoted mostly word-for-word from his book:

Mission Santa Cruz

Mission la Exaltacion de la Santa Cruz, or Exultation of the Holy Cross, was founded on August 28, 1791, by Fray Fermin Lasuen, Junipero Serra's successor, on a rise near the San Lorenzo River, not far from the shore of Monterey Bay. The twelfth of the California Missions, its first buildings were temporary affairs made of poles and crudely-split planks of redwood, cut in the forests of the Santa Cruz Mountains to the north. The earliest construction work at the Mission was done by neophytes (local Indians converted to the "acceptance" of Christ as their savior) brought from Mission Santa Clara because the local Indians were either too hard to manage or too few to perform the tasks assigned them by the friars. A military detachment from the San Francisco presidio assisted in the encouragement of the Indian labor force, and, one also presumes, brought in Indians from the hinterland so as to be baptised. A formal mass celebration on September 24, 1791, formalized the founding of the mission, and by the end of the year 87 Indians had been baptized at Santa Cruz. The first rainy season at Santa Cruz convinced the padres that their site was too close to the river drainage, so the establishment was moved to higher ground, and a permanent church was begun on February 27, 1793 in this new location. The new church of adobe construction was dedicated on May 10, 1794. The church had walls five feet thick, and a tile roof. By 1796 the total population at the mission reached 523, the highest it would ever be, but still the absolute lowest of all 21 California Missions.

The mission was damaged in 1798 by the extreme rains during a severe winter, and by floods the following spring. A female neophyte's quarters was built in 1810, even as the neophytes died off and the Indian population dwindled. The Costanoan Indian population of what would later come to be known as Santa Cruz County was first missionized in the 1770's when some were brought to Carmel, San Francisco or Santa Clara. With the con-

VILLA de BRANCIFORTE and MISSION SANTA CRUZ

Mission Santa Cruz

struction of Mission Santa Cruz, all Indians of the Santa Cruz coast and interior mountains were rounded up and herded off to become neophytes. With conversion of the coastal Indian lands to stockraising under the Franciscan mission scheme of self-sufficiency, the Indian population was removed to make way for cattle, sheep and goats. The forests of the interior, of no interest to the Spaniards, were (almost) completely abandoned.

Villa de Branciforte

Although most modern residents of our state are aware that Spain created 21 Franciscan Missions within Alta California, few know that three Royal towns or "Pueblos" with formal charters were established in Spanish Colonial California. The second, and most famous was the Pueblo de Nuestra Senora de Los Angeles del Porciuncula founded in 1781.

The other two were both founded within the Monterey Bay area, from the outset decided by Spain to be the political, military and ecclesiastical (church) center of the newly constituted province of Alta California: San Jose, the first of the three Pueblos to be established, in 1777, and Villa de Branciforte, near present-day Santa Cruz (mission), the last, in 1797. The California Missions were empowered to "civilize" and christianize the local neophyte Indians, whereas towns or "pueblos" were to be settled by "Gente de Razon," or non-Indian colonists brought to California for the express purpose of having a "politically reliable" population under civil, not "church," control.

Villa Branciforte, named in honor of the Viceroy, Miguel de la Grua Talamanco, Marques de Branciforte, was authorized by Governor Diego Borica. Alberto de Cordoba of the Royal Spanish Corps of Engineering, explored the proposed site on the east bank of the San Lorenzo River, opposite Mission Santa Cruz, and completed a map of the locality in 1796. Spanish colonial law forbade the founding of any Pueblo within at least a league (two and a half miles approximately), but this rule was conveniently overlooked by secular authority, and the padres were directed to support the new Pueblo in flagrant violation of custom and legality. Over the protests of the mission authorities, the town was established and the first colonists arrived in Monterey on MAY 12, 1797, in the schooner Concepcion. Gabriel Moraga. Later to gain fame as Spanish California's most accomplished explorer, was given authority over the new settlement.

VILLA de BRANCIFORTE and MISSION SANTA CRUZ

Villa de Branciforte

NOTE: It is interesting that the new residents of Branciforte arrived in Monterey a full two weeks before Governor Borica wrote to Corporal Moraga informing him of his new assignment.

Historians over the years have taken "delight" in the fact that the first eight male inhabitants were criminals. But what is a "criminal?" These men were not killers or thieves, but were natives of old Mexico that had run afoul of its rigorous political laws. They were given the choice of serving a term in the Guadalajara jail for political disobedience or going to Upper California. As inducement they were offered transportation north and 430 pesos spread over five years, an adobe home with tile roof, a musket, plow, livestock, and farm tools to be paid for in installments. The first residents of the villa were not picked randomly, but at the governor's request, they included a carpenter, a tailor, a miner, a merchant, an engraver, two farmers, and one unclassified person. According to Leon Rowland, three, and perhaps four, brought wives, and two of them had children.

When they finally reached their new homes, the promised 200-peso houses were not awaiting them and they had to throw up huts of split redwood and tule thatching. The subsidies came, in cash or supplies, however, and at least six of the eight men stayed in Branciforte.

The next residents of Branciforte were the "invalidos" (from which the non-pejorative term "invalided out" [retired] comes) from the presidio in Monterey. Thus entering our story comes Jose Joaquin Castro, Martina's father. Accompanying Jose were five additional retirees, four which would play a part in the future history of Santa Cruz County, some playing a major role, some a minor part. The three most important "retired" soldiers that left Monterey and came to Branciforte in 1798 were: Juan Jose Peralta, a member of the well known Peralta family (he did not stay in Santa Cruz long, but struck out for other areas to conquer); Jose Antonio Rodriguez (today, there are literally hundreds of this man's descendants that live in Santa Cruz and Monterey counties.....he first entered Alta California as a member of an escolta [a member of a military escort] at Soledad in 1787, later three of his sons would eventually serve in the army and then be granted ranches; the third as Jose Joaquin Castro. The other three invalidos were: Marcelino Bravo; Marcos Villela; and Marcos Briones, a man that today has many descendants in California, and whose

VILLA de BRANCIFORTE and MISSION SANTA CRUZ

Villa de Branciforte

name appears many times throughout the early pages of Santa Cruz history.

The semi-retired ex-soldiers that came to Branciforte were each promised a pension in exchange for agreeing to return to the call to arms in case of military emergency, a very real likelihood in California where Indian revolts led to abandonment of some of the Missions as late as 1824. The pension included 430 pesos to be paid when and if coinage could be found; residential lots within the new town, agricultural lots within its environs, and farming implements were to be paid on the installment plan. As was usual in bankrupt late Colonial Spain, those individuals at the farthest outposts of Empire were exploited so as to support Imperial ambitions while at the same time not receiving payment for services rendered to the Imperial throne.

Villa de Branciforte, which was supposed to be a "civil" town, was for all but two years of its existence under military administration of the Monterey Presidio. By all standards Branciforte was a disaster. Many of its settlers survived by stealing from the mission rather than growing crops or raising livestock themselves. The settlers encroached on mission lands, tormented the mission Indians, and caused trouble as far as Mission San Jose, where owing to the size of the neophyte population, there were presumably more Indian women to molest than were available locally. As a result of protests from San Jose, the Branciforte settlers were forbidden to travel, and then had to be content with harassing the residents of Mission Santa Cruz. Things became so bad that 200 neophytes abandoned Santa Cruz in order to get away from the predatory Branciforte settlers. Branciforte was supported by the governor, coming to be the first line of offense in the centuries-old conflict between Spanish Colonial secular and religious power. As Branciforte grew, and became a center of smuggling and illegal trading, Mission Santa Cruz across the river declined. At one point, only 30 to 40 Indians could be persuaded to stay at Mission Santa Cruz.

In November of 1818, at the height of revolutionary fervor by Latin American patriots against the decrepit Spanish Empire, the Franco-Argentine revolutionary and pirate Hyppolite de Bouchard with 350 sailors captured the Monterey Presidio after an exchange of cannon fire with its 40 defenders. The revolutionaries claiming to represent the "Republic of Buenos Aires" then burned the fort and the town, Spanish California's capitol, then occupied it for a week, exhorting the local populace

VILLA de BRANCIFORTE and MISSION SANTA CRUZ

Villa de Branciforte

to join their cause. Spanish subjects all around Monterey Bay fled to the interior, and when Bouchard threatened to descend upon the interior, and when Bouchard threatened to descend upon Mission Santa Cruz, Governor Soledad ordered Fray Ramon Olbes, the priest in charge, to remove all valuables from the Mission to the interior and move to Mission Soledad until the danger had passed.

The church officials obeyed the Governor's orders, and requested that the residents of the nearby Branciforte help in protecting the mission from the pirates, who, as it developed, never came. While Mission Santa Cruz escaped the attentions of Bouchard, the good citizens of Branciforte seized the opportunity of looting the mission to the point that when Fray Olbes returned, he was so discouraged that he asked permission to abandon Mission Santa Cruz as a lost cause.

The civil pueblo of Branciforte went nowhere under Mexican authority (1822 to 1848), remaining a kind of dead end for those either too poorly connected or too indolent to obtain land grants from the new, liberal, regime. A Mexican War period observer (Edwin Bryant, 1848) provided a rare comment on the hamlet during the final years of its decline.....

"The towns contained in this district (California) are three; the most populous being that of (Los) Angeles, which has about twelve hundred souls, that of St. Joseph's of Guadalupe (San Jose) may contain six hundred, the village of Branciforte two hundred: they are all formed imperfectly and without order, each person having built his own house on the spot he thought most convenient for himself..... Branciforte, on account of the smallness of its population, is subject to the commandancia of Monterey."

Independence and Secularization

In April, 1822, Pablo Vicente de Sola, the last Spanish Governor, upon receiving the news that the 12-year old Mexican revolt against Spain had finally been successful, requested all members of his government to take an oath of allegiance to the newly-formed Mexican Republic. This was done, and, as before, the capitol of Alta California would remain at Monterey.

With Mexican independence from Spain, and the radical anti-clerical movement that followed, the California missions

VILLA de BRANCIFORTE and MISSION SANTA CRUZ

Independence and Secularization

were viewed as the most tangible and still dangerous representations of Spanish control. Consequently, they were either stripped of their vast landholdings or entered a period of limbo for more than a decade during which no clear decision was reached as to their fate. Many Indians and in fact some clerics continued to reside at some of the missions during the first years of Mexican control, but the impoverished new country finally decided to raise monies by taking the mission lands completely out of church control and selling them off to secular investors, or granting them outright to persons who could then be taxed later.

As secularization of the missions approached, for most of Upper California the event occurred in 1833, not until 1834 in what would become Santa Cruz County, Mission Santa Cruz began its decay brought on mostly by neglect. When the mission finally lost all of its lands, most of which went to the residents of nearby Villa de Branciforte, who, long before the edict of secularization had been formalized, were busy carving out their own family empires.

The Decline of Mission Santa Cruz

With secularization, the Mission fell into decline, its church's bell tower collapsing in 1840, and the entire mission establishment abandoned and in ruins only five years after its passage into private ownership. Mission Santa Cruz, at best something of an afterthought in the Spanish Colonial missionization scheme, was ravaged by the opportunistic settlers of the Santa Cruz coastal strip who had always resented its presence. By 1846, Governor Pio Pico, always eager to capitalize on church holdings, could find nothing at Mission Santa Cruz worth selling, and even more remarkably, no one in California gullible enough to buy to make an offer for the Mission buildings themselves. The remaining portions of the original church at Mission Santa Cruz collapsed in 1857, after being weakened by many earthquakes.

Villa de Branciforte is Reborn 1833-1848

When Spanish rule ended in Upper California, as previously discussed, the control exercised by the missions began a slow decline in authority. With the control of the lands

VILLA de BRANCIFORTE and MISSION SANTA CRUZ

Villa de Branciforte
is Reborn
1833-1848

that surrounded their mission removed and now being given away, mostly to the Spanish aristocratic gentry that had settled in the area. Because the most influential members of this "gentry" had established themselves in Branciforte, this is where most of the given away land went.

As Brian Dillon stated earlier, the lands once controlled by the missions were being given off to secular investors, or granting them outright to persons who could then be taxed later. While this plan was based on later dividends, the Governor in 1843-44, Manuel Micheltoena, had more immediate plans to raise the necessary tax monies required to support the government. How? Answer.....tax the inhabitants of the Villa de Branciforte. According to testimony he gave before the Land Claims Commission on March 6, 1854, Henry Cambustan was given the title of Surveyor General "about the beginning of the year 1844 to go and mark out the boundaries of the Town of Branciforte. The order directed (me) to commence at the center of the Mission of Santa Cruz, and measure one league in each direction. So as to embrace a square of four square leagues."

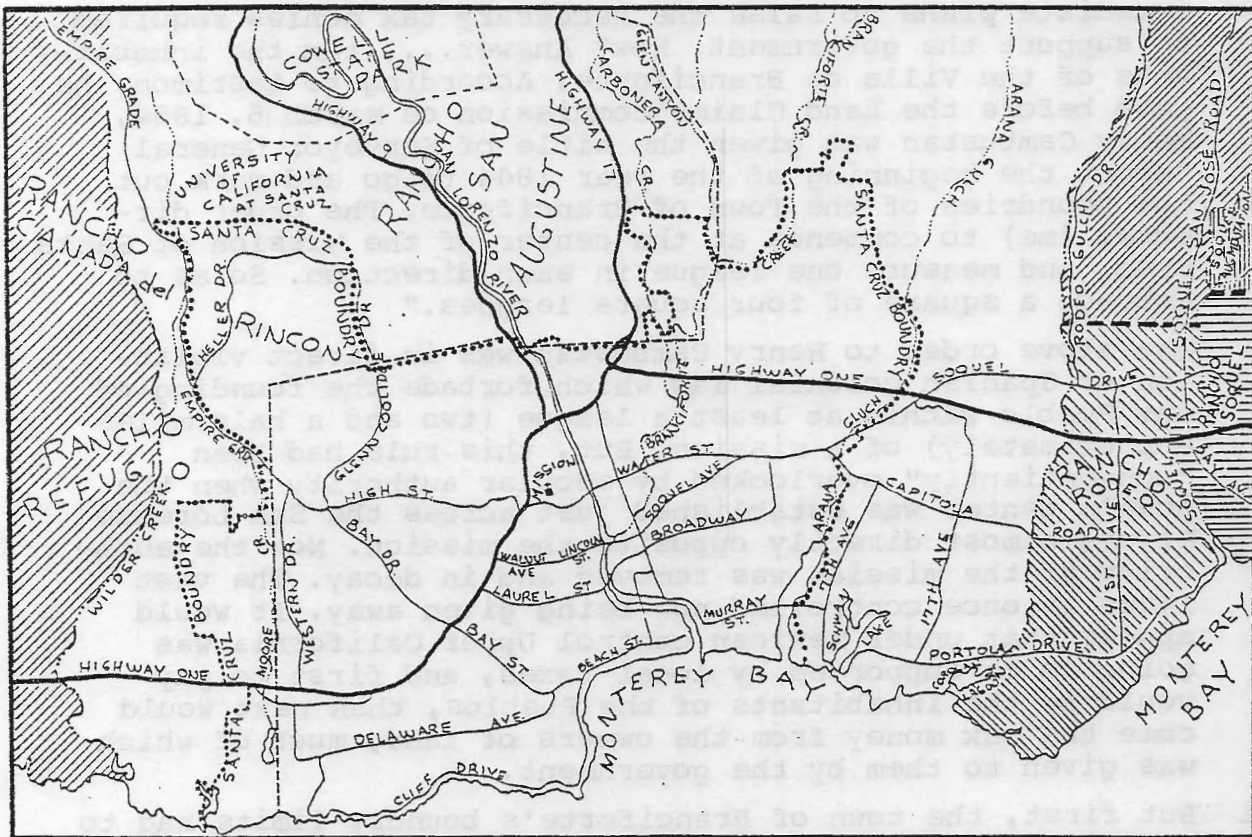
The above order to Henry Cambustan was in direct violation of Spanish colonial law which forbade the founding of any Pueblo within at least a league (two and a half miles approximately) of a mission. But, this rule had been "conveniently" overlooked by secular authority when the town's center was established just across the San Lorenzo River, almost directly opposite the mission. Now the authority of the mission was removed and in decay. The vast lands it once controlled now being given away. It would appear that under Mexican control Upper California was going to be supported by local taxes, and first to pay would be the inhabitants of the Pueblos, then next would come the tax money from the owners of land, much of which was given to them by the government.

But first, the town of Branciforte's boundary limits had to be established, and this chore was assigned to Henry Cambustan. Four square leagues, according to Webster's dictionary is 17,600 acres (4,400 acres for each square league). When reduced to miles, a square league is approximately 2.6 miles square, with four square leagues totalling 27.5 square miles. When Henry Cambustan began his measuring, he faced an immediate problem, because heading south 2.6 miles, he found himself out in the Pacific Ocean, and heading

VILLA de BRANCIFORTE and MISSION SANTA CRUZ

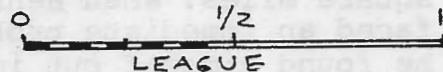
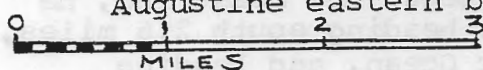
Villa de Branciforte
is Reborn
1833-1848

east there was no natural boundary, but if he "stretched" this distance from Mission Santa Cruz an average of 4,000 feet (three-tenths of a league) he would reach Rodeo Gulch. He found no problem along the west side, because Wilder Creek lie almost one league (2.6 miles) exactly from the mission. Because both creeks lie in an almost direct north south direction an assumption here can be made that these two creeks would form the east-west boundries of the Villa de Branciforte. In question is the upper (northside) boundry.....how far would it extend up into what today is called Scotts Valley.



ASSUMED VILLA de BRANCIFORTE of Four square Leagues or 27.5 Square Miles if Surveyed by Henry Cambustan 1844

- Indicates Present Day Santa Cruz City Boundry
- Indicates Rancho Refugio, Canada del Rincon & San Augustine eastern boundries



VILLA de BRANCIFORTE and MISSION SANTA CRUZ

Villa de Branciforte is Reborn 1833-1848

Because we have today only the testimony before the Land Claims Commission in 1854, which is unclear as to the boundaries he established and whether or not the three land grants that extended from the west into the four square leagues Henry was to survey and mark as the boundaries of Branciforte were to be included, or to be excluded from the town's limits, the preceding map is based on speculation, not fact. How far the upper north side of the town would be extended (up into today's Scotts Valley) only the drawing that Cambustan submitted to the governor will tell, and it has never been found to date.

NOTE: After the remaining portions of the Mission buildings collapsed in 1857, the Santa Cruz Catholic community nevertheless revered the Mission's location to some extent, and a wood frame church was built on the original (second) site in 1858. This wooden church was in use until 1889 when the present "mission" church at Santa Cruz was built.

What is often mistakenly thought to be the original mission church today is a complete reconstruction, built from scratch, in 1931, approximately 200 feet from the actual site and only a third to a half the size of the original. The pueblo of Branciforte was finally merged with Santa Cruz Mission in 1841, and the modern city of Santa Cruz grew up over and around it, with Branciforte Avenue still following the alignment originally laid out by the town's founders as the community racetrack. In a special election of 1907, Branciforte merged itself with the expanding town of Santa Cruz, and its separate identity disappeared. Today only a single adobe structure remains of the Villa de Branciforte. But.....the Villa de Branciforte did have its "day," short as it was.....On February 16, 1850 Branciforte County was organized, but 46 days later the name of California's 27th county was changed to Santa Cruz County.