# THE HISTORY OF ORANGE COUNTY,

# 1769-1889



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by

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# PREFACE

In writing this study an endeavor has been made to relate the history of that portion of California, now known as Orange County, from the coming of the first white men, in 1769, until the county was formed and, its organization completed in 1889.

Since it is desirable to know something concerning the people and their country in order to gain a fuller understanding of any area under consideration, a brief account has been given of the aboriginees and the locality in which they were found.

Enough of the background of the general conditions of the period has been used, in order to give some comprehension of the motives which impelled men to govern their actions as they did. Also, an attempt has been made to set forth, to some extent, the laws and regulations which were enacted by the countries in power, in order to safeguard their own interests and, yet, to protect the strangers who were coming into their midst to make their homes, in the land, which seemed to offer such golden opportunities for wealth and personal freedom.

With the passing of the great ranchos and the coming of the American regime, still other settlers came into the area. Therefore, an account of their coming and of their homemaking, within the limits of the present Orange County, has been given,

care being taken to make clear the purposes for their coming and the results of their efforts.

As a consequence of the success of these colonists, other people were attracted to come, having in view the establishment of homes. However, it would be impossible, within the scope of this study, to deal separately and adequately with each new community as it came into being. Therefore, because Santa Ana has become not only the seat of county government, but because it has the distinction of being the largest community within the county, it is the only settlement, other than the colonial settlements, whose founding and early history has been discussed.

Since struggles for independence have ever been of interest to the American people, the endeavors of the residents of the southeastern portion of what was Los Angeles County in the early days has been recounted. In so doing, it is hoped that the facts of history set forth will in no way serve to revive any of the rancor that at one time existed between communities in the county.

It is further hoped that this study may prove to be some addition to the history of the county and that it may serve to awaken a greater appreciation of the efforts and lives of those sturdy pioneers who, through their zeal and faith came to minister to the "gentiles," and of those, also who with courage and high hopes, carved out homes for themselves

and their posterity.

In conclusion, the writer wishes to express appreciation of the members of her Committee who through their interest and suggestions, have proven themselves an inspiration, not only during the time of writing of these pages, but throughout the years of study. Special thanks are due Dr. Owen C. Coy for his continued interest and unfailing readiness to be of assistance and to Dr. Frank H. Garver and Dr. Frank C. Baxter for suggestions offered.

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## CHAPTER I

## THE LAND AND THE ABORIGINEES

In the southern part of California, between thirty-three and thirty-four degrees north latitude, lies a small region of land now known as Orange County. In outline it is rectangular, extending for thirty-eight miles along the coast in a northwesterly by southeasterly direction and having an average width of twenty-two miles. Within its boundaries are 512,000 acres of land, three-fifths of which is valley land, the remainder being mountains and foothills.[1]

Stretching across the northern border, and composing the eastern third and the southern half of the county, are mountains which extend for several miles, northwestward, into Los Angeles County and merge, to the south, into the granite mountains of San Diego County. The main portion of this mountain mass is known as the Santa Ana Range. The northwestern section, which is separated from the main portion by a deep river canyon is known as the Puente Hills. These hills, although quite rugged, are not high - San Juan Peak, the highest point, attaining an elevation of only 1,780 feet. About three miles south from the Puente Hills are to be found the Coyote Hills, which are in reality, two groups of low lying hills, the eastern group being lower and more scattered

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[1] Stephen Bowers, History of Orange County, 3.

than the western. These hills, which also extend into Los Angeles County, are approximately six miles long from east to west, and about three miles wide.

Extending a distance of about seventeen miles along the southern coast of the county, and partially separated from the main range, is a group of high hills, seven miles in width, called the San Joaquin Hills.

The entire northwestern portion and the central half of the county consist of a level plain, which comprises the southern part of the Coastal Plain of Southern California and which extends in a northwesterly direction as far as the Santa Monica Hills in Los Angeles County.[2] Within Orange County the plain, in reality an enormous alluvial fill more than a thousand feet deep near the center, has a length of about twenty-five miles and a width of fifteen. It is composed of beds of sand, gravel and clay covered with deposits of rich supersoil, well adapted to agriculture. This plain has a slope of from fifteen to fifty feet per mile, until it reaches the coast where it is almost flat and quite swampy.

The northeastern portion of the plain slopes gradually into the fan-shaped entrance of the canyon cut through the

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[2] These plains extend from San Juan Capistrano on the southeast to "Canega" on the northwest for about seventy to seventy-five miles and have an average width of thirty miles. E. O. C. Ord, "Geological Survey of California," Sen. Ex. Doc. 47, 31st Congress, First Session, 119.

mountain range by the Santa Ana River. This river, which is the principal drainage outlet in the southern part of California, has its source in the San Bernardino Mountains about sixty miles north east of its entrance into Orange County.[3]

Just before reaching the county the stream enters its deep canyon and flows westward over a sandy bed having a fall of twenty-two feet to the mile.[4] After leaving the canyon the stream spreads out over a fairly level gravel bed and has no definite channel. All flow, except in times of flood, is absorbed and sinks into the porous alluvium.[5]

On passing around the end of a high ridge, known as Burruel Point, which projects out into the plain from hills forming the south side of the Santa Ana Canyon, the present course of the stream turns southward. From this point the river crosses the plain in a southwesterly direction and enters a tidal flat northwest of the San Joaquin Hills. Being higher than the northern and western portion of the valley through

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[3] The distance from Orange County to the source of the river is variously stated from forty to sixty miles.

[4] The sands of the river bed vary in depth from twenty to eighty feet showing that, at one time, the river had a much deeper bed.

[5] The Santa Ana River, before its waters were tapped for irrigation, maintained a steady flow. Ord describes it as a "very respectable stream," even in summer, having a rapid current, a width of sixty to one hundred yards and depth of six to twenty inches of "sweet, clear water." E. O. C. Ord, Sen. Ex. Doc., 47, 31st Congress, First Session, 124.

which it flows, this river receives no tributaries from the plain, over which it used to wander first here and then there with no banks to restrain its course.

On the east side of the Santa Ana River the plain continues into a tongue-shaped extension, which separates the group of hills lying along the coast from the main range. This narrow valley is not level, as is the plain, but is undulating and in the southeastern portion is crossed by several barrancas and alluvial fans which go back into the hills on the east. The southwestern side of the plain slopes gradually seaward, excepting where mesas rise to prevent it.

The larger of these mesas rises between the lower course of the Santa Ana River and the San Joaquin Hills. It is approximately rectangular in shape, extending along the coast for a little more than three miles and north by east for approximately five miles. It rises from tidal lands to an elevation of eighty-five to one hundred feet. On the northeast the mesa merges into the plain but, on the southeast it ends suddenly at the top of a steep cliff of diatomaceous shale above a bay now known as Newport Bay which lies between the mesa and the San Joaquin Hills, at the base of which is a low swale. The bay itself extends inland for several miles and consists, chiefly, of a channel which winds

its way through tidal flats.[6] This bay has an outlet into a still larger and better bay which opens directly to the sea.

Lying to the northwest of this mesa is a second one. It is also rectangular in shape, but smaller in size than the first, which is known as the Newport Mesa. This second mesa also terminates above the embayment, called Bolsa Chica; which is surrounded by a tidal flar extending inland for two and one half miles. A third mesa lies inland, at a point about midway down the course of the Trabuco Creek. It is not, however, in any way connected with the great plain in Orange County.

Occupying a conspicuous position on the eastern edge of the plain is a group of rounded hills of volcanic origin. These are known as the Tustin Hills and, are separated from the Santa Ana Mountains by the stream bed of the Santiago Creek. Their slopes are steep and their soil is derived from a silty marine sediment. Standing out prominently at the southern end of this group is Red Hill.

Even though the Santa Ana River is the principal stream in Orange County, the canyons of the coastal slope of the Santa Ana Mountains belong to the drainage systems of the Santiago and San Juan Creeks. The Santiago Creek drains a

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[6] The bay apparently occupies the submerged channel of a large stream which formerly flowed into the sea along the edge of the hills. However, there is no evidence now remaining of such a stream across the plain.

large area in the north central portion of the mountains and debouches from its canyon four miles southeast of Burruel Point, whence it flows for about eight miles further before it ultimately joins the Santa Ana River, approximately ten miles from the coast. All the tributaries of the Santiago Creek, of which the principal ones are the streams of Los Bueyos, Sierra, Black Star, Silverado, and Baker Canyons, flow in canyons entering higher parts of the mountains, to the northeast and east. The hills lying on the opposite side are drained by streams that flow directly on the plain and are absorbed in the sands. This is also the case with the streams of Brea Canyon and Carbon Canyon which drain the Coyote Hills. The Puente Hills are drained, on their southern slope, by the Coyote Creek.

The southeastern portion of the Santa Ana Range is drained by the San Juan Creek, which rises high in the mountains and flows southwest for twenty miles before it empties into a tidal flat at the extreme southeastern end of the San Joaquin Hills. Its principal tributary is the Trabuco Creek. Other tributaries of San Juan Creek are the streams flowing through Canada Chiquito, Gubernadora Canyon, Bell Canyon, Lucas and Verdugo Canyons.

Just North of Trabuco Creek is the Los Alisos Creek which maintains an independent course from the mountains to the sea. Separating the low Lomas de Santiago ridge from

the hills on the east and southeast, the Los Alisos flows in a southwesterly direction to the sea. A middle section of the stream winds through a low ravine which lies southeast of the extremity of the Santa Ana Plain and, then it continues on through a deep canyon in the San Joaquin Hills to its mouth.

The remainder of the streams in the southern extremity of the county flow southward and become a part of the tributaries of San Mateo Creek which is in a neighboring county. There are, however, several smaller streams which drain the western slope of the hills along the coast. These find their way out upon the tidal flats and so into the sea.

The topography of Orange County has been determined largely by the marked folding and faulting of the earth's crust which took place near the close of the Tertiary Period. The portion of the Santa Ana Range near the confluence of Santiago and Shrewsbury Creeks is Cretaceous on the east side.[7] The Cretaceous uplift extends nearly to the Santa Ana River. All on the west, however, belongs to the Tertiary Period, with the exception of a narrow strip extending from the western portion of the county along the coast, the San Joaquin Hills, and Newport Bay, to Arch Beach which is Quaternary.

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[7] Stephen Bowers, History of Orange County, 3; Roy E. Dickerson, "Bulletin of Department of Geology," University of California Publications, VIII, No. II, 269-270.

The entire region just described was divided between two distinct groups of Indians at the time the missionaries began their labors among them. Both groups belonged to the California coast division of the great Shoshonean family, but even so had very little in common with each other due to linguistic differences and the lack of ties of governmental unity.[8] Each village, or "rancheria" as it became known to the Spanish, formed a political unit and conducted its affairs quite independently of the neighboring villages. The government was vested in a chief whose office was hereditary [9] and who was named "Nu." The second in power was called "Eyacque" and the wives were "Coronne" and "Tepis."[10] These Indian groups, however, were at peace with each other, and in the event of need united against any common foe.

Since those of the northern portion of the territory fell under the jurisdiction of San Gabriel Mission, from which the name of Gabrieleños was derived, the second group known as the Juaneños, after San Juan Capistrano Mission, may be considered as being the Indians of Orange County.

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[8] The Shoshonean group, according to Kroeber, was the largest group in California, occupying about one-third of the area of the State. The Shoshonean dialect groups were (1) the Serrano, (2) the Gabrieleño, and (3) the Cahuillo, Luiseño, Juaneño group. A. L. Kroeber, Handbook of the Indians of California, 574-577.

[9] When the direct line ran out the nearest of kin was elected.

[10] Geronimo Boscano, Chinigchinich, 84.

The Juaneños, or more correctly the "Acagchemem Nation", were gathered principally around the mission, but their territory extended from the sea to the crest of the Santa Ana Mountains, southward from Santiago Peak. Their territory was separated from that of the Gabrieleños by the Los Alisos Creek, while the southern boundary ran between San Onofre and Los Pulgas Creeks in what is now San Diego County. Notwithstanding their fairly large territory, they were not numerous and, according to estimates made, may have numbered around a thousand in 1770.[11]

Coinciding with the opinion held by modern ethnologists, that the Indians of North America were of Asiatic origin, having crossed from one continent to the other somewhere in the north by means of a land bridge or as a result of drifting with the ocean currents, these people believed that they had come from the northward.[12]

The story was that Oyaison, the chief, because the production of seeds on his lands was insufficient to maintain the rapidly increasing population, selected many families from among his people, who were to form a new village under the leadership of his daughter, Coronne. Together they left Sejat so called because of the presence in that locality of many wild bees whose hives were in holes in the earth, and after

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[11] In 1873, just a century later, they numbered only forty. Frederick W. Hodge, Handbook of American Indians, I, 635. In 1910 they were extinct.

[12] Mrs. J. E. Pleasants, History of Orange County I, 7.

traveling seven or eight leagues they discovered a spring of fresh water and there established their colony.[13]

The village was named Putuidem and became the mother village, for, owing to the scarcity of grain, many of the inhabitants received the consent of Coronne to establish other villages in different parts of the valley. The story continued that Coronne, who was prodigiously fat, after feasting, dancing and rejoicing upon one occasion, swelled up, burst and became a mound of earth. Her sorrowing followers departed and spent the night at a place situated about sixty yards from the spot where the mission was built in after years. Upon awaking they found that they had slept heaped together, which caused them to exclaim, "Acagchemem."[14] From that circumstance and exclamation these Indians took the name of "Acagchemem Nation."

In appearance the Juaneños (and the Indians of California) had broad faces, flat noses and a sallow complexion rather than the aquiline features and copper skin usually associated with the American Indian.[15] They were also shorter and smaller of skull, and had not the proud, erect carriage attributed to Indians. In mentality they were no dullards, for in a short space of time they acquired a new tongue and a new

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[13] The location was about one-half league northeast of the place where, later, the mission was built.

[14] Geronimo Boscano, Chinigchinich, 85.

[15] B. D. Wilson, Indian agent for Southern California,

religion,[16] besides some knowledge of music and simple arithmetic. In addition they became expert husbandmen and skilled artisans, leaving as a monument to their ability as builders the remains of the Mission San Juan Capistrano.

When white men first came they found these natives less than half clad, wearing a skirt of bark, fiber, or rabbit skin, made in two divisions with the longer one falling down in back, while around their shoulders many wore small capes of knotted rabbit skins. In winter both men and women wore long cloaks of skin.

The dwellings, which were filthy in the extreme, were simple shelters of whatever material was available. The better homes were dome-shaped with a circular floor of twelve to sixteen feet in diameter. A framework was made by driving long willow poles into the ground, bending them over and lashing them together to form arches. These were covered with a thatch of tules, reeds or any plant that did not shed its leaves readily. The whole was plastered over with mud, or adobe, and formed a shelter impervious to wind or rain.

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1852, said, in speaking of the Juanenos, that they were "the finest of the south in appearance, temper and intellect." Thompson and West, History of Los Angeles County, California, 88.

[16] It is said, however, that the older men slipped away frequently and carried on their old tribal rites in secret.

A hole was left in the center, at the top, to allow the smoke to escape. The Indians occupied these huts until the accumulation of debris and vermin became too great, then fire was set to the old hut and a new one built.

The food of these Indians consisted chiefly of seeds of which the acorn was the most important. The acorns, which contained tannic acid, required much labor in preparation in order to make them palatable when ground and made into mush. Chia, the small, oblong, grey seed of the purple-flowered sage, was used extensively after being roasted and ground into meal. It was eaten with cold water and proved very glutinous and cooling. Other seeds, such as chilicote, sunflower, wild oats and mock orange, were used as well. The seed diet was supplemented with yucca, miners' lettuce, and the clovers, all of which were used for their leaves and stems. Wild fruits were not plentiful but the Indians ate the fruit of the mesembryanthemum or sea fig, wild grapes, toyon, elder berries, and tunas whenever available. The Indians also relished animal food, and consumed deer, coyotes, squirrels, quails, crows, rats, and mice, and sucked the blood of rabbits as eagerly as they ate the flesh. Grasshoppers and locusts when roasted, were considered a great delicacy. Shell fish, too, formed a large part of the diet of those living along the coast, as the shell mounds found in the county attest. In a country so barren of wild food supply the Juaneños, undoubtedly

encountered many difficulties in finding sufficient food sufficient to keep them.

These Indians had a religion more complicated than is apparent at a first glance. They believed in one god, Chinigchinich, and since it was he who had taught them to dance, their ceremonies consisted of much dancing, done by the men while the women sang. However, the women and uninitiated were not allowed in the vanquench, or the temple, which was an oval brush enclosure open to the sky and situated in the middle of the village, adjoining the hut of the chief. An image of Chinigchinich was placed in the center of the vanquench. Certain birds, such as the condor and eagle, were held sacred by these people and were employed in their many ceremonies. Many of the myths of the Juaneños bore a remarkable resemblance to myths of the Old World. These simple people had some idea of the story of the creation and of the flood, and Father Boscano saw in their ceremony to the new moon an indication that they had a belief in the immortality of the soul.

They had rites attendant upon birth, death, and marriage. Before the marriage took place each of the male relatives of the groom contributed a small sum of shell money which was taken and distributed among the women relatives of the bride. These returned the action by bringing baskets of meal to the groom, for distribution among his male relatives.

Then on the appointed day a man belonging to the family of the bride carried her, part of the way to the abode of the groom, where one of his family met her and carried her the remainder of the way. All this was done amidst much rejoicing, scattering of seeds, and dancing.

These Indians, too, practiced the cult of the jimson weed when a youth was to be initiated.[17] The young initiate was required to remain in the vanquech for a period of three days, fasting. During that time the juice of the weed, narcotic in its effect and productive of hallucinations, was given to him. There was kept before him a sand painting of an animal and it was expected that, in consequence of the stimulation of the weed and the suggestion of the uncouth painting, the youth would see the image of the animal that would henceforth be his guiding spirit.

The Juanenos never waged war for conquest, but for revenge only. The women, too, went to war, not as warriors but as burden bearers and to prepare food and gather up the spent arrows. Upon the women, in peace as well as in war, devolved all the heavy work, for the men were indolent and contented themselves by attending their ceremonies, gambling, building rude huts, making simple wood and bone implements, and by hunting and fishing.

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[17] Geronimo Boscano, Chinigchinich, 46.

In character these Indians were extremely unprogressive, being satisfied to live as their fathers had lived. Yet when civilizing influences were brought to bear upon them, they responded readily, being naturally imitative. To all outward appearances they were hospitable and docile, but in reality they were greedy and grossly materialistic, seeking benefits for which they were ungrateful. Treachery, hypocrisy, insolence and deceit were concealed by a manner that was humble, grave and retiring.[18]

As time went on, and authority other than that of the missionaries affected these people, their deterioration was rapid. Apparently having forgotten, or having cast aside, the teachings of the church, they became highly immoral and intemperate.[19] These conditions, intermarriage with the newcomers, and diseases formerly unknown to them, brought about their extinction.

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[18] Geronimo Boscano, Chinigchinich, 87.

[19] Richard Henry Dana, Two Years Before the Mast, 215-216

## CHAPTER II

## THE FIRST WHITE MEN

Having established her claim in the New World through Hernando Cortez' conquest of Montezuma's empire, Spain encouraged her navigators to go forth to discover more lands, which might be claimed as Spanish provinces to add to the wealth and the glory of the Mother Country. As a consequence Juan Rodrizues Cabrillo, in 1542, became the first European navigator to reach the coasts of what was to become known as Alta California, thus giving Spain a prior right to that country. Fifty years later this claim was strengthened by the discovery of a bay, now known as Drake's Bay, by Sebastian Rodriquez Cermeno. Again, in 1602, another Spanish navigator, Sebastian Viscaino, while searching for a suitable port for the Manila galleons to use as a resting place on their long, hazardous voyages, re-entered and re-named San Diego Bay;[1] discovered Monterey Bay and sailed as far north as Cape Mendocino.

To Viscaino, Monterey Bay was a harbor wondrously beautiful and excellent and, he described its advantages in such glowing terms that the Spanish government determined to occupy the new land and made an appropriation for a settlement

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[1] San Diego Bay had been discovered on the 28th of September, 1542, by Cabrillo and had been named San Miguel by him. Herbert Eugene Bolton, Spanish Exploration in the Southwest, 1542-1706, 23.

at Monterey. However, other matters arose to claim the attention of Spain[2] and more than one hundred sixty years slipped by, leaving the settlement unmade and the country unvisited by Spanish ships, with the possible exception of the galleons which toiled past bearing scurvy-stricken crews and rich cargoes from the Orient to Acapulco. At length, a new king, Charles III (1759-1788), came to the throne of Spain, and to him were brought reports concerning possibilities of foreign encroachments.[3] Thus was Spain brought to realize that in order to keep Alta California a Spanish province, it would be necessary to take some immediate and positive steps for its settlement and defense, and she determined upon the immediate occupation of the Port of Monterey.

Therefore, on the twenty-third day of January, 1768, the Council of the Indies met in Spain and prepared a dispatch

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[2] Spanish explorers' interest, too, had begun to lag because treasure in the new lands had proved to be either wholly lacking or illusive and, because it seemed impossible to find the Straits of Anian.

[3] According to Hunt and Sanchez in their Short History of California, page 56, the Spanish minister to Russia reported to his government, as late as 1767, that the Russian government was planning new expeditions to "the Pacific Coasts of the Americas." This was not the only nation whose advances Spain had reason to fear, for the Dutch had been very active in the South Sea, in gaining knowledge of the ports, and bays held by the Spanish. Also, England, aggressive and not inclined to be friendly toward Spain, could easily push on from the north and east until she extended her claims from Canada, which she had been given in 1763 at the clost of the Seven Years' War, to the very coasts of California.

to Carlos Francisco de Croix, the viceroy of New Spain, commanding him to warn Gaspar de Portolá, the governor of California, against possible attempts of invasion by foreign powers, and urging him to use all means at his disposal to prevent any such intrusions.

Meanwhile there were those in New Spain who were alive to the situation, and who also had felt concern for the safety of Spain's possessions. Early in the 1760's Jose de Gálvez had been sent to New Spain as visitador-general. To him were given powers nearly supreme, which were strengthened further in 1766 when de Croix was appointed viceroy. Shortly after de Croix came into office an uprising of the Indians in Sinaloa, proved to be a great tax upon the resources of the viceroy, who therefore took council with the visitador. This resulted in a message being prepared and sent to the king, pointing out to him the necessity for taking steps to protect Spain's possessions on the Pacific Coasts.[4] Curiously enough, this message also was prepared on the twenty-third day of January, 1768. Consequently when de Croix received the

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[4] In the council between Gálvez and de Croix it had been decided that "in view of the remoteness of Sinaloa, Sonora, Nueva Viscaya and the peninsula of California, and of their unsettled condition" Gálvez was to visit them, establish pueblos in them and regulate their government. The attempts by France and England to discover the Strait of Anian, the recent conquest of Canada by England and the efforts of Russia to extend her fur trading expeditions were further reasons assigned for the visit of Gálvez to the provinces. I. B. Richman, California Under Spain and Mexico, 64-65.

message from the council of the Indies it was mistaken for a reply to the letter sent by Galvez and himself.

Gálvez was a man of immediate action, and arrived on the peninsula of Baja California on the fifth of July, 1768. Problems which confronted the visitador relative to the Indians and Spanish colonization were arranged as speedily as possible, leaving him free to address his energies to preparations for the expedition to Alta California. The mission had proven itself a successful means in the subjugation of both the Philippines and Baja California, therefore Gálvez determined to use it in the subjugation and occupation of Alta California. To that end he summoned Fray Junipero Serra to meet him at Santa Ana (Baja California) on the thirty-first of October, 1768, to confer regarding plans for the expedition.

As a result of the conference it was agreed that this "Sacred Expedition" should be sent out in two portions, one by land and one by sea.[5] Each portion was to be divided into two sections so that if misfortunes befell one, the other might still be saved.[6] Father Serra, the newly appointed president

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[5] The avowed purpose of the expedition was, first, "to establish the Catholic Faith" and next "to extend the Spanish domain (and) to check the ambitions of a foreign nation." Zephyrin Engelhardt, The Missions and Missionaries of California, II, 31

[6] The two boats were the San Carlos under the command

of the California missions, had planned to journey with the first overland division but, because of the condition of his ulcerous leg, was compelled to remain behind and join Portola's company, which he did on the fifth of May, 1769.

On the first of July Portola's division arrived in San Diego. Although there was general rejoicing that so many had been reunited, the situation which confronted Portola was anything but encouraging for many were seriously ill with scurvy, and provisions were running low. However, Portola was a true soldier and his instructions had been to occupy Monterey. Therefore he at once set about making preparations to continue the journey thither.[7] Departing on the fourteenth

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of Captain Vicente Vila, and the San Antonio commanded by Captain Juan Perez. Commanding the land divisions were Fernando Xavier Rivera y Moncado and Gaspar de Portola, the governor of California. Irving Berdine Richman, California Under Spain and Mexico, 67-68; 74-75.

[7] It was arranged that the San Antonio was to return to San Blas to report conditions existing at San Diego and to secure additional men and provisions; that the San Carlos was to proceed to Monterey as soon as a sufficient number of sailors to man the vessel had recovered, and that Fathers Juan Viscaino and Fernando Parron were to remain in San Diego to minister to the sick and to assist Father Serra in founding the Mission San Diego de Alcala. That accomplished, Father Serra was to follow to Monterey in the San Jose, the arrival of which was expected daily. Irving Berdine Richman, California Under Spain and Mexico, 79.

of July, two days before the founding of the mission at San Diego, Portolá and his company began their search for Monterey relying, chiefly, for guidance upon Torquemada's account of Viscaino's voyage of 1602-03 and Cabrera Bueno's manual of navigation.[8]

The party which proceeded northward under the command of Portola was composed of Ensign Miguel Costansó in whose care were the two guide books, Lieutenant Pedro Fages with the seven soldiers of the Free Company of Catalonia, the two priests, Fray Francisco Gomez and Fray Juan Crespi; fifteen Christian Indians, neophytes from Baja California missions, with their implements for clearing the way, building bridges and preparing camp; Captain Fernanco Rivera y Moncada with his twenty-seven cuirassiers or leather-jacket soldiers;[9] two body servants, and seven muleteers. In addition to the main party there was a group of scouts commanded by Jose Francisco Ortega, sergeant of the Leather-jacket company.

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[8] Cabrera Bueno was a celebrated Manila galleon pilot whose manual was printed in Manila in 1734. Irving Berdine Richman California Under Spain and Mexico, 1535-1847, 81

[9] These soldiers were called so, because they wore a cuera or jacket without sleeves that served the double purpose of clothing and armor, being made of six or seven thicknesses of tanned deer skin which was a defense against the arrows of the Indians. A divided leather apron, fastened to the saddle bow, hung down over the thighs and feet, serving as a protection against thorns in riding through thickets. Each soldier also carried a shield, made of two thicknesses of

It was the duty of these scouts to explore the way one day in advance of the main group, select the route and choose camp-sites where water, wood and grass were plentiful, and to keep Portola informed of the conditions found.

The party numbered many whose names became among the best known in California. Not only was this true concerning the leaders of the group, for in the rank and file as well were to be found such men as Pedro Amador, Jose Raimundo Carillo, Juan Bautista Alverado, and Jose Antonio Yorba, a sergeant of the Catalonian Volunteers.[10]

After leaving San Diego the explorers traversed country which abounded with "leafy wild grapes and Castilian roses, loaded with flowers, and a species of very fragrant wild rosemary and an abundance of the wild fruit of the cocoba.[11] The day's march was usually from two to four leagues,[12] because of the necessity of pitching camp with

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tough bull hide, upon his left arm, and, for weapons, a lance, a sword and a small carbine or musket in a case; Zoeth Eldredge Skinner, History of California, I, 210.

[10] Especially interesting in Orange County history, is the fact that this same Jose Antonio Yorba became the grantee of the Rancho Santiago de Santa Ana and the founder of the Yorba family. In 1769, at the time of the Portola Expedition, he was a lad, scarcely twenty years of age, vigorous and capable.

[11] Herbert Eugene Bolton, editor, Historical Memoirs of New California, by Fray Francisco Palou, II, 101.

[12] This was the Spanish league which is a little in

reference to the availability of water for men and beasts, and to allow Ortega and his scouts time to explore the route for the following day. Thus it was not until the twenty-second of July that Portolá led his cavalcade across the southern boundary line of what is now Orange County, to a spot where, according to Costansó, "water was held in a pool of small size but of considerable depth, in a canyon on the eastern side of which we pitched our camp on level ground covered with pasture."[13]

Near the camp-site was an Indian village of about twenty natives, according to Portolá, where Ortega had observed two babies, apparently sick unto death, moaning in the arms of their mothers. Upon his return to camp, Ortega, as was his custom, recounted the observations he had made. At the mention of the grave illness of the children the concern of the padres was aroused. Thus it happened that Ortega, retracing his steps, led the priests to the village where, on July twenty-second, 1769, the first Christian baptisms in California were performed.

Fray Juan Crespi recorded the event as follows:[14]

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excess of two and three-fifths miles.

[13] Miguel Costansó, "Diary" in Academy of Pacific Coast History Publications, 173.

[14] Herbert Eugene Bolton, Fray Juan Crespi, 133.

> We found one little girl which the mother had at her breast apparently dying. We asked for it, saying that we wished to see it, but it was impossible to get it from its mother. So we said to her by signs that we would do it no harm, but wished to sprinkle its head, so that if it died it might go to heaven. She consented to this, and my companion, Fray Francisco Gomez, baptized it, giving it the name of Maria Magdalena. We went then to the other, also small, who had been burned and was apparently about to die. In the same way I baptized it, giving it the name of Margarita. We did not doubt that both would die and go to heaven. With this, the only success we had obtained, we fathers consider well worth while the long journey and the hardships that are being suffered in it and that are still awaiting us. May it all be for the greater glory of God and salvation of souls. For this reason this place is known as Los Christianos; I named it San Apolinario; others call it Valley of Los Bautismos.[15]

The following day being Sunday, mass was said, after which the journey was resumed in a north-northwesterly direction from the Valley of Los Bautismos. After ascending a large hill which Fray Crespi described as being "not very rough and all of pure earth,"[16] the march continued "on over mesas, hills, valleys and dry arroyos, ascending and descending."[17] Shortly before noon the company came to "a pleasant

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[15] The name "Los Christianos" became changed to "Christianitos" meaning "Little Christians" and is applied even to the present time (1937) to the canyon north of San Onofre. The spot where the baptisms were performed in quite easily identified as being located near the Christianitos corrals in the O'Neill pastures. Terry E. Stephenson, Caminos Viejos, 6-7.

[16] Herbert Eugene Bolton, editor, Fray Juan Crespi, 133.

[17] Font, too, in traversing this section in 1776, took note of the many hills for he says, "There are so many hills to be crossed on this road that yesterday I began to take the

green valley, full of willows, alders and live oaks," through which ran a stream of excellent water which, after running a short distance further, was caught and held in pools among the reeds and rushes. Because of this plentiful water supply, camp was pitched and the place named the Valley of Santa Maria Magdalena. It was also known as La Qyema, because of a fire which occurred in the grass patches, caused partly by accident and partly by the Indians. The place is now known as San Juan Capistrano.

The route from this camp-site, in all probability, led the explorers through the Gobernadora Canyon out upon a mesa lying along the foothills of the Santa Ana Valley, for, in recording the day's events, Crespi says that the cavalcade set out on a north-northwesterly course through another canyon that opened into that of the Santa Maria Magdalena. This canyon he further described as being approximately only five hundred varas wide from ridge to ridge.[18] After traveling a distance of about two leagues the company was compelled to veer considerably to the west in order to climb a high pass which brought them out upon a good mesa.

About a league further the group came upon a valley so

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trouble to count them and, not counting the smallest, we ascended and descended twenty-one hills, and today we went up and down fifty-four." Herbert Eugene Bolton, editor, Font's Complete Diary, 237.

[18] A vara measured 33.33 inches.

full of large alders and live oaks that it looked "like a fig orchard." Camp, however, was pitched upon the rim of a mesa which Crespi described as running to the foot of a high mountain range from which an arroyo of excellent water flowed.[19] This spot, from which could be seen the Santa Catarina (Catalina) and San Clemente Islands, was named San Francisco Solano by the padres in honor of Saint Francis, the Apostle of America

> so that with his intercession the conversion of these socile heathen may might be accomplished by founding for them on this spot a mission dedicated to him as patron, since the place and the docility of the heathen invite d it.[20]

However the name did not cling to the place and it became known as El Trabuco.[21]

Since it was the practice of Portolá to allow his men and the animals one day out of every four for rest the march was not resumed upon the following day. Even upon the twenty-sixth, because the day was sacred to Saint Anne, the departure was delayed until after the celebration of mass. Following a course to the northwest over land which was made up of rolling hills and "broad mesas of excellent soil," the company

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[19] The Alisos Creek near El Toro.

[20] Herbert Eugene Bolton, Fray Juan Crespi, 137.

[21] "They gave it this name in the first expedition because, at this place, where there is a small arroyo, they lost a blunderbuss." Herbert Eugene Bolton, Font's Complete Diary, 188.

entered a plain so extensive that, according to Costanso, the "limit could not be discerned by the eye."[22] That evening camp was first pitched by a lagoon which contained a very meager water supply, but was moved to a spot where Fray Gomez had found two small springs of excellent water. Because of this occurrence the soldiers named the spot Aguage del Padre Gomez (Springs of Father Gomez). By Crespi the place was called San Pantaleon.[23]

Upon the day following the group of travelers was more fortunate so far as the water supply was concerned, for, after having continued their northwesterly course for about three leagues, they came upon a stream of running water. The stream which descended from the mountain range bore evidences of carrying a considerable amount of water during the rainy season. At the season when Portolá's company encamped there, however, the stream appeared to be diminishing and to be sinking into the sand. The name Santiago, in "honor of the holy Apostle and Patron of the Spains", was bestowed upon this camp-site, which was located in the hills northeast of the present city of Orange and upon the stream which still is

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[22] "Diary of Miguel Costanso," Academy of Pacific Coast History Publications, II, 175.

[23] Undoubtedly the place was in the Santiago Hills east of Tustin.

known as the Santiago.[24]

The scouts had returned to camp, bringing particulars concerning another and even better watering place. Therefore the march on the twenty-eighth was a brief one, and was halted upon the left bank of a river which Crespi described as being very beautiful with many willow trees upon its banks and excellent soil stretching away on both sides.

Upon the right bank of the stream there was a large Indian village. A number of Indians crossed over to the camp of the White Men, whom they entreated to remain with them. They indicated that all the land was theirs and that they would share it with the newcomers. When the padres assured the Indian chief that they would return and would live with them the chief broke into tears. Gifts were exchanged, Portolá giving the Indians some beads and a silk handkerchief, while the Indians presented the travelers with two baskets of seeds, already made into pinole, and a string of beads made of shells.

It was while the company was encamped in this place that they experienced an earthquake which Portolá described as lasting "about half as long as an Ave Maria" but which seemed to Crespi as "horrifying" because of the violence of the shocks and the fears of the Indians. The temblors were

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[24] Herbert Eugene Bolton, Fray Juan Crespi, 140.

repeated four times during the day and earned for the place the "sweet name of Jesus de los Temblores."[25] However, the soldiers did not accept Crespi's name, but because they had entered the region on Saint Anne's Day, preferred to call it Santa Ana, which has been its name ever since, even though occasional reference was made to it by the former name.[26]

On the afternoon of the twenty-ninth Portolá's cavalcade crossed the river with great difficulty due to the swiftness of the current, and then followed the plain for some distance. However, fearing a scarcity of water on the level country, they turned to the hills. Water enough for the men was found in a pool in a "very green little valley" which is now known as Brea Canyon, but which was named Santa Marta by the expedition. It was also known as Los Ojitos and San Miguel.

Upon Sunday, July the thirtieth, this group of white men, the first to set foot upon the soil of what is now Orange County, descended the hills and entered a large plain known now as La Habra Valley. Crossing this plain they ascended to a pass and so continued the search for Monterey

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[25] Herbert Eugene Bolton, Fray Juan Crespi, 142.

[26] Two years later a group of soldiers and padres were sent out from San Diego to found the Mission San Gabriel "on the river named Jesus de los Temblores." However the padres examined the banks of the stream and were not pleased with them, so they continued to the place where San Gabriel is now located. Terry E. Stephenson, Caminos Viejos, 13-14.

which proved fruitless so far as they were concerned.

Returning six months later, weary and oftentimes hungry, they skirted the hills west of Whittier instead of returning through the pass across the Puente Hills. January 18, 1770, found them in their former camp on the Rio de los Temblores.[27] Hastening onward they spent the night of the nineteenth at Aguage del Padre Gomez, and the twentieth found them in Canada de Santa Maria where they found an abundance of fire wood. However, the stream, which had afforded such a copious water supply in July, was dry. They marvelled at this circumstance, but concluded that the stream was fed by melting snows and would not flow again until the summer.[28]

On Sunday, January the twenty-first, they reached Cañada del Bautismos but found the Indian village deserted, consequently they never learned whether the children who were baptized upon that summer evening had lived or died.

Thus it was Don Gaspar Portolá and his company who broke the first trail through what is now Orange County; who

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[27] This camp-site was near Olive, east of Anaheim. It was here, too, that Font encamped in January, 1776, complaining of the cold, saying "we they had very little firewood because all the country and the river is greatly lacking in trees." (Bolton, Font's Complete Diary, 187.) But he tells another story upon his return in February for then the wild flowers were in bloom upon the Olive hills and he saw "several like those in Spain . . . in some gardens in Cataluña." Ibid., 238.

[28] At this same spot, Juan Bautista de Anza camped on

brought the first refining influence of religion into the County; and who left place names that will remain forever upon the County's maps.

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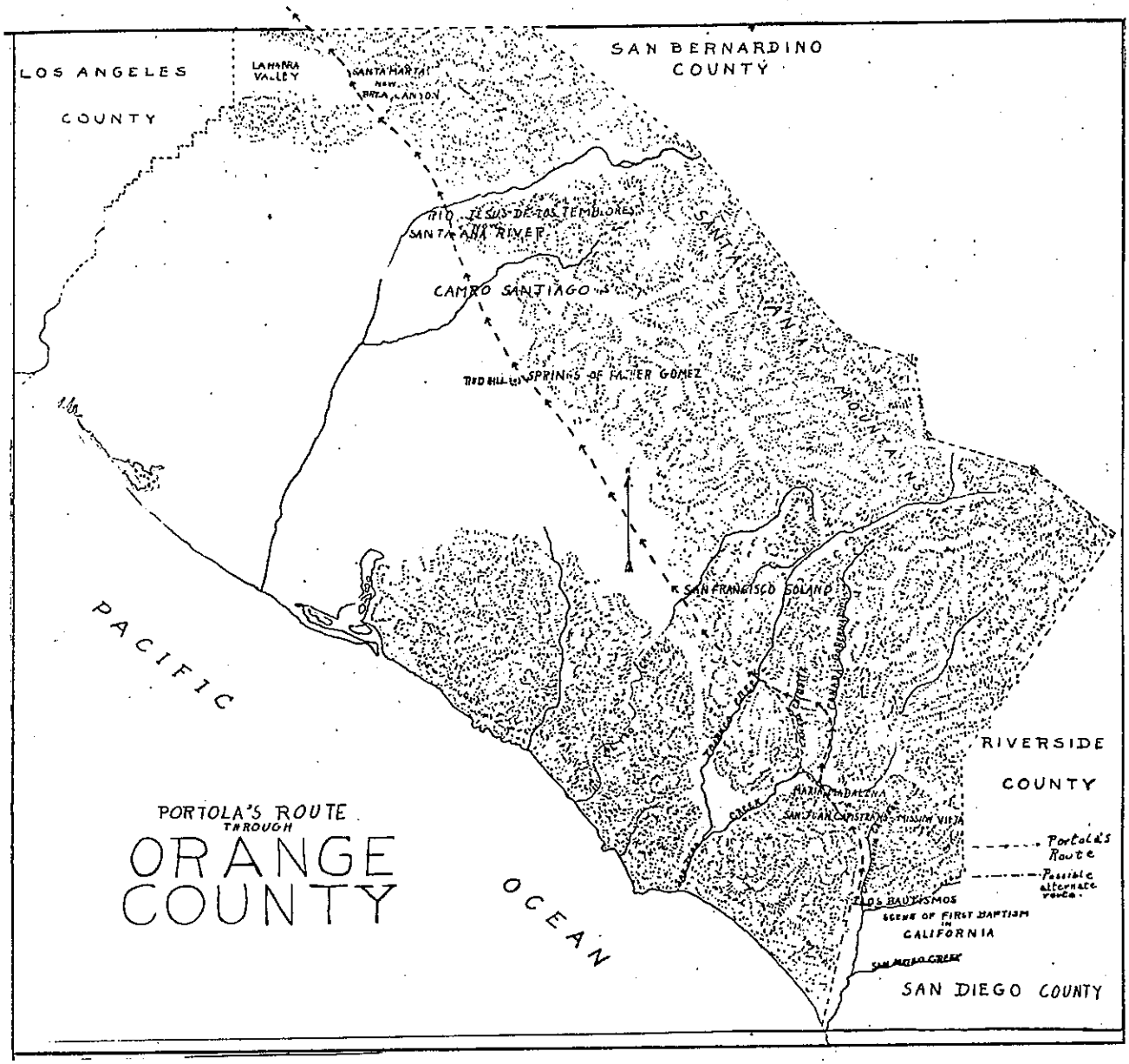
January 8, 1776, on his way from Mission San Gabriel to San Diego to lend aid to Governor Rivera during an Indian uprising. Herbert Eugene Bolton, Editor, Font's Complete Diary, 1775-1776, 188.


LOS ANGELES
COUNTY
LA HARRA
VALLEY
SANTA HARTA
NEW
BREA CANYON
SAN BERNARDINO
COUNTY
RIO JESUS DE LOS TEMBLORES
SANTA ANA RIVER
CAMPO SANTIAGO
SPRINGS OF FATHER GOMEZ
SANTA ANA MOUNTAINS
SAN FRANCISCO SOLANO
PACIFIC
OCEAN
RIVERSIDE
COUNTY
MARIA MADALENA
SAN JUAN CAPISTRANO
MISSION VIEJA
LOS BAUTISMOS
SCENE OF FIRST BAPTISM
IN
CALIFORNIA
SAN DIEGO CREEK
SAN DIEGO COUNTY
Portola's
Route
Possible
alternate
route.
PORTOLA'S ROUTE
THROUGH
ORANGE
COUNTY

## CHAPTER III

## THE MISSION

On the tenth of August, 1775, letters from Viceroy Antonio Maria Bucareli reached Monterey, authorizing Father Serra and instructing Captain Rivera to establish two or three more missions in California.[1] Captain Rivera carried the news to Father Serra at Mission San Carlos, and they agreed that a mission should be established between San Diego and San Gabriel on, or near, the spot which had been named San Francisco Solano by Portolá in the expedition of 1769.

Preparations for the founding of the new mission were begun immediately. In order to secure a sufficient guard for the new establishment recourse was taken to the Regulation of 1773 which authorized the reduction of the number of soldiers at the presidios at Monterey and San Diego, as well as at the missions at the latter-named place and San Carlos. Father Serra then dispatched Fray Fermin Lasuén of San Carlos and Fray Gregório de Amúrrio of San Luis Obispo to begin work at the new mission which was to be known as San Juan Cap-

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[1] It was about this time, also, that Father Serra received authority to administer the sacrament of Confirmation, a privilege generally conferred only upon a bishop and his superiors. However, due to the remoteness of California and the impossibility of a bishop visiting it, the privilege was granted to Serra. Zephyrin Engelhardt, Missions and Missionaries of California, II, 320.

istrano.[2] Father Amúrrio remained at San Gabriel, for that mission was to provide supplies and the necessary cattle for the start of the San Juan Capistrano herds. Padre Lasuén, however, continued on to San Diego where he joined the comandante of that presidio for the purpose of surveying the proposed locality. That having been accomplished, the return was made to San Diego, and a message was sent to Padre Amúrrio to proceed to the new mission site.

Accompanied by Lieutenant Jose Francisco Ortega, one sergeant, and a small group of soldiers, Padre Lasuén returned to San Juan Capistrano on the thirtieth of October, 1775. At once a shelter of boughs was erected to serve as a chapel, a large cross was constructed, raised, and blessed, and mass was read; while two bells, which had been brought along, rang out the tidings to the Indians that a mission was being established in their midst. Formal possession was then taken of the lands and, with the help of the Indians, who gathered about the work of establishing the mission was making pleasing progress. However, upon the eighth day, the very day of Padre Amúrrio's arrival from San Gabriel, a courier brought word of disaster at San Diego. That mission had been attacked and

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[2] It had been ordered in Mexico that the next mission, wherever built, should be named in honor of the saint, John of Capistrano. Terry E. Stephenson, "Names of Places in Orange County," Orange County History Series, I, 50.

razed by fire, and Padre Luis Jaime and a workman had been killed.[3]

Lieutenant Ortega set out for San Diego at once in order to assist in protecting the settlement there from further outrages. However, he gave orders that those left at San Juan Capistrano should follow him as speedily as possible. In compliance with these instructions, Padre Lasuén and his companions buried the bells and, leaving the cross standing, hastened southward. Thus was thwarted the first attempt to found Mission San Juan Capistrano.

Reconstruction activities at San Diego engaged the attention of the missionaries, consequently it was not until the following year that any attempt was made to resume the work at San Juan Capistrano. In October, leaving Father Lasuén at San Diego in Padre Jaime's place, Father Serra started north with Father Amírrio and an escort of ten soldiers to undertake the re-establishment of the mission. Upon their arrival they found the cross still standing and, without difficulty, located the buried bells which were hung, and again proclaimed the founding of the mission. The words of Padre Serra concerning

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[3] Conditions at San Diego apparently had been excellent and, upon the third of October, sixty converts had been baptized. Aroused by this, many of the Indians, led by their medicine men attacked the mission at midnight on the fourth of November. The following norning the body of Fray Luis Jaime, stripped of its clothing, bruised from head to foot by stones and clubs and bearing eighteen arrow wounds, was found in the dry bed of a creek. Zephyrin Engelhardt, San Diego Mission, 59-65.

the events were as follow:[4]

> . . . on the most solemn day of All Saints, November 1, 1776, on which I, the undersigned, president of these new Missions of the infidels . . . conjointly with the Father Procurator, Fray Gregório de Amúrrio, having implored the divine aid and made the usual blessings of water, place, cross and bells, sang Mass and declared the Mission as begun for the administration of which I left assigned as its first ministers the Rev. Lector, Fray Pablo de Mugártegui and the aforementioned Father Procurator, Fray Gregório de Amúrrio, both of the holy province of Cantabria and Preachers Apostolic of the aforesaid College of San Fernando, Mexico.
>
> Junipero Serra

Having completed the formalities in connection with the founding of this, the seventh of the Franciscan missions established in California, and being desirous of hastening the work so long delayed, Padre Serra set out for San Gabriel with a soldier and a few Indians. His purpose was to bring back cattle and some neophytes who could assist in the construction of the new buildings.[5] Succeeding in accomplishing this Padre Serra left the conversion of the Indians to the priests in charge, while he returned to San Carlos, pausing, enroute, to visit the missions.

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[4] St. John O'Sullivan, Little Chapters About San Juan Capistrano, 10.

[5] While returning from San Gabriel, Father Serra hastened on in advance of the pack train and the cattle, taking with him but one soldier and one neophyte. At Trabuco he found himself suddenly surrounded by Indians who threatened his life. However, Serra's Indian companion, with a fine disregard for truth, shouted to them to desist for there were many soldiers coming behind who would kill them all. Upon hearing this they approached Father Serra peacefully. He gave

The site chosen for the mission was known to the Indians as Quanis-savit or, preferably, Sajivit and was situated in a hollow a short distance above the confluence of the Trabuco and San Juan Creeks. Standing, as it did, between these two streams a plentiful water supply for the mission gardens, vineyards, orchards, and herds was assured.[6] About a league to the southwest the stream slipped into the ocean at a place where an inlet, sheltered from all but the south winds, provided good anchorage. Captain George Vancouver described the mission as being situated [7]

> close to the waterside, in a small sandy cove, . . . in a grove of trees whose luxuriant foliage, when contrasted with the adjacent shores, gave it a most romantic appearance, having the ocean in front and being bounded on its other sides by rugged dreary mountains.

The Indian interpreter, whom Father Serra had brought with him from San Gabriel, proved to be a great aid to the missionaries in charge at San Juan Capistrano, for, through him they were able to make the natives understand the purpose for which the mission had been established among them. More-

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them gifts of glass beads and they departed in a friendly spirit. Zephyrin Engelhardt, San Juan Capistrano Mission, 7-8.

[6] Water was taken from these streams partly by means of open ditches and partly by underground conduits, fragments of which could still be seen at the mission as late as 1937.

[7] George Vancouver, A Voyage of Discovery to the North Pacific Ocean, reference to which is made in Hubert Howe Bancroft's History of California, I, 658-659.

over, the Indians of the region possessed gentleness and a willingness to receive religious instructions. This was noted by Fray Juan Crespi as early as 1769 and he wrote in his diary[8]

> These heathen listened with more attention to what, by means of signs, we told them of God, of Jesus Christ and of their salvation; and several times they devoutly venerated the Holy Christ and the Cross of the Crown.

Fray Francisco Palóu, also, observed that, in contrast to the Indians of other missions, who were overly anxious for bodily comforts in the beginning, those of San Juan Capistrano were "solicitous only for baptism,[9] asking it most earnestly from the missionaries and finding the time required for preliminary instructions too long." [10]

Not only was gratifying progress being made in religious matters, but material advance was apparent from the start, for the friars in charge devoted themselves to the task of planting the fields and gardens which, in a short time, produced crops of wheat, corn, and beans, sufficient to supply the soldiers as well as the neophytes. Orchards

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[8] Herbert Eugene Bolton, Fray Juan Crespi, 138

[9] The first baptism occurred on December 19, 1776, seven weeks following the founding of the mission. The sacrament was administered by Father Amurrio to a boy, of six or seven years, to whom was given the name of Juan Bautista. Zephyrin Engelhardt, San Juan Capistrano, 15-16.

[10] Francisco Palóu, Life of Venerable Padre Junipero Serra, 94.

containing a variety of temperate and tropical fruits such as pomegranates, figs, peaches, pears, and apricots, were planted and grew remarkably well.[11]

It was at San Juan Capistrano, too, that grape vines were first planted in California. The luxuriant growth of the wild vines in this region had attracted the attention of the padres when they came to the new country in 1769.[12] Therefore plans for the new mission included a vineyard, and domesticated shoots were brought from Baja California for that purpose. The vines flourished and ere long yielded grapes sufficient for wine for both sacramental and table use.

However, the missionaries' attention was not wholly occupied with religious instructions and planting projects, for there was much building to be done. The first temporary church was completed soon and work was begun on a more substantial adobe structure.[13] In like manner, the frail structures which housed the missionaries, the soldiers, and

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[11] It is interesting to note that these orchards which lay to the southwest of the mission, were in the form of a Roman cross. Anna Caroline Field, "A Southwestern Sleepy Holly," Land of Sunshine, XV, 135.

[12] In his diary, Father Crespi made frequent mention of the wild grapes. Herbert Eugene Bolton, Fray Juan Crespi, passim.

[13] Known later as "Father Serra's Church" due to the circumstance that, on October 23, 1778, Father Serra said the mass, preached and confirmed within its walls. It remains, today, the only church in California in which the first president of the Missions officiated.

Indians were replaced by one-story dwellings of sunburnt brick, tiled and white washed which, according to Alfred Robinson, presented a "neat and comfortable appearance."[14] In addition to these buildings, others to serve as granaries and rooms for spinning were erected and an adobe wall built to surround the garden.

By 1797 the adobe church was inadequate, for the number of neophytes who lived at the mission numbered close to a thousand. The majority of these were either adults or had reached the age at which they were required to attend religious services. Therefore work upon the new church, which was to be constructed of stone and, which proved to be the most pretentious building of the mission period, was begun on the second of February, 1797.

The edifice, as designed by Father Gorgonio, was to be about ninety by one hundred eighty feet, cruciform in shape and surmounted by a tower and several domes. Being unwilling, or unable, to assume the responsibility for the erection of the church the fathers tried to secure the services of a master builder.[15] Finally, through the assistance of Governor

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[14] Alfred Robinson, Life in California before the Conquest, 48.

[15] The master builder evidently furnished the designs for the decorations in the church. These designs were not inartistic for the most part, especially the rosettes, but they plainly suggested Aztec markings. The only recognizable

Jose Joaquin de Arrillaga; such a man, Isidro Aguilar, was brought from Culiacan to direct the neophytes, whose aid had been enlisted and who performed the real labor of construction. Materials were close at hand, stone being brought from the quarry at Mision Vieja,[16] about four miles northeast of San Juan Capistrano and from the rocky point at the ocean,[17] while limestone for the mortar was procured from a quarry located near the place now known as El Toro.[18]

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Christian emblem in the entire building was the double cross over the chapel door. The colors, also, were those favored by the Aztecs. C. D. Ball, "Symbolic Markings of San Juan Capistrano Mission," Orange County History Series, I.

[16] By some it is maintained that Mision Vieja (Old Mission) was the site originally chosen for the mission. However, this seems unlikely for accounts tell that Father Serra found the cross, which Father Lasuen had planted, still standing, but no mention is made of any change in locality.

[17] The larger stones were dragged from the quarry in chains drawn by oxen and then taken to the building site in carretas, but the men, women and children carried all the smaller stones from the quarry in their hands or high upon their backs in nets swung from the head. St. John O'Sullivan, Little Chapters about San Juan Capistrano, 13-14

[18] An interesting legend attaches itself to the name of El Toro. It is related that in 1841 while Father Jose Maria Zalvidea was at San Juan Capistrano, he was walking abroad as was his wont. On this particular occasion his attention was engaged with a book he was reading, when a vaquero called a warning that an angry bull was about to make an attach. Unperturbed, Father Zalvidea continued on his way and, as the bull was ready to charge, merely said, "Peace, peace, malignant spirit. Come, come, wouldst thou throw dirt on me?" Whereupon the infuriated animal changed his menacing attitude and trotted away. Hubert Howe Bancroft, California Pastoral, 189-190.

Construction work was progressing steadily when, in February, 1803, the master mason died, leaving the task of completion to the missionaries. At length, in September, 1806, after nine years of building, the new church was ready to be consecrated.

The dedication was an event of great importance in the history of California missions, the ceremonies continuing throughout three days. On the afternoon of September 7, 1806, the blessing upon the temple was pronounced by Father Estevan Tapis, then Presidente of the Missions of Alta California, assisted by representatives from San Gabriel Archangel, Santa Barbara, San Fernando Rey de Espana, San Luis Rey de Francia, and San Jose Missions. Governor Arrillaga was in attendance to represent the State, as well as to assist in the ceremonies. The presidios, too, sent representatives in the persons of officers and individuals from the companies, while the nearby missions allowed many of their neophytes to join those of San Juan Capistrano upon this auspicious occasion. The eighth was marked by Solemn High Mass and a sermon, while on the ninth the remains of Father Vicente Fuster were transferred to the new church and a Solemn High Mass of Requiem was sung.

The great stone church had been in use for only six years and three months when, during the first Mass on the eighth of December ,1812,[19] an earthquake destroyed the tower

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[19] The day was the Feast of the Immaculate Conception

and the nave of the church, killing thirty-nine of the worshipping Indians.[20] At the time of this disaster the mission had reached the period of its greatest glory, both in material wealth and in the number of neophytes.

Earthquake was not the only agency through which trouble was brought to the mission, for fire, pestilence, fear, vandalism, and political schemes each played a part. In March of 1801 fire, in addition to destroying the roofs of two granaries and a store room, had caused the loss of two thousand four hundred bushels of grain and six tons of tallow.[21] The conflagration was occasioned by a servant who went into the store room with a lighted candle in quest of some fat, but

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and, since the first Mass was being celebrated for the convenience of adults, no children were injured when the tower and domes fell. St. John O'Sullivan, Little Chapters About San Juan Capistrano, 25.

[20] There seems to be a difference of opinion concerning the number killed. However, the official record must have been thirty-nine, for that number appears upon the monument erected to the memory of those who were interred in the mission cemetery. While the church was in the course of construction, an earthquake, which occurred on the twenty-second of November, 1800, cracked the walls. These were repaired but not rebuilt. Furthermore, the roof was made of stones which were not hewn, but which were of irregular size and shape and imbedded in the mortar. Thus, it would appear that much of the damage to the church was due to faulty construction rather than to the intensity of the quake.

[21] Herbert Howe Bancroft, History of California, II 109.

who remained to amuse himself by killing bats. Again, in 1806, grief befell the mission when measles appeared among the Indians causing one hundred and thirty-three deaths in two months.[22]

On the fourteenth and fifteenth of December, 1818, San Juan Capistrano was visited by the insurgent, Hypolito Bouchard, in command of the Argentina. The object which lay behind Bouchard's visit was not piracy as has been often supposed, but rather an effort to enlist the sympathies of the Californians in the cause of independence from Spain. Failing to find the co-operation he sought, Bouchard began to play the role of a bully along the California Coast striking terror into the hearts of many.

Upon the thirteenth of December, Alférez Santiago Arguello, with thirty men, had been sent from San Diego to protect San Juan Capistrano. He completed the work of removing all valuable articles from the mission and of sending the families to Trabuco Canyon, consequently Bouchard and his company found the mission deserted. Beyond breaking open wine and oil casks and spilling their contents upon the ground the intruders did little damage, contenting themselves, instead, by enjoying a couple of days of carousal.[23]

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[22] St. John O'Sullivan, Little Chapters About San Juan Capistrano, 27.

[23] Peter Corney who was a member of Bouchard's company

Even though this was the first occasion upon which a foreign foe had invaded Alta California, fear of invasion by England had been present often. The feeling of apprehension became so pronounced in 1797, as a result of the visit of the British Commissioner, Captain George Vancouver, a few years earlier, that a guard was placed upon the beach to forestall any attempts at landing. However, the guard was removed soon and, even though trade with any foreign vessels had been expressly forbidden by the Spanish government, San Juan Capistrano became a favorite stopping place for American traders in search of fresh supplies and opportunities for trade.[24]

Grave as were these troubles which came to the mission, by far the most serious misfortune was occasioned by secularization. The idea of secularization was not a new one, for,

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of one hundred forty men, says that they "found the town well stocked with everything but money." In the plundering and carousal of the insurgents they "destroyed much wine and spirits and all the public property" and many of the men became so intoxicated that it was found necessary "to lash them to the field pieces and drag them to the beach." Six men were lost and twenty punished for having become intoxicated. Peter Corney, Voyages in the Northern Pacific, 124-125.

[24] Details concerning such visitors are lacking, however, it is known that among those who early came to the mission anchorage were Captain Brown in the Alexander, Captain Shaler in the Lelia Byrd, Captain Rowan in the Hazard and Captain Kimball in the Peacock. Apparently supplies were obtained with ease in every case excepting the Peacock, which anchored off San Juan Capistrano on April 4, 1806. The corporal of the mission guard not only refused the requests of the four men sent ashore, but had them arrested and sent as prisoners to San Diego. Hubert Howe Bancroft, History of California, II, 37-38.

on September 13, 1813, the Spanish Cortes had decreed that all the missions in America which had been in existence for ten years were to be given over to the direction of the secular clergy under the authority of the bishop of the diocese. The neophytes, who were to be regarded as free citizens, were to be given the mission lands, live stock, and implements, and the missionaries were to proceed to new fields. The law was not enforced, so far as California was concerned, for, lacking a sufficient number of curates, the bishop was unable to proceed.

However, Mexico had grown weary of the authority of Spain and, in 1821, declared her independence, which was followed in 1824 by the establishment of the republic. Native Mexican politicians then turned their attention to the California missions which had grown wealthy through the foresight and careful planning of the missionaries and the labor of the Indians.

What was true concerning the missions generally, was true in the case of San Juan Capistrano as well. In 1790 the mission herds had numbered two thousand and thirty-eight but by 1810 they numbered ten thousand two hundred and thirteen; the small stock had increased to five thousand five hundred and eight, while the grain harvested had increased from three thousand fifty-three bushels to five thousand eight

hundred nine-two bushels.[25] Further, there was due this mission the sum of six thousand dollars for supplies for San Diego and Santa Barbara presidios.[26] The establishment had, in addition to the church and the necessary buildings for conducting religious instructions, two large granaries, store rooms, and the facilities for carrying on industries such as weaving, spinning, tanning, dying, milling grain, making tiles, rendering tallow, and making soap. The gardens, orchards, fields, and vineyards, too, were in excellent condition, and added materially to the wealth of the mission through the sale of supplies to the American and Russian trading vessels. Quite a trade in hides, horns, and tallow contributed its share of wealth.

Therefore, on April 28, 1826, Governor Jose Echeandia issued a decree that all the neophytes who had been Christians from childhood or for fifteen years, who were of age and able to earn a living might leave the missions as ordinary citizens. This attempt at freeing the neophytes was unsuccessful for they could not meet the requirements, but nevertheless, the effect upon them was highly undesirable and served only to increase their growing insolence.

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[25] Geronimo Boscano, Chinigchinich, 12-13.

[26] Herbert Howe Bancroft, History of California, I, 657-658.

On May 25, 1832, a law authorizing secularization was passed, and in 1833 Governor Jose Figueroa, convinced that gradual secularization was the only practical course to be pursued in California, emancipated the Indians of San Juan Capistrano. The lands were apportioned to them by Captain Portillo as comisionado and a pueblo was founded in November of the same year.

However, these Indians were not ready for civil liberty. At the mission they had been under the paternal management of the padres and were in many respects as children. Even though they had tasks assigned to them, their labors were not arduous, and ample time was left for leisure and for enjoying sports in the mission patio, where frequently there was a bull fight, an amusement which pleased them greatly. Their physical welfare was guarded carefully, and they were housed in neat whitewashed adobe houses. Each was given his clothing and as much as he could consume of beef, lard, beans, maize, and lentils. In case of illness the mission had its infirmary which consisted of one room with mats upon the floor instead of beds.[27] They were instructed in religion, the Spanish language, music, a little arithmetic and some reading and writing.

Their moral life was watched and, when a neophyte erred,

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[27] Nellie Vande Grift Sanchez, Spanish Arcadia, 70-71.

punishment was inflicted. Near the mission was the Indian village, where the girls twelve years of age and over were permitted to spend their free time. At night, however, all the girls, and the women whose husbands were away, had to sleep in the monjério, or apartment set aside for them, at the mission. On the whole the Indians were happy, contented and dependent. Therefore, when by the decree of August 18, 1834, secularization became an accomplished fact, they were unprepared for it.

On March 29, 1843, Governor Micheltorena issued a decree restoring the temporal management of the missions to the padres, on condition that one-eighth of the total annual produce of every description should be paid into the treasury. So far as San Juan Capistrano was concerned, the issuance of the decree came too late, for, from 1842 there had been no resident priest and the neophytes had become scattered. Then, on December 4, 1845, Governor Pio Pico, in order to satisfy the clamoring creditors, sold, at public auction, the buildings, furniture, the garden, orchard, and vineyard to John Forster and James McKinley for $710.00 which amount was paid partly in cash and partly in hides and tallow.

Thus, less than seventy years from the time of its founding, the destruction of Mission San Juan Capistrano was completed. However, when the United States acquired California and a commission was appointed to investigate private

claims to property, the sale was found to have been illegal. The United States District Court sustained the findings of the Commission and, on the third of March, 1865, one month before his death, Abraham Lincoln signed a patent conveying the mission buildings and lands to the Bishop of the diocese as representative of the Catholic Church.

## CHAPTER IV

## LAND GRANTS

With the arrival of Portolá and the Franciscan friars in 1769 the settlement of Alta California by the Spanish was definitely undertaken. When the territory was occupied the title to the land was vested in the king. However, since the natives remained the recognized owners of all the land needed for their subsistence, the crown was actually in possession of only the ground upon which the presidios stood and of such other lands as were needed in connection with the royal service. In their savage state, the Indians had roamed over large areas of land, but it was anticipated that, as a consequence of the civilization which they were expected to acquire, the amount necessary for their needs would be greatly reduced.

There was, therefore, no prospective legal hindrance to the establishment of Spanish settlements and laws governing their founding were formulated. According to these laws each pueblo was to be assigned four square leagues of land but, in no case, was land to be held by an individual.[1] No exception to the laws was made in favor of the missions for they held only usufructuary rights to such lands as they required for the purpose of preparing the natives to form

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[1] Hubert Howe Bancroft, History of California, I,607.

pueblos. When such a time arrived the mission buildings were to become the property of the church, and the friars were to seek new locations where they might continue the work of fitting natives to establish more pueblos.

However, on the seventeenth of August, 1773, Viceroy Bucareli y Ursua authorized Captain Rivera to distribute lands to "such persons either native or Spanish, as were worthy and would dedicate themselves to agriculture or raising stock."[2] In all cases such grantees were to be required to reside within the pueblo and not scattered throughout the country among the uncivilized Indians.[3] In 1775, Manuel Butrón at San Carlos, petitioned Rivera for a grant of land subject to these conditions. His request was allowed and, in consequence, he became the first person in California to receive a grant of land from Spain. However, it was abandoned shortly after and thus reverted to San Carlos Mission.[4]

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[2] Herbert Howe Bancroft, History of California, 608; Irving Berdine Richman, California Under Spain and Mexico, 346.

[3] Undoubtedly, this regulation was twofold in its intent, taking into consideration (1) the personal safety of the grantee and (2) the influence he might exert upon the natives.

[4] Manuel Burtón, a soldier at the presidio at Monterey, had married Marguerita, a neophyte of San Carlos Mission. They were assigned land one hundred forty varas square, near the mission, on condition that it should be inalienable in them and their descendants and in default of heirs should revert to the mission. Theodore H. Hittell, History of California, II, 746.

The question of private ownership of land in California was not raised again until 1784.[5] At that time Jose Maria Verdugo and Manuel Nieto made application to Governor Pedro Fages for individual land grants near the San Gabriel Mission. Being in doubt as to the course of action he should take concerning these requests, Fages wrote to General Ugarte, Comandante-General of the Provincias Internas for instructions. Meanwhile he granted the petitioners written permission to occupy the desired lands.[6] Two years later, after having consulted Asesor Galindo Navarro, Ugarte authorized Fages to grant tracts of land not to exceed three square leagues. It was further stipulated that such grants were to be outside the four leagues which were allowed for the pueblos and that they were in no way to injure the missions or the pueblos.[7]

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[5] Governor Felipe de Neve's Reglamento of 1781 provided that each settler should be assigned four fields, each two hundred varas square, in addition to a house-lot. Even though these lands were to be devoted to the various uses of the community and could be forfeited, their assignment was but another step toward absolute ownership of land. John W. Dwinelle, The Colonial History of San Francisco, Addenda, No. IV, 3-8.

[6] In this manner a semblance of validity was given to the grants. There are no records to give evidence that Fages ever issued permanent titles to replace the temporary permits. M.M. Livingston, "Earliest Spanish Land Grants in California," History Society of Southern California, Publications, IX, 198.

[7] The grantee was also to erect a stone house on his rancho and keep at least 2,000 head of livestock. John W.

A temporary grant issued to Manuel Nieto in 1784, containing sixty-eight square leagues or over 300,000 acres and extending from the Santa Ana River to the San Gabriel and from the mountains to the ocean, was the largest of all grants made in California.[8] A large portion of this grant lay within the boundaries of the present County of Orange, and, had Nieto been allowed to retain his grant in its entirety, his rancho would have had the distinction of being the first in the County to date back to the Spanish regime. However, the padres of San Gabriel Mission raised a determined objection to the grant, contending that it was a territorial infringement upon the mission, and, as such, would prove conducive to the insubordination of the neophytes.[9] Consequently, Nieto's grant was greatly reduced.

On the fourth of January, 1813, the Spanish Cortes issued a decree whereby the reduction of public lands to priownership was authorized.[10] By so doing it was hoped that agricultural and industrial conditions would be improved and

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Dwinelle, The Colonial History of San Francisco, Addenda, No. VI, 9-10.

[8] M.M. Livingston, "Earliest Land Grants in California; History Society of Southern California, Publications, IX, 198.

[9] Irving Berdine Richman, California Under Spain and Mexico, 347.

[10] John W. Dwinelle, The Colonial History of San Francisco, Addenda, No. XI, 20-23.

that, through the consequent increase in the production of foodstuffs, the pueblos would be benefitted. Further, it was the desire of the Cortes to reward soldiers of the royal army who had distinguished themselves in the service of their king or who had proven themselves to be especially faithful.

Three years prior to the publication of the Decree of 1813, on the first of July, 1810, Governor Jose Joaquin Arrillaga granted to Jose Antonio Yorba and his nephew Juan Pablo Peralta, a tract of land which became known as the Santiago de Santa Ana Rancho. This rancho, which is distinguished by being the only Spanish grant within the limits of what is now Orange County, was not for any definite number of leagues but extended from the mountains to the sea and from the Santa Ana River to Cieniga de las Ranas (Red Hill).

The land had been occupied and used for pasturing stock as early as 1801 by Juan Pablo Grijalva, who had come to Alta California with his wife and three children in the capacity of a lieutenant with Anza in 1776. Later he served at the presidio of San Diego and, upon his retirement, sought and obtained permission to occupy the land under discussion. Associated with him in his cattle raising enterprise was his son-in-law, Jose Antonio Yorba, who had first come to Alta California as a sergeant of the Catalonian volunteers with Portolá in 1769, and who had continued his services in the royal army at the presidios at San Francisco, Monterey, and

San Diego until 1797, when he was retired.

Following the death of Grijalva his grandson, Juan Pablo Peralta, joined Yorba in petitioning that the land be granted them. To this request the widow of Lieutenant Grijalva gave her full consent and, since the priests of San Gabriel and San Juan Capistrano Missions made no protest, Governor Arrillaga allowed the petition.

Even though the grant to Yorba and Peralta was regular and complete at the time of its granting, the rancho did not receive its patent from the United States until the twenty-first of December, 1883. During the floods of 1825 the Santa Ana River, which had been designated as the western boundary of the rancho, changed its course to the eastward leaving a strip of land amounting to thousands of acres,[11] between the old and new courses of the river, to become the object of a controversy with the owners of Las Bolsas Rancho.[12] Thus was delayed the issuing of the patent.

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[11] According to the first government survey which went only to the new channel of the river, the rancho was given 61,517.57 acres. The survey made in 1883 included the land between the two courses and, as a result, the patent was issued for 78,941.49 acres. William McPherson, "Spanish and Mexican Land Grants in Orange County," Orange County History Series, II, 24-25.

[12] Squatters, claiming the disputed area as government land, settled upon it and began earning a living by cutting and selling willow wood for fuel. To further strengthen their claims many bought out the interests of the Yorba heirs and their assigns, to the land upon which they settled. The

Jose Antonio Yorba lived to enjoy his princely grant until 1825.[13] Following his death his title in the rancho passed on to his widow, Doña Josefa, and her four sons. Of these, Bernardo assumed the responsibilities of leadership and, later in the century, secured confirmation of their title to the land.

During the Spanish regime land grants were few but very large in area. However, when Mexico gained her independence, grants became smaller in extent and greater in number. It was to the interest of Mexico to have California well settled, therefore, on August 18, 1824, a decree was issued which provided for the granting of eleven square leagues of land to any foreigner who would establish himself in the territory, become naturalized, and submit himself to the laws of the country.[14] The decree also promised security of person and

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owners of the Las Bolsas grant protested and the matter was carried to the supreme court. Judge Stephen J. Field rendered a decision against the squatters. A bond of $75,000 was required of them but, being unable to raise it, they were evicted by the United States marshall. James M. Guinn, A History of California; Southern Coast Counties, 475.

[13] Jose Antonio Yorba was entombed in the old church at San Juan Capistrano Mission. It was his request that he be laid to rest there, under the tiles, just inside the door and where the holy water font would be above him, so that when people came to pray and dipped their fingers in the font, some drops of the holy water might fall upon him and so lessen his stay in Purgatory. John Steven McGroarty, Los Angeles Times, November 27, 1934.

[14] One league might be irrigable land (de regadio), four leagues dependent upon the season (de temporal) and six

property to any such an one and provided for exemption from taxation for a period of four years. This decree was followed, on November 21, 1828, by regulations which outlined the successive proceedings and steps by which grants could be made.[15]

Among the first to petition for land in his own right, under the new regime, was Bernardo Yorba. His request was allowed and, in 1834, Governor Jose Figueroa granted him three leagues situated on the northern side of the river across from the Rancho Santiago de Santa Ana. This grant became known as the Canon de Santa Ana and upon it Yorba built his home, one of the largest in Southern California.

The dwelling was a two-story adobe structure of two hundred sixteen rooms, built on three sides of a patio. The main part of the house contained many guest chambers, a chapel, and a large hall for dancing in addition to the rooms for the large family. In the wings were located quarters given over to the servants and those who worked at trades.[16]

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for the purpose of rearing cattle (de abreradiso). John W. Dwinelle, The Colonial History of San Francisco, Addenda, No. XII, 23-24.

[15] Dwinelle, The Colonial History of San Francisco, Addenda, No. XIV, 25-26.

[16] Rooms were given over to a goldsmith, weaver, blacksmith, leather workers, soap factory, bakery, distillery, pharmacist and numerous other industries. In the river bottom there was a water-power grist mill, while at some distance away was the slaughter house where ten steers were killed each month to supply the establishment with meat. Anaheim Bulletin, February 20, 1926.

Open house was kept in those early days and both friends and strangers were welcomed at the Bernardo Yorba hacienda which became the social center of the country. In Spain, the members of the Yorba family were among those who were received at court and, at fiestas in the new country, all the fine broadcloths, silks, linens, laces, and embroideries of Old Spain were brought forth.[17]

Bernardo Yorba became known as the largest and most reliable farmer in the neighborhood. It was his custom to ride over his holdings upon his big black horse and personally oversee the labors of the hundred or more Indians who worked for him.[18] His efforts were not entirely devoted to the raising of cattle and the growing of grain sufficient to supply

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[17] In 1829 Alfred Robinson stopped, en route from San Juan Capistrano to San Gabriel, at the home of Don Tomas Antonio Yorba. In his Life In California Before the Conquest, page 49, he described the Don as being "tall, lean and dressed in all the extravagance of his country's costume." The description follows:

> Upon his head he wore a black silk handkerchief, the four corners of which hung down his neck behind. An embroidered shirt, a cravat of white jaconet, tastefully tied, a blue damask vest, short clothes of crimson velvet, a bright green cloth jacket with large silver buttons and shoes of embroidered deerskin comprised his dress. . . . On some occasions such as some particular feast-day or festival, his entire display often exceeded in value a thousand dollars.

[18] These were engaged doing all the real ranch labor of herding, tilling, and reaping. The Indian women assisted in the house and were taught various kinds of work. Mrs. J. E. Pleasants, History of Orange County, I, 63.

the needs of his large establishment but he had a garden of several acres, a vineyard of goodly size, and an orchard which provided fruits of many varieties. In order to supply water for irrigating the gardens and orchard, the Santa Ana River was tapped. Thus it was Bernardo Yorba who first used the waters of the river for irrigation purposes.

Adjacent to the Rancho Santiago de Santa Ana on the south was the Rancho Lomas de Santiago which was granted to Teodocio Yorba by Governor Pio Pico in 1846.[19] Upon his grant Teodocio built several snug adobe houses and laid out a good vineyard and orchard. He reserved a small portion as grain land but the large remainder was given over to cattle raising. Each Yorba grant adjoined that of a brother and the combined acreage, owned by this family in Orange County alone, amounted to 139,496.63 acres.[20]

It will be recalled that, as early as 1784, Governor

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[19] The original grant was for four square leagues, but the patent issued on February 1, 1868, was for 47,226.61 acres or eleven square leagues; therefore, the rancho boundary was extended to the Santa Ana River. Due to the question concerning the title to the rancho squatters have filed upon the lands from time to time. However, following hearings both at Washington, D. C., and in Los Angeles, the report of the Public Lands Committee of the United States Senate, on March 14, 1932, held that the title was good. William McPherson, "Spanish and Mexican Land Grants of Orange County," Orange County History Series, II, 30.

[20] This figure represents but a portion of their holdings. The remainder which brings the total to 220,727 acres, lay in adjacent counties.

Fages had made a provisional grant to Manuel Nieto but that the grant, of necessity, had had to be reduced in extent. Early in the Mexican regime the heirs of Nieto sought to secure possession of the land originally granted and, after repeated solicitations, Governor Jose Figueroa took cognizance of their petitions and granted their requests. To Juan Jose Nieto were granted ten leagues, which became known as the Los Coyotes Rancho. Another tract comprising six leagues and later named Los Alamitos Rancho was granted to Juan J. Nieto, while a third grant, the Las Bolsas Rancho, fell to the portion of Antonio Nieto.

Later, these three ranchos became the property of Abel Stearns, who had come to California in 1829. From Boston he had gone to Mexico where he lived prior to coming to California, and where he had become a naturalized citizen. Soon after his arrival in Los Angeles he opened a general merchandise store. Success crowned his efforts and he began buying and selling land, which brought him wealth and the distinction of being the largest land and cattle owner in Southern California.[21]

He had married Arcadia, a daughter of Don Juan Bandini,

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[21] The Los Alamitos Rancho, stocked with cattle, was purchased in 1840 from General Figueroa for five thousand five hundred dollars, to be paid in either hides or tallow. Sarah Bixby Smith, Adobe Days, 59.

and, for her, he built a home known as El Palacio. In order to complete this pretentious Los Angeles residence, he was obliged to borrow twenty thousand dollars on a mortgage on the Los Alamitos Rancho but, due to the severe drought of 1863-64 and his consequent losses, he was unable to meet the payments; consequently, Michael Reese, the mortgagor, foreclosed and the rancho was lost to Stearns.[22]

Situated to the north and east of Los Alamitos Rancho, and in what is now northern Orange County, were three more grants. All of these, together with La Bolsa Chica, a grant of two square leagues which was given to Joaquin Ruiz in 1841, and which lay along the sea between the Los Alamitos and Las Bolsas Ranchos, were granted by Governor Juan Bautista Alvarado and became portions of the Stearns' ranchos.

In 1839, the La Habra, a grant of two square leagues located north of Los Coyotes Rancho, was awarded to Mariano Roldan who had served as an auxiliary alcalde in Los Angeles, and, who, at the time of his petition, was serving as Juez del Campo. Contiguous to the La Habra and Los Coyotes Ranchos on the west and the Las Bolsas and Santiago de Santa Ana on the south, was situated the San Juan Cajon de Santa Ana. This rancho was granted to Juan Pacifico Ontiveras in

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22 Sarah Bixby Smith, Adobe Days, 56; Pleasants, History of Orange County, I, 47.

1837, and contained eight square leagues. In the north-eastern portion of the latter grant was located a very small grant consisting of one square league only.[23] This was given to Gil Ybarra in 1841 and became known as the Rancho Rincon de la Brea.

Located in the extreme southern part of the present County of Orange were three grants made by Governor Pio Pico to Juan Forster.

By reason of these grants Juan Forster who, like Abel Stearns, was a naturalized citizen of Mexico, became the second greatest land holder in Southern California. John Forster was born in London, England, in 1814. He had gone to Guaymas, about 1831, at the request of James Johnson, an uncle, who was a trader. While working for this uncle, Forster, as master of the Facio, made a trip to California in 1833 to sell goods from the Orient. Finally, in 1836, during the changing era following secularization, he made his way overland to Los Angeles where he engaged in trapping and trading and where he married Ysadora Pico, a sister of the governor.

In 1844, Forster settled at San Juan Capistrano and the following year obtained the Mision Vieja or La Paz Rancho. Even though Forster's name appears as the original grantee

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[23] A square league was the equivalent of a little over 4,438 acres.

of the tract, it had been granted by Governor Alvarado to Jose Antonio Estudillo in 1841. However, Estudillo never occupied the land, and consequently, did not meet the conditions of the grant. In January of 1843, Aupgustin Olvera purchased whatever rights Estudillo might have retained in the grant and, at the same time, asked for the land in his own right. His request was allowed on April 4, 1845, but two days later he sold to Juan Forster, who, during 1844, had occupied the land and had used it for grazing.[24] Thus, by a purchase rather than through a gift, Forster became the owner of this tract of eight leagues.

Lying directly north of the Mision Vieja lands was the Trabuco Rancho, a grant comprising five square leagues. The grant was given Forster on April 25, 1846, but its history was somewhat similar to that of the Mision Vieja Rancho, for it, too, had been one of the grants made by Governor Alvarado in 1841. He had granted it to Santiago Arguello, who had called it Rancho de la Victoria, and who, in compliance with the terms of the grant, had built his house upon it, had dwelt there, had stocked it, and cultivated it. In 1843, however, he had sold to Juan Forster, who applied to have it granted to him in his own name.

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[24] William McPherson, Orange County History Series, II, 33.

A third grant of lands was made to Forster on April 5, 1845, and consisted of the Potreros of San Juan Capistrano, Los Pinos, La Cieniga, and El Carriso. Of these Los Pinos alone lies within the boundaries of Orange County.[25] It was separated from all other grants and, like the other two potreros, was very difficult of access.

Adjoining the Mision Vieja Rancho on the west and lying along the sea, south of San Juan Creek, was situated another small grant consisting of a league and a half only. This was given by Governor Pico to Emigdio Vejar on May 7, 1846, and became known as Boca de la Playa Rancho. Even though this grant was small, within its boundaries lay the smallest of all the land grants in Orange County, containing seven and seven hundredths acres only. The grant was made in 1843 by Governor Micheltorena to Santiago Rios, who was Juez de Paz at San Juan Capistrano.[26]

Adjoining the Trabuco and Mision Vieja Ranchos and bordering the coast between Canada de Las Lagunas and Arroyo Salada was a grant of three square leagues. This area, known as El Niguel, was granted in 1842 to Juan Avila who was

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[25] La Cieniga and El Carriso are located in what is now Riverside County.

[26] This tiny grant was confirmed by the Land Commission in 1854 and patented on March 1, 1879. McPherson, Orange County History Series, II, 33.

frequently spoken of as "El Rico."[27]

Lying between the Yorba and Forster ranchos, were two more grants, the San Joaquin and the Canada de los Alisos. Of these the San Joaquin was the larger, being for eleven square leagues. The gift was made to Jose Sepulveda in two grants, 1837 and 1842, by Governor Alvarado. The Canada de los Alisos grant was given to Jose Serrano at two separate times also. The first grant was made by Governor Alvarado in 1842 for two square leagues, while the second was made for two and a half additional square leagues by Governor Pico in 1846.

During the Mexican regime the granting of lands had been conducted in a very careless manner. Grantees were given juridical possession from the magistrate who was expected to see that the grant had been properly measured. No regular survey was made but the lands were measured by men riding upon horseback and dragging a riata over the ground. Furthermore, landmarks were set up which were of a temporary nature.[28]

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[27] Between El Niguel Rancho and the present highway to San Diego is a strip of land which is classed as a land grant by some authorities. However, records to verify this opinion are lacking. This region was called El Sobrante.

[28] An example of this is to be found in the definition of the boundary lines of La Habra Rancho, as follows:

> Commencing at the camina vieja and running in a right line 550 varas more or less distant from a small corral of tuna plants that forms the boundary of the lands of Juan Perez, which plant was taken as a landmark; thence in a direction west by south, running along the camina

Frequently there was an overlapping of grants and smaller ones were often located within the boundaries of larger grants.

Moreover, many titles had not passed to the rancheros but were still held by the Mexican government. Following the ratification of the Treaty of Guadalupe Hidalgo, the United States was placed in the position of the former government with respect to the holding of the land titles as well as in other matters and her obligations to the inhabitants of the newly acquired territory. Therefore, William Carey Jones was sent out from Washington to investigate the question of land titles in California. In 1850 he reported that most of the titles were perfect, and that most of those that were imperfect had equity.

Since it was the general belief on the part of Congress that all land claims in California derived from Spain and Mexico were only equitable claims which the United States was bound to protect, an "Act to Ascertain and Settle Private Land Claims in California" was adopted on March 3, 1851. This provided for a board of three commissioners to receive petitions

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> vieja 18,200 varas to a point of small hills which is the boundary of Juan Pacifico Ontiveras at which place was fixed as a land mark the head of a steer; from whence east by north passing by a wasteland 11,000 varas terminating at a hill that is in a line with another which is much higher and has three small oak trees upon it, at which place a stone land mark is placed, . . .

James M. Guinn, History of California; Southern Coast Counties, 475.

for the confirmation of private land claims and to decide upon the validity of such claims. The Act specified that all claims must be presented within two years following its adoption or the lands would be considered a part of the public domain.[29]

That which pertained to California as a whole pertained, as well, to the rancheros situated in what is now Orange County. Their claims, too, were presented to the Land Commission, but in many cases disagreements arose which, in some cases, involved litigations continuing for years. Many of the land holders became pressed for funds and sold portions of their holdings long before their cases were settled and the final patents issued. In addition to these troubles, difficulties arose with squatters who regarded the whole country as belonging to the United States and, therefore, subject to pre-emption.

Finally, there came the great drought of 1863-64 when there was no grass and the cattle died by the thousands. Many of the rancheros were practically bankrupt and gladly parted with their lands at very low figures. Investors with even slender means were enabled to come in and buy small ranches. Consequently the period of the great rancho came to an end.

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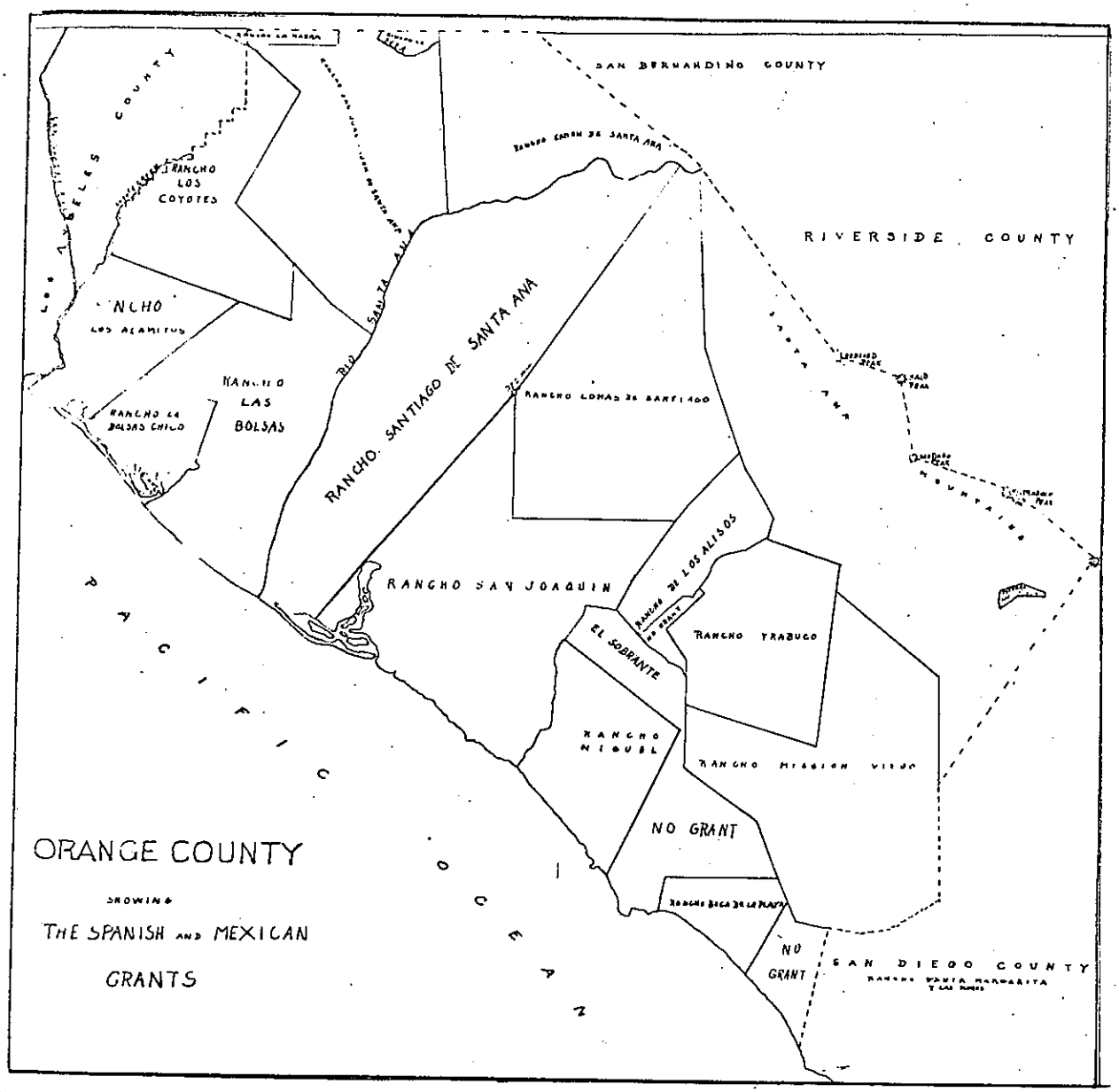
[29] Oscar T. Shuck, editor, History of the Bench and Bar of California, 57-60.


SAN BERNARDINO COUNTY
RIVERSIDE COUNTY
RANCHO LOS COYOTES
RANCHO LAS BOLSAS
RANCHO SANTIAGO DE SANTA ANA
RANCHO LOMAS DE SANTIAGO
RANCHO SAN JOAQUIN
RANCHO DE LOS ALISOS
EL SOBRANTE
RANCHO TRABUCO
RANCHO MISSION VIEJO
NO GRANT
NO GRANT
SAN DIEGO COUNTY
PACIFIC OCEAN
ORANGE COUNTY
SHOWING
THE SPANISH AND MEXICAN
GRANTS